

January 3, 2019

To: Warrenton Planning Commission

From: Kevin A. Cronin, AICP, Community Development Director

Re: DeWilde Mini-Storage Site Design Review Application | Phase 2 (SDR 18-5)

Wayne DeWilde with Shamrock Yachats LLC has submitted an application for industrial site design review for a mini-storage facility using revitalized shipping containers. The proposed development is an expansion of a previous site design review (SDR 15-10) approved by the Planning Commission on March 17, 2016. Phase 2 would install 36, 8-foot by 20-foot containers and 24, 8-foot by 40-foot containers on the southwest portion of his property located at 2385 SE Dolphin Avenue where several other industrial buildings and businesses are located. The subject property also is identified as Tax Lot 81033A000600.

### **Application Timeline & Process**

A pre-application conference was held in 2017. Pre-application notes were provided on December 12, 2017. On December 5, 2018, staff received a complete site design review application. The application was deemed complete on December 10, 2018. Notice was mailed to adjacent property owners on December 11. No public comments have been received to date. Notice was published in *The Columbia Press* on December 14, 2018. In addition, staff provided notice to affected agencies on December 11, 2018 and received no comments. However, comments were received from the Fire Department and Public Works Department and are enclosed.

Finally, staff conducted a site visit on December 18, 2018 to photo document the existing conditions, analyze the proposal in the field, and verify the original conditions of approval were met. The site of the proposed expansion has an existing derelict house that will be demolished. A demolition permit from the Building Department is required. There is significant vegetation adjacent to the riverbank that needs to be protected. (A 50 setback from high water line is proposed). In addition, a mature "Monkey Puzzle" tree (*Araucaria araucana*) is proposed to be preserved. Multiple businesses are located on the same tax lot with separate leases and access to Dolphin Ave. There are no other distinguishing site characteristics or existing nuisances.

## **I-1 General Industrial**

The proposal is an expansion of any existing mini storage unit facility. The proposed use falls under a “mini-warehouses or similar storage uses” which is an outright use in the I-1 zone (16.60.020.I).

### **Applicable Review Criteria**

Site design review and other applicable review standards are included in this staff report.

The proposal is subject to the following development standards and review requirements:

- I-1 zone development standards (16.60.040):
- Access and Circulation Design Standards (16.120)
- Design Standards for Landscaping, Street Trees, Fences, and Walls (16.124)
- Design Standards for Vehicle and Bicycle Parking (16.128)
- Design Standards for Clear Vision Areas (16.132)
- Stormwater and Surface Water Management Standards (16.140)
- 16.152 Grading, Excavating, and Erosion Control Plans
- Public Facilities Standards (16.136)
- Large-Scale Developments (16.192)
- Flood Hazard Overlay District (16.88)
- Wetland & Riparian Corridor Development Standards (16.156)
- Site Design Review Application and Review Procedures (16.212)

Only the applicable standards are addressed below. Portions that do not apply have been omitted. Findings are made based on the site plan dated November 30, 2018 from Morgan Civil Engineering, Inc.

### **FINDINGS OF FACT**

#### **16.60.040. I-1 General Industrial Zone Development Standards:**

The applicant did not provide specific responses to the following standards instead referring to previous approved application for Phase 1.

A. *Air Quality.* The air quality standards set by the Department of Environmental Quality shall be the guiding standards in this zone, except that open burning is prohibited in any case.

**Staff Finding:** The proposal does not include emitting of any pollutants that would require a DEQ air quality permit. Standard does not apply.

*B. Noise. As may be permitted under all applicable laws and regulations.*

**Staff Finding:** The proposal does not include any additional uses other than storage units. The City has recently experienced illegal uses operating in storage units and garages. It is incumbent upon the owner and operator of the storage units to demonstrate compliance after certificate of occupancy with an onsite manager /operator and specific lease instructions. See conditions of approval.

*C. Storage. All materials, including wastes, shall be stored and maintained in a manner that will not attract or aid the propagation of insects or rodents or other animals or birds, or otherwise create a health hazard or nuisance.*

**Staff Finding:** The purpose of storage units is to store materials. In order to meet the above standard, the owner/operator shall furnish a lease agreement for each customer that details the allowable and prohibited materials list. See conditions of approval.

*D. Fencing. Will be allowed inside a boundary planting screen and where it is necessary to protect property of the use concerned or to protect the public from a dangerous condition. Proposed fence locations and design shall be subject to City review.*

**Staff Finding:** There is an existing fence built for Phase 1 that complies with city standards. A new fence consistent with the existing one is proposed. Standard is met.

*E. Buffer. Where this zone adjoins another non-industrial zone there shall be a buffer area at least 10 feet wide to provide a dense evergreen landscape buffer which attains a mature height of eight feet, or such other screening measures as may be prescribed by the City in the event differences in elevation or other circumstances should defeat the purpose of this requirement.*

**Staff Finding:** The Dolphin Avenue corridor is an industrial district. Over the last decade it has transitioned from a rural residential area to a rapidly growing industrial area with more developments in the pipeline. Therefore, this standard does not apply.

*F. Vibration. No vibration other than that caused by highway vehicles, trains and aircraft shall be permitted which is discernible without instruments at the property line of the use concerned.*

**Staff Finding:** Storage units by themselves do not make noise or vibration. The only noise emitted would come from customer use. Standard is met.

