



AGENDA

WARRENTON PLANNING COMMISSION

Regular Meeting | August 8, 2024 | 6:00 p.m.

Warrenton City Hall Commission Chambers | 225 S Main Avenue, Warrenton, OR 97146

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

<https://us02web.zoom.us/j/85142805492?pwd=bEhjejNHaFJSOHVnTOxOYktVZWx4UT09>

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

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

2. ATTENDANCE

3. APPROVAL OF MINUTES

- A. Planning Commission Regular Minutes – 6.13.24

4. PUBLIC COMMENT

At this time, anyone wishing to address the Planning Commission concerning items of interest may do so. The person addressing the Planning Commission must complete a Public Comment Card and submit it to the Secretary prior to the meeting. All comments will be addressed to the whole Planning Commission and limited to 3 minutes per person. Public Comments may also be submitted by email to planning@warrentonoregon.us, no later than 4:00 p.m. the day of the meeting. The Planning Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

5. PUBLIC HEARING

- A. Ordinance 1277 Commercial Industrial Zoning District
- B. Ordinance 1274 Grading Permits

6. BUSINESS ITEMS

7. DISCUSSION ITEMS

- A. Residential Code Audit Preliminary Discussion

8. GOOD OF THE ORDER

9. ADJOURNMENT

Next Regular Meeting: September 12, 2024

Warrenton City Hall is accessible to the disabled. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting Dawne Shaw, City Recorder, at 503-861-0823 at least 48 hours in advance of the meeting so appropriate assistance can be provided.

MINUTES
Warrenton Planning Commission
June 13, 2024
6:00 p.m.
Warrenton City Hall - Commission Chambers
225 S. Main
Warrenton, OR 97146

Chair Hayward called the meeting to order at 6:01 p.m. and led the public in the Pledge of Allegiance.

Commissioners Present: Chair Chris Hayward, Tony Faletti, Christine Bridgens, Jessica Sollaccio, Karin Hopper, and Cynthia O'Reilly

Absent: Mike Moha

Staff Present: Planning Director Matthew Ellis, Deputy City Recorder Hanna Bentley, and Secretary Judith Stich

Chair Hayward requested to modify the agenda and add item 2.A to the Agenda - Oath of Office – there was unanimous consent. Planning Director Matthew Ellis then gave the Oath of Office, swearing Tony Faletti in.

3. APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes – 05.09.24

Commissioner Sollaccio made a motion to approve. Motion was seconded and passed unanimously.

Faletti-aye; Hayward-aye; Sollaccio-aye; Hopper-aye; O'Reilly-aye; Bridgens-aye

4. PUBLIC COMMENT ON NON-AGENDA ITEMS

None

5. PUBLIC HEARINGS

A. Appeal AP-24-1 of Plan Modification MC-24-1 Overflow Parking Lot for 1484-1487 SE Snowberry

Chair Hayward opened the hearing. No conflicts of interest or ex parte contacts were reported. Mr. Ellis presented the staff report. Staff recommends denial of this application. Chair Hayward asked the Commission if there were any questions. Commissioner Sollaccio asked a question regarding the language used in the staff report. Mr. Ellis spoke to the language of the staff report.

Chair Hayward asked for clarification on the reasoning for bringing this item before the commission. Mr. Ellis explained the processes.

Chair Hayward then called the applicant to the stand. The Applicant, Carl Gomoll, stated his name and address and spoke to AP-24-1. Chair Hayward asked if Mr. Gomoll was the Grantor or the Grantee. Mr. Gomoll replied that they were the Grantee. Commissioner Hopper asked what the current use of the easement was, Mr. Gomoll answered that the current use was drainage.

Chair Hayward called those in support of the opposition and subsequently those in the neutral position to speak but none rose. Chair Hayward then called those in opposition to speak. Richard Kreuger approached and spoke in opposition of the appeal. Mr. Kreuger explained the drainage and offered a tie into the drainage as a possible solution to the current land issue.

Chair Hayward asked if there was any rebuttal from the applicant, Mr. Gomoll denied rebuttal and the meeting continued.

Chair Hayward then opened the discussion amongst the commissioners. Commissioner Hopper then asked clarification questions regarding the policy. Mr. Ellis explained the policy and the options. Some discussion was made regarding whether the matter belonged in the Commission meeting or if it was better suited to be brought up in a different setting. Clarification of the three options was presented by Mr. Ellis.

Commissioner Hopper made a motion to deny. Motion was seconded and passed by majority.

Faletti-aye; Hayward-aye; Sollaccio-nay; Hopper-aye; O'Reilly-aye; Bridgens-aye

B. Appeal AP-24-2 of Land Partition LP-24-1 for 577 Gray Street

Chair Hayward opened the hearing. No conflicts of interest or ex parte contacts were reported. Mr. Ellis presented the staff report stating that the original application was denied and that this was the appeal. Staff recommends approval at this time adding the condition that at least two dwelling units be developed on the lot. Commissioner Bridgens asked about the code interpretation and Mr. Ellis spoke regarding the requirements of the zone and the inconsistency in the code as it stands. Commissioner Hopper asked for the square footage of the lot as it stands, and it was stated that the lot was .31 of an acre. It was stated by Mr. Ellis that the applicant was not in attendance but had spoken of his willingness to build a duplex on the proposed lot.

Chair Hayward called those in support of and subsequently those in the neutral position to speak but none rose. Chair Hayward then called those in opposition to speak. Chair Hayward called Jim Ray to the stand. Jim Ray spoke in opposition to AP-24-2. He spoke of his quality of life diminishing if something were developed on the site and that it would block the views from his home.

Chair Hayward called Daron Ray to speak in opposition to AP-24-2. He said that he mimicked the prior opposition's comments and that you would not want it done to your parents.

Chair Hayward called John Shepherd to speak in opposition to AP-24-2. He spoke of the parking on the street being nonexistent and the size of a duplex on the size of the small lot. He also mentioned the possibility of a duplex becoming vacation rentals and furthering the parking issues already faced on the street.

Chair Hayward called Leslie Shepherd in opposition to AP-24-2. She spoke about her experience with the city and zoning. She gave similar testimony to the speaker before her regarding the single-family homes already established in the neighborhood.

There were no more wishing to speak, so Chair Hayward opened up for discussion amongst the commissioners. Commissioner Bridgens spoke up saying that she would feel the same about the loss of view as those who had spoken but that it came to adherence to the code. Commissioner O'Reilly asked about a single-family residence and whether that would block the view. Commissioner Hopper asked about the zoning change in the past.

Commissioner Sollaccio made a motion to approve upon the condition that a two dwelling unit be built upon the new lot. Motion was seconded and passed unanimously.

Faletti-aye; Hayward-aye; Sollaccio-aye; Hopper-aye; O'Reilly-aye; Bridgens-aye

C. Conditional Use Permit CUP-24-7 for 984 Pacific Drive

Commissioner Hayward opened the public hearing. No conflicts of interest or ex parte contacts were reported. Mr. Ellis presented the staff report and is recommending approval. Commissioner Bridgens asked when they first started operating, and Mr. Ellis replied that he would refer to the applicant. Commissioner O'Reilly asked how it came to the attention of Mr. Ellis that they were out of compliance, to which he responded that it was part of a conversation with another conditional use permit applicant. There were no further questions from the Commissioners.

Chair Hayward called the applicant to speak. They said that they were not really prepared to speak. Mr. Ellis asked the applicant how when they first started operating and the applicant responded that they opened July first of last year and were unaware of the requirement.

Chair Hayward recognized that there was no public comment for, against or neutral in this position so he closed the public comment portion and opened for discussion amongst the commissioners. Commissioner Hopper spoke as a resident of Hammond and said that the applicant's business had been well received by the neighborhood. Commissioner Faletti mentioned that the cart was a nice addition to the Hammond area.

Commissioner O'Reilly made a motion to approve. Motion was seconded and passed unanimously.

Faletti-aye; Hayward-aye; Sollaccio-aye; Hopper-aye; O'Reilly-aye; Bridgens-aye

6. BUSINESS ITEMS

None

7. DISCUSSION ITEMS

A. Commercial Industrial zoning district

Mr. Ellis spoke about the development of a new district blended from two districts. Mr. Ellis asked for direction from the Commission on the permitted uses for the new district. Mr. Ellis noted that the rezoning had stemmed from the purchase of property for a known area owned by the City that could not be developed the way they wanted to develop it. There were some back-and-forth discussions between the commissioners.

8. GOOD OF THE ORDER

A. Applications Approved by Staff – April 1, 2024 through May 31, 2024

Mr. Ellis noted that he wants to keep the commission informed of all applications approved by staff they may be unaware of. One member has signed up for the residential code audit, Mr. Ellis needs two more to make themselves known to the mayor or himself. Mr. Ellis mentioned a work session at 5pm prior to the next planning commission meeting. Attendance is required. Commissioner Sollaccio asked for the Commission's thoughts on a vacant storefront tax. Some discussion ensued.

There being no further business, Chair Hayward adjourned the meeting at 7:51 p.m.

APPROVED:

Chris Hayward, Chair

ATTEST:

Judith Stich, Secretary



City of Warrenton

Planning Department

225 S Main Avenue ■ P.O. Box 250 ■ Warrenton, OR 97146

Phone: 503.861.0920 Fax: 503.861.2351

STAFF REPORT

TO: The Warrenton Planning Commission
FROM: Matthew Ellis, AICP, Planning Director
DATE: August 8, 2024
SUBJ: Development Code Revision (DCR-24-4) Commercial Industrial District

BACKGROUND

On May 28, 2024, the Warrenton City Commission tasked the Planning Commission and City staff to develop a CI Commercial Industrial zoning district, blending the vision of commercial and industrial development into one hybrid zone. At the June 13 Planning Commission meeting, staff presented some draft regulations and asked for commentary from the Planning Commission.

The goal of this ordinance is to create a zoning district that will accommodate commercial and industrial uses which are compatible with each other. If this ordinance is adopted, staff intends to initiate rezoning proceedings around the Clatsop County Business Park to enable the continued development of the area.

PUBLIC PROCESS, PROCEDURES & PUBLIC NOTICE

Notice was provided to DLCD on June 13, 2024. Public hearing notice was published in The Astorian July 30, 2024. No public comments were received as of the date of this report.

CODE PROVISIONS, APPLICANT RESPONSES, AND FINDINGS

Applicable Warrenton Municipal Code (WMC) chapters for this application include:

WMC 16.208 TYPES OF APPLICATIONS AND REVIEW PROCEDURES
WMC 16.232 AMENDMENTS TO COMPREHENSIVE PLAN TEXT AND MAP,
REZONE, AND DEVELOPMENT CODE

CONCLUSIONS AND RECOMMENDATION

Based on the findings of this staff report, staff recommend the Planning Commission recommend approval of Ordinance No. 1277 to the City Commission for final adoption.

RECOMMENDED MOTION

“Based on the findings and conclusions of the August 8, 2024 staff report, I move to recommend and forward to the City Commission the changes to the Development Code as described in Ordinance No. 1277.”

ALTERNATIVE MOTION

“I move to continue the hearing to a date certain to allow additional public testimony and reconsider Ordinance No. 1277.”

ATTACHMENTS

1. Ordinance No. 1277

ORDINANCE NO. 1277
INTRODUCED BY ALL COMMISSIONERS

**AN ORDINANCE AMENDING CHAPTER 16.68 OF THE WARRENTON
MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR THE COMMERCIAL
INDUSTRIAL (CI) DISTRICT**

WHEREAS, the City Commission is committed to reviewing and adopting code amendments to ensure the right mix of zoning districts is available in the City; and

WHEREAS, the addition of a hybrid district allowing both commercial and industrial uses furthers that goal;

NOW THEREFORE, the City of Warrenton ordains as follows:

Section 1. Chapter 16.68 of the Warrenton Municipal Code is amended as follows:

Chapter 16.68 Commercial Industrial (CI) District

16.68.010 Purpose.

The purpose of the Commercial Industrial Zone is to provide sites for employment-related uses to provide and manufacture products and services in the City of Warrenton. These areas are suitable for larger retail, light manufacturing, fabrication, processing, and bulk storage.

16.68.020 Permitted Uses.

The following uses and activities and their accessory uses and activities are permitted in the CI zone if the Community Development Director determines that the uses conform to the standards of Section 16.68.040, applicable Development Code standards, and other City regulations:

- A. Airport support structures, including but not limited to hangars, weather stations, fuel terminals, and storage buildings.
- B. Boat and marine equipment sales, service, or repair facilities.
- C. Building material sales yard. An accessory retail space is permitted but should not take up more than 50% of the site.
- D. Cabinet, carpenter, woodworking, or metal fabrication shops.
- E. Church, synagogue, or other place of worship.
- F. Contractor shop or equipment storage yard for storage and rental of equipment commonly used by a contractor.
- G. Government buildings and uses.

- H. Printing facilities.
- I. Production, processing, assembling, packaging, or treatment of articles and products from previously prepared or semi-finished materials, such as paper, wood, rubber, plastics, fibers, and sheet metal.
- J. Production, processing, assembling, packaging, or treatment of such products as food and beverage products, pharmaceutical, hardware, and machine products. Retail of products made on-site is permitted as an accessory use.
- K. Processing uses such as bottling plants, bakeries, and commercial laundries.
- L. Professional, financial, business, and medical offices.
- M. Public utility facilities.
- N. Research and development laboratories and similar uses.
- O. Retail business establishments over 25,000 square feet.
- P. Storage and distribution services and facilities, including but not limited to truck terminals, warehouses and storage buildings and yards, contractor's establishments, or lumber yards and sales.
- Q. Technical, professional, vocational, and business schools.
- R. Tool and equipment rental.
- S. Transportation facilities and improvements subject to the standards of Section 16.20.040.
- T. Vehicle repair, including but not limited to welding, painting, service, and parts facilities.
- U. Veterinary clinic, kennels.
- V. Similar uses as those listed in this section.

16.68.030 Conditional Uses.

The following uses and activities and their accessory uses and activities may be permitted in the CI zone when approved under Chapter 16.220, and subject to the provisions in Section 16.60.040:

- A. Dredge material disposal (DMD) subject to Chapter 16.104.
- B. New community or technical college or similar campus-type facilities subject to institutional master plan standards in Chapter 16.224.
- C. New mini-warehouse or similar storage facilities.
- D. Similar uses as those listed in this section.

16.68.040 Development Standards.

The following development standards are applicable in the CI zone:

- A. Density Provisions.
 - 1. Minimum lot size: none.
 - 2. Minimum lot width: none.
 - 3. Minimum lot depth: none.
 - 4. Maximum building height: 45 feet.
 - 5. Maximum lot coverage: none.
- B. Setback Requirements.
 - 1. Minimum front yard setback: none.
 - 2. Minimum side yard setback: none.
 - 3. Minimum rear yard setback: none.

16.68.050 Design Standards.

The following development standards are applicable in the CI zone:

- A. All commercial development shall comply with Chapter 16.116.
- B. All industrial development shall comply with Section 16.60.040.
- C. All development adjacent to existing or planned transit stops shall include walkways through the site connecting those stops with all publicly available entrances.

Section 2. This ordinance shall take full force and effect immediately after its adoption by the Commission of the City of Warrenton.

First Reading:

Second Reading:

ADOPTED by the City Commission of the City of Warrenton, Oregon this ____ day of _____, 2024.

APPROVED:

Henry A. Balensifer III, Mayor

ATTEST:

Dawne Shaw, CMC, City Recorder



City of Warrenton

Planning Department

225 S Main Avenue ■ P.O. Box 250 ■ Warrenton, OR 97146

Phone: 503.861.0920 Fax: 503.861.2351

STAFF REPORT

TO: The Warrenton Planning Commission
FROM: Matthew Ellis, AICP, Planning Director
DATE: August 8, 2024
SUBJ: Development Code Revision (DCR-24-5) Grading Permits

BACKGROUND

Several complaints have been raised in recent years about neighbors flooding neighbors because of grading changes. The City of Warrenton takes these concerns seriously and began review of our grading permits in 2023. In January 2024, the City contracted AKS Engineering and Forestry “to provide engineering expertise, technical assistance, exhibits, and comments with regard to grading permit moratorium, code requirements and review process update for construction projects within the City.” The City received the advice of AKS Engineering in April 2024 and began preparing the attached ordinance for consideration.

