



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, OR 97301-2540
(503) 373-0050
Fax (503) 378-5518
www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

12/8/2009

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Warrenton Plan Amendment
DLCD File Number 002-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Monday, December 21, 2009

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Carol Parker, City of Warrenton
Gloria Gardiner, DLCD Urban Planning Specialist
Matt Crall, DLCD Transportation Planner

Laren Woolley, DLCD Regional Representative

<paa> YA

2 Notice of Adoption

DEPT OF

DEC 01 2009

LAND CONSERVATION
AND DEVELOPMENT

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

For DLCD Use Only

Jurisdiction: Warrenton Local file number: CPA-09-14-DCR-09-2
Date of Adoption: Nov. 24, 2009 Date Mailed: Nov. 30, 2009
Date original Notice of Proposed Amendment was mailed to DLCD: July 27, 2009

☒ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☒ Land Use Regulation Amendment

☐ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other: _____

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Comp Plan Article 8 - Transportation and TSP - both
being revised to include the most recent OPOT
Refinement Plans; and Section 2.300 of the Comp Plan.
Development Code Sections 2.14, 2.13, 2.14, 2.15, 2.17, 3.1, 3.11, 3.12, 3.13,
4.1, 4.3, 4.6, & 4.11.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME".
If you did not give Notice for the Proposed Amendment, write "N/A".

Same

Plan Map Changed from: N/A to: N/A

Zone Map Changed from: N/A to: N/A

Location: N/A Acres Involved: N/A

Specify Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: 1, 2, & 12

Was an Exception Adopted? ☐ YES ☒ NO

DLCD File No.: 002-09 (17730) [15869]

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing?

☒ Yes

☐ No

If no, do the statewide planning goals apply?

☐ Yes

☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes

☐ No

Affected State or Federal Agencies, Local Governments or Special Districts:

DLCD + ODOT

Local Contact: CAROL PARKER

Phone: (503) 861-0920 Extension: —

Address: PO Box 250

City: Warrenton

Zip Code + 4: 97146-

Email Address: cparker@ci.warrenton.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. **Send this Form and TWO (2) Copies of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **maru.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE No. 1141-A
Introduced by Commissioner: Terry Ferguson

Amending the City of Warrenton's Comprehensive Plan, Article 2, Section 2.100 and replacing Comprehensive Plan Map, and Transportation System Plan (element of the Comprehensive Plan) and adopting as an element and reference to the Comprehensive Plan the Astoria Warrenton Regional Transportation System Refinement Plan and the Miles Crossing/Jeffers Garden Refinement Plan; and the Development Code Chapters 1.3 (Definitions), 2.1 (R-40), 2.2 (R-10), 2.3 (RM), 2.4 (RH), 2.7 (C-2), 2.8 (OSI), 2.9 (RC), 2.10 (I-1), 2.13 (A-1), 2.14 (A-2), 2.15 (A-3), 2.16 (A-5), 2.17 (FHO), 3.0 (Design Standards), 3.10 (Wetland & Riparian Corridor), 3.13 (Manufactured Home), 3.19 (Large Scale Development), 4.1 (Application Type and Procedure), 4.3 (Land Divisions and Lot Line Adjustments), 4.7 (Modification of preliminary plans and conditions of approval). Comprehensive Plan and Transportation System Plan (TSP) revisions are attached as Exhibit "A"; Astoria Warrenton Regional Transportation System Refinement Plan and the Miles Crossing/Jeffers Garden Refinement Plan which are elements of, and reference to, the Comprehensive Plan are attached as Exhibit "B"; and revised language in the Development Code is attached as Exhibit "C".

WHEREAS, certain changes are necessary to revise, update and amend Warrenton's Comprehensive Plan and the above-noted elements and Development Code in order to comply with Statewide Planning Goals, Oregon Administrative Rules, and Oregon Revised Statutes; and

WHEREAS, the Warrenton City Commission received the Planning Commission's recommendation on this matter, and conducted a public hearing on November 10, 2009 and closed the public hearing on that date; and

WHEREAS, the Warrenton City Commission has determined to approve adopting as "reference" the Astoria Warrenton Regional Transportation System Refinement Plan and the Miles Crossing/Jeffers Garden Refinement Plan to the Comprehensive Plan, the revisions to the Comprehensive Plan, the Transportation System Plan (TSP), and Development Code as described in Exhibit "A, B, and C" which amends the afore-mentioned sections of the Comprehensive Plan, the Transportation System Plan, and Development Code.

NOW, THEREFORE, The City of Warrenton ordains as follows:

Section 1: The City of Warrenton's Comprehensive Plan and Transportation System Plan (Exhibit "A") is amended as described in the attached exhibit.

Section 2: Astoria Warrenton Regional Transportation System Refinement Plan and the Miles Crossing/Jeffers Garden Refinement Plan (Exhibit "B") which are elements of, and reference to, the Comprehensive Plan is amended as described in the attached exhibit.

Section 3: The City of Warrenton's Development Code (Exhibit "C") is amended as described in the attached exhibit.

Section 4: This ordinance shall become a final land use decision upon its adoption and its signing by the Mayor.

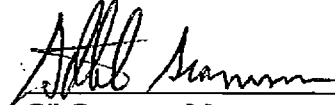
Section 5: This ordinance shall become effective immediately upon adoption.

Section 6: If any article, section, subsection, phrase, clause, sentence or word in this ordinance shall, for any reason, be held invalid or unconstitutional by a court of competent jurisdiction, it shall not nullify the remainder of the ordinance but shall be confined to the article, section, subdivision, clause, sentence or word so held invalid or unconstitutional.

Section 7. Because the adoption of this ordinance is necessary before the City can receive consideration of certain grant applications, which grants are necessary for the peace, health and safety of the citizens of Warrenton, an emergency is declared to exist, and this ordinance is effective upon its passage by the City Commission.

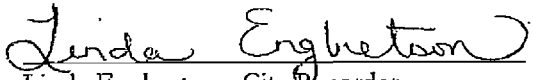
ADOPTED by the City Commission of the City of Warrenton, Oregon, this 24th day of November, 2009.

APPROVED



Gil Gramson, Mayor

ATTEST:



Linda Engbretson, City Recorder

Date the City mailed the Notice of Decision to parties with standing and to the Department of Land Conservation and Development on the required form:

Exhibit

“A”

ARTICLE 2 COMMUNITY DEVELOPMENT

SECTION 2.100 FINDINGS - Warrenton differs from many communities in that the City includes an extensive amount of undeveloped land and water area. These undeveloped areas, together with the City's location, the availability of public facilities and services, and the population and economic gains experienced during the late 1980s, are indicative of potential for a considerable amount of development. For example, there is the possibility that one or more large-scale industrial facilities or a variety of tourist-oriented commercial establishments may locate in the City.

Because of this potential, the City needs to have a substantial amount of land available to accommodate growth. However, to make all of the existing undeveloped land available at one time for intensive use would not encourage efficient land use patterns. In 1991 the cities of Hammond and Warrenton merged, and in 2008 the City of Warrenton annexed the last piece of its properties in the urban growth boundary. The current (August, 2009) acreage within Warrenton city limits is 10,620 acres, or approximately 16.6 square miles. Future development in this area will require the City and the property owner/developer to expand, improve and/or replace public facilities and services for this area. Any transportation needs, and obstacles and opportunities presented by the area's natural features and configurations will be satisfied by various community objectives.

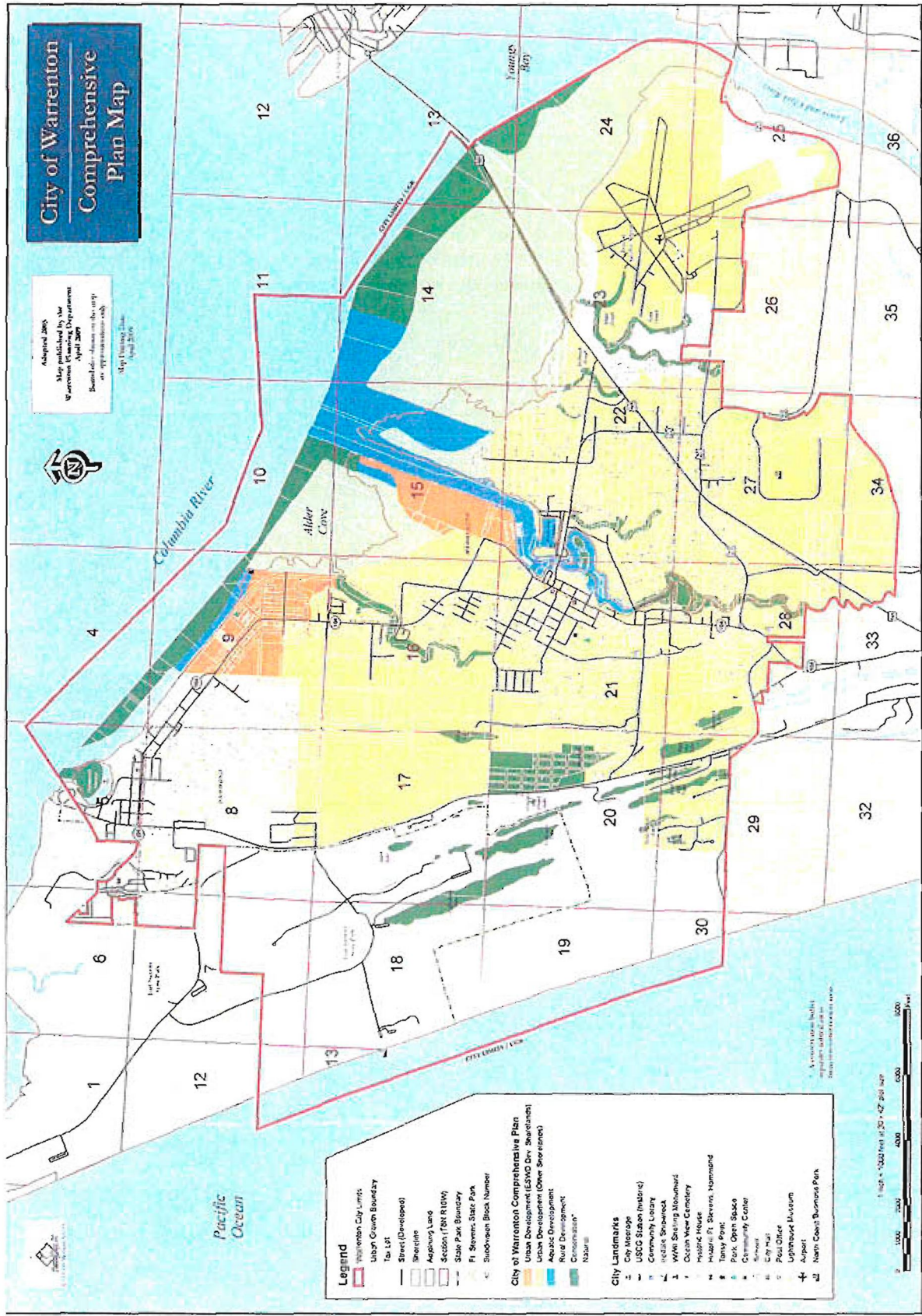
SECTION 2.200 GOAL - Establish sound basic concepts for community development which will encourage appropriate and balanced urban growth.

SECTION 2.300 POLICIES

Section 2.310 Land and Water Use Classification

(1) All land and water areas will be classified as appropriate for urban development, rural uses, recreation, aquatic development, conservation or preservation. These classifications are described in policies 2 through 5, below.

(2) Urban Development Areas: Areas with a combination of physical, biological and social/economic characteristics which make them necessary and suited for residential, commercial, industrial, public or semi-public uses are appropriately classified for urban development. Such areas are either adequately served by public facilities and services for urban development or have the potential for being adequately served during the next twenty years. There are two types of urban development areas, as follows:

