



September 5, 2019

To: Warrenton Planning Commission  
From: Kevin A. Cronin, AICP, Assistant City Manager/Community Development Director  
Re: Amendment to Comprehensive Plan (CPA 19-1 | 19-2), Zoning Map (RZ 19-1), & Development Code (DCR 19-1, 19-2, 19-3)

The purpose of this memo is to outline a proposed “legislative package” that will accomplish multiple policy goals and implement three projects: 1) Spur 104 Neighborhood Master Plan Implementation, 2) Housing Code Amendments, and 3) PUD Amendment for Warrenton School District.

Each project has unique components but there are many similarities and require the same notice procedure and reviewed using the same criteria. The staff report is organized with findings for each case file for easy reference and transparency. Below is a summary of each proposal:

- (1) **Spur 104 (CPA 19-1, RZ 19-1, DCR 19-1):** In order to implement the Spur 104 master plan there are three components to codify: Comprehensive Plan amendment, Zoning Map overlay, and a description of the specific development standards in a new chapter of the Development Code. Applicant: City of Warrenton.
- (2) **Housing Code Amendment (CPA 19-2, DCR 19-2):** In order to implement the recommendations in the new Housing Needs Assessment (June 2019), a Comprehensive Plan amendment that replaces the existing section on housing, and a significant update to the Development Code are proposed. Applicant: City of Warrenton.
- (3) **PUD Amendment for Institutional Master Plans (DCR 19-3):** Applicant: Warrenton School District (WSD). Winterbrook Planning on behalf of WSD has proposed an amendment that will facilitate a campus master plan for a new facility off SE Dolphin. The amendment will encourage other institutional partners to consider a master plan approach for managing growth opportunities.

## Background



The Spur 104 area consists of multiple properties and ownership between Oceancrest car dealership at US 101 and the dental office by SW Ensign Lane. The City Commission approved a zone change (RZ 18-2) in March 2019 from R-10 Low Density Residential to Commercial Mixed Use (CMU) to recoup an investment in public facilities from the urban renewal district and a local improvement district. Subsequently, in early May, a three-day charette was held in downtown to solicit public input in the creation of two concept plans to guide future development. The plans were presented to the Planning Commission and City Commission, which requested a master plan - the first of its kind for a neighborhood. The Summer of 2019 was spent doing a survey to affected property owners and developing the aforementioned amendments. The proposal includes a new Comprehensive Plan language in Article 2 Urban Development to support the concept of Neighborhood Master Planning, and a new zoning overlay along with specific development standards that govern the redevelopment of the neighborhood over time.

The Department of Land Conservation & Development is a committed partner in the development of best practices for housing policy and code language to facilitate not only more housing stock but a diversified portfolio of housing types. A Housing Needs Assessment was recently completed by Angelo Planning in June 2019 and presented to the Planning Commission and City Commission over multiple work sessions. The assessment includes a template for a Comprehensive Plan amendment and recommendations for Development Code updates. The proposal includes both items. The City has already approved two recent amendments to encourage accessory dwelling units (ADUs) and employee housing on I-2 Zone Industrial Shorelands, as well as streamline the development review process through administrative performance measures and internal improvements.

The Warrenton School District is preparing a campus master plan for property that was recently acquired to rebuild all three levels of schools at the new location. The voters approved a bond measure in November 2018 to fund a new middle school. In advance of a new middle school, the school district has proposed a Planned Unit Development code amendment to support a campus master plan that will also pave the way for other institutional partners to do the same. Staff has supported the concept and discussed with the Port of Astoria about the airport master plan and Skipanon Peninsula property. The amendment would also benefit a healthcare provider, City of Warrenton, or any other large institution with multiple buildings and properties.

#### **Procedures & Public Notice**

The Community Development Director can initiate a Type 4 amendment according to WMC 16.208.070(D) General Provisions. This proposal is being reviewed pursuant to Warrenton Municipal Code Sections 16.208.060 (Type IV Procedure - Legislative and Map Amendments), 16.232 (Land Use District Map and Text Amendments), Comprehensive Plan (CP), Statewide Planning Goals, Oregon Revised Statutes and the Oregon Administrative Rules.

A pre-application conference was held on July 24, 2019 regarding the PUD Amendment. A pre-application conference is not required for City initiated amendments. The PUD amendment application was received on August 1, 2019 while the City sponsored applications have been under development for months with input from the Planning Commission, City Commission, and the general public but became official with public notice. The City published notice of the Planning Commission public hearing in *The Columbia Press* August 16, 2019. Affected agency notice was emailed on August 22, 2019. Finally, 35-day notice is required to DLCD for plan amendments and was sent within the required timeline. No public comments have been received to date.

## **FINDINGS**

The applicant (WSD) has submitted findings of fact and are included under separate cover. Below are additional findings of fact. In cases where staff findings differ from the applicant's representative findings they are emphasized below.

### **Comprehensive Plan**

Comprehensive Plan Section 3.310:

*It is the City's policy to encourage the development of housing needed to accommodate desired growth, and to provide every Warrenton household with an opportunity to obtain a decent home in a suitable neighborhood. Residential construction shall occur in primarily RH - High Density Residential, RM - Medium Density Residential, and R10 - Low Density Residential.*

Response (1-3): The City has a policy that encourages different housing types and opportunities for decent housing. The proposal furthers this goal by allowing more housing types, reducing the burden on future ADUs, and creating a path for courtyard cottages among other changes.

