

ORDINANCE NO. 1008-A

Introduced by Commissioner LESLIE NEWTON

**Amending Ordinance Nos. 911 and 934-A to the City of Warrenton  
Comprehensive Plan, Zoning Ordinance and Map and Changing the Zoning of Block  
12, Kindred Park First Addition, from Residential High Density (RH)  
to General Commercial (C1)**

WHEREAS, certain changes are necessary to revise, update and amend the City of Warrenton Zoning Ordinance, Comprehensive Plan and map; and

WHEREAS, the City of Warrenton Planning Commission has reviewed the proposed changes and recommended said changes to the Warrenton City Commission; and

WHEREAS, the Warrenton City Commission has reviewed and held public hearings to obtain public comments and found it necessary to revise, update and amend the City of Warrenton Zoning Ordinance which sets forth Findings which is attached as "Exhibit A" and by this reference made a part hereof.

NOW, THEREFORE, the Warrenton City Commission ordains as follows:

**Section 1:** Changing the Zoning Map to re-zone all of Block 12, Kindred Park First Addition, from Residential High Density (RH) to General Commercial (C-1). Said area is located at 1211 Pacific in the City of Warrenton (Hammond), Clatsop County; and adopt Findings shown as Exhibit "A" which is attached hereto and by reference incorporated herein.

**Section 2:** This ordinance shall become effective thirty days after its adoption.

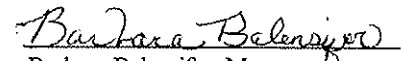
**Section 3.** If any article, section, subsection, subdivision, phrase, clause, sentence or word in this ordinance shall, for any reason, be held invalid or unconstitutional by a court of competent jurisdiction, it shall not nullify the remainder of the ordinance but shall be confined to the article, section, subdivision, clause, sentence or word so held invalid or unconstitutional.

**First Reading:** SEPTEMBER 2, 1998

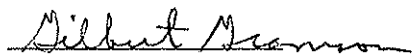
**Second Reading:** SEPTEMBER 16, 1998

PASSED by the City Commission of the City of Warrenton, Oregon, this 16TH day of SEPTEMBER, 1998.

APPROVED by the Mayor of the City of Warrenton, this 16TH day of SEPTEMBER, 1998.

  
Barbara Balensifer, Mayor

ATTEST:

  
Gilbert G. Gramson  
City Manager/Auditor



July 9, 1998

STAFF REPORT

TO: WARRENTON CITY COMMISSION

FROM: WARRENTON PLANNING COMMISSION AND Dick Pearson, City Planner

SUBJ: Request of Ted and Oriole Olson for a Zone Change from Residential High Density RH to General Commercial C-1 at 1211 Pacific in Hammond.

FINDINGS:

The property is located at 1211 Pacific in Hammond. It is described as lots 24, 25 & 26, Block 12, Kindred Park first Addition. It is further described as Tax Lot 5401, Tax Map 8 10 5CD.

The property is zoned Residential High Density RH. The applicant requests a zone change to C-1, General Commercial. There is currently a mini storage facility on the property. The mini storage is a nonconforming use in the RH Zone. It is a conditional use in the C-1 Zone.

At the time the mini storage was built it was zoned Commercial under Town of Hammond Zoning. It was rezoned Residential after the property was incorporated into Warrenton.

Zoning Ordinance provisions that apply are:

Section 14.080 Basic Amendment Standards.

Section 14.080

(2) Before an amendment to the Zoning Ordinance map is approved, findings will be made that the following standards have been satisfied.

- a. The amendment shall be consistent with the Comprehensive Plan.
- b. The use permitted by the amendment is compatible with the land use development pattern in the vicinity of the request.
- c. The land is physically suitable for the uses to be allowed in terms of slope, geologic stability, flood hazards and other relevant considerations.

page 2

Olson Zone Change

- d. Public facilities, services and streets are available to accommodate the uses to be provided by the proposed zone designation.
- a. The property was zoned commercial in the past. Under the present zoning, the mini storage is a nonconforming use. The Comprehensive Plan does not specifically address this situation, but nonconforming uses are to be avoided and removed when possible. There is nothing in the Comprehensive Plan that would prohibit this zone change.
- b. The use, mini storage, is a conditional use in the C-1 Zone. Additional C-1 zoning exists to the east across Lake Dr. both north and south of Pacific. This property is across Lake Dr. from the business district of Hammond.
- c. The land already has the use on it, so it is obviously physically suitable for the use.
- d. Public facilities already serve this property and this use.

STAFF CONCLUSIONS;

The proposed Zone change meets the Basic Amendment Standards. I have advertised to change the entire Block 12 to Commercial although the balance of the Block is wetland and will not be developed. It is also currently zoned High Density Residential. My recommendation is to rezone the entire block since zoning only three lots owned by the applicant could be considered spot zoning.

PLANNING COMMISSION ACTION:

A public hearing was held on this matter on July 8, 1998. There was one opponent to the request. A copy of her testimony is attached.

The Planning Commission made findings that :

Any change in use would require that off street parking requirements and all other standards of the C-1 Zone would have to be met.

That the request for zone change complies with the Comprehensive Plan and the criteria of the Zoning Ordinance.

The Planning Commission recommends approval of the request to the City Commission.