

Housing Code Amendments 2019

File No: DCR 19-2

16.12.010 Definitions.

Courtyard Cottages: Four or more cottages that are 1200 SF or less built or placed around a shared open space and shared side yard parking. Cottages can be on fee simple lots or one lot in common ownership.

Density. A measurement of the number of dwelling units in relationship to a specified amount of land.

As used in this Code, density does not include land devoted to street right-of-way. Density is a measurement used generally for residential uses.

-Minimum: The amount of dwelling units that are the minimum necessary to develop a 25,000 SF or larger lot.

-Net: The amount of density allowed when non-buildable land (wetlands, riparian, floodplain) is subtracted from the gross acres.

-Maximum: The maximum amount of dwelling units on a given lot that is larger than 25,000 SF.

Institutional Master Plan: See PUD proposal

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

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

See Chapter 16.184, Single-Family Attached, Duplex, and Triplex Design Standards.

Transitional Housing: Temporary housing provided as a social service to homeless such as a shelter, warming center, or dormitory.

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

16.180.040 Accessory Dwelling Standards.

An accessory dwelling is a small, secondary housing unit located on a legal lot with an established single-family residence. Accessory dwellings are typically the size of a studio apartment but can vary in size, shape or form. The additional unit can be a detached cottage, a unit attached to a garage, or in a portion of an existing house, such as a basement. Accessory dwellings provide cost-effective and independent living spaces for family members, such as in-laws, retired parents, etc as well as individuals. Accessory dwellings can also provide semi-independent living spaces for physically or mentally disabled family members requiring partial supervision or assistance with activities of daily living. The housing density standard of residential zones does not apply to accessory dwellings, due to the small size and low occupancy level of the use.

The following standards are intended to control the size and number of accessory dwellings on individual lots, so as to promote compatibility with adjacent land uses. Accessory structures shall comply with the following standards:

- A. Oregon Structural Specialty Code. The structure shall comply with the Oregon Structural Specialty Code for site built or alternative methods approved by the Oregon Building Codes Division for manufactured off site units.
- B. Accessory Structure Standards. The structure shall comply with the accessory structure standards of Section 16.180.010.
- C. Owner Occupied. The primary residence or accessory dwelling shall be owner-occupied. The owner may act as a resident caretaker of the principal house while occupying the accessory dwelling or appoint a family member to perform such duties.
- E. One Unit. A maximum of one accessory dwelling unit is allowed per lot.
- F. Floor Area. The maximum floor area of the accessory dwelling shall not exceed 600 square feet.
- G. Building Height. The building height of a detached accessory dwelling (i.e., separate cottage) shall not exceed the height of the primary residence, or 25 feet measured to the apex of the roof, whichever is less, unless the unit is built over an accessory structure.
- H. Buffering. A minimum six-foot hedge or fence may be required to buffer a detached dwelling from dwellings on adjacent lots, when buffering is necessary for the privacy and enjoyment of yard areas by either the occupants or adjacent residents.
- I. Off-Street Parking. No additional off-street parking is required if the lot already contains at least two off-street parking spaces; otherwise, one space is required. A credit for one space is allowed per lot if the adjacent public street is built to city standards.

Low Density Residential R-10 Zone

16.28.020 Permitted Uses.

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

- A. Single-family detached, **attached, or duplex** dwelling.

16.28.040 Development Standards.

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

- A. Density Provisions.
 1. Minimum lot area for residences: **8,000 square feet. Minimum density is 5 dwelling units per acre.**