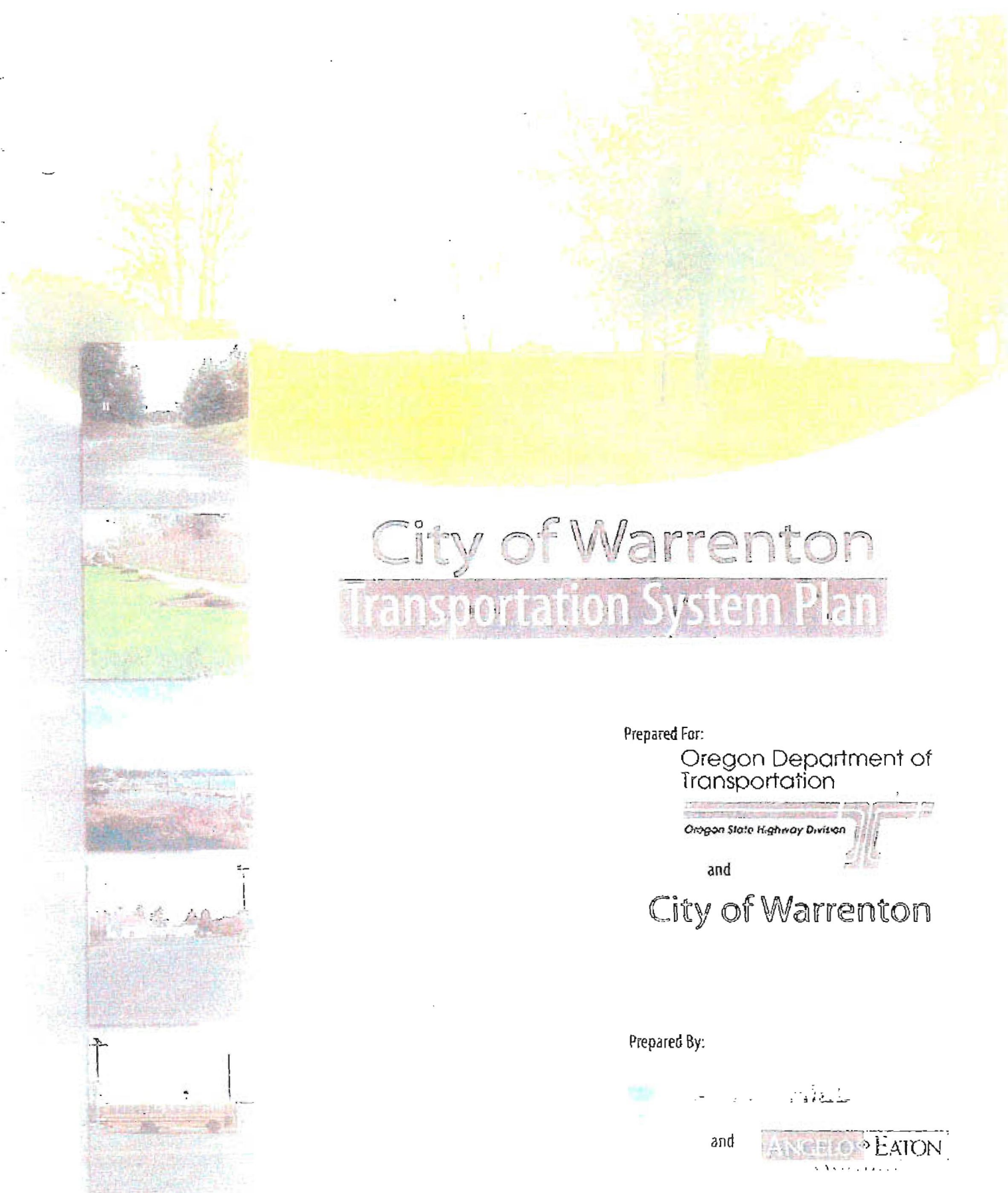


City of Warrenton Comprehensive Plan Map

Adopted 2005
Map published by the
Warrenton Planning Department
April 2005
Based on the City of Warrenton
Comprehensive Plan
as approved by the City Council
April 2005



- Legend**
- Warrenton City Limits
 - Urban Growth Boundary
 - Tax Lot
 - Street (Developed)
 - Street
 - Asph/Imp Land
 - Section (T81 R10W)
 - State Park Boundary
 - Fl Stevens State Park
 - Subtract Block Number
- City of Warrenton Comprehensive Plan**
- Urban Development (Yellow)
 - Rural Development (Light Green)
 - Natural (Dark Green)
- City Landmarks**
- 1. City Hall
 - 2. US Coast Guard (Warrenton)
 - 3. Community Center
 - 4. Public Storage
 - 5. Warrenton Senior Center
 - 6. Ocean View Cemetery
 - 7. Hospital House
 - 8. Hospital
 - 9. Fl Stevens, Hammond
 - 10. Tenny Field
 - 11. Park Open Space
 - 12. Community Center
 - 13. City Hall
 - 14. City Hall
 - 15. City Hall
 - 16. City Hall
 - 17. City Hall
 - 18. City Hall
 - 19. City Hall
 - 20. City Hall
 - 21. City Hall
 - 22. City Hall
 - 23. City Hall
 - 24. City Hall
 - 25. City Hall
 - 26. City Hall
 - 27. City Hall
 - 28. City Hall
 - 29. City Hall
 - 30. City Hall
 - 31. City Hall
 - 32. City Hall
 - 33. City Hall
 - 34. City Hall
 - 35. City Hall
 - 36. City Hall
- Scale**
- 1 inch = 1000 feet at 20" x 42" full map
- 0 1000 2000 4000 6000 8000 feet



City of Warrenton Transportation System Plan

Prepared For:

Oregon Department of
Transportation

Oregon State Highway Division

and

City of Warrenton

Prepared By:

and

ANGELO EATON
ARCHITECTS

February 2004

Revised 11/2009

The project management team (PMT) included planners and representatives of Clatsop County, Warrenton, ODOT and DLCD. The PMT was responsible for reviewing technical aspects of the TSP. An Advisory Committee (AC) was made up of 10 residents representing a broad cross-section of the county population. The AC was responsible for evaluating the TSP from a policy perspective. This included reviewing the TSP goals and objectives, as well as the transportation evaluation criteria.

The two committees convened four times each during the process of developing the draft TSP, including: project kickoff, completion of the existing conditions analysis, presentation of the future conditions and alternatives analyses, and presentation of the draft TSP.

Two community open houses were designed as the primary public outreach tool for the TSP planning process and provided opportunities for the public to review TSP materials and to provide comments to the technical team preparing the TSP. The main objectives of the first open house were to gather community input for the development and evaluation of the proposed alternatives. A second open house was held in April of 2003 to review and gather public input on the draft TSP document.

Goals and Objectives

The formulation of goals and objectives represent an important component of the Transportation System Planning process. Goals and objectives are intended to reflect the vision and character of the City of Warrenton as the community develops its transportation system. The goals and objectives also are intended to implement and support the comprehensive plan.

The Warrenton TSP goals and objectives serve two main purposes: (1) to guide the development of the Warrenton transportation system during the next 20 years, and (2) to demonstrate how the TSP relates to other county, regional, and state plans and policies. The goal statements are general statements of purpose to describe how the City and the TSP intend to address the broad elements of the transportation system. The objectives are specific steps that illustrate how the goal is to be carried out.

The goals and objectives were formed as part of the Warrenton TSP planning process. They reflect the input of residents, businesses, and agencies that was obtained during the course of preparing the TSP. They also reflect current local, regional and State goals and policies, and are intended to support these policies. Transportation-related goals and objectives in the Warrenton Comprehensive Plan have been incorporated into the TSP goals and objectives.

GREATER ASTORIA-WARRENTON REGIONAL TRANSPORTATION SYSTEM REFINEMENT PLAN (Regional Refinement Plan): The Regional Refinement Plan planning process was undertaken during 2005-2007. One of the objectives of the Regional Refinement Plan process was to review local transportation system plans and, based on updated regional traffic demand model analysis, determine if any recommendations in these plans needed to be modified. This review confirmed that the preferred alternative in the adopted Warrenton and Clatsop County TSPs is the best alternative for the future transportation system in the area. This regional planning process also explored major transportation improvement options, including improvements to the New Young's Bay Bridge and the western segment of the Astoria Bypass (the Astoria-Warrenton

Parkway), as well as smaller, location-specific solutions for improving safety and relieving congestion in Warrenton, Astoria and areas of western Clatsop County.

One focus of the regional planning process was to assess the need for a bypass of US 30 around downtown Astoria and to explore transportation options that balanced the needs of affected communities and potential funding sources. The western segment of the Astoria Bypass (the Astoria-Warrenton Parkway) is a planned improvement and the eastern segment of the Astoria Bypass is an assumed improvement in Warrenton's 2003 TSP. Due in part to the scope of these projects, the anticipated environmental concerns, and the associated cost, a comprehensive regional planning process was to be initiated following the adoption of the Clatsop County and Warrenton TSPs. This subsequent work was undertaken as part of the Regional Refinement Plan. The Regional Refinement Plan and the associated Recommended Project List anticipates that small-scale improvements associated with immediate needs and major capacity improvements, such as the Astoria-Warrenton Parkway, will be funded and implemented prior to adding any major new highway facilities to the system. Transportation improvements associated with the eastern segment of the Astoria Bypass are included as preferred transportation projects in the Regional Refinement Plan and, by reference, in the Warrenton TSP. However, the eastern segment of the Astoria Bypass improvements is not anticipated to be funded within the 20-year (2025) planning horizon.

GOAL 1: Mobility

Develop a multimodal transportation system that serves the travel needs of Warrenton residents, businesses, visitors, and freight transport.

Objectives:

- Provide a network of arterials and collectors that are interconnected, appropriately spaced, and reasonably direct.
- Maintain functional classification standards and criteria.
- Balance the simultaneous needs to accommodate local traffic and through-travel.
- Minimize travel distances and vehicle-miles traveled.
- Safely, efficiently, and economically move motor vehicles, pedestrians, bicyclists, transit, trucks, and trains to and through Warrenton.
- Develop and adopt design standards for major collectors, minor collectors and arterials describing minimum right-of-way width, pavement, pedestrian service, bicycle travel, and other parameters.
- Encourage development patterns that offer connectivity and mobility options for members of the community.
- Work to enhance the connection of the Warrenton Harbor to the surrounding community.

- Recognize and balance freight needs with needs for local circulation, safety, and access.
- Recognize the need for sufficient parking for commercial development.
- Balance the need for truck access to industrial and waterfront areas with the desire for minimization of disruptions to downtown and commercial areas.
- Improve signage for streets, bicycle and pedestrian ways, and trails as well as directional signs to points of interest.
- Promote through-movement on US 101.
- To facilitate traffic movement through the region, the City supports construction of the western segment of the Astoria Bypass (the Astoria-Warrenton Parkway), including a new BUS 101 alignment through the North Coast Business Park area, and limiting access along this facility to preserve capacity.
- The City supports the efforts of the Oregon Department of Transportation to re-evaluate the benefits, project list priority, and timing of the construction of the eastern segment of the Astoria Bypass through Clatsop County.

Exhibit

“B”

FINAL

Greater Astoria-Warrenton Area Regional Transportation System Refinement Plan

Volume I Refinement Plan

PREPARED FOR:

Oregon Department of Transportation
City of Astoria
City of Warrenton
Clatsop County

PREPARED BY:

CH2MHILL

Angelo
planning group



October 2007

Adopted / Revised 11/2009

**Greater Astoria-Warrenton Area Regional Transportation Refinement Plan
Recommended Project List - Attachment A**

Short-Term 0-10 Years								
Project ID #	Jurisdiction	Project Location/ Facility	Description of Improvement	Estimated Project Construction Cost (2009\$)*	STIP Work Type	Lead Agency	Original Source of Project Improvement	Notes
201	Warrenton	Harbor Street at Main Ave/Skipanon Dr	Install traffic signal, construct 100' left turn pocket at southbound approach, 150' left turn pocket at northbound approach, and lengthen turn pocket at westbound approach to 250'	\$383,250	Operations	ODOT	City of Warrenton Regional Refinement Plan (2007)	Cost estimate based on similar project contracted by ODOT - indexed to 2007 dollars
202	Warrenton	US 101 at Harbor Street	Change lane geometry on Harbor from one left-turn only and one right-turn only lane to one left-turn only and one left/right-turn lane. Add acceptance lane on US 101 northbound for approx. 540' plus the taper length. Modify signal to allow room for acceptance lane	\$396,900	Modernization	ODOT	Greater Astoria-Warrenton Regional Refinement Plan (2007)	See Cost Estimate backing sheets (Attachment B)
205	Warrenton	Marlin Avenue between Harbor Street and US 101	Improve Marlin Avenue between Harbor Street and US 101 through the addition of shoulders, striped bike lanes, and sidewalks. This improvement would require acquisition of right-of-way from adjacent property owners.	\$1,306,200	Bicycle/ Pedestrian	ODOT	Greater Astoria-Warrenton Regional Refinement Plan (2007)	See Cost Estimate backing sheets (Attachment B)
Medium Term 10-20 Years								
209	Warrenton	New US 101 Bus Spur (Ensign Lane)	Build a new two-travel lane section of US 101 Bus through the North Coast Business Park to intersect with US 101	\$3,761,100	Modernization	ODOT	Greater Astoria-Warrenton Regional Refinement Plan (2007)	This project was evaluated in ODOT's 1993 EIS. The cost estimate was indexed to 2007 dollars.
Long Term: 20+ Years								
211	Warrenton	New Youngs Bay Bridge on US 101	Replace existing bridge with a new four-lane non-lift span bridge with full standard bicycle and pedestrian facilities	\$450,195,900	Bridge	ODOT	Warrenton TSP (2003)	See cost estimate backing sheets (Attachment B)

sed 2.5% inflation to get 2009 dollar cost estimates.