The goal of this ordinance is to create reasonable restrictions on the placing of fill and grading of property within the City of Warrenton. The main modification of the ordinance is to identify engineered drainage as anything with depths larger than 12 inches. This is in line with other communities around the state and in line with the recommendations from AKS Engineering.

PUBLIC PROCESS, PROCEDURES & PUBLIC NOTICE

Notice was provided to DLCD on June 13, 2024. Public hearing notice was published in The Astorian July 30, 2024. No public comments were received as of the date of this report.

CODE PROVISIONS, APPLICANT RESPONSES, AND FINDINGS

Applicable Warrenton Municipal Code (WMC) chapters for this application include:

WMC 16.208 TYPES OF APPLICATIONS AND REVIEW PROCEDURES
WMC 16.232 AMENDMENTS TO COMPREHENSIVE PLAN TEXT AND MAP,
REZONE, AND DEVELOPMENT CODE

CONCLUSIONS AND RECOMMENDATION

Based on the recommendations of AKS Engineering, staff recommend the Planning Commission recommend approval of Ordinance No. 1274 to the City Commission for final adoption.

RECOMMENDED MOTION

“Based on the findings and conclusions of the August 8, 2024 staff report, I move to recommend and forward to the City Commission the changes to the Development Code as described in Ordinance No. 1274.”

ALTERNATIVE MOTION

“I move to continue the hearing to a date certain to allow additional public testimony and reconsider Ordinance No. 1274.”

ATTACHMENTS

1. Ordinance No. 1274
2. AKS Engineering Memo dated June 20, 2024

ORDINANCE NO. 1274
INTRODUCED BY ALL COMMISSIONERS

**AN ORDINANCE AMENDING CHAPTER 16.152 OF THE WARRENTON
MUNICIPAL CODE TO MODIFY REGULATIONS ON GRADING, EXCAVATING,
AND EROSION CONTROL PLANS**

WHEREAS, the City Commission recognizes that public health, safety, and general welfare necessitate the reasonable regulation of grading within Warrenton; and

WHEREAS, the current City code has resulted in unintended adverse impacts on neighboring properties which these regulations are designed to address;

NOW THEREFORE, the City of Warrenton ordains as follows:

Section 1. Section 16.152.030 of the Warrenton Municipal Code is hereby amended as follows:

16.152.030 Permits Required.

Except as provided in Section 16.152.040, no person shall do any grading work without first having attained a grading permit from the Building Official. A separate permit shall be obtained for each site and may cover both excavations and fills.

Section 2. Section 16.152.040(A) of the Warrenton Municipal Code is hereby amended as follows:

16.152.040 Exempted Work.

A grading permit is not required for the following:

- A. When approved by the Building Official, grading in an isolated, self-contained area if there is no danger to private or public property.

Section 3. Section 16.152.050 of the Warrenton Municipal Code is hereby amended as follows:

16.152.050 Hazards.

Whenever the Building Official determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use, or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt in writing

from the Building Official, shall within the time period specified therein eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this Code.

Section 4. Section 16.152.060 of the Warrenton Municipal Code is hereby amended as follows:

16.152.060 Grading Permit Requirements.

- A. Application. To obtain a grading permit, the applicant shall file an application in writing to the City of Warrenton on a form furnished by the Building Official. Every such application shall contain:
1. Identification and description of work to be covered by the permit for which the application is made, including estimated quantities of work involved.
 2. Description of the land on which the proposed work is to be done by legal description, street address, assessor parcel number, or similar description that will readily identify and locate the proposed building or work.
 3. Indication of the use or occupancy for which the proposed work is intended.
 4. Plans, diagrams, computations, and specifications, and other data as required by this chapter. Plans and specifications shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed, and show in detail that it will conform to all provisions of this Code and relevant laws, ordinances, rules, and regulations of the City.
 5. Applicant's signature.
 6. Other data as required by the Building Official.
- B. Engineered Grading. The following shall be designated as "engineered grading" and require an approved grading plan prepared by a civil engineer:
1. Grading activities with depths greater than one foot.
 2. Grading activities within an Area of Special Flood Hazard as identified on the effective Flood Insurance Rate Maps. Such grading activities shall also be subject to a floodplain development permit.
 3. Grading activities subject to a removal-fill permit from the Oregon Department of State Lands.
 4. Grading activities related to a plat or land partition application.
 5. Grading activities for public improvements.

Grading activities which are designated as engineered grading shall conform to the currently adopted Oregon Structural Specialty Code Appendix J, as may be amended.

- C. Regular Grading. Grading activities which require a permit but do not fall into the requirements of “engineered grading” shall be designated as "regular grading" unless the permittee chooses to have the grading performed as engineered grading or the Building Official determines that special conditions or unusual hazards exist. In such cases, grading shall conform to the requirements of engineered grading.
- D. Application Requirements. Each application for a grading permit shall be accompanied by a plan of sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the name of the owner, and the name of the person who prepared the plan. The plan shall include the following information:
 - 1. General vicinity of the proposed site.
 - 2. Limiting dimensions and depth of cut and fill.
 - 3. Location of any buildings or structures where work is to be performed, and the location of any buildings or structures within 15 feet of the proposed grading.
- E. Issuance.
 - 1. The application, plans, specifications, computations, and other data filed by an applicant for a grading permit shall be reviewed by the Building Official. Such plans may be reviewed by other City departments to verify compliance with any applicable laws of the City. The Building Official may require that grading operations and project designs be modified if delays occur which incur weather generated problems not considered at the time the permit was issued. The provisions of UBC Section 106.4 are applicable to grading permits.
 - 2. The Building Official may require professional inspection and testing by the soils engineer. When the Building Official has cause to believe that geologic factors may be involved, the grading will be required to conform to engineered grading.

Section 5. Section 16.152.070 of the Warrenton Municipal Code is hereby amended as follows:

16.152.070 Grading Inspection.

- A. General. Grading operations for which a permit is required shall be subject to inspection by the Building Official. Professional inspection of grading operations shall be provided by the civil engineer, soils engineer, and the

- engineering geologist retained to provide such services in accordance with this section for engineered grading and as required by the Building Official for regular grading.
- B. Civil Engineer. The civil engineer shall provide professional inspection within such engineer's area of technical specialty, which shall consist of observation and review as to the establishment of line, grade, and surface drainage of the development area. If revised plans are required during the work, they shall be prepared by the civil engineer.
 - C. Soils Engineer. The soils engineer shall provide professional inspection within such engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The soils engineer shall provide sufficient observation during preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this chapter. Revised recommendations relating to conditions differing from the approved soils engineering and engineering geology reports shall be submitted to the permittee, Building Official, and the civil engineer.
 - D. Engineering Geologist. The engineering geologist shall provide professional inspection within such engineer's area of technical specialty, which shall include professional inspection of the bedrock excavation to determine if conditions encountered are in conformance with the approved report. Revised recommendations relating to conditions differing from the approved engineering geology report shall be submitted to the soils engineer.
 - E. Permittee. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this Code, and the permittee shall engage consultants, if required, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the consultants, the contractor, and the Building Official. In the event of changed conditions, the permittee shall be responsible for informing the Building Official of such change and shall provide revised plans for approval.
 - F. Building Official. The Building Official shall inspect the project at the various stages of work requiring approval to determine that adequate control is being exercised by the professional consultants.
 - G. Notification of Noncompliance. If, while fulfilling their respective duties under this chapter, the civil engineer, the soils engineer, or the engineering geologist finds that the work is not being done in conformance with this chapter or the approved grading plans, the discrepancies shall be reported immediately in writing to the permittee and the Building Official.

- H. Transfer of Responsibility. If the civil engineer, the soils engineer, or the engineering geologist of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the Building Official in writing of such change prior to the recommencement of such grading.

Section 6. Section 16.152.090 of the Warrenton Municipal Code is hereby amended as follows:

16.152.090 Bonds.

The Building Official may require bonds in such form and amounts as may be deemed necessary to assure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions. In lieu of a surety bond, the applicant may file a cash bond or instrument of credit with the Building Official in an amount equal to that which would be required in the surety bond.

Section 7. Section 16.152.110 of the Warrenton Municipal Code is hereby amended as follows:

16.152.110 Fills.

- A. General. Unless otherwise recommended in the approved soils engineering report, fill activities shall conform to the provisions of this section. In the absence of an approved soils engineering report, these provisions may be waived for minor fills not intended to support structures.
- B. Preparation of Ground. Fill slopes shall not be constructed on natural slopes steeper than one unit vertical in two units horizontal (50% slope). The ground surface shall be prepared to receive fill by removing vegetation, noncomplying fill, topsoil, and other unsuitable materials scarifying to provide a bond with the new fill and, where slopes are steeper than one unit vertical in five units horizontal (20% slope) and the height is greater than five feet, by benching into sound bedrock or other competent material as determined by the soils engineer. The bench under the toe of a fill on a slope steeper than one unit vertical in five units horizontal (20% slope) shall be at least 10 feet wide. The area beyond the toe of the fill shall be sloped for sheet overflow or a paved drain shall be provided. When fill is to be placed over a cut, the bench under the toe of the fill shall be at least 10 feet wide but the cut shall be made before placing the fill and

acceptance by the soils engineer or engineering geologist or both as a suitable foundation for fill.

- C. Fill Material. Detrimental amounts of organic material shall not be permitted in fills. Except as permitted by the Building Official, no rock or similar irreducible material with a maximum dimension of greater than 12 inches shall be buried or placed in fills. The Building Official may permit the placement of larger rock when the soils engineer properly devises a method of placement and continuously inspects its placement and approves the fill stability. The following conditions shall also apply:
 - 1. Prior to issuance of a grading permit, potential rock disposal areas shall be delineated on the grading plan.
 - 2. Rock sizes greater than 12 inches in maximum dimension shall be 10 feet or more below grade, measured vertically.
 - 3. Rocks shall be placed to ensure filling of all voids with well-graded soil.
- D. Compaction. All fills shall be compacted to a minimum of 90% of maximum density.
- E. Slope. The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes shall be no steeper than one unit vertical in two units horizontal.

Section 8. Section 16.152.120 of the Warrenton Municipal Code is hereby amended as follows:

16.152.120 Setbacks.

- A. General. Cut and fill slopes shall be set back from site boundaries in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the site boundary.
- B. Top of Cut Slope. The top of cut slopes shall not be made nearer to a site boundary line than one-fifth the vertical height of cut with a minimum of two feet and a maximum of 10 feet. The setback may need to be increased for any required interceptor drains.
- C. Toe of Fill Slope. The toe of fill slope shall be made not nearer to the site boundary line than one half the height of the slope with a minimum of two feet and a maximum of 20 feet. Where a fill slope is to be located near the site boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the work as the Building Official deems necessary to protect adjoining property from damage as a result of such grading. These precautions may include but are not limited to the following:
 - 1. Additional setbacks.
 - 2. Provisions for retaining or slough walls.

3. Mechanical or chemical treatment of the fill slope surface to minimize erosion.
 4. Provisions for the control of surface water.
- D. Modification of Slope Location. The Building Official may approve additional setbacks. The Building Official may require investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this section has been satisfied.

Section 9. Section 16.152.130 of the Warrenton Municipal Code is hereby amended as follows:

16.152.130 Drainage and Terracing.

- A. General. Unless otherwise indicated on the approved grading plan, drainage facilities and terracing shall conform to the provisions of this section for cut or fill slopes steeper than one unit vertical in three units horizontal (33.3% slope).
- B. Terraces.
1. Terraces at least six feet in width shall be established at not more than 30-foot vertical intervals on all cut or fill slopes to control surface drainage and debris except that where only one terrace is required, it shall be a mid-height. For cut or fill slopes greater than 60 feet and up to 120 feet in vertical height, one terrace at approximately mid-height, shall be 12 feet in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet in height shall be designed by a civil engineer and approved by the Building Official. Suitable access shall be provided to permit proper cleaning and maintenance.
 2. Swales or ditches or terraces shall have a minimum gradient of five percent and must be paved with reinforced concrete not less than three inches in thickness or and approved equal paving. They shall have a minimum depth at the deepest point of one foot and a minimum paved width of five feet.
 3. A single run of swale or ditch shall not collect runoff from a tributary exceeding 13,500 square feet (projected) without discharging into a down drain.
- C. Subsurface Drainage. Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.
- D. Disposal.
1. All drainage facilities shall be designed to carry waters to the nearest practicable drainage way approved by the Building Official or other appropriate jurisdiction as a safe place to deposit such waters. Erosion of

ground in the area of discharge shall be prevented by installation of non-erosive down-drains or other devices.

2. Building pads shall have a drainage gradient of two percent toward approved drainage facilities unless waived by the Building Official. The gradient from the building pad may be one percent if all of the following conditions exist throughout the permit area: (a) no proposed fills are greater than 10 feet in maximum depth; (b) no proposed finish cut or fill slope faces a vertical height in excess of 10 feet; and (c) no existing slope faces, which have a slope face steeper than one unit vertical in 10 units horizontal, have a vertical height in excess of 10 feet.
- E. Interceptor Drains. Paved interceptor drains shall be installed along the top of all cut slopes where the tributary drainage area above slopes toward the cut and has a drainage path greater than 40 feet measure horizontally. Interceptor drains shall be paved with a minimum of three inches of concrete or gunite and reinforced. They shall have a minimum depth of 12 inches and a minimum paved width of 30 inches measured horizontally across the drain. The slope of the drain shall be approved by the Building Official.

Section 10. Section 16.152.130 of the Warrenton Municipal Code is hereby amended as follows:

16.152.150 Completion of Work.

Upon completion of the rough grading work and at the completion of the work, the following reports and drawings and supplements thereto are required for engineered grading or when professional inspection is performed for regular grading, as applicable:

- A. An as-built grading plan prepared by the civil engineer retained to provide such services in accordance with Section 16.152.070 showing original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and of the outlets of subsurface drains. As-constructed locations, elevations, and details of subsurface drains shall be shown as reported by the soils engineer. Civil engineers shall state that to the best of their knowledge the work within the specified area of responsibility was done in accordance with the final approved grading plan.
- B. A report prepared by a soils engineer retained to provide such services in accordance with Section 16.152.070, including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during grading and their effect on recommendations made in the approved soils engineering investigation report.

Soils engineers shall submit a statement that, to the best of their knowledge, the work within their area of responsibilities is in accordance with the approved soils engineering report and applicable provisions of this chapter.

Section 11. This ordinance shall take full force and effect immediately after its adoption by the Commission of the City of Warrenton.

First Reading:

Second Reading:

ADOPTED by the City Commission of the City of Warrenton, Oregon this ____ day of _____, 2024.

APPROVED:

Henry A. Balensifer III, Mayor

ATTEST:

Dawne Shaw, CMC, City Recorder

June 20, 2024



Esther Moberg
City Manager
City of Warrenton
PO Box 250
Warrenton, OR 97146
emoberg@ci.warrenton.or.us

**RE: GRADING PERMIT REVIEW PROCESS MEMORANDUM
WARRENTON, OREGON**

Ms. Moberg:

AKS Engineering & Forestry has prepared this Grading Permit Review Analysis in response to a request by City staff to evaluate and provide engineering expertise, technical assistance, exhibits, and comments with regard to the City Municipal Code requirements and review process update for grading permits within the City.