*G. Airport Interference. No use shall create electrical or lighting interference with the operations of the Port of Astoria Airport.*

**Staff Finding:** The Port of Astoria reviewed the request and does not have any objections.

*H. Setbacks. The minimum front, side and rear yard setbacks shall be 10 feet. When across a street from a non-industrial zone, the setback from the property line shall be 10 feet. When a property abuts a non-industrial zone, the setback shall be as follows:*

- 1. 50 feet for buildings and other structures more than 10 feet in height;*
- 2. 30 feet for buildings and structures more than six feet high but not more than 10 feet high; and*
- 3. 10 feet for structures no more than six feet high (except fences no more than six feet high may be on the property line).*

**Staff Finding:** The property does not abut a non-industrial zone so the minimum 10-foot setback prevails. The existing development established the front setback and the north side setback. The south side setback is unclear on the site plan. **See conditions of approval.**

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

**Staff Finding:** The location of the Upper Skipanon River requires a 50-foot setback from mean high water line (WMC 16.156.050.7). The site plan illustrates the setback and complies with this standard.

*J. Building Height. The maximum building height shall be 45 feet, except that it may be lower under either of the following circumstances:*

- 1. Within 100 feet of a non-industrial zone, where the maximum building height shall be the same as the maximum building height in that zone.*
- 2. Within the Airport Hazard Overlay Zone, where the maximum building height is described by the Airport Hazard Overlay Zone.*

**Staff Finding:** The proposed design of the container type storage units will not exceed the 45 feet height standard. Standard is met.

*K. All other applicable Code requirements shall be satisfied.*

**Staff Finding:** See remainder of staff report.

*L. All new sewer and water connections for a proposed development shall comply with all City regulations.*

**Staff Finding:** The proposal does not include a need for sanitary sewer service. There is an existing water service from Phase 1. A previous condition of approval requires connection to the sanitary sewer line on Dolphin when the septic system fails. Standard is met.

*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.*

**Staff Finding:** There are no jurisdictional wetlands identified on the City's Local Wetland Inventory Map. Findings for the riparian corridor are addressed above. Standard does not apply.

*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)*

**Staff Finding:** Standard does not apply.

#### **16.120.020. Vehicular Access and Circulation Standards**

*F. Access Options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (a minimum of 10 feet per lane is required). These methods are "options" to the developer/subdivider, unless one method is specifically required under Division 2, or through conditions required by the hearings body.*

*1. Option 1. Access is from an existing or proposed alley or mid-block lane. If a property has access to an alley or lane, direct access to a public street is not permitted.*

2. Option 2. Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., “shared driveway”). A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive.

3. Option 3. Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in subsection G of this section, and require an access permit in accordance with subsection C of this section.

6. Important Cross-References to Other Code Sections. Divisions 2 and 3 may require buildings placed at or near the front property line and driveways and parking areas oriented to the side or rear yard. The City may require the dedication of public right-of-way and construction of a street (e.g., frontage road, alley or other street) when the development impact is proportionate to the need for such a street, and the street is identified by the Comprehensive Plan or Transportation System Plan. (Please refer to Chapter 16.136, Public Facilities Standards.)

**Staff Finding:** The subject property has frontage on SE Dolphin Avenue. The proposed primary access point is the existing driveway that was created during Phase 1 with a secondary emergency access through the same lot to an adjacent business. The proposal fits under “Option 2” under 16.120.020.F. However, the emergency access egress is unclear. See condition of approval.

Based on this, the proposal is consistent with the requirements of 16.120.020.F pending additional findings.

H. Number of Access Points. ... The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with subsection I of this section, in order to maintain the required access spacing, and minimize the number of access points.

**Staff Finding:** The subject property will use one access point consistent with the standard. The

minimum number is being proposed as well. Based on this, the proposal is consistent with the requirements of 16.120.020.H.

*l. Shared Driveways. The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division, development review, or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:*

*1. Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).*

*2. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval (Chapter 16.216) or as a condition of development review or site development approval (Chapter 16.212).*

*3. Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, parcel configuration, and similar conditions) prevent consolidation of access points to public streets.*

*4. Cross Access. Cross access is encouraged, and may be required, between contiguous sites in commercial (C-1, C- MU, C-2 & R-C) and industrial (I-1 & I-2) districts and for multifamily housing developments in the High Density Residential District in order to provide more direct circulation between sites and uses for pedestrians, bicyclists, and drivers.*

**Staff Finding:** The subject property will build a system of private drive aisles to service the development. Cross access between businesses on the same lot is encouraged. However, the amount of trips generated for the proposed use does not warrant cross access at this time. If the remainder of the development of parcel does develop then a cross access may be required. Based on this, the proposal is consistent with the requirements of 16.120.020.I. See conditions of approval.