CH2M HILL

SUMMARY - QUICK COST ESTIMATE

Project: 202	US 101 at Harbor		Prepared By:		Date: 8/24/07
Design Level:	Preliminary				
Kind of Work:	Roadway		Length (Mile):		Sheet: 1 of 1
NO.	ITEM	UNIT	QUANTITY	UNIT COST	COST
1	Curb, Gutter, Sidewalks & Drainage	Mi.		\$1,196,100	\$0
2	Bike Boulevard	Mi.		\$140,600	\$0
3	New Roadway	Lane Mi.	0.2	\$343,700	\$72,177
4	Overlay Existing Roadway	Lane Mi.		\$61,300	\$0
5	Reconstruct Existing Roadway	Lane Mi.		\$107,100	\$0
6	Intersection Widening	EA		\$68,400	\$0
7	Roundabouts	EA		\$1,100,000	\$0
8	Restriping Existing Roadway	Lane Mi.	0.3	\$8,700	\$2,610
9	Interconnect Signal	LS		\$35,000	\$0
10	New Signal	EA		\$150,000	\$0
11	Signal Modifications	EA	1	\$65,000	\$65,000
12	Transit Enhancements	EA		\$25,000	\$0
13	Traffic Calming	5-10%		-	\$0
14	Illumination	Mi.		\$260,000	\$0
15	Landscaping	Mi.	0.2	\$235,000	\$49,350
16	Bridges	SF			\$0
17	Walls	SF		\$50	\$0
			Subtotal		\$189,137
	ADDITIONAL CONSTRUCTION COSTS	SUGGESTED	PERCENTAGE		COST
	Construction Surveying	1.0-2.5%	2.50%		\$4,700
	TP & DT	3.0-8.0%	8.00%		\$15,100
	Mobilization	8.0-10.0%	10.00%		\$18,900
	Erosion Control	0.5-2.0%	2.00%		\$3,800
	Contingency	30-40%	40.00%		\$75,700
	Escalation (per year)	0.5-2.0%			
	Design Year				\$0
	Construction Year				\$0
			Total Construction Cost		\$307,337
	RIGHT-OF-WAY COSTS	UNIT	QUANTITY	UNIT COST	COST
	New Right-of-Way Acquisition	SF		\$8.00	\$0
	ENGINEERING COSTS	STED PERCENTAGE			COST
	Design Engineering	13.0%	13.0%		\$40,000
	Construction Engineering	10.0%	10.0%		\$30,700
			TOTAL PROJECT COST		\$383,250
	ODOT used 2.5% inflation to get 2009 dollar cost estimates				

CH2M HILL

SUMMARY - QUICK COST ESTIMATE

Project: 205	Marlin, Harbor to US 101		Prepared By:		Date: 8/24/07
Design Level:	Preliminary				
Kind of Work:	Roadway		Length (Mile):		Sheet: 1 of 1
NO.	ITEM	UNIT	QUANTITY	UNIT COST	COST
1	Curb, Gutter, Sidewalks & Drainage	Mi.	0.4	\$1,196,100	502362%
2	Bike Boulevard	Mi.		\$140,600	\$0
3	New Roadway	Lane Mi.		\$343,700	\$0
4	Overlay Existing Roadway	Lane Mi.		\$61,300	\$0
5	Reconstruct Existing Roadway	Lane Mi.		\$107,100	\$0
6	Intersection Widening	EA		\$68,400	\$0
7	Roundabouts	EA		\$1,100,000	\$0
8	Restriping Existing Roadway	Lane Mi.		\$8,700	\$0
9	Interconnect Signal	LS		\$35,000	\$0
10	New Signal	EA		\$150,000	\$0
11	Signal Modifications	EA		\$65,000	\$0
12	Transit Enhancements	EA		\$25,000	\$0
13	Traffic Calming	5-10%		-	\$0
14	Illumination	Mi.		\$260,000	\$0
15	Landscaping	Mi.		\$235,000	\$0
16	Bridges	SF			\$0
17	Walls	SF		\$50	\$0
				Subtotal	\$502,362
	ADDITIONAL CONSTRUCTION COSTS	SUGGESTED	PERCENTAGE		COST
	Construction Surveying	1.0-2.5%	2.5%		\$12,600
	TP & DT	3.0-8.0%	8.0%		\$40,200
	Mobilization	8.0-10.0%	10.0%		\$50,200
	Erosion Control	0.5-2.0%	2.0%		\$10,000
	Contingency	30-40%	40.0%		\$200,900
	Escalation (per year)	0.5-2.0%			
	Design Year				\$0
	Construction Year				\$0
				Total Construction Cost	\$816,262
	RIGHT-OF-WAY COSTS	UNIT	QUANTITY	UNIT COST	COST
	New Right-of-Way Acquisition	SF	30000	\$8.00	\$240,000
	ENGINEERING COSTS	STED	PERCENTAGE		COST
	Design Engineering	13.0%	13.0%		\$106,100
	Construction Engineering	10.0%	10.0%		\$81,600
				TOTAL PROJECT COST	\$1,306,200
	ODOT used 2.5% inflation to get 2009 dollar cost estimates				

SUMMARY - PLANNING LEVEL COST ESTIMATE			
PROJECT: 211 - NEW YOUNGS BAY BRIDGE, US 101			
CONSTRUCTION LINE ITEMS	UNIT COST	QUANTITY	ESTIMATED COST
Construct low-level, four-lane viaduct	\$250/sq ft	734,160	\$183,540,000
Construct high-level non-movable, four-lane bridge	\$400/sq ft	84,000	\$33,600,000
Widen roadway, new bridge-roundabout	\$344,000/Lane Mile	0.20	\$68,800
Widen roadway, new bridge-US 101 Bus (existing)	\$344,000/Lane Mile	2.50	\$860,000
Curb, gutter, sidewalk & drainage	\$1,200,000/mile	1.30	\$1,560,000
Landscaping	\$235,000/mile	1.30	\$305,500
Striping	\$8,700/lane mile	12.80	\$111,360
Illumination	\$260,000/mile	3.20	\$832,000
Demolish old movable span	\$100/sq ft	5,355	\$535,500
Demolish old non-movable spans	\$50/sq ft	141,960	\$7,098,000
Remove existing causeway	\$800/cu yd	302,300	\$2,418,400
TOTAL LINE ITEM CONSTRUCTION COST			\$230,929,560
TP & DT	3% of line items		\$6,927,887
Mobilization	10% of line items		\$23,092,956
Erosion Control	1% of line items		\$2,309,296
Construction Contingency	40% of line items		\$92,371,824
TOTAL CONSTRUCTION COST			\$355,631,522
RIGHT-OF-WAY ACQUISITION			
New right-of-way acquisition	\$2,000,000 lump sum	1	\$2,000,000
ENGINEERING COST			
Design Engineering	10% of construction cost		\$35,563,152
Construction Engineering	10% of construction cost		\$35,563,152
TOTAL PROJECT COST			\$450,195,900
ODOT used 2.5% inflation to get 2009 dollar cost estimates			



Miles Crossing/Jeffer's Garden Transportation Plan

PREPARED FOR
Clatsop County, City of Astoria, and City of Warrenton

Oregon Department
of Transportation 

CH2MHILL

 KITTELSON & ASSOCIATES, INC.
TRANSPORTATION ENGINEERING/PLANNING

Angelo
planning group

Adopted/Revised 11/2009

Exhibit

“C”

Bulkhead - A vertical wall of steel, timber or concrete used for erosion protection or as a retaining wall.

Business Service Establishment - Businesses primarily engaged in rendering services to other business establishments. These services include, but are not limited to employment services, advertising services, consumer credit and reporting services, collection services, mailing services, and building maintenance services. Not included in this definition are repair, professional, educational or contract construction services.

Capacity - Maximum holding or service ability, as used for transportation, utilities, parks and other public facilities.

Care Facility - see definition "Residential Facility"

Cellular Tower – See "Wireless Communication Facility".

Centerline radius - The radius of a centerline of a street right-of-way.

Child care center - Provides care and supervision of four (4) or more, not to exceed 12 minor children for periods of less than 24 hours. See also, ORS 657A for certification requirements.

Clear and objective - Relates to decision criteria and standards that do not involve substantial discretion or individual judgment in their application.

Coastal Shorelands - Those areas immediately adjacent to the ocean, estuaries, associated wetlands, and coastal lakes. Coastal Shorelands are limited in landward extent by the coastal shorelands boundary, described in the Comprehensive Plan.

Collector - A street or road supplementary to the arterial street system and a means of interconnection between this system and smaller areas used to some extent for through traffic and to some extent for access to abutting properties. *See WDC Section 3.5.1.*

Commercial - Land use involving buying/selling of goods or services as the primary activity.

Commercial Timber Harvesting - The harvesting of timber for commercial purposed on tracts of land larger than one acre.

Common area - Land commonly owned to include open space, landscaping or recreation facilities (e.g., typically owned by homeowners associations).

Grade, Ground Level - The average elevation of the finished ground elevation at the centers of all walls of a building, except that if a wall is parallel to and within five feet of a sidewalk, the sidewalk elevation nearest the center of the wall shall constitute the ground elevation.

Ground cover - A plant material or non-plant landscape material (e.g., mulch, bark chips/dust, hardscape materials) that is used to cover bare ground. See also, *WDC Chapter 3.2 – Landscaping*.

Habitable Floor - Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a habitable floor.

Hammerhead turnaround - A “T” or “L” shaped dead-end street that allows for vehicles to turn around. See also *WDC Section 3.5.1*.

Hardscape - Non-plant landscape materials, including pathways, decorative pavers, benches, drinking fountains, arbors, pergolas, playgrounds, plazas, and similar amenities.

Hazardous Soils - Soils which may be hazardous to facilities on the parcel or to nearby property due to the soil's load bearing capacity, the potential for wind or water erosion, or the soil's wetness or slope characteristics.

Hearings Body - land use decision making bodies, which consists of Planning Commission, Hearings Officer, or City Commission when conducting public hearings on land use applications.

Hearings Officer - an independent land use consultant or attorney hired to conduct public hearings and make final decisions, subject to Section 4.1.2(C)(iii) on Type III land use applications.

Height of Building - The vertical distance from the grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the center height between the highest and lowest point of other types of roofs. See “Building Height”.

Historic Structure - any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places

Lot Line Adjustment - The adjustment of a property line by the relocation of a common line between lots or parcels, where no additional lots are created. See Section 4.3.210.

Lot Line - The property line bounding a lot.

Lot Line, Front - The lot line separating the lot from the street, other than an alley. In the case of a corner lot, the front lot line is the shortest lot line along a street other than an alley. In the case of a through lot, each street has a front lot line.

Lot Line, Rear - The lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular or other shaped lot, a line ten feet in length within the lot parallel to and at a maximum distance from the front lot line.

Lot Line, Side - Any lot line not a front or rear lot line.

Lot Width - The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.

Lowest Floor - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered the building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Code.

Main/Primary entry/entrance - A main entrance is the entrance, or entrances, to a building that most pedestrians are expected to use. Generally, smaller buildings have one main entrance. Main entrances may also be the widest entrance of those provided for use by pedestrians. In multi-tenant buildings, main entrances open directly into the building's lobby or principal interior ground level circulation space. When a multi-tenant building does not have a lobby or common interior circulation space, each tenant's outside entrance is a main entrance. Buildings may also have main entrances opening directly into a reception or sales areas, a courtyard, or plaza.

Maintenance and Repair - Routine upkeep of an existing structure or remedial restoration of a damaged structure. Maintenance and repair may involve changes in the structure's location, configuration, orientation, or alignment if these changes are limited to the minimum amount necessary to retain or restore its operation or function or to meet current building, engineering or safety standards.

occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

Regulatory Floodway - the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Repair Service Establishment - Businesses engaged primarily in repairing items and which undertake no more than a minimal amount of manufacturing.

Residence - Same as “dwelling unit”.

Residential (Care) Facility - 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 fifteen 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.

Residential Home - 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.

Restoration - Revitalizing, returning, or replacing original attributes and amenities, such as natural biological productivity, aesthetic and cultural resources, which have been diminished or lost by past alterations, activities, or catastrophic events. For the purpose of Oregon Statewide Planning Goal 16, estuarine restoration means to revitalize or reestablish functional characteristics and processes of the estuary diminished or lost by past alterations, activities, or catastrophic events. A restored area must be a shallow subtidal or an intertidal or tidal marsh area after alteration work is performed, and may not have been a functioning part of the estuarine system when alteration work began.

- I. Transportation facilities and improvements subject to the standards of Section 2.0.4.

2.1.120 Conditional Uses - The following uses and their accessory uses may be permitted in the R-40 zone when approved under Chapter 4.4:

- A. Government buildings and uses, subject to standards of Sections 2.1.130(C), 2.1.135 and 2.1.140.
- B. Public utility structure.
- C. Golf course.
- D. Parks, playground and community center.
- E. Bed and breakfast.
- F. Church, synagogue, or other place of worship.
- G. Home Occupations
- H. Master planned development with a minimum lot size of three contiguous acres, subject to the provisions in Section 4.5.
- I. Accessory dwelling that complies with Section 3.16.4.
- J. Child care center.

2.1.130 Development Standards - The following development standards are applicable in the R-40 zone:

- A. Density provisions
 - 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.

B. Setback Requirements

1. Minimum front yard setback: Lots of 40,000 square feet: 20 feet; 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 5.3.110, may extend to within five (5) 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.

C. The following development standards are applicable:

1. Density Provisions:
 - i. Minimum lot size, government building/uses: none.
 - ii. Minimum lot width, government building/uses: none.
 - iii. Minimum lot depth, government building/uses: none.
 - iv. Maximum building height: 45 feet.
 - v. Maximum lot coverage, government building/uses: none.
2. Setback requirements:
 - i. Minimum front and rear yard setback, government building: 15 feet.
 - ii. Minimum side yard setbacks, government building: 10 feet

3. Landscaping requirements shall comply with Chapter 3.2 of the Development Code.
4. Any government building shall comply with Chapter 3.0 of the Development Code.

2.1.135 Other Applicable Standards

- A. Outside sales and service areas shall be approved by the Warrenton Planning Commission if not enclosed by suitable vegetation, fencing or walls.
- B. Outside storage areas shall be enclosed by suitable vegetation, fencing or walls, in conformance with Chapter 3.2, and Section 3.4.3.
- C. All uses shall comply with access and parking standards in Chapters 3.04.6, 3.04.7, and 3.3 except as may be permitted by conditional use or variance.
- D. Signs shall comply with standards in Chapter 3.7.
- E. All development shall comply with the wetland and riparian area protection standards of Chapter 3.10.
- F. All other applicable Development Code requirements shall also be satisfied.

2.1.140 Other Applicable Standards

- A. All uses must comply with parking standards in Chapter 3.3.
- B. Signs must comply with standards in Chapter 3.7, Section 3.7.3 (Signs).
- C. All development shall comply with the wetland and riparian area protection standards of Chapter 3.10.
- D. All uses must comply with the criteria of Chapter 3.2, Landscaping, Trees, Fences and Walls.
- E. Manufactured Homes must comply with the criteria of Section 3.13.1.
- F. A garage or carport is required and shall conform to the standards of Chapter 3.16.
- G. All other applicable Development Code requirements must be met.