The City currently has two differentiated grading permits with individual requirements (regular grading and engineered grading) that are defined in Section 16.152.060 of the City of Warrenton's Municipal Code (CWMC). It is our understanding that concerns have been raised by staff and residents that the current regular grading permit approvals do not sufficiently protect the City against negative impacts from regular grading that results in erosion or flooding of neighboring properties or City infrastructure.

Based on our review and understanding of the City code, Appendix J of the Oregon Structural Specialty Code (OSSC), and Oregon Revised Statutes (ORS); the following identified as potential elements or hazards to the public that could potentially be used to differentiate between regular and engineering grading permits:

- a. Grading Designation (volume based)
- b. Flood Hazard Impacts
- c. Natural Resource Impacts
- d. Erosion control Permits
- e. Slopes/Setbacks
- f. Stormwater Drainage Impacts
- g. Site/Subdivision Development Permits
- h. Public Works Improvement Permits

A brief discussion of each of the elements is discussed in the paragraphs below.

Grading Designation. Section 16.152.060.C of the CWMC defines the following grading designations:

Engineered Grading - ‘grading in excess of 5,000 cubic yards shall be permitted in accordance with the approved grading plan prepared by a civil engineer, and shall be designated as engineered grading.’

Regular Grading – ‘Grading involving less than 5,000 cubic yards shall be designated as regular grading unless the permittee chooses to have the grading performed as engineered grading, or the building official determines that special conditions or unusual hazards exist’.

The 5,000 cubic yard (CY) threshold to differentiate between regular and engineered grading appears to be arbitrary. The current trigger threshold of 5,000 CYs of grading is a significant amount of grading that would undoubtedly impact neighboring properties and impacts the future development of the subject property where grading is occurring (potential adverse impacts include public street damage due to construction traffic, traffic safety concerns, changes surface water drainage routing, etc...).

Table 1 below provides a quick comparison of grading volumes ranging from the current 5,000 CYs threshold to the 50 CY volume that triggers the requirement for a City grading permit. For example, 5,000 CYs of fill imported to a 40,000-sf lot would raise the entire lot by 3.4 feet; whereas the same 5,000 CYs of fill imported to a 5,000-sf single family lot would raise the entire lot by 27 feet.

Table 1 - Grading Volume Comparison

Grading Volume (CY)	Equivalent Number of Dump Truck Loads ¹	Average Depth of Grading over Lot (ft)		
		40,000-sf lot size	8,000-sf lot size	5,000-sf lot size
		(R-40 Zone)	(R-10 Zone)	(RM Zone)
5000	500	3.4	16.9	27.0
1000	100	0.7	3.4	5.4
500	50	0.3	1.7	2.7
50	5	0.03	0.2	0.3

¹ Assumes 10 cubic yards of fill per dump truck

In our opinion, any grading depths above 1-foot has the potential to change the direction of surface water flows across a property, increases the risk of erosion, and increases the potential to impact the neighboring property. In our opinion, the grading volume requirements should be removed entirely or revised to a significantly less volume (50 CYs?) or to maximum depths (1-foot?) where potential impacts to neighbors would be minimized.

Flood Hazard Impacts. A significant portion of the City of Warrenton is situated within flood hazards mapped by the Federal Emergency Management Agency (FEMA). The Flood Insurance Study (FIS) and the Flood Insurance Rate Maps (FIRM) for Clatsop County identify areas of the City that are situated within the 100-year floodplain (Zone AE). Section 16.88 of the CWMC consists of a Flood Hazard Overlay (FHO) District that is intended to promote public health, safety, general welfare, and to minimize public

and private losses during flood conditions. Exhibit 1, Flood Hazard, at end of this memorandum shows the extent of the Flood Hazard per the FEMA FIRM maps.

The City requires the application and approval for a Floodplain Development Permit for all areas within the City's FHO District. Per CWMC Section 16.88.020.I, encroachments such as fills (i.e. grading) within the floodplain boundaries must 'not increase the water surface elevation of the base flood more than one foot at any point'. This statement aligns with the FEMA National Flood Insurance Program (NFIP) regulatory standards to limit development within the 100-year floodplain and to limit fills that raise the flood elevation for the City above 1-foot. Based on the City requirement to limit grading impacts to less than 1 foot and to meet FEMA NFIP requirements, any project that places more than an average of 1-foot of fill above existing grades within the 100-year floodplain should likely be evaluated by a registered Professional Engineer (PE) to confirm a No-Rise certification.

In our opinion, an application grading within any flood hazard areas should automatically trigger an 'Engineered Grading' review and requires review by the planning and building departments for compliance with City code and FEMA requirements. Only areas outside the FEMA flood hazard areas would be allowed to adhere to 'Regular Grading' reviews.

Natural Resource Impacts (Wetlands/Waters). Due to Warrenton's location on the Oregon coast and its proximity to the Columbia River, sloughs, and other waters of the state, a significant portion of the land within the City is identified as wetlands and waters of the state. The attached Exhibit 2 shows the extents of the mapped local wetland inventory within the limits of the City of Warrenton.

According to ORS 215.418 and 227.350, Cities and Counties are required to submit a Wetland Land Use Notification (WLUN) to DSL to determine if a state permit may be necessary for any land use projects that impact jurisdictional wetlands and waters of the state. Therefore, projects that require land use approvals from the City are required to verify that the project does not have wetlands or waters onsite. However, the City's current grading code does not currently require wetland verification prior to issuing regular grading permits.

Oregon's removal-fill law requires the protection of wetlands and waters by requiring a permit for grading projects that add, remove, or move more than 50 cubic yards of material within these protected Natural Resource areas. The Oregon Department of State Lands (DSL) regulates and assists in protecting wetlands and waters by requiring removal-fill permits for the following types of activity:

- Any proposal in wetlands or waters that includes physical alteration of the land including excavation, placement of fill (soil, gravel, rock, or any other material) and grading.
- Development in floodplains and floodways where any part of the project area is wholly or partially within areas identified as wetlands, waters or hydric soils.\

Therefore, in our opinion, in order to comply with Oregon law, all grading permits should be required to be evaluated for potential impacts to wetlands and waters of the state. Projects that require removal-fill permits from DSL or US Army Corps of Engineers (USACE) should require submittal to meet 'Engineered Grading' requirements. Projects that do not impact wetlands/waters of the state can be reviewed and shall meet the requirements of 'Regular Grading'.

At a minimum, the local wetland inventory maps should be utilized by the planning department to determine whether the property potentially contains wetlands/waters of the state and whether 'Engineered Grading' review is required. If a property is mapped with any portion of local wetland inventory, additional wetland delineations by Wetland Scientists/Consultants should be required to verify and obtain DSL concurrence for the wetland boundaries on the project site. This would automatically trigger 'Engineered Grading' review requirements.

Erosion Control Permits. Per Section 16.140.040 of the CWMC, erosion control plans are required for all projects that disturb over one acre of land or are part of projects which require site plan review (i.e. Site Development Review permits or Public Works Improvement permits). In addition, Oregon's water quality laws (ORS 468B.050) and Section 402 of the Federal Clean Water Act are implemented with the City's code requirement for grading permit applicants with over 1-acre of disturbance to apply and obtain a National Pollutant Discharge Elimination System (NPDES) 1200(C) permit from the Oregon Department of Environmental Quality (DEQ).

DEQ requires the preparation of erosion control plans be prepared by registered Professional Engineers (PE) for any construction activities that disturb twenty or more acres of land and for sedimentation basins or diversion structures for erosion and sediment control. In general, the majority of projects that require obtaining a 1200C permit within the City of Warrenton (likely large site/subdivision development projects) would likely be defined as 'Engineered Grading' as the permit requires the use of engineering practices to develop the erosion and sediment control plan with grading contours, vegetation protection/restoration, and stormwater controls.

These erosion control permits and their requirements (local or DEQ 1200C permits) are intended to reduce/limit impacts to water quality within the wetlands and waters of the state by reducing/limiting the amount of sediment and debris from construction activities such as grading.

Slopes/Setbacks. Both the CWMC (Section 16.152.120) and Appendix J of the OSSC identify recommended setbacks to property lines and slope inclinations for cut and fill slopes. In our opinion, these setbacks are closely tied to all grading within the City as these code requirements are intended to provide a building code baseline to 'protect' adjacent properties owners from slope stability concerns, erosion, and drainage impacts due to grading. These building code requirements are typically reviewed by the local building official as part of the grading permit review process and should not be exclusive to either regular or engineered grading permits within the City of Warrenton.

Stormwater Drainage Impacts. Placing fill on a property that changes the direction of surface runoff or potentially increases the volume of surface water flows will have an impact on the downstream system. Due to development within the City of Warrenton, localized areas have been identified across the City as having known flooding problems. These areas of concern have been identified as properties/areas within the City with 'Known Flooding Concerns' as depicted on the attached Exhibit 3.

Any fill placement within these areas will likely exacerbate the current flooding issues from stormwater runoff in these areas. Therefore, 'Engineered Grading' reviews should be required for all grading projects to require engineering for the stormwater conveyance from the project and a downstream analysis storm system to ensure that additional flooding is not created by the grading (thereby reducing the potential for flood damage). This requirement for engineered analysis for areas with known flood concerns is very typical for most jurisdictions and is generally required in the City's Stormwater Management Plan (February 2008).

Site/Subdivision Development Permits. In general, all site development or subdivision projects within the City of Warrenton require land use review and approval. The land use review process and conditions of approval from the land use approval process typically require identify permit requirements and/or standards for construction. In addition, subdivision projects typically require concurrent Public Improvement Permit review/approvals since future public rights-of-way (ROW) are being dedicated to the public and/or improvements to provide services to the project occur within existing streets and rights-of-ways.

In general, these projects typically require design by a registered PE or licensed Architect (especially with regard to Public Improvements) and therefore should be defined as ‘Engineered Grading’ under the City’s code.

Public Improvement Permits. All construction work (including grading) affecting the public right-of-way requires application and approval for Public Improvement Permit (PIP). In addition, work planned for proposed future rights-of-way and/or easements to be dedicated to the City are also required to obtain a PIP prior to starting work. Construction plans for public improvements are required to be designed by a registered PE and therefore would be defined as ‘Engineered Grading’ under the City’s code.

Conclusions/Recommendations. Review of the City grading code (Section 16.152) indicates that the current grading permit requirements allow the possibility for future developers and contractors to obtain a regular grading permit that allows them to fill in regulated wetlands/waters of the state and FEMA flood hazard areas which potentially violates Oregon/Federal laws. The 5,000 CY threshold to differentiate between ‘regular’ and ‘engineered’ grading permits places a significant burden on the building official to identify the need engineered grading permit review to avoid potential neighbor impacts or violations of Oregon/Federal laws.

The attached Table 2 provides a City grading code comparison that provides a quick overview of hazard scenarios in which there is the potential for regular grading permits to cause harm to the general public. City code revisions and the regular grading permit process updates are needed for regular grading permits to ensure that the general public is protected.

Exhibit A at the end of the report combines the various hazard boundaries (wetland, flood, drainage hazard Exhibits 1-3) into a single Engineered Grading Permit Extents boundary to identify the properties that should require ‘Engineered Grading’ permits. The further clarification between regular and engineered grading permit reviews allows development to continue throughout the City since the City’s review process will verify that the grading will not violate City code, State or Federal laws, or result in adverse impacts to neighboring properties or the general public.

Recommended revisions to the City Grading, Fill, and Erosion Control Permit Application are also included in an attachment for the City’s review/use.

If you have any questions regarding this letter or our comments, please do not hesitate to email with any questions.

Sincerely,

AKS ENGINEERING & FORESTRY, LLC



Paul A. Sellke, PE, GE

Project Engineer

503-561-6151 ext. 219 | PaulS@aks-eng.com



Attachments:

- Table 2 – Current City Code Grading Requirement Comparison Chart
- Exhibit 1 – FEMA Flood Hazard Extents
- Exhibit 2- Oregon/Local Wetland Inventory Extents
- Exhibit 3 – Known Flooding Concern Areas within the City
- Exhibit A – Engineered Grading Permit Extents
- City of Warrenton Grading, Fill, & Erosion Control Permit Application – PDF markups

Cc: Matthew Ellis, AICP – City of Warrenton (mellis@warrentonoregon.us)
Judith Stich – City of Warrenton (jstich@warrentonoregon.us)

Table 2 - Current City Code Grading Requirement Conflict Comparison Chart

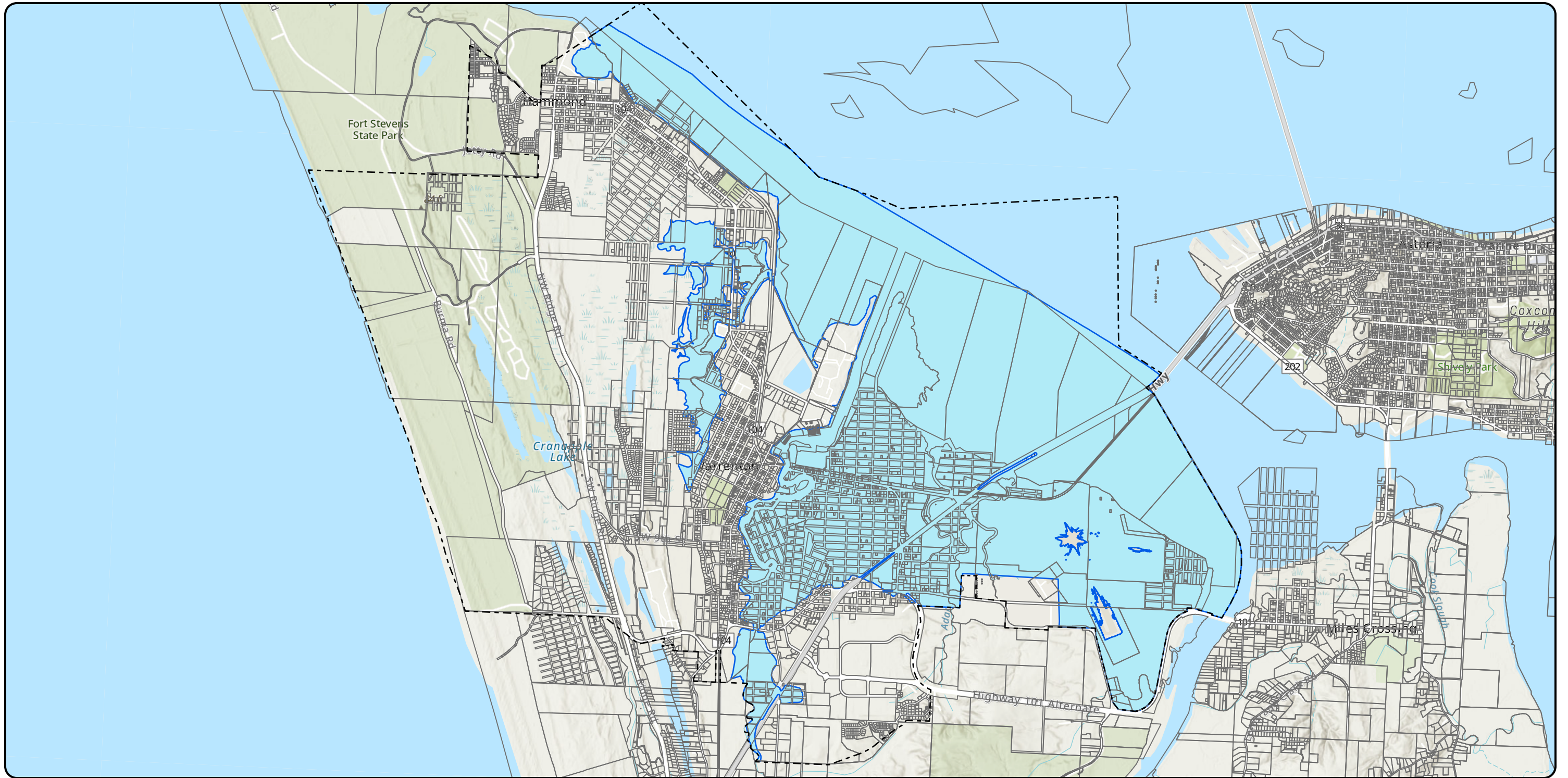
Potential Grading Impacts Evaluated	Regular Grading Allowed under Current Code ^a	Does allowing Regular Grading Permits Potentially Result in Harm to Neighbors ^b	Does allowing Regular Grading Permits Potentially violate Oregon/Federal Laws ^c	Should Engineered Grading Requirements be Required for Impacts? ^d
Grading Volumes (Below 5,000 CY)	Yes	Yes	Yes	Yes, if greater than 1-ft in depth
Grading Volumes (Above 5,000 CY)	No	Yes	Yes	Yes, if greater than 1-ft in depth
Flood Hazard Impacts	Yes	Yes	Yes	Yes
Natural Resource Impacts	Yes	No	Yes	Yes
Erosion Control Permits	Yes, if < 1 acre	Yes	No, if < 1 acre	Yes, if > 1 acre
Slope/Setbacks	Yes	Yes, if > 1 ft	No	Yes, if > 1 acre
Stormwater Drainage impacts	Yes	Yes	No	Yes, for known drainage issue areas
Site/Subdivision Development Permits	No	n/a	n/a	Yes
Public Improvements Permits	No	n/a	n/a	Yes

^a Regular grading allowed for projects with less than 5,000 CY

^b yellow highlighted cells indicate potential impacts to adjacent properties and City.