*K. Driveway Openings and Widths. Driveway openings (or curb cuts) shall be the minimum width necessary to provide the required number of vehicle travel lanes (10 feet for each travel lane). The*

following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize surface water runoff, and avoid conflicts between vehicles and pedestrians:

4. *Access widths for all other uses shall be based on 10 feet of width for every travel lane, except that driveways providing direct access to parking spaces shall conform to the parking area standards in Chapter 16.128.*
5. *Setback Required. A minimum five-foot setback from the edge of driveway to any property line is required. The setback area shall be kept free of impervious surfaces at all times and shall be vegetated to minimize surface water runoff to adjoining properties. These requirements may be increased if the Community Development Director, Building Official, City-appointed engineer, or Planning Commission determines that topography, soil conditions, or other circumstances dictate the need for additional protection measures.*
6. *Driveway Aprons. Driveway aprons shall meet City construction standards and be installed between the street right-of-way and the private drive, as shown in Figure 16.120.020.K. Driveway aprons shall conform to ADA standards for sidewalks and pathways, which require a continuous route of travel that is a minimum of three feet in width, with a cross slope not exceeding two percent.*
7. *Driveway Approaches. Driveway approaches should be designed and located to provide an existing vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes or tapers should be avoided due to potential for vehicle conflicts.*
8. *Loading Area Design. The design of driveways and on-site maneuvering and loading areas for commercial and industrial developments shall consider the anticipated storage length for entering and exiting vehicles, in order to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.*

**Staff Finding:** The proposed development relies on an existing access driveway from SE Dolphin Ave that was created for Phase 1 and complies with the standard. Standard is met.

L. *Fire Access and Circulation. The City of Warrenton adopts the Uniform Fire Code, as amended, including administrative sections and all appendices and all the State of Oregon revisions. All development in the City of Warrenton is required to meet these minimum adopted standards.*

1. *Required Access. A fire equipment access drive that meets City construction standards shall*

*be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an improved public street or approved fire equipment access drive. Plans for fire apparatus access roads shall be submitted to the Warrenton Fire Department and Warrenton City-appointed engineer for review and approval prior to issuance of building permits, grading permits, or start of construction. When fire apparatus access road(s) are required, the road(s) shall be installed and made serviceable prior to and during time of construction. Fire department access roads shall be provided and maintained in accordance with the fire department access requirements of the Uniform Fire Code, as amended.*

2. *Dimensions. Fire apparatus roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. Fire apparatus roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities.*

3. *Turnaround Required. Dead-end fire apparatus roads in excess of 150 feet shall be provided with approved provisions for the turning around of fire apparatus. See Table 16.136.010 for minimum standards.*

4. *Grade. The gradient for a fire apparatus access road shall not exceed 12% except that isolated segments no longer than 250 feet may have grades up to 15% upon approval by the Warrenton Fire Chief. Non-fire apparatus access roads (driveways and private streets) shall maintain a maximum grade of 15% unless otherwise approved by the Warrenton City-appointed engineer. See Table 16.136.010 for other applicable standards.*

5. *Parking Areas. Parking areas shall provide adequate aisles or turn-around areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner. See also Chapter 16.136, Public Facilities Standards.*

**Staff Finding:** The proposal includes the design elements listed above. There is a breakaway fence proposed for secondary access. Based on this, and subject to review by the Fire Chief, the proposal can meet the requirements of 16.120.020.L. See conditions of approval.

M. *Vertical Clearances. Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13 feet 6 inches for their entire length and width.*

**Staff Finding:** The proposed site plan does not have any features impeding vertical clearance.

N. *Vision Clearance. No signs, structures or vegetation in excess of three feet in height shall be*

*placed in vision clearance areas, as shown in Figure 16.120.020.N. The minimum vision clearance area may be increased by the Community Development Director, City-appointed engineer, or Planning Commission upon finding that more sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). See also Chapter 16.132 for additional requirements.*

**Staff Finding:** The landscaped areas associated with both driveways meet the code's clear vision requirements as long as landscaping is maintained to these standards. With a maintenance plan in place, the proposal meets requirements in 16.120.020.N.

*O. Construction. The following development and maintenance standards shall apply to all driveways, parking areas, and private streets in the City of Warrenton:*

*1. Surface Options. All driveways, parking areas, aisles, and turn-a-rounds in the City of Warrenton shall be paved with asphalt, concrete, or other comparable surfacing. A durable non-paving material may be used for driveways and private streets that serve three or fewer residential dwelling units and in other instances where the need to reduce surface water runoff and protect water quality can be demonstrated through adequate findings of fact submitted by the applicant and/or property owner as part of the development proposal. All paving and non-paving surfaces shall meet City construction standards and shall be subject to review and approval by the Community Development Director, City-appointed engineer, and/or Planning Commission.*

*2. Surface Water Management. All driveways, parking areas, aisles and turn-a-rounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facility plans shall be prepared by a qualified person and constructed in conformance with City standards. Such plans shall attempt to follow the principle that water falling on a given site should be absorbed or retained on-site to the extent that the quantity and rate of water leaving the site after the development would not be significantly different than if the site had remained undeveloped.*

*3. Driveway Aprons. When driveway approaches or "aprons" are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing and meet City construction standards.*

**Staff Finding:** The proposed site plan shows that all parking and driveways are to be paved. The plan shows a stormwater facility. The City's contract engineer needs to conduct a review and provide comments on the stormwater collection system. See comments and conditions of

approval.

#### **16.120.030. Pedestrian Access and Circulation Standards**

*A.1. Continuous Pathways. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas whenever possible. The developer may also be required to connect or stub pathway(s) to adjacent streets and private property, in accordance with the provisions of Section 16.120.020, Vehicular Access and Circulation, and Chapter 16.136, Public Facilities Standards.*

**Staff Finding:** The proposed plan includes a sidewalk detail along SE Dolphin Avenue. There is no internal sidewalk proposed for the development site. In addition, there is no pathway or sidewalk system identified from the off street parking area to the entrance nor is there a system for pedestrian access internal to the private street system. However, there is no existing or planned trails or pedestrian facilities identified in the TSP or Trails Master Plan to make a connection nor does the amount of pedestrian activity expected from the use warrant an internal sidewalk system. The proposal still does not meet the requirements of 16.120.030.A.1. See conditions of approval.