2. Minimum lot width at the front building line: 50 feet.
 3. Minimum lot depth: 70 feet.
 4. Not more than 35% of the lot area shall be covered by buildings except as may be permitted by conditional use permit or variance.
 5. Maximum building height: 35 feet.
 6. Maximum building height for agricultural buildings: 40 feet.
- B. Setback Requirements.
1. Minimum front yard setback: 15 feet.
 2. Minimum side yard setback: 10 feet.
 3. Corner lot minimum street side yard setback: 10 feet.
 4. Minimum rear yard setback: 15 feet, except accessory structures that meet the criteria of Section 16.280.020, may extend to within five feet of a rear property line.
 5. Corner lot minimum rear yard setback: 10 feet.
- C. Government Building. The following development standards are applicable:
1. Density provisions:
 - a. Minimum lot size, government building/uses: none.
 - b. Minimum lot width, government building/uses: none.
 - c. Minimum lot depth, government building/uses: none.
 - d. Maximum building height: 45 feet.
 - e. Maximum lot coverage, government building/uses: none.
 2. Setback requirements:
 - a. Minimum front and rear yard setback, government building: 15 feet.
 - b. Minimum side yard setbacks, government building: 10 feet.
 3. Landscaping requirements shall comply with Chapter 16.124 of the Development Code.
 4. Any government building shall comply with Chapter 16.116 of the Development Code.

Medium Density Residential - RM Zone

16.32.020 Permitted Uses.

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

- A. Single-family detached dwelling.
- B. Modular home.
- C. Manufactured home subject to the standards in Chapter 16.168.
- D. **Duplex, townhome, and triplex** subject to standards of Chapter 16.184.

16.32.040 Development Standards.

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

- A. Density Provisions.
 - 1. Minimum lot area for single-family detached dwelling or duplex: 5,000 square feet.
Minimum density is 8 dwelling units per acre.
 - 2. Minimum lot area for single-family attached dwelling: 2,500 square feet.
 - 3. Minimum lot width at the front building line for single-family detached dwelling or duplex: 50 feet.
 - 4. Minimum lot width at the front building line for single-family attached dwelling: 25 feet.
 - 5. Minimum lot depth: 70 feet.
 - 6. Not more than 40% of the lot area shall be covered by buildings, except as may be permitted by conditional use permit or variance.
 - 7. Maximum building height: 30 feet.
- B. Setback Requirements.
 - 1. Minimum front yard setback: 15 feet. Zero lot line is permitted for townhouses and rowhouses or single family detached when garages are located on an alley or private drive
 - 2. Minimum side yard setback: 8 feet.
 - 3. Corner lot minimum street side yard setback: 8 feet.
 - 4. Minimum rear yard setback: 15 feet, except accessory structures that meet the criteria of Section 16.280.020 may extend to within five feet of a rear property line.
 - 5. Corner lot minimum rear yard setback: 10 feet.

High Density Residential - RH Zone

16.36.030 Conditional Uses.

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

- A. Boarding or rooming houses.

16.36.040 Development Standards.

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

A. Density Provisions.

1. Minimum lot area for a single-family detached dwelling: **4,500** square feet. **Minimum density is 20 units per acre.**
2. Minimum lot area duplex, townhome, rowhouse: 2,500 square feet per unit.
3. Minimum lot area for a triplex: 7,500 square feet.
4. Minimum lot area for a multifamily dwelling: 10,000 square feet.
5. Maximum density for multifamily structures: one dwelling unit per 1,600 square feet of site area.
6. Lot coverage: not more than 55% of an individual lot area shall be covered by buildings, except as may be permitted by conditional use permit or variance.
7. Minimum lot width at the front building line for single-family detached dwelling or multifamily dwelling: 50 feet.
8. Minimum lot width at the front building line for duplex, townhome, rowhouse: 25 feet per unit.
9. Minimum lot depth: 70 feet.
10. Maximum building height: 40 feet.

B. Setback Requirements.

1. Minimum front yard setback: 15 feet. Zero lot line is allowed for all dwelling types if accessory structures are placed behind the main dwelling.
2. Minimum side yard setback: 8 feet.
3. Corner lot minimum secondary 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. Corner lot minimum rear yard setback: 10 feet.