^c Orange highlighted cells indicate fills within wetlands or mapped flood hazard areas could result in potential violations of Oregon/Federal laws or FEMA requirements.

^d Requires submittal by licensed PE



**Exhibit 1
FEMA Flood Hazard**

Legend

-  City of Warrenton
-  County Taxlot
-  FEMA Flood Hazard (AE)

City of Warrenton

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Source: Taxlots obtained from Clatsop County; City Limits, LWI and FEMA Flood Hazards obtained from Oregon Spatial Data Library; Topo Base Map obtained from ESRI, ArcGIS Online.

AKS **AKS Engineering & Forestry, LLC**
 12965 SW Herman RD, STE 100
 Tualatin, OR 97062
 P:503.563.6151 | aks-eng.com

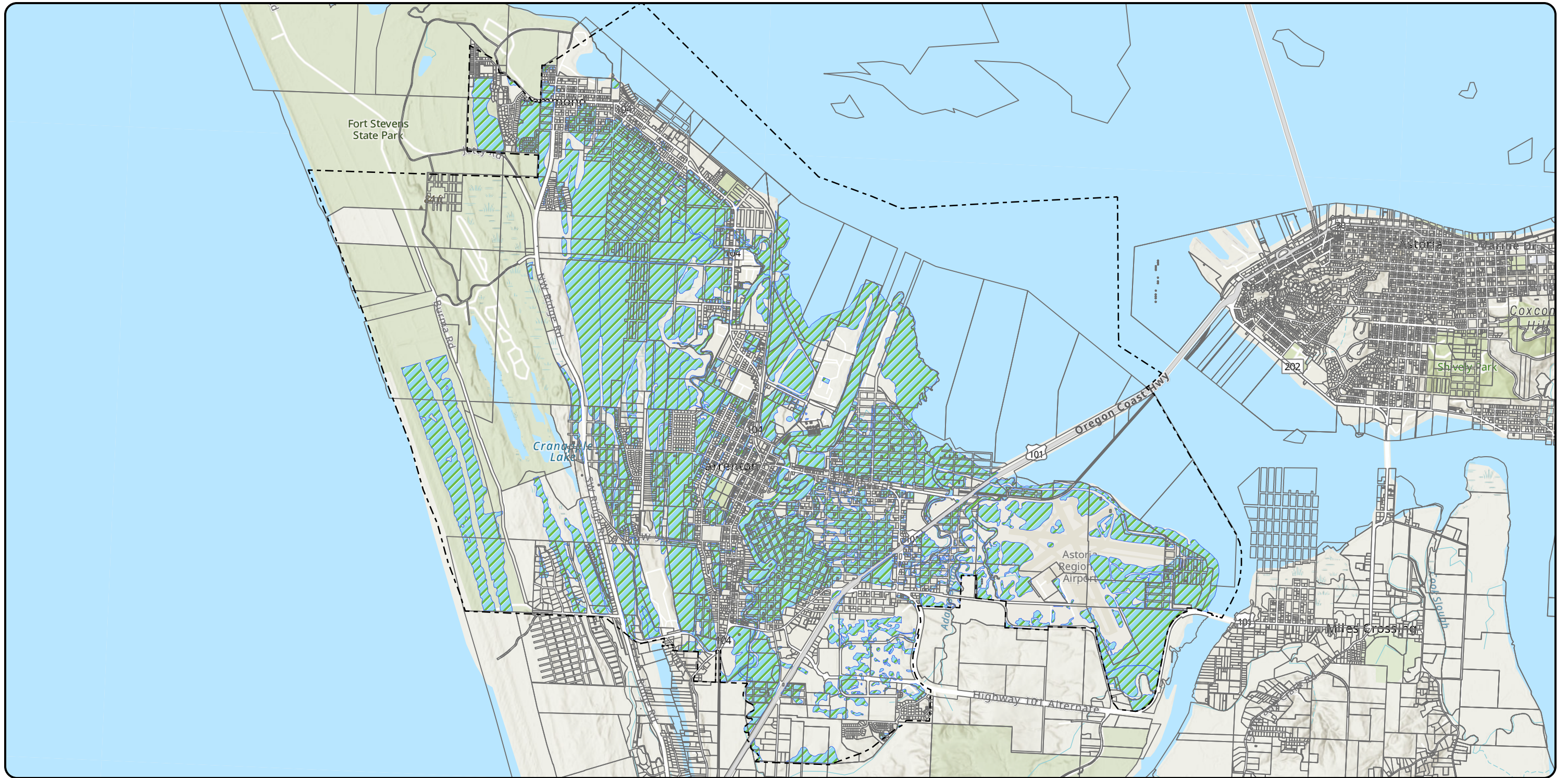
N

 0 1,750 3,500

 Feet

Print Date: 4/15/2024



Project: 9950-01



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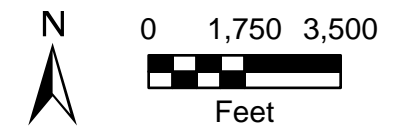
Source: Taxlots obtained from Clatsop County; City Limits, LWI and FEMA Flood Hazards obtained from Oregon Spatial Data Library; Topo Base Map obtained from ESRI, ArcGIS Online.

Legend

-  City of Warrenton
-  County Taxlot
-  Oregon / Local Wetland Inventory

**Exhibit 2
Oregon / Local
Wetland Inventory**

City of Warrenton



Print Date: 4/15/2024

Project: 9950-01



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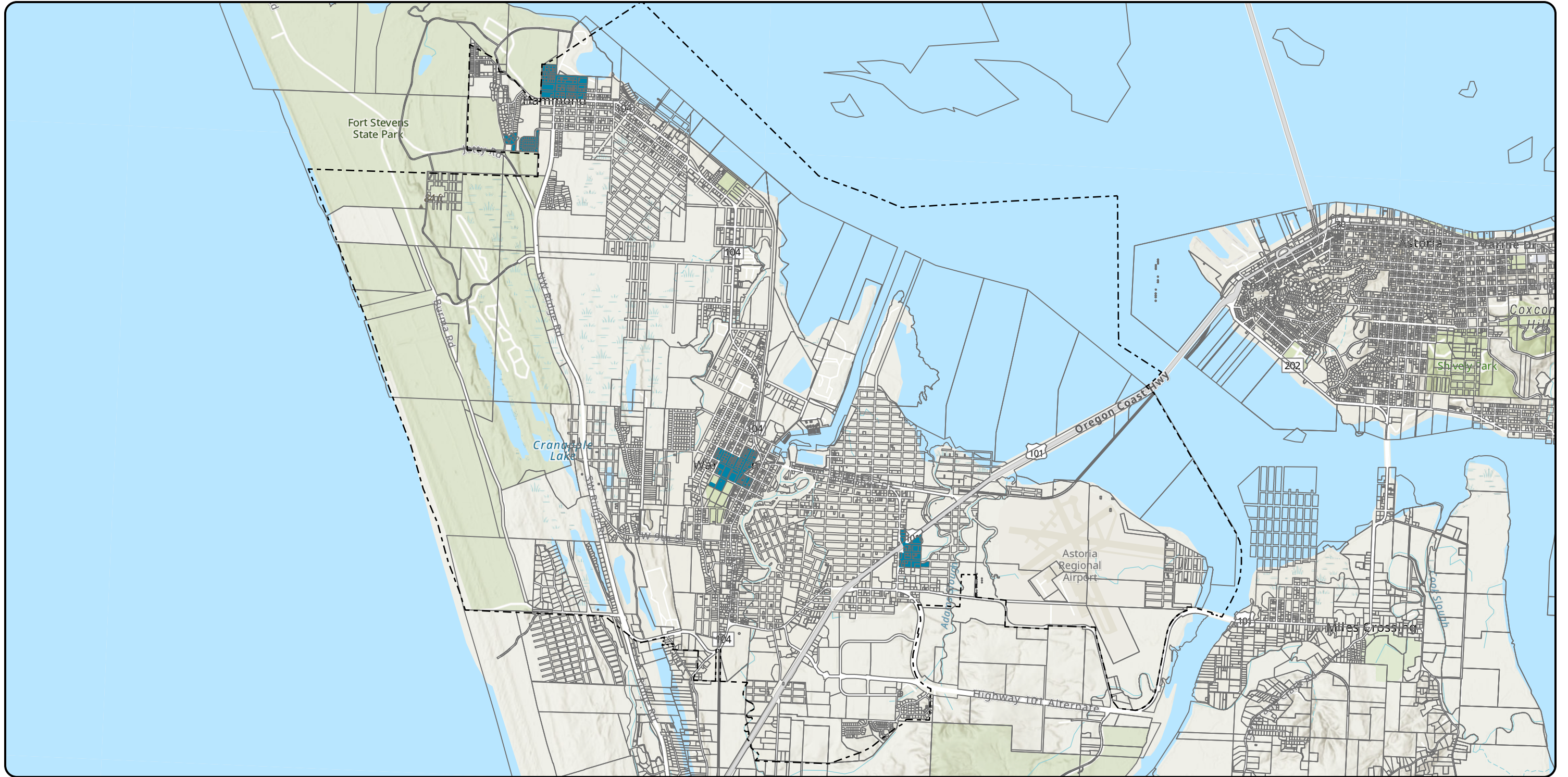


Exhibit 3 Known Flooding Concerns

- Legend**
- City of Warrenton
 - County Taxlot
 - Known Flooding Concerns

City of Warrenton



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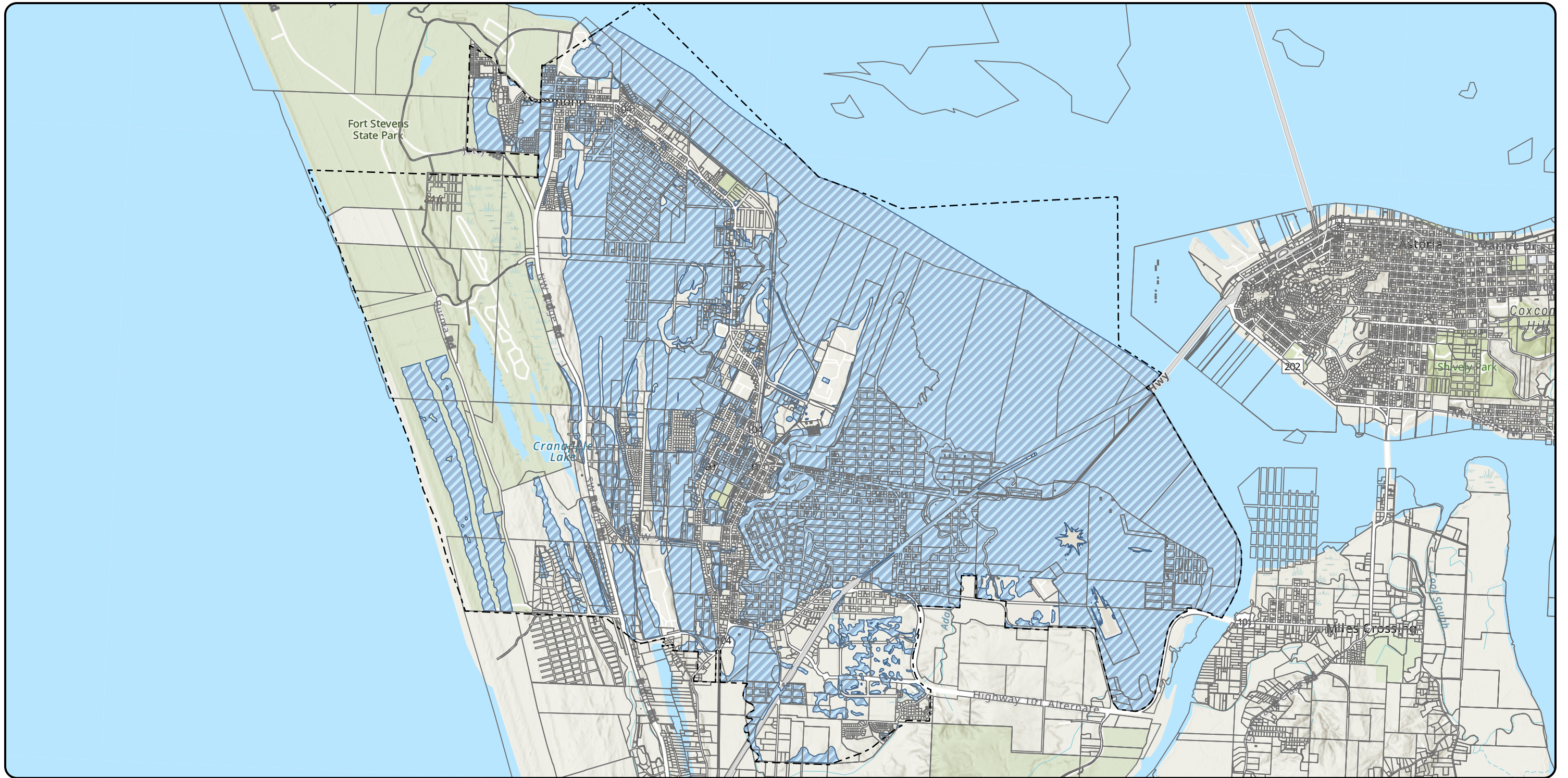





Exhibit A Engineered Grading Permit Extents

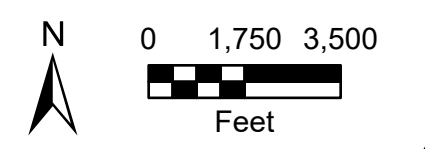
City of Warrenton

Legend

-  City of Warrenton
-  County Taxlot
-  Engineered Grading

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

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Print Date: 4/15/2024

Project: 9950-01



Grading, Fill, and Erosion Control Permit Application

City of Warrenton
 Planning and Building Department
 225 S. Main Ave • P.O. Box 250 • Warrenton, OR 97146
 Ph (503) 861-0920 • Fax (503) 861-2351
 Email: buildingclerk@ci.warrenton.or.us

SITE INFORMATION	
Job Site Address:	
City/State/ZIP:	
Tax Map/ Tax Lot No.:	
<input type="checkbox"/> Single Lot	<input type="checkbox"/> Multiple Lots (<i>Specify # of Lots</i>):
Wetlands: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	Floodplain: <input type="checkbox"/> Yes <input type="checkbox"/> No
Existing Site Use:	
Future Site Use:	
DESCRIPTION OF WORK	
APPLICANT INFORMATION	
Name:	
Mailing address:	
City/State/ZIP:	
Phone:	Mobile Phone:
Email:	
PROPERTY OWNER INFORMATION	
<input type="checkbox"/> Same as Applicant Information	Disturbed area greater than
Name:	
Mailing address:	
City/State/ZIP:	
Phone:	Mobile Phone:
CONTRACTOR INFORMATION	
Business name:	
Address:	
City/State/ZIP:	
Phone:	
Email:	
CCB Lic. No.:	
City of Warrenton Business Lic. N	
CIVIL / GEOTECH	
Business name:	
Address:	
City/state/ZIP:	
Phone:	Fax:
Email:	

Property is situated within FEMA Flood Hazard boundary. Fills within FEMA boundaries require encroachment analyses by registered civil engineer to confirm no increase to water surface elevation.