*A.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, 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.*

**Staff Finding:** See findings above.

*A.3. Connections Within Development. For all developments subject to site design review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas (as*

*applicable), and adjacent developments to the site, as applicable.*

**Staff Finding:** There is only one entrance proposed. It is a secured facility that limits access for bikes and pedestrians. As stated above, there is no internal connections or connections to existing or future development. For these reasons, the proposal is not consistent with 16.120.030.A.3. See conditions of approval.

*B.3. Crosswalks. Where pathways cross a parking area, driveway, or street (“crosswalk”), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a concrete crosswalk through an asphalt driveway. If painted striping is used, it shall consist of thermoplastic striping or similar type of durable application.*

**Staff Finding:** There is no crosswalk proposed on the driveway from SE Dolphin Ave. However, the proposal does include a concrete driveway apron that will be distinguished from the asphalt. Standard is met.

#### **16.124.050. Design Standards for Fences and Walls**

*A. General Requirements. All fences and walls shall comply with the standards of this section. The City may require installation of walls and/or fences as a condition of development approval, in accordance with Chapter 16.220, Conditional Use Permits, or Chapter 16.212, Development Review and Site Design Review. Walls built for required landscape buffers shall comply with Section 16.124.030.*

**Staff Finding:** Site plan shows a fenced property consistent with the existing development. Standard is met.

*B. Dimensions.*

*1. The maximum allowable height for fences and walls in the City of Warrenton is six feet, as measured from the lowest grade at the base of the wall or fence, except that retaining walls and terraced walls may exceed six feet when permitted as part of a site development approval, or as necessary to construct streets and sidewalks. Refer to paragraph 4 of this subsection for additional fence standards for residential uses.*

*3. A building permit is required for walls exceeding four feet in height and fences exceeding six*

*feet in height, in conformance with the Uniform Building Code.*

5. *Walls and fences to be built for required buffers shall comply with Section 16.124.030.*
6. *Fences and walls shall comply with the vision clearance standards of Section 16.120.020.*

**Staff Finding:** The site plan does not show the fence detail. See condition of approval.

#### **16.124.070. Design Standards for New Landscaping**

*B. Landscaping Plan Required. For every new development in the City of Warrenton requiring a City permit, a landscape plan is required. All landscape plans shall include the following minimum required details (see Section 16.212.040 for additional landscape plan requirements for projects requiring site design review):*

1. *Legal description (e.g., assessor parcel number, copy of warranty deed, etc.) for the subject property;*
2. *Property lines with the location and general description (height and type of material) of existing and proposed fences and other buffering or screening materials;*
3. *The location of existing and proposed terraces or retaining walls;*
4. *The location of existing and proposed plant materials;*
5. *Wetland and/or riparian area boundaries on the property, if any;*
6. *Existing and proposed structures;*
7. *Driveway and adjoining roadway widths, descriptions, and locations; and*
8. *Prevailing drainage patterns for the property.*
9. *Other information as deemed appropriate by the Community Development Director. An arborist's report may be required for sites with mature trees that are protected under this chapter and/or Chapter 16.156 of this Code.*

**Staff Finding:** A basic landscape plan was submitted with the application materials and prepared by the applicant's landscape designer. The plan indicates a continuation of the same plant pattern from Phase 1. However, the plants selected are not native to the Pacific

Northwest and use gravel as a cover material. Standard is not met. See additional findings below.

C. Landscape Area Standards. The minimum percentage of required landscaping equals:

2. *Commercial districts: 15% of the site shall be landscaped according to the requirements of this section.*

**Staff Finding:** The landscape plan submitted with the application materials does not provide adequate info on how to meet this standard. Standard is not met. See conditions of approval.

D. Landscape Materials. Landscape materials include trees, shrubs, groundcover plants, turf grasses (e.g. grass sod or seed), and outdoor hardscape features, as described below:

1. Natural Vegetation. Natural vegetation shall be preserved or planted where practicable.

2. Plant Selection. A combination of deciduous and evergreen trees, shrubs, turf grasses, and groundcovers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions. As necessary, soils shall be amended to allow for healthy plant growth.

3. "Non-native, invasive" plants, as per Section 16.124.020, shall be prohibited.

4. Hardscape features (i.e., patios, decks, plazas, etc.) may cover up to 50% of the required landscape area. Swimming pools, sports courts and similar active recreation facilities may not be counted toward fulfilling the landscape requirement.

5. Non-plant Groundcovers. Bark dust, chips, aggregate or other non-plant groundcovers may be used, but shall cover no more than 50% of the area to be landscaped. "Coverage" is measured based on the size of plants at maturity or after five years of growth, whichever comes sooner.

6. Tree Size. Trees shall have a minimum caliper size of one and one-half inches or greater (two inches for required street trees) at time of planting.

7. Shrub Size. Shrubs shall be balled and burlapped and sized to fit in multi-gallon containers.

8. Groundcover Size. Groundcover plants shall be sized and spaced so that they grow together to cover a minimum of 30% of the underlying soil within two years.

