



Warrenton Planning Commission
AGENDA
February 11, 2021 | 6 PM | City Hall – Commission Chambers

*****The meeting will be broadcast via Zoom at the following link*****

<https://us02web.zoom.us/j/85800548023?pwd=Mm5OUjkxb3czeEgvUVBmK2VVZ3k1UT09>

Meeting ID: 858 0054 8023

Passcode: 220787

Dial in number: 253-215-8782

1. Attendance
2. Flag Salute
3. Public Comment Period on *Non-Agenda* Items
4. Approval of minutes of January 14, 2021
 - *Action Item: Motion to Adopt*
5. **PUBLIC HEARING:** Site Design Review | Trillium House multi-family development
 - Applicant: Stuart Emmons, AIA
 - Proposal: 42 units of affordable multi-family housing on approximately 1.54 acres located in the Chelsea Gardens neighborhood. The proposed development is located on Tax Lots 81027BC0: 1500, 1503, 1600, and on partial Tax Lots 81027BC0: 1700, 2100, and 2200. The address is approximately 700 SE 14th Place, Warrenton. The subject property is zone Commercial Mixed Use (C-MU)
 - *Action Item: Recommendation to approve with conditions*
6. **DISCUSSION:** DCR 21-1 Homestay Lodging and Vacation Rentals
 - Applicant: Warrenton City, Community Development Director
 - Proposal: Highlight Land Use Districts within Title 16, Division 2 where Homestay Lodging and Vacation Rentals would be permitted
7. **DISCUSSION:** DCR 21-2 Marijuana Text Amendment – Conditional Use Permit
 - Applicant: Warrenton City, Community Development Director
 - Proposal: Update Marijuana businesses in General Commercial (C-1) and General

Industrial (I-1) to Conditional Uses as opposed to Permitted Uses.

8. Staff Announcements & Project Updates
9. **Next Meeting:** March 11, 2021



February 4, 2021

To: Warrenton Planning Commission

From: Scott Hess, Community Development Director

Re: ITEM 5: This proposal is for 42 units of affordable multi-family housing on approximately 1.54 acres located in the Chelsea Gardens neighborhood. The proposed development is located on Tax Lots 81027BC0: 1500, 1503, 1600, and on partial Tax Lots 81027BC0: 1700, 2100, and 2200. The address is approximately 700 SE 14th Place, Warrenton. The subject property is zone Commercial Mixed Use (C-MU) (File SDR 20-8)

Background:

In 2018 Warrenton City initiated a rezone of the Chelsea Gardens area from a combination of residential and industrial zoning to Commercial Mixed Use (C-MU). The City engaged in a Master Plan process of the area, and developed code criteria for this area under Neighborhood Master Plans, Spur 104 Performance Measures and Redevelopment Standards. The Master Plans code states that this area shall include housing up to 350 units, and commercial space up to 50,000 square feet.

The Trillium House apartments are the first land use application to come into the area under the new zoning and master plan guidelines. This project will provide 42 units of State Funded affordable housing with the majority of units at 80% of area median income.

Public Process, Procedures & Public Notice:

Applicable Warrenton Municipal Code (WMC) chapters and sections include:

- 16.44 Commercial Mixed Use (C-MU) District,
- 16.212 Site Design Review – Includes Variance Analysis and Findings
- 16.128 Vehicle and Bicycle Parking,
- 16.120 Access and Circulation,
- 16.132 Clear Vision Areas,
- 16.116 Design Standards Neighborhood
- 16.188 Multifamily Housing Design Standards,
- 16.192 Large Scale Developments,
- 16.256 Traffic Impact Study,

Public Notice letters were sent to affected property owners on January 22, 2021 and placed in The Columbia Press on February 1, 2021. No public comments have been received on this project as of the date of this memo.

Update

Stuart Emmons, representing the Trillium House Apartments has requested that the Site Design Review be moved to the March 11, 2021 Planning Commission meeting. This additional time will be used to properly notice a Class 2 Variance request for a parking reduction, as well as to allow the applicant, the City, and ODOT to better understand traffic mitigation efforts that are reasonable and necessary near the intersection of 104 S and Ensign Drive.

Staff has prepared a draft Site Design Review staff report for the applicant, and has provided the review letters from Engineering/Public Works, and the Fire Department. It is staff's hope that this additional lead time will provide the applicant a chance to address comments, and get to the best possible outcome for the project.

Recommendation

A public hearing has been noticed for this item for the February 11, 2021 Planning Commission meeting. Staff recommends that the public hearing be opened and continued to the March 11, 2021 meeting as requested by the applicant.

Recommended Motion:

"At the applicant's request, I move that the public hearing for the Trillium House apartments, located approximately 700 SE 14th Place, be opened and continued to the March 11, 2021 Planning Commission meeting."