DEPARTMENT USE ONLY	
Permit no.:	
Submittal Date:	
Permit Issue Date:	
DEVELOPMENT CLEARANCE	
<input type="checkbox"/> Public Works Approved	Date:
<input type="checkbox"/> Planning Approved	Date:
<input type="checkbox"/> Conditions of approval have been provided to applicant.	
<input type="checkbox"/> Development clearance not applicable for this permit.	

NOTICE: Applicant shall receive development clearance review approval from City of Warrenton Public Works, and Planning Departments prior to the initiation of Building Department review procedures. Any and all conditions of approval shall be noted on construction documents.

GRADING INFORMATION	
Excavation Total Volume (<i>Cubic Yards</i>):	
Excavation Max. Depth (<i>Feet</i>):	
Fill Total Volume (<i>Cubic Yards</i>):	with depths greater than 1-foot
Fill Max. Depth (<i>Feet</i>):	
Total Disturbed Area (<i>Square Feet</i>):	
SITE CONDITIONS	
<input type="checkbox"/> Material removed or filled exceeding 50 cubic yards either imported, removed, or relocated on-site.	unknown
<input type="checkbox"/> All grading-fill work in excess of 5,000 cubic yards shall have an approved grading plan prepared by a registered civil engineer.	Cut/fill within
<input type="checkbox"/> Property contains known or unknown wetlands, streams, riparian edge.	unknown
<input type="checkbox"/> Contact Oregon Dept. of State Lands for additional information, including wetland determination forms, and delineation applications.	unknown
<input type="checkbox"/> Wetland material removed requires a "Removal-Fill Permit" issued by Oregon Dept. of State Lands.	unknown
<input type="checkbox"/> Area of 1 acre to less than 5 acres, DEQ 1200-C permit required.	unknown
<input type="checkbox"/> Area of 5 acres or greater, DEQ 1200-C permit required.	unknown
<input type="checkbox"/> Steep slopes within the disturbed area exceed (33%) 1-unit vertical in 3-units horizontal.	unknown
<input type="checkbox"/> Retaining walls supporting slopes exceeding (33%), wall height exceeds 48-inches.	unknown
<input type="checkbox"/> Roads and or culverts; new, realigned, or relocated for any proposed development	unknown
<input type="checkbox"/> Commercial or Industrial site development	unknown
PROJECT VALUATION	
<i>Permit fees are based on the value of the work performed. Indicate the value (rounded to the nearest hundred) of the equipment, materials, labor, overhead, and the profit for the work indicated on this application. Minimum Permit Fee:....\$106.00</i>	
Valuation: \$	

DEPARTMENT USE ONLY	
(A) Valuation.....	\$
(B) Plan review 65%, if required (.65 x [A]).....	\$
(C) Investigation Fee, if applicable.....	\$
TOTAL fees and surcharges (A+B+C+D):	\$

MINIMUM REQUIRED SUBMITTAL DOCUMENTS

- SITE PLAN (*drawn to appropriate scale, e.g 1"=10'*)
 - The location of all property lines with dimensions in relation to site development.
 - The names and locations of all internal or adjacent roadways and access easements.
 - The location of existing and proposed structures, with full dimensions.
 - The location of wetlands, lakes, rivers, streams, channels, ditches, dikes or other water courses on or near development site.
 - The direction of surface water flow.
- EROSION CONTROL PLAN (*drawn to appropriate scale, e.g 1"=10'*)
 - Show the location of existing vegetation adjacent to any watercourse.
 - Show the areas where vegetative cover will be retained and the type and location of measures taken to protect vegetation from damage.
 - Show areas where vegetative cover will be removed and the location of all temporary and permanent erosion control measures to be used including but not limited to: silt fencing, straw bales, graveling, mulching, seeding, and sodding.
 - Show the type and location of proposed storm water management from roofs, parking and other impervious areas.
 - Show any surface water diversion showing ground and surface water diverted to an alternate natural drainage path or a storm water conveyance system.
 - Include an indication of slope steepness, by degree, percentage or ratio. Include gradient of surface water flow.
 - Show the general topography (elevation of terrain) characteristics of surrounding property.
 - Show location of the construction access driveway(s) and vehicle parking area(s). Provide BMP's at construction ingress/ egress (e.g. rock, shaker, plates, etc.)
 - Show the location and size of soil/fill stockpiles.
 - Show the location of existing and proposed structures, with location of roof down spouts and storm water drainage locations.
- EROSION CONTROL STATEMENT
 - A schedule of land disturbance activities, project phasing, and the time frame for placement of both temporary and permanent erosion and sediment control measures.
 - The name, address, and phone number of the person(s) responsible for placement, monitoring, and maintenance of the temporary and permanent erosion control measures.
 - A statement signed by the property owner and building contractor/developer certifying that any land clearing, construction, or development involving the movement of earth shall conform to the plans as approved by the City of Warrenton Planning, Public Works, and Building Departments.

CONDITIONS OF APPROVAL

- **Work commencing prior to permit issuance is subject to fees in addition to the required permit fees.**
- **Work done without proper inspections will be subject to rejection.**
- **The proposed work shall not violate any recorded deed restrictions that may be attached to or imposed upon the subject property.**
- **Authorization of this permit shall be void after 180 days unless substantial construction or use pursuant thereto has taken place.**
- **This permit grants no rights to trespass on adjacent property and in no way relieves the owner of the property from liability for any damages caused by acts relative to this permit.**
- **The issuance of this permit shall not be construed as Building Department approval for associated new construction site plan or plot plan.**
- **Fire Department access to fire hydrants shall be maintained at all times.**
- **Public right-of-way shall not be in any way impeded, blocked, or temporary ramp(s) installed without proper permits and approvals granted. *Please contact Public Works and or ODOT for right-of-way permit and other requirements.***
- **The applicant shall take care to avoid damage to subsurface and above ground utilities, and shall be responsible for repairs to utilities damaged by their actions.**
- **All erosion control measures must be installed and approved prior to beginning of any site work.**
- **It is the responsibility of the permit holder or authorized agent to schedule inspections.**

APPLICANT SIGNATURE

I hereby certify I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not.

Signature:

Date:

Print name:

*******Pre-work inspection is required prior to beginning of site-work. Final inspection is required upon completion of all site-work. Additional inspection may be required to determine compliance as requested by the Building Official.*******



City of Warrenton

Planning Department

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STAFF REPORT

TO: The Warrenton Planning Commission
FROM: Matthew Ellis, AICP, Planning Director
DATE: August 8, 2024
SUBJ: Residential Code Audit Preliminary Discussion

BACKGROUND

In April 2024, the City began a Residential Code Audit managed by 3J Consulting. Since that time, the consultants and staff have been preparing the attached code audit memo. Staff is presenting these results on behalf of the project team for initial feedback.

The next step after receiving preliminary feedback from the Planning Commission and City Commission is to hold a public meeting asking for feedback and circulating a feedback survey around the community. Following the broad public engagement effort, the project team will deliver a final audit report, with an ordinance to follow.

This discussion is offered to the Planning Commission to share any preliminary thoughts as we move forward in the process.

ATTACHMENTS

1. Warrenton Final Code Audit Memo 2024-05-30



WARRENTON MIDDLE HOUSING CODE AUDIT

The primary objective of this Project is to prepare a package of hearings-ready development code amendments to comply with and exceed housing-related statutes and facilitate housing production, affordability, and choice.

Recommended development code amendments will include allowing duplexes on all single family detached lots in accordance with House Bill 2001. Amendments to Warrenton's Development Code will not focus on multifamily residential but may include recommendations to adjust multifamily standards to align with proposed middle housing updates. Provisions for other middle housing options will also be proposed but not enforced. These provisions will address updates to accessory dwelling units (ADUs), tri/quadplexes, townhomes, and cottage clusters.

This Housing Code Audit was funded through a Technical Assistance Grant from the State of Oregon. The views expressed herein are those of the consultant and do not reflect the views of the State of Oregon. The audit outcomes are intended to identify areas of the city's Development Code that should be updated to ensure middle housing-related regulations are clear and objective, reduce barriers to the provision of housing, and ultimately increase the availability of housing in Warrenton.

This memo includes an audit of the city's current development code provisions and an analysis of standards relative to state residential statutes, including ORS 197A.395 to 197A.430 and related administrative rules. Other statutes addressed within the Code Audit include ORS 197.478 for manufactured home standards. The audit also includes analysis of how the code compares to the state Model Code for Middle Housing: while only the duplex portions of the Model Code are binding for Warrenton, the Model Code provisions for other middle housing types provide best practices as the basis for review with further opportunity for local refinements. The "Analysis" column identifies existing regulations that have the effect, either in themselves or cumulatively, of discouraging housing through unreasonable cost or delay, or that are not compliant with the applicable ORS provisions, and how the city may address these issues.

The code audit evaluated the existing Warrenton development regulations that relate to residential development for both compliance with state regulations and opportunities to enhance clarity and remove barriers to residential feasibility. Specific categories of analysis and overall findings include:

- **ADUs:** ADUs must be permitted with every single-family detached dwelling (ORS 197A.425). Warrenton's code permits ADUs in many residential areas but modifications to specific aspects of ADU regulations such as parking and owner-occupancy requirements and definitions are recommended to align with state regulations.
- **Duplexes:** Duplexes must be permitted on every lot where single-family detached dwellings are permitted (ORS 197A.420(3)). Warrenton code only permits duplexes in some zones and changes to permit duplexes more broadly are recommended.

- **Other middle housing types:** Warrenton has expressed interest in exploring ways to permit triplexes, quadplexes, townhouses and cottage clusters that are required for larger cities but optional for Warrenton (ORS 197A.420(2)). Existing code only allows middle housing in medium and high-density zones. Quadplexes are currently not included in the city’s definition of middle housing and are grouped with ‘multifamily’ options. Quadplexes will need to be grouped with other permitted middle housing options. There are significant opportunities to expand middle housing allowances if desired.
- **Multifamily:** While multifamily residential was not the focus of this code audit, a few items related to multifamily code are flagged for recommended adjustments to align with other residential and middle housing code issues.
- **Compliance:** Additional state regulations relate to a variety of residential topics and related uses in residential zones, such as manufactured homes and residential homes. These regulations have been changing at an increasingly rapid pace, and therefore the Warrenton code is in need of some updates.
- **Clarification:** A final category of audit findings includes areas where additional clarity is recommended, either to comply with state requirements for all residential code standards to be “clear and objective” (ORS 197A.400(1)) or simply for usability and internal consistency.

The following sections of the Warrenton Development Code were reviewed for compliance with applicable state residential statutes, with a focus on middle housing. The development code below has been organized by the order of the code, with each concept category listed below.

Development Code Audit Matrix

Warrenton Development Code		
Section	Current Code Language	Analysis
16.12.010 Definitions		
	<p>Courtyard Cottages. Four or more cottages that are 1,200 square feet 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.</p>	<p>The courtyard cottage definition has some similarities with the state definition of cottage clusters but differs on some specifics, such as a 900 vs. [800 to] 1,200 square foot maximum footprint.</p> <p>Staff considered revision to broaden definition but determined that community interests are best met by keeping current definition for courtyard cottages.</p> <p>Note: because Courtyard Cottages have specific design provisions (such as max. footprint of 800 ft, 1,200 with garage), it may add clarity to remove maximum sf from definition but add a reference to compliance with Chapter 16.202.</p> <p>Category: Other middle housing types</p>
	<p>Child Care Center. Provides care and supervision of four or more, not to exceed 12 minor children for periods of less than 24 hours. See also ORS 657A for certification requirements.</p> <p>Day Care. The residence of the day care provider which receives no more than three children for the purpose of providing care (excludes children’s relatives).</p> <p>Family Day Care. See “Child Care Center.”</p>	<p>This is not middle housing but is new state law. Consider a review/update of definitions for day care facility and day care home and recommend updates. Review ORS 329A.440 for definitions and for any other needed edits (or reference this ORS in the code: https://www.oregonlegislature.gov/bills_laws/ors/ors329a.html). Particularly, family child care homes must be permitted in residential zones. Child care facilities must be permitted in commercial zones, but that goes well beyond this project scope.</p>

Warrenton Development Code

Section	Current Code Language	Analysis
		<p>Staff will make this update outside of this project.</p> <p>Category: Compliance</p>
	<p>Duplex. A detached building located on a single legal lot that contains two attached dwelling units designed for occupancy by two families.</p>	<p>Model Code: "Duplex" means two dwelling units on a lot or parcel in any configuration. In instances where a development can meet the definition of a duplex and also meets the definition of a primary dwelling unit with an accessory dwelling unit (ADU), the applicant shall specify at the time of application review whether the development is considered a duplex or a primary dwelling unit with an ADU.</p> <p>Staff preference to maintain duplex definition for two "attached" dwelling units. Recommended update to definition below, with "dwelling". Recommend removing this stand-alone "duplex" definition.</p> <p>Category: Duplex</p>
	<p>Dwelling.</p> <ol style="list-style-type: none"> 1. Accessory. A small, secondary housing unit, usually the size of a studio apartment, located on the same legal lot as a detached single-family residence. The accessory dwelling can be a detached cottage, a unit attached to a garage, or in a portion of an existing house. For purposes of this Code, an accessory dwelling is an accessory structure and shall comply with the accessory structure standards of Chapter 16.180 and more particularly Section 16.180.040, Accessory Dwelling Standards. 2. Multifamily. A building located on a single legal lot designed and used for occupancy by four or more families, all living independently of each other, and having separate housekeeping facilities for each family. 3. Single-Family. An attached or detached building located on a single legal lot designed and used for occupancy by one family. 4. Single-Family Attached (Duplex, Townhome, Triplex, Rowhouse). Two (duplex, townhome) or more (triplex, rowhouse) single-family dwellings with common end walls. See Chapter 16.184, Single-Family Attached, Duplex, and Triplex Design Standards 	<p>Several definitions repeat in the code, which can cause confusion. For example, "accessory dwelling" and "duplex" are defined in the alphabetical definitions, but also defined again under "dwelling units". Current code includes confusing definitions for middle housing. For example, a townhouse on an individual lot would be considered "single-family" and "single-family attached". Consider consolidating and clarifying definitions for residential dwelling types.</p> <p>Recommend separate definitions (without reference to occupancy by families) for the following dwellings:</p> <ul style="list-style-type: none"> -accessory: An interior, attached or detached residential structure that is used in connection with, or that is accessory to, a single-family detached dwelling. For purposes of this Code, an accessory dwelling is an accessory structure and shall comply with the accessory structure standards of Section 16.180.040, Accessory Dwelling Standards. -single-family detached: One dwelling unit located on a lot or parcel. -townhouse (single-family attached/rowhouse): A dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit. -duplex: Two attached dwelling units on a lot or parcel. -triplex: Three dwelling units on a lot or parcel in any configuration. -quadplex: Four dwelling units on a lot or parcel in any configuration. -multifamily: Five or more dwelling units located on a lot or parcel subject to the provisions of Chapter 16.188. <p>*Possibly reference applicable design standards code sections for duplex, triplex, quadplex and townhomes. Right now this section is 16.184.*</p> <p>Consider moving "courtyard cottages" definition to this section because it is a dwelling type.</p>