9. Significant Vegetation. Significant vegetation preserved in accordance with Section

*16.124.020 may be credited toward meeting the minimum landscape area standards. Credit shall be granted on a per square foot basis. The street tree standards of Section 16.124.040 may be waived when trees preserved within the front yard provide the same or better shading and visual quality as would otherwise be provided by street trees.*

*10. Stormwater Facilities. Stormwater facilities (e.g., detention/retention ponds and swales) shall be landscaped with water tolerant, native plants.*

**Staff Finding:** The proposed landscape plan identifies two, non-native grasses and aggregate to meet the minimum requirements of 16.124.070.D. There are no details on the ground cover material or percentage of coverage, hardscape features, or tree caliper size. There is significant vegetation to be preserved with the “Monkey Puzzle” tree. Laurel is a non-native species and will be removed. Based on a site visit, there is other non-native vegetation that must be removed. The requirements of this section have not been met. See conditions of approval.

*E.1. Yard Setback Landscaping. Landscaping shall satisfy the following criteria:*

- a. Provide visual screening and privacy within side and rear yards while leaving front yards and building entrances mostly visible for security purposes.*
- b. Use shrubs and trees as wind breaks, as appropriate.*
- c. Retain natural vegetation, as practicable.*
- d. Define pedestrian pathways and open space areas with landscape materials.*
- e. Provide focal points within a development, such as signature trees (i.e., large or unique trees), hedges and flowering plants.*
- f. Use trees to provide summer shading within common open space areas, and within front yards when street trees cannot be provided.*
- g. Use a combination of plants for year-long color and interest.*
- h. Use landscaping to screen outdoor storage and mechanical equipment areas, and to enhance graded areas such as berms, swales and detention/retention ponds.*

**Staff Finding:** The proposed landscape plan relies on a minimum amount around the main property frontage. No other landscaping is proposed around the perimeter of the site and in

the parking area, which may not meet the minimum 20% standard. It is also not used to provide “color and interest” or define paths or create a focal point of interest or visual cue. Standard is not met. See conditions of approval.

*E.2. Parking Areas. A minimum of eight percent of the combined area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of an evenly distributed mix of shade trees with shrubs and/or groundcover plants. “Evenly distributed” means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy. At a minimum, one tree per five parking spaces total shall be planted to create a partial tree canopy over and around the parking area. All parking areas with more than 20 spaces shall include landscape islands with trees to break up the parking area into rows of not more than 12 contiguous parking spaces. All landscaped areas shall have minimum dimensions of four feet by four feet to ensure adequate soil, water, and space for healthy plant growth.*

**Staff finding:** There is no proposed parking lot landscaping based on the submitted plans. In addition as noted above, there are no percentages provided that demonstrate compliance with subsection E.2. The site plan shows 17 off street parking spaces in three rows. However, based on the total review, the proposed landscape plan does not meet the requirements of 16.124.070.E.2. See conditions of approval.

*E.3. Buffering and Screening Required. Buffering and screening are required under the following conditions:*

*a. Parking/Maneuvering Area Adjacent to Streets and Drives. Where a parking or maneuvering area is adjacent and parallel to a street or driveway, a decorative wall (masonry or similar quality material), arcade, trellis, evergreen hedge, or similar screen shall be established parallel to the street or driveway. The required wall or screening shall provide breaks, as necessary, to allow for access to the site and sidewalk by pedestrians via pathways. The design of the wall or screening shall also allow for visual surveillance of the site for security. Evergreen hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number and spacing to provide the required screening within one year after planting. Any areas between the wall/hedge and the street/driveway line shall be landscaped with plants or other groundcover. All walls shall be maintained in good condition, or otherwise replaced by the owner.*

*b. Parking/Maneuvering Area Adjacent to Building. Where a parking or maneuvering area, or*

*driveway, is adjacent to a building (other than a single-family, two-family, or three-family dwelling), the area shall be separated from the building by a raised pathway, plaza, or landscaped buffer not less than four feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect buildings from being damaged by vehicles. When parking areas are located adjacent to residential ground-floor living space (except for a single-family residence, duplex, and triplex), a landscape buffer is required to fulfill this requirement.*

**Staff Finding:** The location of the existing landscaping plus the proposed will meet this standard if other conditions can be met. See conditions of approval.

*F. Maintenance and Irrigation. The use of drought-tolerant plant species is encouraged, and may be required when irrigation is not available. Irrigation shall be provided for plants that are not drought-tolerant. If the plantings fail to survive, the property owner shall replace them with healthy plantings of shrubs, flowering plants and/or trees. All other landscape features required by this Code shall be maintained in good condition, or otherwise replaced by the owner.*

**Staff Finding:** The landscape plan does not show an irrigation system for the landscaped areas. Native plant species are generally drought tolerant after an establishment period. If non-drought tolerant species are used, the project shall include irrigation for a two-year period to meet the requirements of 16.124.070.F.