February 4, 2021

To: Warrenton Planning Commission

From: Scott Hess, Community Development Director

Re: ITEM 6: Amendment to Warrenton Municipal Code (WMC) Title 16 Development Code, Division 2 Land Use Districts to include Homestay Lodging and Vacation Rental Dwellings (File: DCR 21-1)

Summary: These proposed development code amendments insert Homestay Lodging and Vacation Rental Dwellings as permitted or conditional uses into Title 16, Division 2 Land Use Districts, as referenced by Warrenton Municipal Code (WMC) 8.24.020 Homestay Lodging. Currently, WMC Chapter 8 describes the Homestay Lodging Safety Regulations, and indicates that Homestay Lodging is permitted in certain residential zones per Title 16, Division 2. However, Title 16 is silent on Homestay Lodging and Vacation Rental Dwellings. These code amendments will correct that missing reference.

Further, this code amendment recommends changes to WMC 16.180.040 Accessory Dwelling Standards to amend provision C to allow the ADU to be rented so long as the main home is owner occupied. This provides consistency with the current WMC Chapter 8 Definition of Homestay Lodging and Vacation Rental Dwelling. Another option for the Planning Commission to consider is whether to alter the definition of Homestay Lodging and Vacation Rental Dwelling to remove the provisions for renting accessory dwellings. Staff believes that the owner-occupied provision will assist in maintaining properties with rented accessory dwellings in a compatible way with existing neighborhoods.

Staff recommends the Planning Commission consider these amendments, and hold an initial discussion to provide input to Staff. A formal noticed Public Hearing proceeding is set for the March 11, 2021 Planning Commission meeting.

Proposed Amendments: Definitions

Staff recommends that Warrenton Municipal Code 16.12.010 Definitions be amended to include Homestay Lodging and Vacation Rental Dwelling as defined by WMC 8.24.020 Homestay Lodging. The definitions which are consistent with Warrenton Municipal Code Chapter 8 are proposed as follows:

- Homestay Lodging. A short-term rental in an owner-occupied, single-family detached dwelling unit using up to five bedrooms, including bedrooms in accessory dwellings.
- Vacation Rental Dwelling. A single-family dwelling or accessory dwelling that is nonowner occupied and is rented for terms of less than 30 days.

Proposed Amendments: Homestay Lodging

Staff recommends that Homestay Lodging be listed as a **Permitted Use** in the following zones with the language to read:

“Homestay Lodging subject to the standards in Chapter 8.24”

Division 2 Land Use Districts, Permitted Uses affected:

- Low Density Residential (R-40) District, 16.24.020 “add as provision P”
- Intermediate Density Residential (R-1) District, 16.28.020 “add as provision Q”
- Medium Density Residential (R-M) District, 16.32.020 “add as provision R”
- High Density Residential (R-H) District, 16.36.020 “add as provision R”
- General Commercial (C-1) District, 16.40.020 A & B “add as provision A,21 and B,24”
Move existing provision A,21 and B,24 “Similar uses as those stated above” to the bottom of the list
- Commercial Mixed Use (C-MU) District, 16.44.020 A “add as provision 7”

Staff recommends that Vacation Rental Dwellings be listed as **Permitted Use** in the following zones with language to read:

“Vacation Rental Dwelling subject to the Safety Regulations in Chapter 8.24.030”

Division 2 Land Use Districts, Permitted Uses affected:

- General Commercial (C-1) District, 16.40.020 A&B “add as provision A,22 and B,25”
Move existing provision A,21 and B,24 “Similar uses as those stated above” to the bottom of the list
- Recreational-Commercial (R-C) District, 16.56.020 “add as provision R”
Move existing provision R “Similar uses as those listed in this section” to the bottom of the list

Staff recommends that Vacation Rental Dwellings be listed as **Conditional Use** in the following zones with language to read:

“Vacation Rental Dwelling subject to the Safety Regulations in Chapter 8.24.030”

- Commercial Mixed Use (C-MU) District, 16.44.030 “add as provision H” *Move existing provision H “Similar uses as those listed in this section” to the bottom of the list*

Staff recommends that the limitation on renting an Accessory Dwelling Standards 16.180.040 be amended as follows:

Current Statute:

C. Rental Unit Prohibited. Accessory dwellings are never appropriate for use as a rental unit or other income-producing unit. Accessory dwellings shall not be used as servants’ quarters or as lodging (temporary or permanent) for housekeepers, gardeners, etc. Use of an accessory dwelling for purposes other than what is expressly permitted in this section is strictly prohibited and shall be subject to the enforcement and penalty provisions of Chapter 16.16.

Recommended Amended Language:

C. Rental Unit. *Accessory dwellings may be rented so long as the main structure of the property is owner-occupied. Use of an accessory dwelling for purposes other than what is expressly permitted in this section is strictly prohibited and shall be subject to the enforcement and penalty provisions of Chapter 16.16.*

Public Process, Procedures & Public Notice: The Community Development Director has the authority to initiate a text amendment according to WMC 16.208.070.D, General Provisions.