Warrenton Development Code

Section	Current Code Language	Analysis
		<p>Categories: Clarification; duplex; other middle-housing types</p>
	<p>Multifamily Housing Development. A building or grouping of related buildings that contain four or more dwelling units (total) located on a single legal lot and sharing common walls, floor/ceilings, courtyard, playground, parking area, or other communal amenity. Included in this definition is "condominium." Unless otherwise permitted by this Code (i.e., master planned developments), single-family dwellings are not permitted in multifamily housing developments. See Chapter 16.188 for multifamily housing design standards.</p>	<p>Consider removing this as separate definition (keep definition under "dwelling").</p> <p>Category: Multifamily</p>
	<p>Residential</p> <p><u>1. Care Facility.</u> A facility licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.460 which provides residential care alone or in conjunction with training or treatment or a combination thereof for six to 15 individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.</p> <p><u>2. Home.</u> A home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.825 which provides residential care alone or in conjunction with training or treatment or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.</p>	<p>This is not middle housing but is state law. Consider a review/update of definitions for care facility and residential home and recommend updates. Review ORS 443 for definitions and for any other needed edits. "Care facility" no longer caps the number of residents at 15.</p> <p>Category: Compliance</p>

Warrenton Development Code

Section	Current Code Language	Analysis
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16. 25 Low Density Residential District

<p>16.24.20 Permitted uses</p>	<p>The following uses and their accessory uses are permitted in the R-40 zone if the Community Development Director determines that the uses conform to the standards in Sections 16.24.040 through 16.24.050, applicable Development Code standards, and other City laws:</p> <ul style="list-style-type: none"> A. Single-family detached dwelling. B. Modular home. C. Manufactured home subject to the standards in Chapter 16.168. D. Residential home. E. Residential (care) facility. F. Day care. G. Farming, grazing, truck gardening, orchards and production of nursery stock. H. A temporary dwelling for no more than six months while building a permanent residence. I. Accessory structure, no larger than 1,200 square feet, in conjunction with an existing residence on the same property, and subject to standards of Chapter 16.180. J. Transportation facilities and improvements subject to the standards of Section 16.20.040. K. Similar uses as stated above. L. Community garden(s) (see definitions). M. Incidental sales of firewood, cut flowers, produce grown on the premises, lemonade, and similar items. N. Home occupations. O. Accessory dwelling that complies with Section 16.180.040. P. Homestay lodging subject to the standards in Chapter 8.24. 	<p>Not clear and objective: "if the Community Development Director determines that the uses conform to the standards in Sections 16.24.040 through 16.24.050, applicable Development Code standards, and other City laws". Recommend updating language to remove the above.</p> <p>Add "duplex dwelling" to list of permitted uses.</p> <p>Category: Duplex</p>
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<p>16.24.40 Development Standards</p>	<p>A. Density Provisions.</p> <ol style="list-style-type: none"> 1. Minimum lot area for residences with on-site sewage disposal systems: 40,000 square feet. 2. Minimum lot area for residences connected to the City of Warrenton sewer system: 10,000 square feet. 3. Minimum lot width at the front building line: 50 feet. 4. Minimum lot depth: 80 feet. 5. Not more than 35% of lot area shall be covered by buildings or other impervious surfaces, except as may be permitted by conditional use permit or variance. 6. Maximum building height: 30 feet. 7. Maximum building height for agricultural buildings, solar collectors, wind energy systems and radio receivers: 40 feet. <p>B. Setback Requirements.</p> <ol style="list-style-type: none"> 1. Minimum front yard setback: <ol style="list-style-type: none"> a. Lots of 40,000 square feet: 20 feet; b. Lots of 10,000 square feet: 15 feet. 2. Minimum side yard setback: 10 feet. 3. Corner lot minimum street side, side yard setback: 10 feet. 4. Minimum rear yard setback: 10,000 square foot lot, 15 feet; except accessory structures that meet the criteria of Section 16.280.020, may extend to within five feet of the rear property line; and for 40,000 square foot lots the dwelling and any accessory structure must maintain a 15-foot setback. 5. Corner lot minimum rear yard setback: 10 feet. 	<p>Duplexes have to be subject to the same standards as single-family detached dwellings in the same zone, which will occur with no text changes.</p> <p>Consider an increase to minimum lot coverage for lots with an ADU. Staff indicated a willingness to consider but desire to acknowledge that this is a low-density development zone. Consider a modest increase of maximum lot coverage standard from 35% to 40% ONLY when the lot contains an ADU.</p> <p>Category: ADUs</p>
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Warrenton Development Code

Section	Current Code Language	Analysis
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16.28 Intermediate Density Residential District

16.28.010 Purpose	<p>The purpose of the Intermediate Density Residential Zone is to provide areas within the City which have the capacity to accommodate single-family dwellings in conventional subdivisions or planned unit developments. These areas are intended for service by municipal utilities and urban type street systems, and, consequently, the residents must be willing to support the costs associated with this density of development. Certain public facilities and other nonresidential uses are permitted when desirable conditions and safeguards are satisfied. This zone includes those areas in Hammond that were in Hammond's Low Density Residential Zone (R-10).</p>	<p>Staff concur with referencing single family and middle housing. "...capacity to accommodate single-family and middle housing dwellings in conventional..."</p> <p>Categories: Clarification; duplex; other middle housing types</p>
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16.28.020 Permitted uses	<p>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:</p> <ul style="list-style-type: none"> A. Single-family detached, attached or duplex dwelling. B. Modular home. C. Manufactured home subject to standards in Chapter 16.168. D. Residential home. E. Residential (care) facility. F. Day care. G. Cemetery. H. Farming, grazing, truck gardening, orchards and production of nursery stock. I. A temporary dwelling for no more than six months while building a permanent residence. J. Accessory structure no larger than 1,200 square feet, in conjunction with an existing residence on the same property, and subject to standards of Chapter 16.180. K. Transportation facilities and improvements subject to the standards of Section 16.20.040. L. Similar uses as stated above. M. Community garden(s) (see definitions). N. Incidental sales of firewood, cut flowers, produce grown on the premises, lemonade, and similar items. O. Home occupations. P. Accessory dwelling that complies with Section 16.180.040. Q. Homestay lodging subject to the standards in Chapter 8.24. 	<p>Keep language as this already includes a duplex option that treats duplex the same as single-family detached.</p> <p>Staff considered adding triplex and quadplex as permitted uses within this zone, but would prefer to consider these housing types for the medium density zone only.</p> <p>Staff concurs that cottage clusters are permitted outright in the R-10, RM, and RH zones as addressed in another section of the code and should be included here as well.</p> <p>Category: Other middle housing types</p>
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Warrenton Development Code

Section	Current Code Language	Analysis
<p>16.28.040 Development Standards</p>	<p>The following development standards are applicable in the R-10 zone:</p> <p>A. Density Provisions.</p> <ol style="list-style-type: none"> 1. Minimum lot area for residences: 8,000 square feet. Minimum density is five dwelling units per acre. 2. Minimum lot width at the front building line for detached dwelling: 50 feet. 3. Minimum lot area for single-family attached dwelling: 2,500 square 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 35% of the lot area shall be covered by buildings except as may be permitted by conditional use permit or variance. 	<p>Consider an increase to minimum lot coverage for lots with an ADU. Consider a modest increase of maximum lot coverage standard from 35% to 40% ONLY when the lot contains an ADU.</p> <p>Townhouses currently permitted use in this zone (single-family attached). Model code conflicts with 15' front and rear setbacks (10' max. for townhomes, except for those applicable to garages and carports). Recommend reducing front and rear setback for townhouses to 10'. Minimum lot area of 2,500 sf for townhomes will likely preclude development of this housing type. Consider 1,500 sf min. lot size. It seems like it may be a code oversight that there is no max. building height in this zone. If one is added, the max. height of townhouses cannot be less than 35'. Consider increasing max. lot coverage for townhouses to 75 or 80%.</p> <p>Categories: ADU; other middle housing types</p>
	<p>B. Setback Requirements.</p> <ol style="list-style-type: none"> 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. 	

Warrenton Development Code

Section	Current Code Language	Analysis
16.32 Medium Density Residential District		
16.32.010 Purpose	The Medium Density Residential Zone is intended to accommodate a variety of housing types including single-family dwellings, duplexes and, where appropriate, manufactured dwelling subdivisions and manufactured dwelling parks. This intensity of residential use is envisioned for locations in the City where community services and adequate access are available. Residential densities permitted are somewhat greater than those permitted in an R-10 zone. Certain public facilities and other nonresidential uses are also permitted when desirable conditions and safeguards are satisfied. Those lands in the Hammond area that were in the Hammond R-6 zone have been placed in this zone.	<p>Duplexes are included here and are subject to the same provisions as single-family detached.</p> <p>Staff concurs with adding 'other middle housing options' into this overview as a housing type that is accommodated.</p> <p>Category: Other middle housing types</p>
16.32.020 Permitted Uses	<p>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:</p> <p>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. E. Residential home. F. Residential (care) facility. G. Day care. H. Master planned development with a minimum lot size of three contiguous acres, subject to provisions in Chapter 16.224. I. A temporary dwelling for no more than six months while building a permanent residence. J. Accessory structure no larger than 1,200 square feet, in conjunction with an existing residence on the same property, and subject to standards of Chapter 16.180. K. Transportation facilities and improvements subject to the standards of Section 16.20.040. L. Dredge material disposal (DMD) subject to Section 16.32.050 (Sites 19S and 21S) and Chapter 16.104. M. Similar uses as those stated above. N. Community garden(s) (see definitions). O. Incidental sales of firewood, cut flowers, produce grown on the premises, lemonade, and similar items. P. Home occupations. Q. Accessory dwelling that complies with Section 16.180.040. R. Homestay lodging subject to the standards in Chapter 8.24.</p>	<p>Duplex treated the same as single-family detached.</p> <p>Staff concurs with adding "quadplex" and "courtyard cottages" as permitted uses.</p> <p>Category: Other middle housing types</p>
16.32.040 Development Standards	<p>The following development standards are applicable in the R-M zone:</p> <p>A. Density Provisions.</p> <ol style="list-style-type: none"> 1. Minimum lot area for single-family detached dwelling or duplex: 5,000 square feet. Minimum density is eight 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. 	<p>Minimum lot area same for duplex and single-family detached.</p> <p>Add triplex and quadplex with single-family detached or duplex for min lot area of 5,000 sf.</p> <p>Consider reducing min. lot area for townhouses from 2,500 sf to 1,500 sf. Model code recommends 1,500 sf based on market analysis of jurisdictions throughout the state. 2,500 sf minimum for townhouses will likely preclude this housing type. Also consider decreasing min lot width at front lot line</p>

Warrenton Development Code

Section	Current Code Language	Analysis
	<p>B. Setback Requirements.</p> <ol style="list-style-type: none"> 1. Minimum front yard setback: 15 feet. 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. 	<p>for townhouses from 25' to 20' to reduce barrier to this type of housing being built.</p> <p>Need 0' side setbacks for townhouses. Consider 10' max. front and rear setbacks for townhouses, triplexes and quadplexes.</p> <p>Categories: Clarification; duplexes; other middle housing types</p>

16.36 High Density Residential District

<p>16.36.020 Permitted Uses</p>	<p>The following uses and their accessory uses are permitted in the R-H zone if the Community Development Director determines that the uses conform to the standards in Sections 16.36.040 through 16.36.050, applicable Development Code standards, and other City laws:</p> <ol style="list-style-type: none"> A. Single-family detached dwelling. B. Modular housing. C. Manufactured home. D. Duplex and townhome subject to standards of Chapter 16.184. E. Triplex subject to standards of Chapter 16.184. F. Multifamily housing development subject to standards of Chapter 16.188. G. Residential home. H. Residential (care) facility. I. Day care. J. A temporary dwelling for no more than six months while building a permanent residence. K. Accessory structure no larger than 1,200 square feet, in conjunction with an existing residence on the same property and subject to the additional criteria under Chapter 16.180. L. Master planned development with a minimum lot size of three contiguous acres, subject to the provisions in Chapter 16.224. M. Transportation facilities and improvements subject to the standards of Section 16.20.040. N. Similar uses as stated above. O. Incidental sales of firewood, cut flowers, produce grown on the premises, lemonade, and similar items. P. Home occupations. Q. Accessory dwelling that complies with Section 16.180.040. R. Homestay lodging subject to the standards in Chapter 8.24. 	<p>Consider the broader purpose for this zone and whether single-family detached homes, at varying densities, are consistent with that purpose. Consider whether to prohibit single-family detached homes outright, or to address through revisions to minimum lot size and minimum density below. Staff would like to bring this question for discussion to the TAC.</p> <p>Consider adding 'quadplex' as its own option. Consider clarifying list of permitted uses to list housing types individually. Consider adding "courtyard cottages" to the list of permitted uses.</p> <p>Categories: Clarification; other middle housing types</p>
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<p>16.36.030 Conditional Uses</p>	<p>The following uses and their accessory uses may be permitted when approved under Chapter 16.220:</p> <ol style="list-style-type: none"> A. Boarding, lodging or rooming houses. B. Hospitals, sanitariums, rest homes, nursing or convalescent homes, medical clinic or office in conjunction with a residential facility. C. Churches, synagogues, or other places of worship. D. Parks, playgrounds and community centers. E. Government buildings and uses subject to standards of Sections 16.36.040(C) and 16.36.050. F. Public utility structure. G. School: nursery, primary, elementary, junior or senior high: public or private. H. Child care center. I. Bed and breakfast. J. Accessory dwelling subject to standards of Section 16.180.040. K. Similar uses as stated above. 	<p>Remove accessory dwellings as a conditional use; already permitted outright in the above section, as required</p> <p>https://www.warrentonoregon.us/ced/page/short-term-rentals</p> <p>Question for staff: Should we discuss short term rentals (STRs) and Homestay lodging with the TAC? Should they be conditional? Permitted outright? Permitted with limitations, etc.?</p> <p>Category: Clarification</p>
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Warrenton Development Code

Section	Current Code Language	Analysis
16.36.040 Development Standards	<p>A. Density Provisions.</p> <ol style="list-style-type: none"> 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. 11. The lowest density which will be allowed in new subdivisions and other developments with four or more units that are located on sites without significant natural feature problems is five dwelling units per gross acre. 	<p>Consider the desired scale for single-family detached homes, if continuing to permit in this zone. Minimum lot area of 4,500 sf cannot meet minimum density of 20 units per acre. Min. lot area of 4,500 sf can only achieve a density of 9.68 du/acre. Further conflicts introduced with subsection (11) referencing the lowest density of five units per gross acre, which conflicts with the 20 units per acre minimum listed in subsection (1).</p> <p>Consider permitting duplexes, townhouses, triplexes and quadplexes on lots sized equivalent to the maximum density for multifamily, allowed as one unit per 1,600 SF. E.g., duplexes would be allowed on 3,200-SF lots (or smaller if minimum lot size for single-family detached is lowered), triplex on 4,800-SF lot, etc.</p> <p>Lot coverage of 55% may be low.</p> <p>Review other lot dimensions if minimum lot sizes are adjusted.</p> <p>Categories: Clarification; other middle housing types</p>
	<p>B. Setback Requirements.</p> <ol style="list-style-type: none"> 1. Minimum front yard setback: 15 feet. 2. Minimum side yard setback: eight 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. 	<p>Consider differentiating setback standards for larger multifamily sites and for single-family/middle housing sites and include buffering/screening setback requirements if needed for taller buildings. For example, if you require an 8' side yard setback, you may add a buffer of 5-10' if the building will be taller than 2 stories adjacent to a lower density (lower height) residential property. Could consider reducing side yard setbacks for 2 story maximum buildings down to 5'.</p> <p>Need 0' side yard setback for townhouses.</p> <p>Categories: Clarification; other middle housing types</p>