C. Design Standards.

1. An entry door of 36-inch minimum width must face the front yard setback or onto a driveway.
2. A minimum of 20 square feet of glazing must be on the side of the dwelling facing a street.
3. Duplexes, townhomes, rowhouses and triplexes shall comply with the standards of Chapter 16.184.
4. Multifamily housing developments shall comply with the standards of Chapter 16.188.
5. **Exterior materials shall not include T-111, vinyl or EIFS.**

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 16.40.040 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, or funeral home.
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. Medical marijuana dispensaries and recreational marijuana retail outlets licensed by the State of Oregon and subject to Section 16.040.060.I.
- 20. Commercial uses with 2nd floor residential use(s) [apartment(s)] or on same lot with existing single family detached built prior to April 2, 1997.**
21. 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.
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, 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 2nd floor residential use(s) [apartment(s)] or on same lot with existing single family detached built prior to April 2, 1997.**
24. Similar uses as those stated in this section. (Ord. 1196-A § 1, 2015; Ord. 1186-A § 1, 2014; Ord. 1177-A § 2, 2013)

16.202 Courtyard Cottage Cluster Housing (NEW CODE SECTION)

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

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

C. Review Procedures.

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

D. Standards. Cottage cluster developments are subject to the following standards:

1. Density. Cottages may be built up to the density established for cottage cluster development in the underlying zone. Cottages are permitted outright in the R-10, RM, and RH zone. Minimum lot size is 10,000 SF.

2. Number of cottages. A cottage cluster development is composed of four (4) to twenty (20) dwelling units.
3. Cottage design. The cottages in a cottage cluster development are subject to the following standards:
 - a. Maximum floor area. The gross floor area of each cottage shall not exceed 1,250 square feet.
 - b. Maximum footprint: The footprint of each cottage unit shall not exceed 800 square feet, or 1,200 square feet including a garage. A communal garage or parking structure is permitted, and is not subject to the maximum footprint requirements for cottages.
 - c. Average size. The average size of all dwellings combined within a cottage cluster development will be less than 1,200 square feet.
 - d. Maximum height. The height of each cottage shall be the same as required by the underlying zoning and applicable overlay zoning.
 - e. Placement. If cottages differ in size, smaller cottages shall be located adjacent to or in closer proximity than larger cottages to the adjacent public street or River Trail to which the development is oriented.
 - f. Setbacks. The setbacks from adjacent property lines along the perimeter of the cottage cluster development shall be the same as required by the underlying zone. The minimum distance between all structures, including accessory structures, shall be in accordance with building code requirements (at least six (6) feet spacing between buildings).
 - g. Private open space. Each cottage may have private open space for the exclusive use of the cottage residents. Private open space does not count towards the required common open space.
 - h. Orientation of cottages. Cottages shall be clustered around the common open space. Each cottage shall have a primary entrance and covered porch oriented to the common open space. All cottages shall be within 10 feet from the common open space, measured from the façade of the cottage to the nearest delineation of the common open space. Lots in a cottage cluster development are not required to abut a public right-of-way, except that the parent parcel shall have frontage on a public right-of-way in accordance with 16.120
 - i. Common Open Space. The design of the common open space shall not use unusable lot area or projections to meet the requirement for common open space. Unusable lot area includes, but is not limited to, foundation landscaping, enlarged or enhanced parking strips or sidewalks, narrow strips of land, wetlands, or small dead zones of the lot.
 - j. Public street facing facades. Cottages abutting a public right-of-way or Waterfront Trail shall have a secondary entrance or a porch, bay window, or other major architectural feature oriented to the public right-of-way or the River Trail. Garage or carport entrances may not face a public right-of-way unless it is an alley.
 - k. Porches. Each cottage shall have a covered open porch that shall be oriented toward the common open space and that shall be at least six (6) feet in depth measured perpendicular to the abutting building facade and at least 60 square feet in area.
4. Community buildings. Cottage cluster developments may include community buildings that provide space for accessory uses such as community meeting rooms, guest housing, exercise

rooms, day care, or community eating areas. They shall have a footprint of no more than 800 square feet unless there is an existing dwelling that is renovated for community building space.