#### **16.128. Motor Vehicle and Bicycle Parking Standards.**

*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.*

Table 16.128.030.A establishes this parking standard for warehousing, including min-storage:

*1 space per 1,000 sq. ft. of gross floor area or for each 2 employees, whichever is greater, plus 1 space per company vehicle*

**Staff Finding:**

This requirement applies to the proposal as follows:

- 13,120 square feet of gross floor area: 14 spaces
- Employees: 1 space - Only 1 employee on site
- Company vehicle: 1 (assumed for on site manager)

Based on this calculation, a total of 15 off-street parking spaces are required. The site plan indicates 17 spaces but does not indicate spaces for ADA compliance. The parking code does not have a maximum cap on the number of spaces. The proposed parking plan does not meet the ADA requirement. In addition, it's not clear how many storage spaces are dedicated. See conditions of approval.

A. General Provisions.

1. *Groups of four or more off-street parking spaces shall be served by a driveway or aisle so that no backing movements or other maneuvering within a street or right-of-way, other than an alley, will be required. Section 16.120.020 contains driveway opening and width standards.*
2. *Service drives or aisles to off-street parking areas shall be designed and constructed to facilitate the flow of traffic and to provide maximum safety to pedestrian, bicycle, and vehicular traffic on the site.*
3. *Service drives or aisles shall be clearly and permanently marked and defined through the use of bumper rails, fences, buildings, walls, painting, or other appropriate markers.*
4. *Fractional space requirements shall be counted as a whole space.*
5. *All parking lots shall be designed and constructed to meet the City standards of Section 16.120.020, this chapter, Chapter 16.136, and this Code.*
6. *Uses not specifically listed above shall furnish parking as required by the Community Development Director, who shall consider uses similar to those listed in Table 16.128.030.A and the Institute of Traffic Engineers Parking Generation as guides for determining requirements for other uses.*

**Staff Finding:** The proposed parking plan has service drive aisles and the location does meet the requirements of 16.128.030.A.1 through 6. The proposed parking area do not conflict with backing movements into the drive aisle since it dead ends. Standard is met.

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

**Staff finding:** Proposed parking design does not have dimensions indicated for different spaces such as compact spaces or RV parking spaces. If long term storage for vehicles is proposed, then it needs to be indicated on the plans. Based on this, the dimensional standards in 16.128.030.C are not met. See conditions of approval.

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

**Staff Finding:** The table referenced above requires two accessible spaces for a parking lot with up to 50 spaces. The proposal does not meet the requirements of 16.128.030.D. See conditions of approval.

#### **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. 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:

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.

**Staff Finding:** No bicycle parking was provided in the first phase nor is it indicated on the proposal. Based on the total number of off street vehicle spaces (24), two bike racks are required. See conditions of approval.

**16.132.010. Clear Vision Area Standards.**

*A. A clear vision area shall be maintained on the corner of property adjacent to the intersection of two streets, or adjacent to the intersection of a street and a railroad.*

*B. A clear-vision area shall consist of a triangular area. Two sides of the triangle are lot lines measured from the corner intersection of the street lot lines for a distance specified in this section or, where the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection and so measured. The triangle's third side is a line across the corner of the lot joining the non-intersecting ends of the other two sides.*

*C. A clear-vision area shall contain no planting, fence, wall, structure, or temporary or permanent obstruction exceeding 36 inches in height measured from the top of the curb or, where no curb exists, from the established street centerline grade, except:*

*1. Trees exceeding this height may be located in this area provided all branches and foliage are removed to a height of eight feet above the grade;*

*2. Open-wire fencing that does not obscure sight more than 10% may be a maximum of 48 inches high.*

*D. The following dimensional requirements govern clear vision areas:*

*1. The minimum length of street sides of the clear vision triangle shall be 15 feet. See Figure 16.132.010.*

*2. The minimum vision clearance area may be increased by the Community Development Director, City-appointed engineer, or Planning Commission upon finding that more sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.).*

**Staff Finding:** The clear vision areas associated with the driveway intersection do not suggest an issue and was verified in the field. The proposal could meet the clear vision standards as long as landscaping is maintained to these standards. With proper landscape maintenance, the proposal meets the requirements of 16.132.010. See condition of approval.

**16.140. Stormwater and Surface Water Management Standards.**

*16.140.010. A. To the extent practicable, all development must conform to the natural contours*

*of the land and natural and pre-existing man-made drainage ways must remain undisturbed.*

*16.140.010.B. To the extent practicable, lot boundaries created by partition or subdivision must coincide with natural and pre-existing man-made drainage ways to avoid the creation of lots that can be built upon only by altering such drainage ways.*

*16.140.020.A. All developments must provide an adequate drainage system to prevent the undue detention or retention of stormwater or surface water on the development site. Stormwater or surface water will not be regarded as unduly detained or retained if:*

*1. The detention or retention results from a technique, practice or device deliberately installed as part of an approved sedimentation or stormwater runoff control plan prepared by an engineer; or*

*2. The detention or retention is not substantially different in location or degree than that experienced by the development site in its predevelopment state, unless such detention or retention presents a danger to health or safety.*

*16.140.020.B. No stormwater may be channeled and directed into a sewer line.*

*16.140.020.C. Whenever practicable, the drainage system of a development must coordinate with and connect to the drainage systems or drainage ways on surrounding properties or streets.*

*16.140.020.D. All developments must be constructed and maintained so that adjacent properties are not unreasonably burdened with stormwater runoff as a result of the developments.*

*16.140.020.A. No development may be constructed or maintained so that the development unreasonably impedes the natural flow of water from higher adjacent properties across the development, resulting in substantial damage to the higher adjacent properties;*

*16.140.020.B. No development may be constructed or maintained so that stormwater from the development is collected and channeled into natural or man-made drainage ways, such that the volume and/or rate of flow is substantially greater than the pre-development volume and/or rate.*

*16.140.020.C. No development may be constructed such that the flow of water through natural or existing man-made drainage ways is obstructed. Bridges and culverts constructed to allow the flow of water through a development must be designed to pass flow during a 100-year storm event.*

**Staff Finding:** Engineering review of a stormwater plan is required prior to building permits issuance. See conditions of approval.