Warrenton Development Code

Section	Current Code Language	Analysis
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16.92 Airport Operations Overlay District

<p>16.92.040 Permitted uses</p>	<p>The following uses and activities and their associated facilities are permitted conditionally in the Airport Zone upon demonstration of compliance with the standards of Section 16.92.060, Conditional Use Standards.</p> <p>A. A structure or building accessory to a permitted use.</p> <p>B. Single-family dwellings, manufactured dwellings, duplexes and multifamily dwellings, when authorized in the primary zoning district, provided the landowner signs and records in the deed and mortgage records of Clatsop County a hold harmless agreement and aviation and hazard easement and submits them to the Port of Astoria and to the Warrenton Planning Department.</p> <p>C. Commercial and industrial uses, when authorized in the primary zoning district, provided the use does not result in the following:</p> <ol style="list-style-type: none"> 1. Creating electrical interference with navigational signals or radio communication between the airport and aircraft. 2. Making it difficult for pilots to distinguish between airports lights or others. 3. Impairing visibility. 4. Creating bird strike hazards. 5. Endangering or interfering with the landing, taking off or maneuvering of aircraft intending to use the airport. 6. Attracting large number of people. <p>D. Buildings and uses of a public works, public service or public utility nature.</p> <p>E. Production, processing, assembling, packaging or treatment of such products as food products, pharmaceutical, hardware and machine products.</p> <p>F. Production, processing, assembling, packaging or treatment of articles and products from previously-prepared or semi-finished materials, such as paper, wood, rubber, plastics, fibers and sheet metal.</p> <p>G. Research and development laboratories.</p> <p>H. Printing facilities.</p> <p>I. Public utility facilities such as power stations, sewage and water treatment plants.</p> <p>J. Storage and distribution services and facilities (i.e., truck terminals, warehouses and storage buildings and yards, contractor's establishments, lumber yards and sales) or similar uses.</p> <p>K. Vehicle repair (welding, painting and service, and parts facilities).</p> <p>L. Airport support structures: hangars, weather stations, fuel terminals and storage buildings, etc.</p> <p>M. Mini-warehouses or similar storage uses.</p> <p>N. Contractor shop or equipment storage yard for storage and rental of equipment commonly used by a contractor.</p> <p>O. Cabinet, carpenter, woodworking, sheet metal shops or similar establishments.</p> <p>P. Professional, financial or business offices.</p> <p>Q. Public utilities, including structures, pipelines, cables, and utility crossings.</p> <p>R. Government buildings and uses.</p> <p>S. Passive restoration.</p> <p>T. Transportation facilities and improvements subject to the standards of Section 16.20.040.</p> <p>U. Dredge material disposal (DMD) subject to Section 16.60.040 (site 205), and Chapter 16.104.</p> <p>V. Food and/or beverage trucks or carts, or restaurant in connection with the operation of an FBO or terminal facility.</p> <p>W. Military facilities.</p> <p>X. On airport camping by occupants of transient aircraft.</p>	<p>Staff concurs with aligning permitted residential uses in subsection (B) to include any additional middle housing uses like triplexes and quadplexes to be permitted in underlying zones.</p> <p>Category: Other middle housing types</p>
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Section	Current Code Language	Analysis
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16.112 Growth Management Standards

<p>16.112.040 Exceptions to growth management standards</p>	<p>Growth management standards shall not apply to the following land use actions:</p> <p>A. Construction of a single-family residence on a buildable lot.</p> <p>B. Exceptions approved by the Community Development Director, or in the case of a conditional use, an exception approved by the Planning Commission. In either case, the following findings must be made to support the exception to growth management standards:</p> <ol style="list-style-type: none"> 1. That the impact of the proposed development or land partition upon the unacceptable service(s) will be similar to that of a single-family residence; 2. That the approval of the development or land division without the particularly unacceptable service(s) will not impede the orderly, efficient provision of any primary or secondary service to that area; 3. That the public or nearby residents will not be endangered by the granting of the exception; and 4. That it is consistent with the intent and purpose of Statewide Planning Goals 11 and 14, and the purpose of this chapter stated in Section 16.112.010. 	<p>Include duplex permitted in addition to single family residence.</p> <p>Category: Duplex</p>
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16.114 Neighborhood Master Plans

<p>16.114.040 Spur 104 Performance Measures & Redevelopment Standards</p>	<p>The following standards shall apply to new development in the Spur 104 Neighborhood Master Plan area.</p> <p>A. Development shall consider either the "Mixed Use Concept" or "Residential Concept" contained herein. At a minimum, streets, parks, open space, and trails shall be adhered to and planned for in future development.</p> <p>B. The total number of housing units for the new neighborhood shall not exceed 350 units. The types of units and minimum density are described in the Commercial Mixed Use (CMU) Zone and High Density Residential Zone (RH) standards. Housing units that existed prior to 2018 shall not be counted towards the cap on the total amount. Adaptive reuse of cultural or historic structures built prior to 1940 is strongly encouraged.</p> <p>C. The total amount of commercial space shall not exceed 50,000 SF. No building footprint shall be larger than 20,000 SF to encourage a mixed use, neighborhood scale, and pedestrian-oriented design. Maximum of building floor area shall be regulated by height standard. The types of uses allowed are described in the Commercial Mixed Use (CMU) Zone. However, drive thrus shall be prohibited to reduce traffic impacts.</p> <p>D. Architectural design shall be governed by Chapter 16.116 Design Standards. In addition, at least three distinct exterior materials shall be used. Glass entries and vestibules shall not be counted towards the required amount of materials. A distinctive entry is required. New parking for commercial uses should be located to the rear or side portion of the lot.</p> <p>E. All new development shall contribute to planned parks and trails identified on the concept plans and Parks Master Plan.</p> <p>F. Zero lot line developments for single family attached are allowed subject to site design review.</p>	<p>Staff noted that they will review why the 350 dwelling unit cap was set outside of this project.</p> <p>Recommend allowing ADUs to not count toward the cap, allowing duplexes to count as one dwelling unit toward the cap,</p> <p>Should triplexes/quadplexes/townhouses be treated as single units? Perhaps a question to discuss with the TAC?</p> <p>Category: Clarification</p>
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Section	Current Code Language	Analysis
16.120 Access and Circulation		
16.120.020 Vehicular Access and Circulation	E. Conditions of Approval. The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas (other than driveways that serve single-family, two-family, or three-family dwellings) shall not permit backing onto a public street.	Expand exempted driveways to include quadplexes. Categories: Clarification; other middle housing types
16.120.020 Vehicular Access and Circulation	G. Access Spacing. Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures: 1. Local Streets. A minimum of 25 feet separation (as measured from the sides of the driveway/street) shall be required on local streets (i.e., streets not designated as collectors or arterials) for all single-family detached dwellings, except as provided in paragraph 3 of this subsection. A minimum of 20 feet separation shall be required on local streets for all single-family attached dwellings, duplexes, and triplexes, except as provided in paragraph 3 of this subsection. 2. Arterial and Collector Streets. Unless directed otherwise by this Development Code or by the Warrenton Comprehensive Plan/TSP, access spacing on City collector and arterial streets and at controlled intersections (i.e., with four-way stop sign or traffic signal) in the City of Warrenton shall be determined based on the policies and standards contained in the Warrenton Transportation System Plan, Manual for Uniform Traffic Control Devices, or other applicable documents adopted by the City. 3. Special Provisions for All Streets. Direct street access may be restricted for some land uses, in conformance with the provisions of Division 2, Land Use Districts. For example, access consolidation, shared access, and/or access separation greater than that specified by paragraphs 1 and 2 of this subsection, may be required by the City, County or ODOT for the purpose of protecting the function, safety and operation of the street for all users. (See subsection I of this section.) Where no other alternatives exist, the permitting agency may allow construction of an access connection along the property line farthest from an intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required. 4. Corner Clearance. The distance from a street intersection to a driveway or other street access shall meet or exceed the minimum spacing requirements for the street classification in the Warrenton TSP.	Consider adding 'quadplexes' to item G1. Consider that 20-ft driveway setback from the corner for narrow townhouse lots can be difficult to achieve in some cases. Category: Other middle housing types
	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: 1. Single-family, two-family, and three-family uses shall have a minimum driveway width of 10 feet, and a maximum width of 24 feet, except that one recreational vehicle pad driveway may be provided in addition to the standard driveway for lots containing at least 5,000 square feet of area. 2. Multiple-family uses with between four and seven dwelling units shall have a minimum driveway width of 20 feet, and a maximum width of 24 feet. 3. Multiple-family uses with eight or more dwelling units shall have a minimum driveway width of 24 feet, and a maximum width of 30 feet. These dimensions may be increased if the Community Development Director, City-appointed engineer, or Planning Commission determines that more than two lanes are required based on the number of trips generated or the need for turning lanes. 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.	Consider revising-item K1 to say "duplex" and "triplex" instead of "two-family and three-family" and consider adding "quadplex". Consider changing item K2 to say 'multiple-family uses with between five and seven dwelling units...' Consider adding standards specific to cottage clusters that allow smaller driveway widths, rather than defaulting to multi-family standards. Consider changing standards for triplexes and quadplexes and adopt the Model Code standards to allow greater maximum driveway widths up to 32 feet and multiple driveway openings per lot: Also note the overlap between these standards and the access standards for triplexes and townhouses in Section 16.184.030. Recommend updating in one place with cross-

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	<p>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.</p>	<p>reference in the other section to eliminate overlap and confusion.</p> <p>Categories: Clarification; other middle housing types</p>
<p>16.120.030 Pedestrian Access and Circulation</p>	<p>A. Pedestrian Access and Circulation. To ensure safe, direct and convenient pedestrian circulation, all developments, except single-family detached housing, duplexes, or triplexes on individual lots, shall provide a continuous pedestrian and/or multi-use pathway system. (Pathways only provide for pedestrian circulation. Multi-use pathways accommodate pedestrians and bicycles.) The system of pathways shall be designed based on the standards in paragraphs 1 through 3 of this subsection:</p> <p>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.</p> <p>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 and existing or planned transit stops, based on the following definitions:</p> <p>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.</p> <p>Safe and Convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations. 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.</p> <p>For residential buildings the "primary entrance" is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard or breezeway which serves as a common entrance for more than one dwelling.</p> <p>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.</p> <p>4. Street Connectivity. Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by Section 16.120.020. Pathways shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments, as applicable. Pathways used to comply with these standards shall conform to all of the following criteria:</p>	<p>Staff concurs with making quadplexes exempt from pedestrian circulation requirements.</p> <p>Staff concurs with applying pedestrian access standards here to courtyard cottage.</p> <p>Categories: Clarification; other middle housing types</p>

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	<p>a. Multi-use pathways (i.e., for pedestrians and bicyclists) are no less than six feet wide.</p> <p>b. If the streets within the subdivision or neighborhood are lighted, the pathways shall also be lighted.</p> <p>c. Stairs or switchback paths using a narrower right-of-way/easement may be required in lieu of a multi-use pathway where grades are steep.</p> <p>d. The City may require landscaping within the pathway easement/right-of-way for screening and the privacy of adjoining properties.</p> <p>e. The Planning Commission or Community Development Director may determine, based upon facts in the record, that a pathway is impracticable due to: physical or topographic conditions (e.g., freeways, railroads, extremely steep slopes, sensitive lands, and similar physical constraints); buildings or other existing development on adjacent properties that physically prevent a connection now or in the future, considering the potential for redevelopment; and sites where the provisions of recorded leases, easements, covenants, restrictions, or other agreements recorded as of the effective date of the ordinance codified in this chapter prohibit the pathway connection.</p>	

16.124 Landscaping, street trees, fences and walls

16.124.070 New Landscaping	<p>C. Landscape Area Standards. The minimum percentage of required landscaping equals:</p> <ol style="list-style-type: none"> 1. Residential districts: 20% of the site. 2. Commercial districts: 15% of the site shall be landscaped according to the requirements of this section. 3. General industrial districts: a minimum of 20% of the site shall be landscaped. <p>The use of mature, native vegetation within developments is a preferred alternative to removal of vegetation and re-planting.</p>	<p>The 20% landscaping minimum can be applied equally to both single-family detached and most middle housing.</p> <p>It is uncommon to see landscape standards for single-family detached or middle housing (except cottage clusters). Consider if a lower standard would be more feasible or consider removing requirement for these housing types.</p> <p>Staff stated that TAC should consider landscaping standards for courtyard cottages (update to Chapter 16.202)</p> <p>Category: Other middle housing types</p>
	<p>E2. 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.</p>	<p>Consider adding courtyard cottage standards for parking areas. In the model code it notes for cottage clusters: Parking clusters must be separated from other spaces by at least four (4) feet of landscaping. Perhaps discuss with TAC?</p> <p>Category: Other middle housing types</p>

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Section	Current Code Language	Analysis
16.128 Vehicle and Bicycle Parking		
<p>16.128.030 Vehicle Parking Standards.</p>	<p>Table 16.128.030.A Off-Street Parking Requirements</p> <p>Single-family detached dwelling (including manufactured home on individual lot): 2 spaces Two- and three-family dwelling: 1.5 spaces per dwelling unit <u>Multifamily and single-family attached dwelling:</u> Studio units or 1-bedroom units less than 500 sq. ft.: 1 space per unit 1-bedroom units 500 sq. ft. or larger: 1.5 spaces per unit 2-bedroom units: 1.75 spaces per unit 3-bedroom or greater units: 2 spaces per unit Senior housing; retirement complexes seniors 55+ years: 1 space per unit Rooming and boarding houses; dormitories: 2 spaces per each 3 guest rooms, or 1 space per 3 beds, whichever is greater Bed and breakfast: 1 space per guest bedroom Manufactured home parks: 2 spaces per dwelling unit Accessory dwelling: None if lot already contains at least 2 spaces; otherwise, 1 space is required</p> <hr/> <p>B2. Off-Site Parking. Except for single-family, two-family, and three-family dwellings, the vehicle parking spaces required by this chapter may be located on another parcel of land, provided the parcel is within 200 feet or a reasonable walking distance of the use it serves. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.</p>	<p>Reduce minimum parking for duplexes to one space per unit to comply with state rules. (OAR 660-046-0120)</p> <p>Recommend 1 off-street parking space per dwelling unit for all dwelling types. This reduces the amount of land dedicated to vehicles and increases amount of land available for housing. Staff indicated desire to take this to the TAC.</p> <p>Remove any minimum parking requirements for accessory dwelling units.</p> <p>Categories: Clarification; duplex; other middle housing types</p> <hr/> <p>Consider adding quadplexes to this list.</p> <p>Consider referencing courtyard cottage standards for off-site parking. Standards are stated in the model code for cottage clusters if not provided in the Courtyard cottage section.</p> <p>Category: Other middle housing types</p>
<p>16.128.040 Bicycle parking standards</p>	<p>Exemptions. This section does not apply to single-family and duplex housing, home occupations, and agricultural uses. The City may exempt other uses upon finding that, due to the nature of the use or its location, it is unlikely to have any patrons or employees arriving by bicycle.</p>	<p>Staff concurs that this exemption should apply to all single- and middle housing types but not multifamily.</p> <p>Categories: Clarification; other middle housing types</p>