- 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 3.16.
- J. Transportation facilities and improvements subject to the standards of Section 2.0.4.

2.2.120 Conditional Uses - The following uses and their accessory uses may be permitted in the R-10 zone when approved under Chapter 4.4:

- A. Government buildings and uses subject to standards of Sections 2.2.130(C), 2.2.135, and 2.2.140.
- B. Hospital, sanitarium, rest home, nursing or convalescent home.
- C. Public utility structure.
- D. School: nursery, primary, elementary, junior or senior high; public or private.
- E. Child care center.
- F. Golf course.
- G. Home Occupations
- H. Parks, playgrounds and community centers.
- I. Church, synagogue, or other place of worship.
- J. Bed and breakfast.
- K. Master planned development with a minimum lot size of three contiguous acres, subject to the provisions in Chapter 4.5.
- L. Accessory dwelling that complies with Section 3.16.4.
- M. RV Park

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

- A. Density provisions:
 - 1. Minimum lot area for residences: 10,000 square feet.

2. Minimum lot width at the front building line: 50 feet.
3. Minimum lot depth: 70 feet.
4. Not more than 35% of the lot area shall be covered by buildings except as may be permitted by conditional use permit or variance.
5. Maximum building height: 30 feet.
6. Maximum building height for agricultural buildings: 40 feet.

B. Setback requirements:

1. Minimum front yard setback: 15 feet.
2. Minimum side yard setback: 10 feet
3. Corner lot minimum street side yard setback: 10 feet.
4. Minimum rear yard setback: 15 feet, except accessory structures that meet the criteria of Section 5.3.110, may extend to within five feet of a rear property line.
5. Corner lot minimum rear yard setback: ten feet.

C. The following development standards are applicable:

1. Density Provisions:
 - i. Minimum lot size, government building/uses: none.
 - ii. Minimum lot width, government building/uses: none.
 - iii. Minimum lot depth, government building/uses: none.
 - iv. Maximum building height: 45 feet.
 - v. Maximum lot coverage, government building/uses: none.
2. Setback requirements:
 - i. Minimum front and rear yard setback, government building: 15 feet.
 - ii. Minimum side yard setbacks, government building: 10 feet

3. Landscaping requirements shall comply with Chapter 3.2 of the Development Code.
4. Any government building shall comply with Chapter 3.0 of the Development Code.

2.2.135 Other Applicable Standards

- A. Outside sales and service areas shall be approved by the Warrenton Planning Commission if not enclosed by suitable vegetation, fencing or walls.
- B. Outside storage areas shall be enclosed by suitable vegetation, fencing or walls, in conformance with Chapter 3.2, and Section 3.4.3.
- C. All uses shall comply with access and parking standards in Chapters 3.04.6, 3.04.7, and 3.3 except as may be permitted by conditional use or variance.
- D. Signs shall comply with standards in Chapter 3.7.
- E. All development shall comply with the wetland and riparian area protection standards of Chapter 3.10.
- F. All other applicable Development Code requirements shall also be satisfied.

2.2.140 Other Applicable Standards

- A. All uses must comply with parking standards in Chapter 3.3.
- B. Signs must comply with standard in Chapter 3.7, (Signs).
- C. All development shall comply with the wetland and riparian area protection standards of Chapter 3.10.
- D. Areas within this zone, which are designated on the Comprehensive Plan/Zone Map as subject to Growth Management (GM) Policies shall comply with the standards of Chapter 2.23.
- E. All uses must comply with the criteria of Chapter 3.2, Landscaping, Trees, Fences and Walls.
- F. Manufactured Homes must comply with the criteria of Section 3.13.1.

- 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 3.16.
- J. Transportation facilities and improvements subject to the standards of Section 2.0.4.

2.3.120 Conditional Uses - The following uses and their accessory uses may be permitted when approved under Section 4.4:

- A. Church, synagogue, or other place of worship.
- B. Government buildings and uses subject to standards of Sections 2.3.130(C), 2.3.135, and 2.3.140.
- C. Hospital sanitarium, rest home, nursing or convalescent home.
- D. School: nursery, primary, elementary, junior or senior high; private or public.
- E. Child care center.
- F. Public utility structure.
- G. Parks, playgrounds, and community centers.
- H. Bed and breakfast.
- I. Home Occupation.
- J. Manufactured dwelling park subject to standards in Chapter 3.14.
- K. Accessory dwelling that complies with Section 3.16.4.

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

- A. Density provisions:
 - 1. Minimum lot area for single family detached dwelling or duplex: 7,000 square feet.
 - 2. Minimum lot area for single family attached dwelling: 2,500 square feet

3. Minimum lot width at the front building line for single family detached dwelling or duplex: 50 feet.
4. Minimum lot width at the front building line for single family attached dwelling: 25 feet.
5. Minimum lot depth: 70 feet
6. Not more than 40% of the lot area shall be covered by buildings, except as may be permitted by conditional use permit or variance.
7. Maximum building height: 30 feet.

B. Setback requirements

1. Minimum front yard setback: 15 feet.
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 5.3.110 may extend to within five feet of a rear property line.
5. Corner lot minimum rear yard setback: 10 feet.

C. The following development standards are applicable:

1. Density Provisions:
 - i. Minimum lot size, government building/uses: none.
 - ii. Minimum lot width, government building/uses: none.
 - iii. Minimum lot depth, government building/uses: none.
 - iv. Maximum building height: 45 feet.
 - v. Maximum lot coverage, government building/uses: none.
2. Setback requirements:
 - i. Minimum front and rear yard setback, government building: 15 feet.

- ii. Minimum side yard setbacks, government building: 10 feet
- 3. Landscaping requirements shall comply with Chapter 3.2 of the Development Code.
- 4. Any government building shall comply with Chapter 3.0 of the Development Code.

2.3.135 Other Applicable Standards

- A. Outside sales and service areas shall be approved by the Warrenton Planning Commission if not enclosed by suitable vegetation, fencing or walls.
- B. Outside storage areas shall be enclosed by suitable vegetation, fencing or walls, in conformance with Chapter 3.2, and Section 3.4.3.
- C. All uses shall comply with access and parking standards in Chapters 3.04.6, 3.04.7, and 3.3 except as may be permitted by conditional use or variance.
- D. Signs shall comply with standards in Chapter 3.7.
- E. All development shall comply with the wetland and riparian area protection standards of Chapter 3.10.
- F. All other applicable Development Code requirements shall also be satisfied.

2.3.140 Other Applicable Standards

- A. All uses must comply with parking standards in Chapter 3.3.
- B. Signs must comply with standard in Chapter 3.7, (Signs).
- C. All development shall comply with the wetland and riparian area protection standards of Chapter 3.10.
- D. All uses must comply with the criteria of Chapter 3.2, Landscaping, Trees, Fences and Walls.
- E. Manufactured homes must comply with the criteria of Section 3.13.

- K. Master planned development with a minimum lot size of three contiguous acres, subject to the provisions in Section 4.5.
- L. Transportation facilities and improvements subject to the standards of Section 2.0.4.

2.4.120 Conditional Uses - The following uses and their accessory uses may be permitted when approved under Section 4.4:

- 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 2.4.130(C), 2.4.135, and 2.4.140.
- 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. Home Occupation.
- K. Accessory dwelling subject to standards of Section 3.16.4.

2.4.130 Development Standards - The following development standards are applicable in the RH zone:

- A. Density provisions.
 - 1. Minimum lot area for a single-family detached dwelling: 5,000 square feet.
 - 2. Minimum lot area duplex, townhome, rowhouse: 2,500 square feet per unit.

3. Minimum lot area for a triplex: 7500 square feet per unit.
4. Minimum lot area for a multi-family dwelling: 10,000 square feet.
5. Maximum density for multi-family 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 multi-family: 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.

B. Setback requirements:

1. Minimum front yard setback: 15 feet.
2. Minimum side yard setback: 8 feet.
3. Corner lot minimum secondary street side yard setback: 8 feet.
4. Minimum rear yard setback: 15 feet except accessory structures that meet the criteria of Section 5.3.110 may extend to within five feet of a rear property line.
5. Corner lot minimum rear yard setback: 10 feet.

C. Design Standards:

1. An entry door of 36" minimum width must face the front yard setback or onto a driveway.

2. A minimum of 20 square feet of glazing must be on the side of the dwelling facing a street.
3. Duplexes, townhomes, rowhouses and triplexes shall comply with the standards of Chapter 3.17.
4. Multi-family housing developments shall comply with the standards of Chapter 3.18.

D. The following development standards are applicable:

1. Density Provisions:
 - i. Minimum lot size, government building/uses: none.
 - ii. Minimum lot width, government building/uses: none.
 - iii. Minimum lot depth, government building/uses: none.
 - iv. Maximum building height: 45 feet.
 - v. Maximum lot coverage, government building/uses: none.
2. Setback requirements:
 - i. Minimum front yard setback, government building: 15 feet.
 - ii. Minimum side yard setbacks, government building: 10 feet
3. Landscaping requirements shall comply with Chapter 3.2 of the Development Code.
4. Any government building shall comply with Chapter 3.0 of the Development Code.

2.4.135 Other Applicable Standards

- A. Outside sales and service areas shall be approved by the Warrenton Planning Commission if not enclosed by suitable vegetation, fencing or walls.
- B. Outside storage areas shall be enclosed by suitable vegetation, fencing or walls, in conformance with Chapter 3.2, and Section 3.4.3.

- C. All uses shall comply with access and parking standards in Chapters 3.04.6, 3.04.7, and 3.3 except as may be permitted by conditional use or variance.
- D. Signs shall comply with standards in Chapter 3.7.
- E. All development shall comply with the wetland and riparian area protection standards of Chapter 3.10.
- F. All other applicable Development Code requirements shall also be satisfied.

2.4.140 Other Applicable Standards

- A. All uses must comply with parking standards in Chapter 3.3.
- B. Signs must comply with standard in Chapter 3.7, (Signs)
- C. For any common boundary between an R-H zone and any other residential zone there shall be a visual buffer strip of at least ten feet wide to provide a dense evergreen landscape buffer which attains a mature height of at least eight feet.
- D. All development shall comply with the wetland and riparian area protection standards of Chapter 3.10.
- E. All uses must comply with the criteria of Chapter 3.2, Landscaping, Trees, Fences and Walls.
- F. Manufactured homes must comply with the criteria of Chapter 3.13.
- G. A garage (attached or detached) or carport is required for each dwelling unit, including multi-family dwelling units, and shall conform to the standards of Chapter 3.16.
- H. All other applicable Development Code requirements must be met.
- I. All new sewer and water connections for a proposed development shall comply with all city regulations.

1. Single-family detached dwelling with covered parking in accordance with Chapter 3.16 on lots not having direct frontage on, or taking direct access from, a state highway.
2. Duplex, townhome, triplex, multifamily and rowhouse with garage (attached or detached) in accordance with Chapter 3.16 and subject to standards of Chapter 3.17.
3. Daycare center.
4. Home Occupation, shall comply with Section 2.6.110,A,#5.
5. Single Family Residences existing prior to April 2, 1997 may be repaired, remodeled, expanded, or replaced if damaged so long as building permits are obtained within 12 months of the date of discontinuance.
6. Similar uses as those listed in this section.

B. Public and Institutional

1. Church, synagogue, or other place of worship.
2. Clubs, lodges, similar uses.
3. Government buildings and uses.
4. Libraries, museums, community centers, and similar uses.
5. Public parking lots and garages, subject to design standards in Section 3.2.3.
6. Public and private utility structures.
7. Transportation facilities and improvements subject to the standards of Section 2.0.4.
8. Similar uses as those listed in this section.

C. Commercial

1. Personal and business service establishments such as a barber or beauty shop, clothes cleaning or a funeral home.
2. Professional, financial, business and medical offices. Drive-through facilities are not permitted within the C-MU District.

3. Retail business establishments and processing uses (e.g., bakery) of goods sold on site.
4. Amusement enterprises such as a theater or bowling alley.
5. Technical, professional, vocational and business schools.
6. Eating and drinking establishments. Drive-through facilities are not permitted within the C-MU District.
7. Hotel, motel or other tourist accommodation, including bed and breakfast.
8. Similar uses as those listed in this section.

2.6.120 Conditional Uses - The uses listed under 2.6.110 and their accessory uses may be permitted in the C-MU District when approved under Section 4.4, Conditional Uses:

- A. Cabinet, carpenter, woodworking or sheet metal shops, fully enclosed in a building.
- B. Building contractor shops, including plumbing, electrical and HVAC.
- C. Research and development establishments.
- D. Multiple (or mixed) uses on the same lot or parcel.
- E. Multiple (or mixed) uses on adjoining lots or parcels.
- F. Accessory dwelling subject to standards of Section 3.16.4
- G. Similar uses as those listed in this section.

2.6.130 Development Standards - The following development standards are applicable in the C-MU District:

- A. Density Provisions:
 1. Minimum lot size, commercial uses: none.
 2. Minimum lot size, residential uses: Same as in Section 2.4.130.
 3. Minimum lot size, multiple-use commercial and residential

2.7.120 Conditional Uses - The following uses and activities and their accessory uses and activities may be permitted in the C-2 zone when approved under Section 4.4 - Conditional Uses. These uses are also subject to the provisions of Section 2.7.130, Development Standards:

- A. Beach nourishment at sites designated in the Comprehensive plan.
- B. Mitigation, restoration, creation and enhancement.
- C. Dredged material disposal.
- D. Water-related uses subject to the standard in Section 2.7.130.
- E. A temporary use utilizing existing structures or involving new facilities, which require minimal capital investment in accordance with Section 4.9.1, Temporary Permits, and subject to the standard in Section 2.7.130.
- F. Water-dependent industrial or port use.
- G. Communication facilities subject to the standards of Chapter 3.8.
- H. Similar uses as those listed in this section.