*16.140.040.A. For projects that disturb over one acre, applicants must apply to Oregon Department of Environmental Quality (DEQ) for a National Pollutant Discharge Elimination Control System (NPDES) 1200(C) permit.*

**Staff Finding:** The project will not disturb more than one acre, so this requirement is not applicable to the proposal. However, an erosion control plan is still required. See conditions of approval.

*16.140.040.B. Erosion and sediment control plans are required by the City as a component of the site plan for all plats and all projects which require site plan review. Erosion control plans must be designed to the specifications as outlined in this chapter.*

**Staff Finding:** The proposal does not include an erosion control plan. See conditions of approval.

#### **16.144. Signs**

**Staff Finding:** Chapter 16.144 establishes size, location, and design standards for signs. The applicant already has a sign installed on site and received a sign permit (SIG 17-2). Therefore, standard does not apply.

#### **16.192. Large-Scale Developments**

This chapter establishes special standards for projects larger than two acres or 10,000 square feet of floor area. The proposal exceeds these thresholds, so these standards are applicable.

*16.192.010.A. Large-Scale Development. A development which is:*

- 1. A planned unit development, manufactured dwelling park, recreational vehicle park, or campground; or*
- 2. A multifamily housing development or row house/townhouse (single-family attached) development which within two calendar years will have 10 or more dwelling units; or*

3. *A commercial, industrial, public or institutional development which within two calendar years will use two or more acres of land or will have buildings with 10,000 square feet or more of floor area; or*

4. *Dependent on the expansion of City utility system(s) to service the development, including, but not limited to, development (or improvement) of transportation facilities or water and/or sewer mainline extensions.*

B. *Review Type.*

1. *Type III: "1, 2, 3, or combined 1 and 4."*

2. *Type I: "4."*

**Staff Finding:** The proposal involves development as described in subsection 3, which requires a Type III review. The development code describes a Type III review in section 16.208.020.C. The City is following this process for this application.

*16.192.030.A. Unless the Community Development Director (Type I or Type II) or hearings body (Type III) determines that an adequate detailed soil survey has already been undertaken for the entire portion of the site proposed for development, the owner or developer shall have a new soil survey of the site prepared to determine if construction on the site would be hazardous to facilities on the parcel or to nearby property due to the load bearing capacity of the soils, the potential for wind or water erosion, or the wetness or slope characteristics of the soil.*

*B. The soil survey shall be performed by a registered geotechnical engineer that is licensed in the State of Oregon.*

*C. If the detailed soil survey indicates that significant amounts of hazardous soils are in locations desired for development, the developer or owner shall submit a report to the City of Warrenton prepared by a licensed geotechnical engineer which indicates suitable techniques to minimize potential soil hazards to facilities on the parcel or to nearby property.*

*D. The proposed use will only be approved if:*

1. *The detailed soil survey indicates that there is not a significant amount of hazardous soils on the portion of the site proposed for development; or*

2. *A method of eliminating hazards which could result from soils on the site prepared by a licensed geotechnical engineer and submitted to the City of Warrenton Planning and Building*

*Department for review by a City-appointed engineer who will be paid by the developer and/or property owner.*

*E. If a detailed soil survey indicates that corrosive resistant materials are appropriate for pipes or foundations associated with the development, the City-appointed engineer may require that suitable materials be used for the pipes or foundations.*

**Staff Finding:** The soil investigation required by this section has not been provided with the application materials. If a previous soil survey was completed for Phase 1, then this condition can be verified and met. See condition of approval.

*16.192.040. The applicant shall submit a stormwater management plan, which shall meet the criteria of Chapter 16.140 of this Code, to the City of Warrenton Planning and Building Department for review for the proposed development that is prepared by a registered engineer currently licensed in the State of Oregon.*

See findings above. See conditions of approval.

*16.192.050.A. The applicant shall provide detailed information and analyses, as necessary, to the City of Warrenton to allow the City to assess the expected impacts of the development on the capacity of Warrenton's water, sewer, and transportation. The development will only be allowed if sufficient capacity exists or suitable evidence indicates it will exist prior to completion of the development construction. In deciding the sufficiency of capacity, consideration will be given to possible increases in flows resulting from activities of existing system users and from facilities which are likely to be built due to the proposed use, but are not part of the development.*

*B. On-site water supply, sewage disposal, access and circulation, shall be approved by the Warrenton Public Works Director. The development will not be allowed unless satisfactory provisions are made for these facilities. Satisfactory provisions, in part, mean that the size of any water lines, sewer lines, access roads, and drainage-ways will be sufficient to meet the needs of the development and, where desirable, accommodate growth in other areas. Suitable arrangement, including dedication of land or use of easements, shall be made so that the City will be able to maintain appropriate water, sewer, street, and drainage facilities. The construction of lengthy pressure-forced sewer lines to the site which by-pass undeveloped properties will be discouraged.*

*C. Utility lines in the development (including electricity, communications, street lighting and cable television) shall be placed underground. Appurtenances and associated equipment such as*

*surface mounted terminal boxes and meter cabinets may be placed above ground.*

*D. All utilities shall be installed in conformance with this Code and City construction standards.*

**Staff Finding:** The applicant submitted an impact study. The contract city engineer needs to review the impact study for compliance with this standard. No above ground utility lines are included in the proposal. See conditions of approval.