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Section	Current Code Language	Analysis
16.168 Manufactured Home Design Standards		
<p>16.168.010 Manufactured Home Design Standards</p>	<p>A manufactured home placed on an individual lot, other than a lot in an approved manufactured dwelling park, shall conform to the requirements of the zone in which it is located, applicable state installation standards, and the following additional provisions:</p> <p>A. The manufactured home shall be multi-sectional and enclose a floor space of not less than 1,000 square feet.</p> <p>B. The manufactured home shall be placed on an excavated and/or back-filled foundation and enclosed by skirting at the perimeter such that the manufactured home is located at least 16 inches from mainframe to grade.</p> <p>C. The skirting and perimeter foundation of the manufactured home shall consist of masonry or poured concrete.</p> <p>D. The manufactured home shall have a roof with a minimum pitch of 3:12. The roofing material shall be composition, shake, shingle or tile.</p> <p>E. The manufactured home shall have exterior siding material such as horizontal or vertical wood, vinyl or aluminum lap siding similar to that used in single-family residences constructed to the Uniform Building Code.</p> <p>F. The manufactured home shall not have bare metal siding or roofing.</p> <p>G. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwelling constructed under the State Building Code ORS 455.010.</p> <p>H. The manufactured home is required to have an attached or detached garage or carport that complies with Chapter 16.180. A building permit for the associated garage or carport must be issued concurrent with the placement permit for the manufactured home.</p> <p>I. The manufactured home shall have a permanent porch with a minimum size of 24 square feet. No temporary steps will be allowed at the time of occupancy. The Uniform Building Code will determine minimum landing size.</p> <p>J. All porches and decks to be constructed shall be shown on the site/plot plan.</p> <p>K. The manufactured home shall have a meter base and no power pole.</p> <p>L. The manufactured home shall utilize at least two of the following design features:</p> <ol style="list-style-type: none"> 1. Dormer. 2. Recessed entries. 3. Architectural grade roofing. 4. Bay or bow windows. 5. Window shutters or treatments. 6. Off-sets on building face or roof (minimum 12 inches). 7. Gables. 8. Covered porch entry. 9. Pillars or posts. 10. Eaves (minimum six inches). 11. 4:12 pitch roof. <p>M. All load-bearing foundations, supports and enclosures shall be installed in conformance with the Oregon Building Codes Agency regulations and with the manufacturer's installation specifications. Manufactured homes must also be provided with a permanent perimeter enclosure.</p> <p>N. The manufactured home's wheels, axles and hitch mechanism shall be removed. The wheels, axles and hitch mechanisms shall not be left under the manufactured home.</p> <p>O. If a manufactured home is removed from its foundation and not replaced by another manufactured home within 60 days, the owner of the lot shall immediately thereafter remove the foundation, fill all excavations and disconnect and secure all utilities.</p>	<p>Manufactured Home Design Standards must follow ORS 197.478 Siting of manufactured homes and prefabricated structures within urban growth boundaries.</p> <p>To comply with state law referenced above, remove all subsections here with the exception of G. (thermal envelope standards).</p> <p>The City may consider maintaining design standards in subsection L. if they also apply uniformly to single-family detached dwellings (this is common in other cities).</p> <p>https://www.oregonlegislature.gov/bills_laws/ors/ors197.html</p> <p>Category: Compliance</p>

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Section	Current Code Language	Analysis
16.180 Accessory Structure, Accessory Dwelling, Garage, and Carport Standards		
<p>16.180.020 Carport Standards</p>	<p>A. Carports constructed in conjunction with a single-family detached dwelling, manufactured home, or modular home shall:</p> <ol style="list-style-type: none"> 1. Be a minimum size of 240 square feet. 2. Be compatible with accessory structure standards of Section 16.180.010. 3. Be constructed in accordance with the Uniform Building Code Requirements of the State of Oregon. <p>B. Carports constructed in conjunction with a single-family attached dwelling, duplex, or triplex shall:</p> <ol style="list-style-type: none"> 1. Be a minimum size of 240 square feet per unit. 2. Be compatible with accessory structure standards of Section 16.180.010. 3. Be consistent with design standards of Chapter 16.184 and other applicable sections of the Code. 4. Be constructed in accordance with the Uniform Building Code requirements of the State of Oregon. <p>C. Carports constructed in conjunction with multifamily housing shall:</p> <ol style="list-style-type: none"> 1. Be a minimum size of 240 square feet. 2. Be compatible with accessory structure standards of Section 16.180.010. 3. Be consistent with design standards of Chapter 16.188 and other applicable sections of the Code. 4. Be constructed in accordance with the Uniform Building Code requirements of the State of Oregon. 	<p>Revise to apply the same carport and garage standards to single-family detached dwellings and duplexes.</p> <p>Consider whether to limit width of garages and carports to 50% of the width of the lot (standard from model code) to minimize the appearance of garages along street façades.</p>
<p>16.180.030 Garage Standards</p>	<p>A. Garages constructed in conjunction with a single-family detached dwelling, manufactured home, or modular home shall:</p> <ol style="list-style-type: none"> 1. Be a minimum size of 240 square feet. 2. Be compatible with accessory structure standards of Section 16.180.010. 3. Be constructed in accordance with the Uniform Building Code Requirements of the State of Oregon. <p>B. Garages constructed in conjunction with a single-family attached dwelling, duplex, or triplex shall:</p> <ol style="list-style-type: none"> 1. Be a minimum size of 240 square feet per unit. 2. Be compatible with accessory structure standards of Section 16.180.010. 3. Be consistent with design standards of Chapter 16.188 and other applicable sections of this Code. 4. Be constructed in accordance with the Uniform Building Code requirements of the State of Oregon. <p>C. Garages constructed in conjunction with multifamily housing shall:</p> <ol style="list-style-type: none"> 1. Be a minimum size of 240 square feet. 2. Be compatible with accessory structure standards of Section 16.180.010. 3. Be consistent with design standards of Chapter 16.188 and other applicable sections of this Code. 4. Be constructed in accordance with the Uniform Building Code requirements of the State of Oregon. 	<p>For clarity, consider whether the carport and garage standards could be combined; standards appear to be the same aside from the work 'garage' and 'carport.'</p> <p>Categories: Duplex; other middle housing types</p>

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<p>16.180.040 Accessory Dwelling Standards</p>	<p>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. The additional unit can be a detached cottage, a unit attached to a garage, or in a portion of an existing house. Accessory dwellings provide cost-effective and independent living spaces for family members, such as in-laws, retired parents, etc. 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. Accessory dwellings may be rented long term as a permitted use. Accessory dwellings may be rented as part of a permitted homestay lodging use so long as the main structure of the property is owner-occupied. 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:</p> <p>A. Oregon Structural Specialty Code. The structure shall comply with the Oregon Structural Specialty Code.</p> <p>B. Accessory Structure Standards. The structure shall comply with the accessory structure standards of Section 16.180.010.</p> <p>C. Rental Unit. Accessory dwellings may be rented long-term as a permitted use. Accessory dwellings may be rented as part of a permitted homestay lodging use so long as the main structure of the property is owner-occupied. 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.</p> <p>D. One Unit. A maximum of one accessory dwelling unit is allowed per lot.</p> <p>E. Floor Area. The maximum floor area of the accessory dwelling shall not exceed 600 square feet.</p> <p>F. Building Height. The building height of a detached accessory dwelling (i.e., separate cottage) shall not exceed the height of the primary residence, or 16 feet measured to the apex of the roof, whichever is less.</p> <p>G. Buffering. A minimum six-foot hedge 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.</p> <p>H. Off-Street Parking. No additional off-street parking is required if the lot already contains at least two off-street parking spaces.</p>	<p>Remove owner-occupancy requirement for ADUs to comply with ORS 197A.425. Simplify rental restrictions to allow any rental or occupancy, with the exception of vacation rentals (homestay lodging?) that can be subject to additional standards.</p> <p>Remove requirement to meet the OR Structural Specialty Code, which is applicable to commercial and large multifamily structures.</p> <p>Consider expanding the allowed size of ADUs to 800 SF, consistent with best practices and as noted by PC. Consider relative to allowed 1,200-SF size for other accessory structures.</p> <p>Consider increasing maximum height as noted by PC to the same height as the underlying zone for attached ADUs, and to 20-24 ft for detached ADUs to allow two-story structures.</p> <p>Remove all parking requirements to comply with ORS 197A.425.</p> <p>Noted in the city's planning projects listing document: "ADU requirements – PC wants to reconsider size and height restrictions for ADUs. No action taken yet. Currently re restriction to 600 sf and 16 feet high. Most cities allow 800 sf or up to 75% of the size of the main dwelling. Need to clarify the difference between an ADU and a Duplex".</p> <p>Add clarification in 'duplex' and 'ADU' definitions to distinguish between them. Clarifying that a single-family detached home with an ADU does not meet the definition for duplex.</p> <p>Category: ADU</p>

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Section	Current Code Language	Analysis
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16.184 Single Family Attached, Duplex, and Triplex Design Standards

16.184.010 Applicability	Single-family attached housing (townhomes on individual lots), duplex, and triplex developments shall comply with the standards of this chapter.	<p>Exempt duplexes from this section; duplexes can only be required to meet the same standards as single-family detached homes.</p> <p>Staff concurs with adding 'quadplex' to this section.</p> <p>Categories: Duplexes, other middle housing types</p>
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16.184.030 Design Standards	<p>A. Building Mass Supplemental Standard. The maximum number and width of consecutively attached townhomes (i.e., with attached walls at property lines) shall not exceed eight units or 200 feet (from end-wall to end-wall) whichever is less.</p> <p>B. Access Standards. Townhomes, duplexes and triplexes receiving access directly from a public or private street (as opposed to alley access) shall comply with the following standards, in order to minimize interruption of adjacent sidewalks by driveway entrances, slow traffic, improve appearance of the streets, and minimize paved surfaces for better stormwater management.</p> <p>1. The maximum allowable driveway width facing the street is 10 to 24 feet per dwelling unit. The maximum combined garage width per unit is 50% of the total building width. For example, a 24-foot wide unit may have one 12-foot wide garage.</p> <p>2. Two adjacent garages shall share one driveway when individual driveways would be separated by less than 20 feet (i.e., the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance agreement/easement to benefit each lot, prior to building permit issuance.</p> <p>C. Common Areas. Common areas (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions, and conditions shall be recorded and provided to the City prior to building permit approval.</p>	<p>Remove references to duplexes.</p> <p>Model code includes design standards such as entry orientation and unit definition. Is this something the city would like to consider?</p> <p>Link to model code: https://www.oregon.gov/lcd/Commission/Documents/2020_12_Item-2-Attachment%20C_LMCMC_Commission%20Draft_final_120_220.pdf</p> <p>Categories: Duplexes, other middle housing types</p>
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16.188 Multifamily Housing Design Standards		
16.188.010 Applicability	Multifamily housing developments shall comply with the standards of this chapter. Multifamily housing means housing that provides four or more dwelling units on a single legal lot and sharing common walls, floor/ceilings, courtyard, playground, parking area, or other communal amenity. Condominiums are considered multifamily housing developments.	Consider changing the definition of multifamily housing to five for more dwelling units. Category: Other middle housing types
16.202 Courtyard Cottage Cluster Housing		
16.202.040 Standards	<p>Cottage cluster developments are subject to the following standards:</p> <p>A. 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 15,000 square feet.</p> <p>B. Number of Cottages. A cottage cluster development is composed of four to 20 dwelling units.</p> <p>C. Cottage Design. The cottages in a cottage cluster development are subject to the following standards:</p> <ol style="list-style-type: none"> 1. Maximum Floor Area. The gross floor area of each cottage shall not exceed 1,250 square feet. 2. 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. 3. Average Size. The average size of all dwellings combined within a cottage cluster <ul style="list-style-type: none"> • development will be less than 1,200 square feet. 4. Maximum Height. The height of each cottage shall be the same as required by the underlying zoning and applicable overlay zoning. 5. 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. 6. 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 feet spacing between buildings). 7. 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. 8. 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 facade 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 Chapter 16.120. 9. 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. 10. Public Street Facing Façades. 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. 11. 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 feet in depth 	<p>The general approach of these standards is consistent with cottage cluster Model Code, but there are opportunities to better support cottage development feasibility through revisions. Also consider any experience the City has had to date applying—or trying to apply—these standards for development. Consider:</p> <p>The single biggest change that could enhance cottage feasibility would be to expand the maximum density to 20-30 units per acre, or to eliminate the maximum density standard. The overall size of cottages, open space and parking area naturally limits density to what fits on the site.</p> <p>Consider scaling minimum lot sizes for each zone and considering smaller lot sizes as low as 7,000-SF as recommended in Model Code.</p> <p>Consider revising cottage sizes to a 900-SF maximum footprint as recommended in Model Code, potentially increasing the 1,250-SF max floor area, and eliminating the average size requirement that can be difficult to administer over time with subsequent renovations, etc.</p> <p>Consider whether to introduce a height limit of 24-25 feet to allow two-story construction while limiting the scale of buildings.</p> <p>Consider specifying a minimum 10-ft perimeter setback or the underlying zone setback, which is LESS, for additional flexibility on site.</p> <p>Consider revising open space requirements to be a per unit standard, rather than the 2,000-SF minimum that could discourage smaller clusters. Model Code uses a minimum of 150 SF per cottage for comparison.</p> <p>Consider removing guest parking requirements in favor of simpler one space per cottage overall requirement, consistent with the Model Code.</p> <p>Other provisions appear substantially similar to the Model Code but could be further reviewed to ensure they are clear and objective, relate to City goals, and support cottage development feasibility. E.g., porches are a nice feature for cottages but may not need to be required if they are not required for any other housing types.</p>

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	<p>measured perpendicular to the abutting building facade and at least 60 square feet in area.</p> <p>D. 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. 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:</p> <ol style="list-style-type: none"> 1. 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. 2. The common open space shall include at least a single, contiguous, useable piece. 3. Cottages shall abut the common open space on at least two sides of the open space. 4. Parking areas, required yards, private open space, and driveways do not qualify as common open space. <p>F. Parking. Parking for a cottage cluster development is subject to the following standards:</p> <ol style="list-style-type: none"> 1. 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. 2. Guest Parking. Cottage cluster developments shall have at least one-half 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. 3. 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. 4. 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 carriage house dwelling units are permitted on the second floor of a parking structure, with a maximum of one carriage house dwelling unit per four 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. 5. 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 	<p>Categories: Clarification; other middle housing types</p>

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	<p>cottages that abut a public street.</p> <p>6. 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.</p> <p>7. 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.</p> <p>8. Location. Parking can be grouped and located on a separate lot within 100 feet of an edge of the cottage cluster development.</p> <p>G. Frontage, Access, and Walkways.</p> <p>1. 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.</p> <p>2. 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.</p> <p>3. 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 feet in width.</p> <p>H. Interior Fences. Fences on the interior of the cottage cluster development shall not exceed three feet in height and shall not consist of solid (e.g., board, cinder block) fencing.</p> <p>I. 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.</p>	
16.224 Planned Unit Developments		
<p>16.224.030 Permitted Building and Uses</p>	<p>The following buildings and uses may be permitted as hereinafter provided. Buildings and uses may be permitted either singly or in combination provided the overall density of the planned development does not exceed the density of the zoning district as provided by Section 16.224.040.</p> <p>A. Single-family detached and attached dwellings.</p> <p>B. Duplexes, triplexes, courtyard cottages and multifamily dwellings.</p> <p>C. Accessory buildings and uses.</p> <p>D. Commercial uses only when supported mainly by the planned development and only when economic feasibility can be shown.</p> <p>E. Buildings or uses listed as permitted outright or conditionally in the zone on which the planned development is located. Drive thrus are prohibited.</p> <p>F. Recreational vehicle (RV) parks when the applicant provides findings of fact that demonstrate consistency with applicable provisions of the Comprehensive Plan and this Code and the location has been approved by the Planning Commission. Where PUD standards differ from standards found elsewhere in this Code, the more stringent requirement shall apply.</p> <p>G. Campgrounds when the applicant provides findings of fact that demonstrate consistency with applicable provision of the Comprehensive Plan and this Code and the location has been approved by the Planning Commission.</p>	<p>Include exemption for ADUs, count duplexes as one unit, and consider changing triplexes, quadplexes, and townhomes as counting as one dwelling unit each.</p> <p>Staff concurs with adding quadplexes as their own permitted building type in PUDs.</p> <p>Category: Other middle housing types</p>