2.7.130 Development Standards - The following standards are applicable in the C-2 zone:

- A. Density: The lot area will be established on a case-by-case basis, with consideration given to such factors as parking, landscaping and open space needs of the involved uses.
- B. Setback and Buffer Requirements: Where the C-2 Zone adjoins a residential zone, there shall be a visual buffer strip at least ten feet wide to provide for a dense evergreen landscape buffer which attains a mature height of at least eight feet.
- C. All uses must satisfy applicable Columbia River Estuary Shoreland and Aquatic Area Development Standards in Chapter 3.11.
- D. All uses will comply with access and parking standards in Chapter 3.3.
- E. Signs will comply with standards in Chapter 3.7.
- F. Outside sales, service or storage areas will be enclosed by suitable vegetation, fencing or walls, unless approved by the Planning Commission.

Chapter 2.8 — Open Space and Institutional (OSI) District

Sections:

- 2.8.100 Purpose**
- 2.8.110 Permitted Uses**
- 2.8.120 Conditional Uses**
- 2.8.130 Development Standards**

2.8.100 Purpose - The purpose of the Open Space & Institutional zone is to provide for development, use and management of parks, school grounds, golf courses, cemeteries and other relatively large tracts of publicly-used land. This zone includes those areas that were in Hammond's Recreation & Open Space Zone.

2.8.110 Permitted Uses - The following uses and activities and their accessory uses and activities are permitted in the OSI Zone if the Planning Director determines that the uses conform to the standards of Section 2.8.130, applicable Development Code standards, and other City laws:

- A. Maintenance and repair of existing facilities.
- B. Uses and activities allowed under the applicable City-approved management plan for the facility.
- C. Replacement and repair of existing public recreational park facilities or construction of minor betterment and improvements to existing park facilities which do not cause an increase in overall visitor capacity or have significant land use impacts (e.g., shelter, restrooms, replacement or repair of existing roads and parking spaces.
- D. Outdoor recreation.
- E. Temporary uses subject to the provisions of Chapter 4.9.
- F. Government buildings and uses.
- G. Transportation facilities and improvements subject to the standards of Section 2.0.4.
- H. Park host (one site) for dedicated city parks and located in an approved RV site. Subject to provisions of Section 2.8.130.J. Also, see Definitions.
- I. Similar uses as those listed in this section.

2.8.120 Conditional Uses - The following uses and activities and their accessory uses and activities may be permitted in the OSI Zone when approved under Section 4.4, and subject to the provisions in Section 2.8.130, Development Standards:

- A. Development of new facilities or uses not included in the applicable City-approved management plan.
- B. Amendments to a site management plan.
- C. Golf Course
- D. Communication facilities subject to the standards of Chapter 3.8.
- E. Construction of new park facilities or existing public recreational park expansions which increase overall visitor capacity or which have significant land use impact (e.g., new campgrounds, picnic areas, new roads).
- F. Similar uses as those listed in this section.

2.8.130 Development Standards - The following standards are applicable in the OSI zone:

- A. Setbacks: the minimum setback from the property line for buildings is 15 feet.
- B. Lot Coverage: Buildings shall cover not more than 50 percent of the lot area.
- C. Building heights: No building shall exceed a height of 30 feet above grade.
- D. All uses shall comply with access requirements, signs standards, parking and loading standards in Chapters 3.3 and 3.7.
- E. Conditional Uses shall meet the requirements in Section 4.4.
- F. Large scale developments shall satisfy requirements in Section 4.5, Master Planned Developments.
- G. All development shall comply with the wetland and riparian area protection standards of Chapter 3.10.
- H. All other applicable ordinance requirements shall be satisfied.

3. Retail trade facilities used for the sale of products such as ice, bait, tackle, charts, groceries and gasoline;
 4. Cold storage facility;
 5. Warehousing and/or other storage areas for marine equipment;
 6. Charter fishing office;
 7. Sports fish cleaning establishment.
- I. Landfalls and access corridors for submerged cable, sewer line, water line or other pipeline crossing.
 - J. Dredged material disposal.
 - K. Excavation to create new water surface area.
 - L. Beach nourishment at a designated site.
 - M. Transportation facilities and improvements subject to the standards of Section 2.0.4.
 - N. Park host is an ancillary use for water-dependent commercial uses within the Hammond and Warrenton Marinas only. There shall be one host site located on an approved RV site for each marina. Subject to provisions of Section 2.9.130.O. Also, see Definitions.
 - O. Similar uses as those listed in this section.

2.9.120 Conditional Uses - The following uses and activities and their accessory uses and activities may be permitted in the RC Zone when approved under Chapter 4.4, and subject to the provisions in Section 2.9.130, Development Standards:

- A. Water-dependent recreation.
- B. Storm water and waste water outfall; tidegates
- C. Public utility structures.
- D. Communication facilities subject to the standards of Chapter 3.8.
- E. Marine research and/or education establishment.
- F. Restaurants.

- G. Multi-family dwelling and multi-family housing developments subject to standards of Chapter 3.18.
- H. Single-family attached housing with no less than four dwelling units subject to standards of Chapter 3.17.
- I. Temporary uses which involve minimal capital investment and no permanent structure, or a use in conjunction with and incidental to a water-dependent use, and meeting the requirements of Section 4.9.1.
- J. Mitigation, restoration, creation and enhancement.
- K. Residences as an accessory use to another permitted use, and occupied by the owner or operator of the primary use.
- L. RV Park
- M. Similar uses as those listed in this section.

2.9.130 Development Standards - The following standards are applicable in the RC zone:

- A. No use will be allowed in the RC zone unless it meets one or more of the following criteria:
 - 1. The use is water-dependent— which means that it can only be carried out on, in, or adjacent to water and the location or access is needed for water-borne transportation, recreation, a source of water, or marine research/education.
 - 2. The use provides goods and/or services directly associated with water-dependent uses; and, if not located near the water, would experience a public loss of quality in the goods and services offered.
 - 3. The use can demonstrate that it provides a needed service for users of the Marinas.
 - 4. The use is an accessory use important to the operations of the principal use.
 - 5. The use is a temporary use meeting the requirements of Section 4.9.1.

- J. Contractor shop or equipment storage yard for storage and rental of equipment commonly used by a contractor.
- K. Cabinet, carpenter, woodworking, sheet metal shops or similar establishments.
- L. Professional, financial or business offices.
- M. Public utility structure.
- N. Government buildings and uses.
- O. Passive restoration.
- P. Government buildings and uses.
- Q. Transportation facilities and improvements subject to the standards of Section 2.0.4.
- R. Similar uses to those listed in this section.

2.11.120 Conditional Uses - The following uses and activities and their accessory uses and activities may be permitted in the I-1 Zone when approved under Section 4.4, and subject to the provisions in Section 2.10.130, Development Standards:

- A. Heavy fabrication of finished or semi-finished products from raw materials.
- B. Airport runway extensions or relocations.
- C. One caretaker unit for each primary industrial use on a lot or parcel subject to the following conditions:
 - 1. The unit shall be served with public water and sanitary sewerage disposal, in conformance with city engineering and public works requirements.
 - 2. The unit shall meet all applicable fire, safety, and building code requirements.
 - 3. The unit shall be located no closer than 10 feet to any property line.
- D. Similar uses as those listed in this section.

- I. New dike construction.
- J. Maintenance and repair of existing structures or facilities.
- K. Dredging and filling, pursuant to the applicable standards in Section 3.11.4 for any of the permitted uses.
- L. The following water-related commercial and industrial uses:
 - 1. Boat and/or marine equipment sales;
 - 2. Fish or shellfish retail or wholesale outlet;
 - 3. Charter fishing offices;
 - 4. Sports fish cleaning, smoking, or canning establishment;
 - 5. Retail trade facilities for the sale of products such as ice, bait, tackle, gasoline or other products incidental to or used in conjunction with a water-dependent use;
 - 6. Restaurants which provide a view of the waterfront, and which are in conjunction with a water-dependent use such as a marina or seafood processing plant;
 - 7. Cold storage and/or ice-processing facilities independent of seafood processing facilities.
- M. Navigation aids.
- N. Piling as necessary for any of the permitted uses listed above.
- O. Bridge crossings.
 - 1. Temporary encroachments in the floodway for the purposes of bridge construction and repair:
 - i. This use shall comply with Development Code Section 2.17 (Flood Hazard Overlay District) prior to issuance of any permits.
 - ii. The temporary permit shall state the number of days the structure or other development will be on the site. If a longer period is required, a new permit shall be issued.
 - iii. A flood warning system for the project should be in place to allow equipment to be evacuated from the site and placed outside the floodplain.
 - iv. Placement of equipment in the floodway should be restricted to only equipment which is absolutely necessary for the

purposes of the project. All other accessory equipment and temporary structures (ie., construction trailers) should be restricted from the floodway. Structures should be placed on site so that flood damages are minimized. Anchoring the construction trailers in case evacuation is not practical.

P. Similar uses as those listed in this section.

2.13.120 Conditional Uses - The following uses and activities and their accessory uses and activities may be permitted in the A-1 zone when approved under Section 4.4, Conditional Uses. These uses and activities are also subject to the provisions of Section 2.13.130, Development Standards. These uses and activities may be permitted if found consistent with the purpose of this zone and with the purpose of adjacent shoreland zones.

A. Mining and mineral extraction.

B. Active restoration.

C. Bridge crossing support structures.

1. Temporary encroachments in the floodway for the purposes of bridge construction and repair:

- i. This use shall comply with Development Code Section 2.17 (Flood Hazard Overlay District) prior to issuance of any permits.
- ii. The temporary permit shall state the number of days the structure or other development will be on the site. If a longer period is required, a new permit shall be issued.
- iii. A flood warning system for the project should be in place to allow equipment to be evacuated from the site and placed outside the floodplain.
- iv. Placement of equipment in the floodway should be restricted to only equipment which is absolutely necessary for the purposes of the project. All other accessory equipment and temporary structures (ie., construction trailers) should be restricted from the floodway. Structures should be placed on site so that flood damages are minimized. Anchoring the construction trailers in case evacuation is not practical.

D. Aquaculture and water-dependent portions of aquaculture facilities.

E. In-water log dump.

F. A use for which an exception to the Estuarine Resources Goal has been adopted as an amendment to the Warrenton Comprehensive Plan.

- G. Dredged material disposal at sites designated for dredged material disposal in the Comprehensive Plan.
- H. Covered moorage in an approved marina.
- I. Dredging and filling, pursuant to the applicable standards in Section 3.11, for any of the listed conditional uses.
- J. Water-related recreational uses.
- K. Water-related commercial or industrial uses other than those listed under Section 2.13.110 of this zone.
- L. Communication facilities subject to the standards of Chapter 3.8.
- M. Piling as necessary for any of the conditional uses listed above.
- N. Temporary uses.
- O. Similar uses as those listed in this section.

2.13.130 Development Standards - The following standards are applicable in the A-1 zone:

- A. All uses and activities must satisfy applicable Columbia River Estuary Aquatic and Shoreland Area Development Standards in Chapter 3.11.
- B. A proposal involving several uses and activities shall be reviewed in aggregate under the more stringent procedure.
- C. All applicable policies in the City's Comprehensive Plan and Goal Exceptions shall be met.
- D. All other applicable Code requirements shall be satisfied.
- E. Uses that are not water-dependent shall be located either on a floating structure or on pilings, and shall not increase the need for fill if in association with a water-dependent use located on fill.
- F. Uses that are not water-dependent shall not preclude or conflict with existing or probable future water-dependent uses on the site or in the vicinity.
- G. Maximum height of structures shall be 60 feet above MLLW.

- H. A proposal which requires new dredging, fill, in-water structures, rip-rap, new log storage areas, water intake, in-water disposal of dredged material, beach nourishment, or other activities which could affect the estuary's physical processes or biological resources is subject to an Impact Assessment, Chapter 3.12.
- I. Uses that are water-dependent and/or water-related must meet the criteria in Section 3.11.18.
- J. Uses and activities permitted under Sections 2.13.110 or 2.13.120 of this zone are subject to the public notice provisions of Section 4.1.4 if an impact assessment is required pursuant to Section 3.12.1 through 3.12.3, or if a determination of consistency with the purpose of the A-1 Zone is required pursuant to Section 3.12.2, or if the Planning Director determines that the permit decision will require interpretation or the exercise of factual, policy or legal judgment.
- K. All new sewer and water connections for a proposed development shall comply with all city regulations.

Chapter 2.14 — Aquatic Conservation (A-2) District

Sections:

2.14.100 Purpose

2.14.110 Permitted Uses

2.14.120 Conditional Uses

2.14.130 Development Standards

2.14.100 Purpose - The purpose of the Aquatic Conservation Zone is to conserve designated areas for long-term uses of renewable resources that do not require major alterations of the estuary, except for the purpose of restoration. They are managed for the protection and conservation of the resources found in these areas. The Aquatic Conservation Zone includes areas needed for the maintenance and enhancement of biological productivity, recreational resources, aesthetic features and aquaculture. The Aquatic Conservation Zone includes areas that are smaller or of less biological importance than Aquatic Natural areas. Areas that are partially altered and adjacent to existing moderate intensity development which do not possess the resource characteristics of other aquatic areas are also included in this Zone.