All three zones identified by policy are proposed for amendments to support more housing types. Finding: Criteria is met.

*Planned unit developments will be permitted in special overlay district intended to provide for developments incorporating a single type or a variety of housing types and related uses which are planned and evolve as a unit.*

Response (1-3): All three amendments support this policy. The PUD amendment includes more housing types not previously included and allows institutions to benefit from a master planning effort. The Spur 104 proposal also includes consistent language in support. Finding: Criteria is met.

*The City will zone adequate lands to meet identified future housing needs for a broad range of housing types...*

Response (1-2): The City proposals will help meet housing policy goals in the next 20 year planning horizon and defer the need to expand the urban growth boundary and maximize low density land for higher intensity uses. Finding: Criteria is met.

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

### **Goal 1, Citizen Involvement**

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

This proposal for an amendment is being reviewed in accordance with the acknowledged provisions for citizen involvement in the municipal code. It does not propose any changes to those provisions. Multiple public meetings open to the public were scheduled to review two of the city sponsored proposals. A list of those meetings is enclosed. This application therefore complies with Goal 1.

### **Goal 2, Land Use Planning**

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

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

### **Goal 3, Agricultural Lands**

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

### **Goal 4, Forest Lands**

Goal 4 deals with conservation of “forest lands” as defined in that goal. Details about such conservation are set forth in related administrative rules: OAR Chapter 660, Division 006. OAR 660-006-0020 states: “Goal 4 does not apply within urban growth boundaries....” This goal does not apply.

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

The basic aim of Goal 5 is “To protect natural resources and conserve scenic and historic areas and open spaces.” The Spur 104 master plan and PUD amendment supports the creation of new parks and open space as part of a new policy initiative to balance growth with new community amenities. Because no such natural resources, scenic and historic areas will be affected, this goal does not apply in large part.

### **Goal 6, Air, Water and Land Resources**

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

### **Goal 7, Areas Subject to Natural Hazards**

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

### **Goal 8, Recreational Needs**

Goal 8 is “to satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.” This goal does not apply to the proposal.

### **Goal 9, Economic Development**

Goal 9 is to strengthen the ensure there is adequate land for commercial and industrial development and policies to support the type of industries that a local government wants to attract and grow. The addition of housing options, and empowering large employers to master plan their facilities, supports local economic development. Criteria is satisfied.

### **Goal 10, Housing**

Statewide Planning Goal 10 is “to provide for the housing needs of citizens of the state.” The goal requires cities to assess future need for various housing types and to plan and zone sufficient buildable land to meet those projected needs. Goal 10 is silent on employee housing. The City conducted a housing needs analysis to determine its buildable lands and needed residential types. The proposal includes adopting this assessment and new Comprehensive Plan element to update the housing portion as well as implement the policy through new codes. Criteria is met.

### **Goal 11, Public Facilities and Services**

Goal 11 is “to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.” The proposal does not materially affect public facilities, but does assist with economizing public investments. Standard is met.

### **Goal 12, Transportation**

Goal 12 is “to provide and encourage a safe, convenient and economic transportation system.”

Findings were made for the Spur 104 zone change. The new proposals would alter the amount of density allowed per three zones but the new TSP anticipated the projected level of growth. Criteria is satisfied.

### **Goal 13, Energy**

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

### **Goal 14, Urbanization**

Goal 14 is “to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.” The proposal maximizes existing and underutilized residential lands for new housing, school campus, and mixed use opportunities. Standard is met.

### **Goal 15, Willamette River Greenway**

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

### **Goal 16, Estuarine Resources**

Goal 16 is “to recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.” Because the code amendment would not affect any natural estuarine characteristics, this goal does not apply.

### **Goal 17, Coastal Shorelands**

Goal 17 aims “to conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics.” The proposal does not impact Goal 17 with the addition of housing in residential zones. Standard does not apply.

### **Goal 18, Beaches and Dunes**

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

### **Goal 19, Ocean Resources**

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

### **CONCLUSIONS AND RECOMMENDATION**

Adoption of the package would fulfill multiple comprehensive plan policies regarding housing and economic development. The action would also meet the applicable statewide planning goals. Most importantly, incorporating changes to the Development Code would facilitate more investment in housing without creating impacts to surrounding neighborhoods.

Based on these findings and conclusions, staff recommends that the Planning Commission direct staff to prepare a draft ordinance, schedule a public hearing, and present to the City Commission with a recommendation to adopt.

*Suggested motion: Based on the findings and conclusions of the September 5, 2019 staff report, I move to recommend changes as described in CP 19-1, CP 19-2, RZ 19-1, and DCR 19-1, 19-2, and 19-3, draft an ordinance, and forward to the City Commission for a proposed public hearing on October 8, 2019 with a recommendation to adopt.*

*Alternative Motion: I move to continue the hearing to a date certain on October 8 to allow additional public testimony and reconsider the application.*

### **Public Meeting Calendar**

Planning Commission Work Session - August 15, 2019

*Spur 104 Master Plan*

City Commission Presentation - May 14, 2019 -



City sponsored Charrette - May 7-9, 2019  
City Commission Work Session - March 26, 2019

*Housing Needs Assessment:*

Planning Commission Work Sessions: March 14 & May 30, 2019

Joint Planning/City Commission - April 23, 2019