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5. Common open space. Cottage cluster developments shall have a common open space in order to provide a sense of openness and community of residents. Common open space is subject to the following standards:
 - a. Each cottage cluster development shall contain a minimum 2,000 square feet of common open space regardless of the number of cottages in the cluster, and not less than 200 square feet of common open space per cottage.
 - b. The common open space shall include at least a single, contiguous, useable piece.
 - c. Cottages shall abut the common open space on at least two sides of the open space.
 - d. Parking areas, required yards, private open space, and driveways do not qualify as common open space.
6. Parking. Parking for a cottage cluster development is subject to the following standards:
 - a. Minimum number of parking spaces. Cottage cluster developments shall have at least one parking space for each unit with a gross floor area of 700 feet or less.
 - b. Guest parking. Cottage cluster developments shall have at least 0.5 additional guest parking spaces for each cottage in the development, rounded up to the nearest whole number. These spaces shall be clearly identified as being reserved for guests.
 - c. Reduction in number of required parking spaces. The required number of guest parking spaces may be reduced by the number of on-street parking spaces on public streets adjacent to and immediately abutting the cottage cluster development.
 - d. Clustering and parking structures. Parking areas may be arranged in clusters limited to no more than five contiguous spaces. Clustered parking areas may be covered. Up to two (2) carriage house dwelling units are permitted on the second floor of a parking structure, with a maximum of one (1) carriage house dwelling unit per four (4) cottages (rounded to the nearest whole number). Parking structures may or may not be located on the same lot as the cottage they serve. Parking structures shall not be located within a common open space and are required to be screened from view from common open space areas.
 - e. Parking access. Parking areas shall be accessed only by a private driveway or public alley or local street. No parking space may be between a public street and cottages that abut a public street.
 - f. Design. The design of garages, carports, and parking structures, including the roof lines, windows, and trim, shall be similar to and compatible with that of the cottages within the cottage cluster development.
 - g. Screening. Landscaping or architectural screening at least three feet tall shall separate parking areas and parking structures from the common area and public streets. Solid fencing (e.g., board, cinder block) shall not be allowed as an architectural screen.
 - h. Location. Parking can be

grouped and located on a separate lot within 100 feet of an edge of the cottage cluster development.

8. Frontage, access, and walkways.

a. Frontage. The parent parcel shall have frontage on a public street. If individual lots are created within the cluster development, each lot shall abut the common open space, but is not required to have public street frontage.

b. Access. No part of any structure shall be more than 150 feet, as measured by the shortest clear path on the ground, from fire department vehicle access, unless the building has a fire suppression system.

c. Walkways. A cottage cluster development shall have sidewalks abutting all public streets. A system of interior walkways shall connect each cottage to the common open space, parking areas, private driveways, any community buildings, the sidewalks abutting any public streets bordering the cottage cluster development, and other pedestrian or shared use facilities such as the Waterfront Trail. Sidewalks abutting public streets shall meet the width requirements established in the Warrenton Engineering Design Standards, and interior walkways shall be at least four (4) feet in width.

9. Interior fences. Fences on the interior of the cottage cluster development shall not exceed three (3) feet in height and shall not consist of solid (e.g., board, cinder block) fencing.

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

E. Conflicts. In the event of a conflict between this Section and other Sections of the Warrenton Development Code, this Section shall control.

Chapter 16.216 LAND DIVISIONS AND LOT LINE ADJUSTMENTS

16.216.050 Approval Criteria—Preliminary Plat.

A. General Approval Criteria. The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:

1. Partition and Subdivision.

a. The proposed preliminary plat complies with all of the applicable Development Code sections and other applicable City ordinances and regulations. At a minimum, the provisions of this chapter, and the applicable sections of Division 2 (Land Use Districts) and Division 3 (Design Standards) shall apply. Where a variance is necessary to receive

preliminary plat approval, the application shall also comply with the relevant sections of Chapter 16.272, Variances.

b. Housing Density. The subdivision meets the City's housing density standards of the applicable zoning district (Division 2).

C. Accessory Dwelling Units are not counted against the minimum density requirement per WMC 16.180.040. Subdivisions of 10 lots or more shall include ADU ready units that are structurally compliant in either detached or attached accessory structures.

PUD Amendment - See File: DCR 16-3