2.14.110 Permitted Uses - The following uses and activities and their accessory uses and activities are permitted in the A-2 Zone if the Planning Director determines that the uses conform to the standards in Section 2.14.130, applicable Development Code standards, and other City laws:

- A. Estuarine enhancement.
- B. Projects for the protection of habitat, nutrient, fish, wildlife and aesthetic resources.
- C. Shoreline stabilization.
- D. Boat ramps for public use where no dredge or fill is needed for navigational access.
- E. Maintenance and repair of existing structures or facilities.
- F. Bridge crossing support structures and dredging necessary for their installation and maintenance.
- G. Beach nourishment at sites designated in the Comprehensive Plan.
- H. Active restoration of fish habitat, wildlife habitat, or water quality.

- I. Filling in conjunction with any of the permitted uses, pursuant to the applicable standards in Section 3.11.6.
- J. Tide-gate installation and maintenance in existing functional dikes.
- K. Dredging to obtain fill material for dike maintenance pursuant to the dike maintenance dredging standards.
- L. Navigation aids.
- M. Pipelines, cables, and utility crossings.
- N. Water-dependent parts of an aquaculture facility which do not involve dredge or fill or other estuarine alterations other than incidental dredging for harvest of benthic species or removable in-water structures such as stakes or racks.
- O. Dredging in conjunction with any of the permitted uses, pursuant to the applicable standards in Section 3.11.4.
- P. Undeveloped low intensity water-dependent recreation.
- Q. Research and educational observation.
- R. Piling in conjunction with any of the permitted uses.
- S. Passive restoration.
- T. Bridge crossing.
 - 1. Temporary encroachments in the floodway for the purposes of bridge construction and repair:
 - i. This use shall comply with Development Code Section 2.17 (Flood Hazard Overlay District) prior to issuance of any permits.
 - ii. The temporary permit shall state the number of days the structure or other development will be on the site. If a longer period is required, a new permit shall be issued.
 - iii. A flood warning system for the project should be in place to allow equipment to be evacuated from the site and placed outside the floodplain.
 - iv. Placement of equipment in the floodway should be restricted to only equipment which is absolutely necessary for the purposes of the project. All other accessory equipment and temporary structures (ie., construction trailers) should be restricted from the floodway. Structures should be placed on

site so that flood damages are minimized. Anchoring the construction trailers in case evacuation is not practical.

U. Temporary uses.

V. Similar uses to those listed in this section.

2.14.120 Conditional Uses - The following uses and activities and their accessory uses and activities may be permitted in the A-2 zone when approved under Section 4.4, Conditional Uses. The uses and activities are also subject to the provisions of Section 2.14.130, Development Standards. They are also subject to a Resource Capability Determination (Section 3.12.3) and Impact Assessment (Section 3.12.1).

- A. High-intensity water-dependent recreation including boat ramps, marinas, and individual docks.
- B. Aquaculture and water-dependent portions of aquaculture facilities.
- C. Active restoration for purposes other than protection of habitat, nutrient, fish, wildlife and aesthetic resources.
- D. Temporary alterations.
- E. Filling in conjunction with listed conditional uses, pursuant to the applicable standards in Section 3.11.6.
- F. Minor navigational improvement.
- G. Mining and mineral extraction.
- H. Dredging in conjunction with any of the listed conditional uses pursuant to the applicable standards in Section 3.11.4.
- I. Low-intensity water-dependent commercial or industrial uses requiring occupation of water-surface area by means other than fill.
- J. In-water log storage.
- K. Communication facilities subject to the standards of Chapter 3.8.
- L. Piling in conjunction with any of the listed conditional uses.
- M. Similar uses to those listed in this section.

2.14.130 Development Standards - The following standards are applicable in the A-2 zone:

- A. All uses shall satisfy applicable Columbia River Estuary Aquatic and Shoreland Area Development Standards in Section 3.11.
- B. A proposal involving several uses shall be reviewed in aggregate under the more stringent procedure.
- C. All applicable policies in the City's Comprehensive Plan, and Goal Exceptions shall be met.
- D. A proposal which requires new dredging, fill, in-water structures, rip-rap, new log storage areas, water intake, in-water disposal of dredged material, beach nourishment, or other activities which could affect the estuary's physical processes or biological resources is subject to an Impact Assessment (Section 3.12.1).
- E. All other applicable Development Code requirements shall also be satisfied.
- F. The maximum height of structures in the A-2 Zone shall be 45 feet above MLLW.
- G. Uses that are not water-dependent shall be located on a floating structure or on pilings, and shall not increase the need for fill if in association with a water-dependent use located on fill.
- H. Uses that are not water-dependent shall not preclude or conflict with existing or probable future water-dependent development on the site or in the vicinity.
- I. Uses that are water-dependent and/or water-related must meet the criteria in Section 3.11.18.
- J. Uses and activities permitted under Section 2.14.110 of this zone are subject to the public notice provisions of Section 4.1.4 if an impact assessment is required pursuant to Section 3.12.1 through 3.12.3, or if a determination of consistency with the purpose of the A-2 Zone is required pursuant to Section 3.12.2, or if the Planning Director determines that the permit decision will require interpretation or the exercise of factual, policy or legal judgment.
- K. All new sewer and water connections for a proposed development shall comply with all city regulations.

Chapter 2.15 — Aquatic Natural (A-3) District

Sections:

2.15.100 Purpose

2.15.110 Permitted Uses

2.15.120 Conditional Uses

2.15.130 Development Standards

2.15.100 Purpose - The purpose of the Aquatic Natural Zone is to assure the protection of significant fish and wildlife habitats; of continued biological productivity within the estuary; and of scientific, research, and educational needs. These areas are managed to preserve natural resources in recognition of dynamic, natural, geological, and evolutionary processes. Natural Aquatic areas include all major tidal marshes, tide flats, and seagrass and algae beds. The designation is intended to preserve those natural aquatic resource systems existing relatively free of human influence.

2.15.110 Permitted Uses - The following uses and activities and their accessory uses and activities are permitted in the A-3 Zone if the Planning Director determines that the uses conform to the standards in Section 2.15.130, applicable Development Code standards, and other City laws:

- A. Low-intensity water-dependent recreation.
- B. Passive restoration.
- C. Navigational aid, such as beacons and buoys.
- D. Vegetative shoreline stabilization.
- E. Emergency repair to existing dikes.
- F. Marine research and education.
- G. Piling installation as necessary for permitted uses.
- H. Similar uses as those listed in this section.

2.15.120 Conditional Uses - The following uses and activities and their accessory uses and activities may be permitted in the A-3 zone when approved under Section 4.4, Conditional Uses. They are also subject to the provisions of Section 2.15.130, Development Standards. These uses and activities are also subject to a Resource Capability determination (Section 3.12.3), and an Impact Assessment (3.12.1).

- A. Maintenance and repair of existing structures or facilities.
 - 1. Temporary encroachments in the floodway for the purposes of bridge construction and repair:
 - i. This use shall comply with Development Code Section 2.17 (Flood Hazard Overlay District) prior to issuance of any permits.
 - ii. The temporary permit shall state the number of days the structure or other development will be on the site. If a longer period is required, a new permit shall be issued.
 - iii. A flood warning system for the project should be in place to allow equipment to be evacuated from the site and placed outside the floodplain.
 - iv. Placement of equipment in the floodway should be restricted to only equipment which is absolutely necessary for the purposes of the project. All other accessory equipment and temporary structures (ie., construction trailers) should be restricted from the floodway. Structures should be placed on site so that flood damages are minimized. Anchoring the construction trailers in case evacuation is not practical.
- B. Fill as necessary for conditional use "A", above, pursuant to the applicable standards in Section 3.11.6.
- C. Communication facilities subject to the standards of Chapter 3.8.
- D. Active restoration.
- E. Pipeline, cable and utility crossing.
- F. Dredging as necessary for conditional uses A through E above, pursuant to the applicable standards in Section 3.11.4.
- G. Aquaculture facilities limited to temporary removable structures which require no dredge or fill.
- H. Piling as necessary for conditional uses as listed.
- I. Similar uses as those listed in this section.

2.16.130 Development Standards - The following standards are applicable in the A-3 zone:

- A. All uses and activities shall satisfy applicable Columbia River Estuary Aquatic and Shoreland Area Development Standards in Section 3.11.

- B. A proposal involving several uses shall be reviewed in aggregate under the more stringent procedure.
- C. All applicable policies in the City's Comprehensive Plan, Mediation Panel Agreement and Goal Exceptions shall be met.
- D. All other applicable Ordinance requirements shall also be satisfied.
- E. A use which requires new dredging, fill, in-water structures, rip-rap, new log storage areas, water intake, in-water disposal of dredged material, beach nourishment, or other activities which could affect the estuary's physical processes or biological resources is subject to an Impact Assessment (Section 3.12.1).
- F. Uses that are not water-dependent shall be located either on a floating structure or on pilings, and shall not increase the need for fill if in association with a water-dependent use located on fill.
- G. Uses that are not water-dependent shall not preclude or conflict with existing or probable future water-dependent uses on the site or in the vicinity.
- H. Maximum height of structures shall be 35 feet above MLLW
- I. Uses that are water-dependent and/or water-related must meet the criteria in Section 3.11.18.
- J. Uses and activities permitted under Section 2.15.110 of this zone are subject to the public notice provisions of Section 4.1.4 if an impact assessment is required pursuant to Section 3.12.1 through 3.12.3, or if a determination of consistency with the purpose of the A-3 Zone is required pursuant to Section 3.12.2, or if the Planning Director determines that the permit decision will require interpretation or the exercise of factual, policy or legal judgment.
- K. All new sewer and water connections for a proposed development shall comply with all city regulations.

Chapter 2.16 — Coastal Lake and Freshwater Wetlands (A-5) District

Sections:

- 2.16.100 Purpose**
- 2.16.110 Zone Boundaries**
- 2.16.120 Permitted Uses**
- 2.16.130 Conditional Uses**
- 2.16.140 Development Standards**

2.16.100 Purpose - The purpose of the Coastal Lake and Freshwater Wetland Zone is to assure the conservation of important shoreland and wetland biological habitats and conserve examples of different natural ecosystem types in the Clatsop Plains to assure a diversity of species and ecological relations. Low intensity uses which do not result in major alterations are appropriate in this zone. Low to moderate intensity recreation is appropriate in coastal lakes. This zone includes coastal lakes, significant non-estuarine freshwater marshes and important upland biological habitat.

2.16.110 Zone Boundaries - The A-5 zone shall be designated on the City of Warrenton Comprehensive Plan/Zone Map, and shall conform to the 1"=400' photo-contour maps entitled *Significant Shoreland and Wetland Biological Habitats* on file at the City of Warrenton and hereby adopted by reference.

2.16.120 Permitted Uses - The following uses and their accessory uses are permitted in the A-5 Zone if the Planning Director determines that the uses conform to the standards in Section 2.16.140, applicable Development Code Standards, and other City laws:

- A. Low intensity recreation.
- B. Passive restoration.
- C. Vegetative shoreline stabilization.
- D. Bridges and access roads.
 - 1. Temporary encroachments in the floodway for the purposes of bridge construction and repair:
 - i. This use shall comply with Development Code Section 2.17 (Flood Hazard Overlay District) prior to issuance of any permits.
 - ii. The temporary permit shall state the number of days the structure or other development will be on the site. If a longer period is required, a new permit shall be issued.

- iii. A flood warning system for the project should be in place to allow equipment to be evacuated from the site and placed outside the floodplain.
 - iv. Placement of equipment in the floodway should be restricted to only equipment which is absolutely necessary for the purposes of the project. All other accessory equipment and temporary structures (ie., construction trailers) should be restricted from the floodway. Structures should be placed on site so that flood damages are minimized. Anchoring the construction trailers in case evacuation is not practical.
- E. Individual docks limited to 500 square feet for recreational or fishing use and necessary piling.
- F. Submerged cable, sewer line, water line or other pipeline.
- G. Maintenance and repair of existing structures.
- H. Developed hiking or bicycle trails.
- I. In the Marine Commercial Shorelands zone (C-2) the Recreation-Commercial Zone (RC), and in the Water-Dependent Industrial Shorelands Zone (I-2), non-water-dependent uses that are in conjunction with and incidental and subordinate to water-dependent uses on the site may be approved subject to the following standards:
 - 1. Such non-water-dependent uses shall be constructed at the same time as or after the water-dependent use of the site is established, and must be carried out together with the water-dependent use.
 - 2. The ratio of the square footage of ground-level indoor floor space plus outdoor acreage distributed between the non-water-dependent uses and the water-dependent uses at the site shall not exceed one to three (non-water-dependent to water-dependent).
 - 3. Such non-water-dependent uses shall not interfere with the conduct of the water-dependent use.
- J. In the Marine Commercial Shorelands zone (C-2), the Recreation-Commercial Zone (RC), and in the Water-Dependent Industrial Shorelands Zone (I-2), temporary non-water-dependent uses that involve minimal capital investment and no permanent structures subject to this standard. The intent of allowing such uses is to avoid posing a significant economic obstacle to attracting water-dependent uses. Tools for implementing this approach include "vacate" clauses in leases on

Chapter 2.17 — Flood Hazard Overlay (FHO) District

Sections:

2.17.100 Purpose

2.17.110 General Provisions

2.17.120 Administration

2.17.130 Standards for Flood Hazard Reduction

2.17.100 Purpose - The purpose of the FH Overlay District is to regulate the use of those areas that are subject to periodic flooding in order to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions. In advancing these principles and the general purposes of the Warrenton Comprehensive Plan and Development Code, the specific objectives of this district are:

- A. To combine with other zoning requirements, certain restrictions made necessary for the known flood hazard areas to promote the general health, welfare and safety of the City;
- B. To prevent the establishment of certain structures and land uses in areas unsuitable for human habitation because of the danger of flooding, unsanitary conditions or other hazards;
- C. To minimize the need for rescue and relief efforts associated with flooding;
- D. To help maintain a stable tax base by providing for sound use and development in flood-prone areas and to minimize prolonged business interruptions;
- E. To minimize damage to public facilities and utilities located in flood hazard areas;
- F. To ensure that potential home and business buyers are notified that property is in a flood area; and
- G. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

- L. Review of Flood Hazard Permits: Where elevation data is not available either through the Flood Insurance Study or from another authoritative source, applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet (2ft) above grade in these zones may result in higher insurance rates.
- M. Flood Hazard, Park and Open Space Dedications. Where fill and/or development is allowed within or adjacent to the 100-year floodplain outside the zero-foot rise floodplain, and the Comprehensive Plan designates the subject floodplain for park, open space, or trail use, the City may require the dedication of sufficient open land area for a greenway adjoining or within the floodplain. When practicable, this area shall include portions at a suitable elevation for the construction of a pedestrian/bicycle pathway within the floodplain in accordance with the City's adopted TSP for trails, pedestrian, and bikeway, as applicable. The City shall evaluate individual development proposals and determine whether the dedication of land is justified based on the development's impact and shall be consistent with Chapter 3.5.
- N. Temporary encroachments in the floodway for the purposes of bridge construction and repair:
- i. This use shall comply with Development Code Sections 2.17 (Flood Hazard Overlay District), 4.1.4 (Type II procedure), and 4.9 (Temporary Uses and Structures) prior to issuance of any permits.
 - ii. The temporary permit shall state the number of days the structure or other development will be on the site. If a longer period is required, a new permit shall be issued.
 - iii. A flood warning system for the project should be in place to allow equipment to be evacuated from the site and placed outside the floodplain.
 - iv. Placement of equipment in the floodway should be restricted to only equipment which is absolutely necessary for the purposes of the project. All other accessory equipment and temporary structures (ie., construction trailers) should be restricted from the floodway. Structures should be placed on site so that flood damages are minimized. Anchoring the construction trailers in case evacuation is not practical.

designed road and access systems and discouraging the unplanned subdivision and development of land.

B. Applicability. This Chapter shall apply to all transportation facilities and improvements (e.g., public and private streets, driveways, multi-use paths, etc.) within the City and to all properties that abut these facilities. Additional standards can be found in Chapter 3.5, Public Facilities Standards.

C. Access Permit Required. Access to a street requires an Access Permit in accordance with the following procedures:

1. Permits for access to State highways shall be subject to review and approval by Oregon Department of Transportation (ODOT), except when ODOT has delegated this responsibility to the City or Clatsop County. In that case, the City or County shall determine whether access is granted based on its adopted standards.
2. Permits for access to County highways shall be subject to review and approval by Clatsop County, except where the County has delegated this responsibility to the City, in which case the City shall determine whether access is granted based on adopted City standards.

D. Traffic Study Requirements. The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also, Chapter 3.5 – Public Facility Standards and Chapter 4.13, Traffic Impact Study.)

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.

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

3. Take maximum advantage of the natural topography and cause minimum shoreline disruption; and
4. Preserve or improve public estuary access where existing or potential access sites are identified; and
5. Avoid isolating high-intensity waterfront use areas or water-dependent development areas from water access.

B. Maintenance and repair of roads and railroads and maintenance and replacement of bridges shall be permitted regardless of the plan designation through which the road or railroad passes, provided:

1. The same alignment is maintained; and
2. The same width is maintained, except that necessary enlargements to meet current safety and engineering standards may be permitted; and
3. The number of travel lanes is not increased.

C. Fill-supported causeways or bridge approach fills across aquatic areas or across significant non-tidal wetlands in shoreland areas shall not be permitted; bridge abutments may, however, be approved.

D. Removal of riparian vegetation along transportation right-of-ways may be permitted in order to maintain clear vision.

E. Temporary encroachments in the floodway for the purposes of bridge construction and repair:

- i. This use shall comply with Development Code Sections 2.17 (Flood Hazard Overlay District), 4.1.4 (Type II procedure), and 4.9 (Temporary Uses and Structures) prior to issuance of any permits.
- ii. The temporary permit shall state the number of days the structure or other development will be on the site. If a longer period is required, a new permit shall be issued.
- iii. A flood warning system for the project should be in place to allow equipment to be evacuated from the site and placed outside the floodplain.
- iv. Placement of equipment in the floodway should be restricted to only equipment which is absolutely necessary for the

purposes of the project. All other accessory equipment and temporary structures (ie., construction trailers) should be restricted from the floodway. Structures should be placed on site so that flood damages are minimized. Anchoring the construction trailers in case evacuation is not practical.

3.11.9 Log Storage - This subsection includes standards for the establishment of new, and the expansion of existing, log storage and sorting areas in aquatic and shoreland areas.

A. New aquatic log storage areas shall be located such that logs will not go aground during tidal changes or during low flow periods.

B. Proposals for reestablishment of previously used aquatic log storage areas must meet standards applied to new log storage areas, unless such areas have been abandoned for fewer than 36 months.

C. New aquatic log storage areas shall not be located in areas which would conflict with active gillnet fish drifts or with other commercial or recreational fishing activities.

D. New aquatic log storage areas shall be located where water quality degradation will be minimal and where good flushing conditions prevail.

E. Unpaved shoreland log yards under laid by permeable soils shall have at least four feet of separation between the yard surface and the winter water table.

F. Log storage and sorting facilities in Marine Commercial Shorelands, Water-Dependent Industrial Shorelands, or Skipanon East Bank Mediated Development Shorelands shall not preclude or conflict with existing or possible future water-dependent uses at the site or in the vicinity, unless the log storage or sorting facility is itself an essential part of a water-dependent facility.

3.11.10 Mining and Mineral Extraction - Standards in this subsection are applicable to the extraction of sand, gravel, petroleum products and other minerals from both submerged lands under aquatic areas and from shoreland areas. These standards are also applicable to outer continental shelf mineral development support facilities built in the estuary.

A. Aquatic area mining and mineral extraction shall only occur in aquatic areas deeper than ten feet below MLLW, where estuarine resource values are low, and when no feasible upland sources exist.

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.

J. All porches and decks to be constructed shall be shown on the site/plot plan.

K. The manufactured home shall have a meter base and no power pole.

L. The manufactured home shall utilize at least two of the following design features:

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")
7. Gables
8. Covered porch entry
9. Pillars or posts
10. Eaves (minimum 6")
11. 4:12 pitch roof

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.

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.

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.

Chapter 3.19 - Large-Scale Developments

Sections:

- 3.19.1 – Approval Process**
- 3.19.2 – General Provisions**
- 3.19.3 – Soil Suitability**
- 3.19.4 – Stormwater Management**
- 3.19.5 – Utilities**
- 3.19.6 – Schools**
- 3.19.7 – Landscape Suitability**
- 3.19.8 – Signs**
- 3.19.9 – Additional Provisions**

3.19.1. Approval Process

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

- i. a planned unit development, manufactured dwelling park, recreational vehicle park, or campground; or
- ii. a multi-family housing development or row house/townhouse (single-family attached) development which within two calendar years will have ten or more dwelling units; or
- iii. a commercial, industrial, public or institutional development which within two calendar years will use two or more acres of land or will have buildings with 10,000 square feet or more of floor area; or
- iv. dependent on the expansion of city utility system(s) to service the development, including, but not limited to, development (or improvement) of transportation facilities or water and/or sewer mainline extensions.

B. Review Type:

- i. Type III: “a, b, c, or combined “a and d”.
- ii. Type I: “d”

3.19.2. General Provisions

A. No permit shall be issued or conditional use application approved for a use defined as a large-scale development until the Planning Director or

Hearings Body (as applicable) determines that the all applicable sections of this Code have been satisfied.

B. The degree of protection from problems caused by hazardous soils or stormwater runoff, which is required by this ordinance is considered reasonable for regulatory purposes. This ordinance shall not create liability on the part of the City of Warrenton or by any officer, employee or official thereof for any damages due to hazardous soils or stormwater runoff that results from reliance on this ordinance or any administrative decision lawfully made thereunder.

3.19.3. Soil Suitability

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

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

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

D. The proposed use will only be approved if:

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

2. A method of eliminating hazards which could result from soils on the site prepared by a licensed geotechnical engineer and submitted to the City of Warrenton Planning and Building Department for review by a city appointed engineer who will be paid by the developer and/or property owner.

E. If a detailed soil survey indicates that corrosive resistant materials are appropriate for pipes or foundations associated with the development, the

the City appointed engineer may require that suitable materials be used for the pipes or foundations.

3.19.4. Stormwater Management

A. The applicant shall submit a stormwater management plan, which shall meet the criteria of Section 3.6 of this code, to the City of Warrenton Planning and Building Department for review for the proposed development that is prepared by a registered engineer currently licensed in the State of Oregon.

3.19.5. Utilities

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

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

C. Utility lines in the development (including electricity, communications, street lighting and cable television) shall be placed underground. Appurtenances and associated equipment such as surface mounted terminal boxes and meter cabinets may be placed above ground.

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

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

3.19.7. Landscape Suitability - The development shall comply with the provisions of a landscape plan which is consistent with Chapter 3.2 of this Code.

3.19.8. Signs - All signs of any type within the development are subject to design review and approval by the Planning Director or Hearings Body (Type III). The City shall consider each sign on its merits based on the aesthetic impact on the area, potential traffic hazards, and need for the sign. No sign shall violate provisions in Chapter 3.7.

3.19.9. Additional Provisions

A. The City of Warrenton may charge the applicant additional fees, as necessary, to cover the cost of reviewing surveys, reports, plans, or construction methods required to comply with the provisions of this Code.

B. The City of Warrenton may require the owner or developer to post a performance bond to assure that improvements required to comply with the provisions of this section are completed in accordance with the plans and specifications as approved by the Planning Director, and/or Hearings Body.

C. Proposals for large-scale developments shall be reviewed for consistency with all applicable sections of this Code prior to issuance of a development permit, including grading, filling, or building permits.

D. The standards of this Section are required in addition to development review (Type I and II) and site design review (Type III) standards of Chapter 4.2.

ii. Hearings Officer -

1. City Commission may appoint, upon recommendation by the Planning Director, a Hearings Officer by General Resolution;
2. Review and Decision-making responsibilities - the Hearings Officer shall conduct hearings and may render decisions for such classes of land use applications (Type III) which shall be carried out in accordance with the terms of this code;
3. Decisions are final - the Hearings Officer shall have the authority to render a final decision on quasi-judicial land use applications, unless appealed under the following subsection (iii).

iii. An appeal of a land use action where the City Commission is the Hearings Body:

1. The City Commission may on a case-by-case basis or by standing order for a class of cases decide at a public meeting that the decision of the lower Hearings Body of an individual land use action or a class of land use action decisions shall be the final decision of the City.

2. If the City Commission decides that the lower Hearings Body decision shall be the final decision of the City, then the Commission shall not hear the appeal and the party appealing may continue the appeal the Land Use Board of Appeals (LUBA). In such a case, the City shall provide written notice of its decision to all parties. The decision on the land use application(s) becomes final upon mailing of the Commission's decision to decline review.

3. The decision of the City Commission not to hear a land use action appeal is entirely discretionary.

4. In determining whether to hear an appeal, the City Commission may consider only:

- a. the record developed before the lower Hearings Body;
- b. the notice of appeal; and
- c. recommendations of staff.

Type III decisions generally use discretionary approval criteria.

D. Type IV Procedure (Legislative and Map Amendments). Type IV procedures apply to legislative matters and map amendments. Legislative matters involve the creation, revision, or large-scale implementation of public policy (e.g., adoption of land use regulations and comprehensive plan amendments which apply to entire districts). The Type IV procedure is also used for land use district map amendments and comprehensive plan map amendments. Type IV matters are considered initially by the Planning Commission with final decisions made by the City Commission.

Table 4.1.2
Summary of Development Decisions and
Permit by Type of Decision-Making Procedure

Permit Type or Development Decision	Decision-Making Procedure	Code, Statute, or Ordinance Reference
Annexation	Type IV	Section 4.14
Appeal	Type III	WDC Chapter 4.1
Code Interpretation	Type II	WDC Chapter 4.8
Code Amendment	Type IV	WDC Chapter 4.7
Comprehensive Plan Amendment	Type IV	Comprehensive Plan Article 20
Conditional Use Permit	Type III	WDC Chapter 4.4
Impact Assessment and Resource Capability	Type II	WDC Chapter 3.12
Floodplain Development Permit	Type I	WDC Chapter 2.17
Flood Zone Determination	N/A	Flood Insurance Rate Maps (FIRM) for Warrenton/Hammond
Hardship (Wetland) Variance	Type III	WDC Chapter 3.10.7
Home Occupation Permit	Type III	WDC Chapter 4.9 and 4.4
Home Office Permit	Type I	WDC Chapter 4.9
Land Partition (Preliminary Plat)	Type II	WDC Chapter 4.3
Land Partition (Final Plat)	N/A	WDC Chapter 4.3
Land Use Compatibility Statement (LUCS)	N/A	WDC and Comprehensive Plan
Land Use District Map Amendment (Quasi-Judicial)	Type IV	WDC Chapter 4.7

Permit Type or Development Decision	Decision-Making Procedure	Code, Statute, or Ordinance Reference
Land Use District Map Amendment (Legislative)	Type IV	WDC Chapter 4.7
Large-Scale Development	Type II/III	WDC Chapter 3.19
Legal Lot / Lot of Record Determination	Type I	WDC, Clatsop County Deed Records, and ORS Chapter 92
Lot Line Adjustment	Type I	WDC Chapter 4.3
Manufactured Dwelling Park	Type III	WDC Chapter 3.14, ORS Chapter 446, and OAR Division 918
Modification to Approval	Type II/III	WDC Chapters 4.1 and 4.6
Non-Conforming Use or Development Confirmation	Type II	WDC Chapter 5.2
Planned Unit Development	Type III	WDC Chapter 4.5
Street development (classification and design standards)	Type II/III	WDC Chapter 3.(applicable sections)
Sign Permit	Type I	WDC Chapter 3.6
Site Design Review	Type II/III	WDC Chapters 3.0, 4.1, and 4.2
Subdivision (Preliminary Plat)	Type III	WDC Chapters 3.0, 4.1, and 4.3
Subdivision (Final Plat)	N/A	WDC Chapter 4.3
Plat Vacation	Type III	WDC Chapter 4.1 and 4.3.200
Temporary Use Permit	Type II/III	WDC Chapter 4.9
Vacation (Street)	Type III, and City Commission Public Hearing per ORS 271	WDC Section 4.3.200(F) ORS Chapter 271
Variance	Type II/III	WDC Chapter 5.1
Wetland Boundary Adjustment	Type I	WDC Chapter 3.10.8
Wetland Significance Determination Amendment	Type III	WDC Chapter 3.10.9
Wireless Communication Facility (WCF) Permit	Type III	WDC Chapter 3.8 and 4.4.