This proposal is being reviewed pursuant to WMC 16.208.060, Type IV Procedure (Legislative and Map Amendments). Also applicable are the statewide planning goals, and the Comprehensive Plan. Draft Findings for the Comprehensive Plan and Statewide Planning Goals will be provided at the March 11, 2021 meeting.

The Planning Commission’s action on this proposal is in the form of a recommendation to the City Commission. The City Commission will consider the Planning Commission’s recommendation, conduct a public hearing, and make a final decision on the proposed amendment.

Notice of the Planning Commission public hearing was sent to DLCD on November 4, 2021, and is slated to be published in *The Columbia Press* prior to the March 11, 2021 Planning Commission meeting. No written comments were received as of the date of this staff report.

Recommendation: Staff recommends that the Planning Commission discuss the proposed language and provide guidance to staff ahead of the March 11, 2021 Planning Commission meeting.

No motion necessary at this time for this discussion item.

Attachments: None



February 4, 2021

To: Warrenton Planning Commission

From: Scott Hess, Community Development Director

Re: ITEM 7: Amendment to Warrenton Municipal Code (WMC) Title 16 Development Code to update Marijuana businesses in General Commercial (C-1) and General Industrial (I-1) to Conditional Uses as opposed to Permitted Uses. (File DCR-21-2)

Summary: These proposed development code amendments make two changes to Title 16, Division 2: first it moves Medical marijuana dispensaries and recreational marijuana retail outlets in General Commercial (C-1) from Permitted Use to Conditional Use, second it moves Recreational marijuana production, recreational marijuana processing, or recreational marijuana wholesale activities in General Industrial (I-1) from Permitted Use to Conditional Use. The Code language referenced below also cleans up two small existing typos, but does not substantively amend the additional development standards that marijuana businesses are required to abide by. These changes are being requested in order to provide additional review and opportunity to mitigate impacts these businesses may have on their surrounding uses.

Staff recommends the Planning Commission consider these amendments, and hold an initial discussion to provide input to Staff. A formal noticed Public Hearing proceeding is set for the March 11, 2021 Planning Commission meeting.

Proposed Amendments: General Commercial (C-1)

The current Code reads as follows:

16.40.020 Permitted Uses.

19. Medical marijuana dispensaries and recreational marijuana retail outlets licensed by the State of Oregon and subject to Section 16.040.060.I.

Staff recommends amending the language to place this use in Conditional Uses, and also to correct a small type in the referenced Code to Other Applicable Standards. The revised language is below:

16.40.030 Conditional Uses.

7. Medical marijuana dispensaries and recreational marijuana retail outlets licensed by the State of Oregon and subject to Section 16.40.060.I.

No changes are recommended for the "Other Applicable Standards" section below:

16.40.060 Other Applicable Standards.

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

Proposed Amendments: General Industrial (I-1)

The current Code reads as follows:

16.60.020 Permitted Uses.

- T. Recreational marijuana production, recreational marijuana processing, or recreational marijuana wholesale activities, subject to Section 16.60.040.N.

Staff recommends amending the language to place use in Conditional Uses. The revised language is below:

16.60.030 Conditional Uses.

- D. Recreational marijuana production, recreational marijuana processing, or recreational marijuana wholesale activities, subject to Section 16.60.040.N.

To correct a small type, staff recommends updating the Development Standards section. This proposed change does not substantively change the intent of the code, but rather makes it easier to read and understand.

The current Code reads as follows:

16.60.040 Development Standards.

- 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 recommends amending the language to correct a typo as follows:

16.60.040 Development Standards.

- 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 operate exclusively as a single building occupant or with other

licensed medical marijuana dispensaries or recreational marijuana retail outlets. (Ord. 1196-A § 4, 2015

Public Process, Procedures & Public Notice: The Community Development Director has the authority to initiate a text amendment according to WMC 16.208.070.D, General Provisions.

This proposal is being reviewed pursuant to WMC 16.208.060, Type IV Procedure (Legislative and Map Amendments). Also applicable are the statewide planning goals, and the Comprehensive Plan. Draft Findings for the Comprehensive Plan and Statewide Planning Goals will be provided at the March 11, 2021 meeting.

The Planning Commission's action on this proposal is in the form of a recommendation to the City Commission. The City Commission will consider the Planning Commission's recommendation, conduct a public hearing, and make a final decision on the proposed amendment.

Notice of the Planning Commission public hearing was sent to DLCD on November 4, 2020, and is slated to be published in *The Columbia Press* prior to the March 11, 2021 Planning Commission meeting. No written comments were received as of the date of this staff report.

Recommendation: Staff recommends that the Planning Commission discuss the proposed language and provide guidance to staff ahead of the March 11, 2021 Planning Commission meeting.

No motion necessary at this time for this discussion item.

Attachments: None