*16.192.060. Evidence indicating that local schools will be capable of accommodating the children from the development must be submitted in conjunction with proposals for large-scale residential development.*

**Staff Finding:** This standard is applicable only to residential development. It is not applicable to the proposed industrial development.

*16.192.070. The development shall comply with the provisions of a landscape plan which is consistent with Chapter 16.124 of this Code.*

The proposed landscape plan is addressed elsewhere in this report.

*16.192.080. All signs of any type within the development are subject to design review and approval by the Community Development Director or hearings body (Type III). The City shall consider each sign on its merits based on the aesthetic impact on the area, potential traffic hazards, and need for the sign. No sign shall violate provisions in Chapter 16.144.*

Signs were addressed above.

### **16.88.030 Flood Hazard Overlay District Administration.**

- A. Establishment of Floodplain Development Permit. A floodplain development permit, in addition to any regular building permit and/or grading permit that may be required, shall be obtained before construction or development begins in any area of special flood hazard established in Section 16.88.010. The permit shall be for all structures including manufactured homes, as set forth in the "definitions," and for all development including fill and other activities.*
- B. Application for a development permit shall be made on forms furnished by the Planning and Building Department and may include but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or*

*proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:*

- 1. Description of proposed development.*
- 2. Size and location of proposed development (site plan required).*
- 3. Base flood elevation at the site.*
- 4. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures.*
- 5. Elevation to which floodproofing has occurred (if any).*
- 6. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 16.88.040.*
- 7. Elevation in relation to mean sea level of floodproofing in any structure.*
- 8. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.*
- 9. FEMA/NFIP elevation certificate completed by a land surveyor, engineer, or architect who is authorized by law to certify elevation information (for all new structures and substantial improvements unless otherwise exempt from this requirement by state or federal law).*

**Staff Finding:** It is unclear whether a significant portion of the site is in the 100-year floodplain. A floodplain development permit shall be required prior to building permits. This includes all required information mentioned above and in particular an elevation certificate that establishes the base flood elevation for new construction. See conditions of approval.

#### **16.212. Site Design Review Application and Review Procedures**

This section was addressed during completeness review for this application.

#### **CONCLUSIONS & RECOMMENDATION**

The analysis and findings above demonstrate that the proposal meets the applicable city development standards and criteria as submitted or could be met through conditions of approval. Accordingly, staff recommends approval of SDR 18-5.

There following conditions of approval are strongly suggested.

1. Rather than terminating the sidewalk as shown on the drawings, extend the southerly to the curb cut into the parking lot for Ben's Computers.
2. Verify all conditions from Phase 1 have been met or can be met prior to engineering review.
3. Resubmit a landscaping plan that meets the 20% standard with native landscaping, which will be require review and approval prior to building permits being issued. Provide a maintenance plan and an irrigation system to ensure continued growth if drought tolerant species are not used. Provide protective "orange" fencing around Monkey Puzzle tree during construction and a permanent 15 ft clearance for continued tree growth.
4. Revise the site plan to clearly show the parking space dimensions and long-term storage of any vehicles. In addition, provide 2 ADA spaces in compliance with state standard and two bike racks at the front entrance.
5. Show a crosswalk on the driveway apron or provide a color/material that is distinguished from the asphalt.
6. Apply for a demolition permit to remove the existing house.
7. Address all comments from Public Works and Fire Chief, including specific signage for emergency access to secondary egress.
8. Provide a copy of a standard lease agreement that specifically prohibits storage of hazardous materials and use of the storage site for anything other than storage ("S-1 Storage Use" in State Building Code).
9. Provide contact info for local onsite manager in case of nuisances or to maintain public safety.
10. Cross access easements are not required. However, if any other buildings redevelop on the subject property, easements will be required.
11. Private drive aisles shall be clearly marked with directional arrows and no parking areas to ensure traffic circulation and free and clear access.
12. Provide a pedestrian gate at the secondary emergency access.
13. A revised site plan shall provide a fence detail that meets fencing standard.
14. Submit an erosion control plan as part of engineering review and install measures before grading commences.
15. Provide documentation that the subject property is outside the 100-year floodplain or apply for a floodplain development permit as part of engineering review.
16. Provide a copy of the soils survey from Phase 1 or provide a soils survey as part of engineering review.

## **SUGGESTED MOTION**

*Based on the findings and conclusions of the January 3, 2019 staff report, the evidence in the applicant's submittal, subsequent testimony, and conditions of approval, I move to approve site design review application SDR 18-5 submitted by Wayne DeWilde and request staff to draft a Notice of Decision & Order for review and signature by the Chair of the Planning Commission.*

**ALTERNATIVE MOTION**

*I move to continue the hearing until a [date certain] to allow additional public testimony, time to process the staff report and application, and deliberation of a decision.*

Attachments:

- Application Materials
- Fire Department Comments January 3, 2019
- Public Works Comments December 19, 2018