Permit Type or Development Decision	Decision-Making Procedure	Code, Statute, or Ordinance Reference
Zoning Map Amendment (see Land Use District Map)	Type IV	WDC Chapter 4.7

Note: The Code, Statute, or Ordinance References in Table 4.1.2 above are not intended to be inclusive of all applicable review criteria. Please refer to the referenced document for all applicable criteria.

Note II: In addition to any project that abuts, or requires direct access from, a state highway, the City shall send notice to ODOT for the following applications: annexation, code amendment, comprehensive plan amendment, conditional use permit, home occupation permit, land use district map amendment (quasi-judicial & legislative), large-scale development, manufactured dwelling park, subdivision (preliminary plat), vacation (street), wireless communication facility permit, and zoning map amendment.

4.1.3 Type I Procedure (Ministerial)

A. Application Requirements.

1. Application Forms. Type I applications shall be made on forms provided by the City of Warrenton.
2. Application Requirements. Type I applications shall:
 - i. Include the information requested on the application form;
 - ii. Address the criteria in sufficient detail for review and action; and
 - iii. Be filed with the required fee.

B. Administrative Decision Requirements. The Planning Director's decision shall address all of the approval criteria. Based on the criteria and the facts contained within the record, the Planning Director shall approve, approve with conditions, or deny the requested permit or action. A written record of the decision shall be provided to the applicant and kept on file at city hall.

C. Notice of Decision. The decision shall be final on the date it is mailed or otherwise provided to the applicant, whichever occurs first. For ministerial decisions, Notices of Decision may be in the form of a letter to the applicant. The decision is the final decision of the City, unless appealed by the applicant.

provided under Section 4.1.4., unless the hearings body allows additional evidence or testimony concerning any other relevant issue. The hearings body may allow such additional evidence if it determines that such evidence is necessary to resolve the case. The purpose of this requirement is to limit the scope of Type II Administrative Appeals by encouraging persons with standing to submit their specific concerns in writing during the comment period. The written comments received during the comment period will usually limit the scope of issues on appeal. Only in extraordinary circumstances should new issues be considered by the hearings body on appeal of a Type II Administrative Decision;

iii. Appeal procedures. Type III notice and hearing procedures shall be used for all Type II Administrative Appeals, as provided in Sections 4.1.5.;

iv. Record of the Public Hearing is subject to the same procedures as stated in Section 4.1.6.

H. Appeal to City Commission. The decision of the Planning Commission regarding an appeal of a Type II Administrative Decision is the final decision of the City unless appealed to City Commission. An appeal to City Commission shall follow the same notification and hearing procedures as for the Planning Commission appeal.

I. Appeal to Land Use Board of Appeals (LUBA). The decision of an appeal to the City Commission is final unless appealed to LUBA. An appeal to LUBA shall be filed pursuant to ORS 197.830.

4.1.5 Type III Procedure (Quasi-Judicial)

A. Pre-application conference. A pre-application conference is required for all Type III applications. The requirements and procedures for a pre-application conference are described in Section 4.1.7.

B. Application requirements.

1. Application forms. Type III applications shall be made on forms provided by the City of Warrenton;

2. Content. Type III applications shall:

i. Include the information requested on the application form;

the comprehensive plan or land use regulations which the person testifying believes to apply to the decision;

iii. A statement that failure to raise an issue with sufficient detail to give the hearings body and the parties an opportunity to respond to the issue, means that no appeal may be made to the State Land Use Board of Appeals on that issue;

iv. Before the conclusion of the initial evidentiary hearing, any participant may ask the hearings body for an opportunity to present additional relevant evidence or testimony that is within the scope of the hearing. The hearings body shall grant the request by scheduling a date to finish the hearing (a "continuance") per paragraph 2 of this subsection, or by leaving the record open for additional written evidence or testimony per paragraph 3 of this subsection.

v. Record of the Public Hearing is subject to the same procedures as stated in Section 4.1.6

2. If the hearings body grants a continuance, the completion of the hearing shall be continued to a date, time, and place at least seven days after the date of the first evidentiary hearing. An opportunity shall be provided at the second hearing for persons to present and respond to new written evidence and oral testimony. If new written evidence is submitted at the second hearing, any person may request, before the conclusion of the second hearing, that the record be left open for at least seven days, so that they can submit additional written evidence or testimony in response to the new written evidence;

3. If the hearings body leaves the record open for additional written evidence or testimony, the record shall be left open for at least seven days after the hearing. Any participant may ask the City in writing for an opportunity to respond to new evidence submitted during the period the record was left open. If such a request is filed, the Planning Commission shall reopen the record per subsection E of this section;

i. When the planning commission re-opens the record to admit new evidence or testimony, any person may raise new issues which relates to that new evidence or testimony;

ii. An extension of the hearing or record granted pursuant to Section D is subject to the limitations of ORS 227.178 ("120-day rule"), unless the continuance or extension is requested or agreed to by the applicant;

summary of the procedures, a summary of the standards for decision-making, and whether the decision which will be made is a recommendation to the City Commission or the final decision of the Commission;

ii. The Planning Director's report and other applicable staff reports shall be presented;

iii. The public shall be invited to testify;

iv. The public hearing may be continued to allow additional testimony or it may be closed; and

v. The body's deliberation may include questions to the staff, comments from the staff, and inquiries directed to any person present.

E. Continuation of the Public Hearing. The Planning Commission or the City Commission may continue any hearing, and no additional notice of hearing shall be required if the matter is continued to a specified place, date, and time.

F. Decision-Making Considerations. The recommendation by the Planning Commission and the decision by the City Commission shall be based on consideration of the following factors:

1. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197 (for comprehensive plan amendments only);

2. Comments from any applicable federal or state agencies regarding applicable statutes or regulations;

3. Any applicable intergovernmental agreements; and

4. Any applicable comprehensive plan policies and provisions of this Code that implement the comprehensive plan. Compliance with Chapter 4.7 shall be required for Comprehensive Plan Amendments, and Land Use District Map and Text Amendments.

G. Approval Process and Authority.

1. The Planning Commission shall:

2. The Planning Director may issue an amended decision after the notice of final decision has been issued but before the appeal period has expired. If such a decision is amended, the decision shall be issued within 10 business days after the original decision would have become final, but in no event beyond the 120-day period required by state law. A new 10-day appeal period shall begin on the day the amended decision is issued.

3. Notice of an amended decision shall be given using the same mailing and distribution list as for the original decision notice.

4. Modifications to approved plans or conditions of approval requested by the applicant shall follow the procedures contained in Chapter 4.6. All other requested changes to decisions that do not qualify as minor or major modifications shall follow the appeal process.

G. Re-submittal of Application Following Denial. An application which has been denied, or an appeal decision has not been reversed by a higher authority (including the Land Use Board of Appeals, or the courts), may not resubmit the same application proposal or a substantially similar proposal for the same land for a period of 12 months from the date the final City decision is made denying the application, unless there is substantial change in the facts or a change in City policy which would change the outcome, as determined by the Planning Director.

4.1.8 Special Procedures

A. Expedited Land Divisions. An Expedited Land Division (“ELD”) shall be defined and may be used as in ORS 197.360 which is expressly adopted and incorporated by reference here.

1. Selection. An applicant who wishes to use an ELD procedure for a partition, subdivision or planned development instead of the regular procedure type assigned to it, must request the use of the ELD in writing at the time the application is filed, or forfeit his/her right to use it;

2. Review procedure. An ELD shall be reviewed in accordance with the procedures in ORS 197.365;

3. Appeal procedure. An appeal of an ELD shall be in accordance with the procedures in ORS 197.375.

E. After sale of lots. When lots have been sold, the plat may be vacated only in the manner herein, and provided that all of the owners of lots within the platted area consent in writing to the plat vacation.

F. Vacation of streets. All street vacations shall comply with the procedures and standards set forth in ORS Chapter 271.

G. Vacation of easements or right-of-ways. The City may require access ways, paths or trails as a condition of the vacation of any public easement or right-of-way, in order to establish or maintain a safe, convenient, and direct pedestrian and bicycle circulation system.

4.3.210 Lot Line Adjustments - Lot Line Adjustments which is the modification of lot boundaries, and where no new lots are created. The application submission and approval process is as follows:

Lot Line Adjustments shall be made on forms provided by the City. The application shall include a preliminary map identifying all existing and proposed lot lines; footprints of existing structures (including accessory structures); location and dimensions of driveways and public and private streets within the subject lots; existing fences and walls; and any other information deemed necessary by the Planning Director for ensuring compliance with city codes.

A. Review Process.

1. Lot line adjustments shall be reviewed by means of a Type I procedure.

B. The Planning Director shall approve or deny a request for a lot line adjustment in writing based on the following:

1. No additional parcel or lot is created by the lot line adjustment;

2. All lots and parcels comply with the applicable lot standards of the land use district (Chapter 2) including lot area and dimensions;

3. All lots and parcels affected by the lot line adjustment are in the same zoning district except that lots already located within one or more zoning district designations (i.e., "split-zone lots") may receive adjusted lot lines as long as the adjusted line remains in the zone in which it was originally located;

4. An existing structure(s) on one or both of the tax lots, must comply with current setback standards of the appropriate zoning district in Chapter 2;

5. Exemptions from Dedications and Improvements. A lot line adjustment is not considered a development action for purposes of determining whether right-of-way dedication or improvement is required.

D. Recording.

1. Upon the City's approval of the proposed lot line adjustment, the applicant shall record the lot line adjustment with Clatsop County.

Chapter 4.6 — Modifications to Approved Plans and Conditions of Approval

Sections:

- 4.6.1 Purpose**
- 4.6.2 Applicability**
- 4.6.3 Major Modifications**
- 4.6.4 Minor Modifications**

4.6.1 Purpose - The purpose of this Chapter is to provide an efficient process for modifying land use decisions and approved development plans, in recognition of the cost and complexity of land development and the need to conserve City resources.

4.6.2 Applicability

A. This Chapter applies to all development applications approved through the applicable provisions of the Warrenton Development Code:

1. Site Design Review;
2. Subdivisions and Partitions;
3. Conditional Uses;
4. Planned Unit Developments;
5. Variance;
6. Rezones; and
7. Conditions of approval on any of the above application types.

B. This Chapter does not apply to development code and/or comprehensive plan text amendments, or temporary use permits.

4.6.3 Major Modifications

A. Major Modification Defined. The Planning Director shall determine that a major modification(s) is required if one or more of the changes listed below are proposed:

1. A change in land use;

2. An increase in the number of dwelling units;
3. A change in the type and/or location of access ways, drives or parking areas that affect off-site traffic;
4. An increase in the floor area proposed for non-residential use by more than 10 percent where previously specified;
5. A reduction of more than 5 percent of the area reserved for common open space and/or usable open space;
6. A reduction to specified setback requirements by more than 20 percent, or to a degree that the minimum setback standards of the land use district cannot be met; or
7. Changes similar to those listed in 1-6, which are likely to have an adverse impact on adjoining properties.

B. Major Modification Request. An applicant may request a major modification as follows:

1. Upon the Planning Director's determining that the proposed modification is a major modification, the applicant shall submit an application for the major modification.
2. The modification request shall be subject to the same review procedure (Type II, III, or IV) and approval criteria used for the initial project approval, however, the review shall be limited in scope to the modification request. For example, a request to modify a parking lot shall require site design review only for the proposed parking lot and any changes to associated pathways, lighting and landscaping. Notice shall be provided in accordance with the applicable review procedure.

4.6.4 Minor Modifications

A. Minor modification defined. Any modification to a land use decision or approved development plan which is not within the description of a major modification as provided in Section 4.6.3 shall be considered a minor modification.

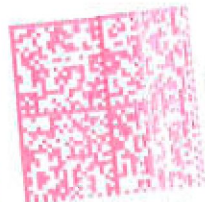
B. Minor Modification Request. An application for a minor modification is reviewed using the Type II procedure in Section 4.14. A minor modification shall be approved, approved with conditions, or denied by the Planning Director based on written findings on the following criteria:

1. The proposed development is in compliance with all applicable requirements of the Development Code; and
2. The modification is not a major modification as defined in Section 4.6.3.

Warrenton
Main
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ton, OR 97146

PRIORITY

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