

ORDINANCE No. 1129-A  
Introduced by All Commissioners

Amending the City of Warrenton's Development Code Sections 1.3 (Definitions), 2.7.110 and 2.7.130 (C-2 Zoning District), 2.8.110 and 2.8.130 (OSI Zoning District), and 2.9.110 and 2.9.130 (RC Zoning District). Revised language is attached as Exhibit "A".

WHEREAS, certain changes are necessary to revise, update and amend the Warrenton's 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 March 24, 2009 and closed the public hearing on that date; and

WHEREAS, the Warrenton City Commission has determined to approve these revisions to the Development Code as described in Exhibit "A" which will amend the afore-mentioned sections of the Development Code.

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

Section 1: The City of Warrenton's Development Code (Exhibit "A") is amended as described in the attached exhibit.

Section 2: This ordinance shall become a final land use decision upon its second reading, enactment, and its signing by the Mayor.


Section 3: This ordinance shall become effective thirty (30) days from the date of its adoption.

Section 4: 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.


First Reading: April 14, 2009  
Second Reading: April 28, 2009

ADOPTED by the City Commission of the City of Warrenton, Oregon, this 28th day of April, 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

**Overlay zone/district** - Overlay zones provide regulations that address specific subjects that may be applicable in more than one land use district. See also Sections 2.18 through 2.23.

**Owner** - One who possesses title in property, or to whom property belongs with the requisite intent to own. This definition includes an authorized agent of the owner.

**Parcel** - A parcel is a single unit of land that is created by a partitioning of land.

**Park Host** - An approved RV site for a "park host" in a designated area of the city's dedicated parks, and the Hammond and Warrenton Marinas.

**Parking lot perimeter** - The boundary of a parking lot area which usually contains a landscaped buffer area.

**Parking Space** - An enclosed or unenclosed surfaced area, exclusive of maneuvering and access area, permanently reserved for the temporary storage of one motor vehicle, and connected with a street, driveway or alley which affords ingress and egress for motor vehicles.

**Parking vs. Storage** - Parking is the area used for leaving motor vehicles for a temporary time. Storage is to place or leave in a location for maintenance, repair, sale, rental, or future use.

**Partition land** - To divide land into two or three parcels within a calendar year, but does not include:

- (a) A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots;
- (b) Any adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment complies with any applicable provision of this Code;
- (c) The division of land resulting from the recording of a subdivision or condominium plat;
- (d) A sale or grant by a person to a public agency or public body for state highway, county road, city street or other right of way purposes provided that such road or right of way complies with the applicable comprehensive plan and ORS 215.213 (2)(p) to (r) and 215.283 (2)(q) to (s). However, any property divided by the sale or grant of property

6. Cold storage, ice manufacturing
  7. Warehousing or storage for marine equipment or seafood
  8. Charter fishing services
  9. Seafood processing.
- B. Navigation aids.
- C. Repair and maintenance of existing structures or facilities.
- D. Land falls and access corridors for submerged cable, sewer line, water line or other pipeline crossing.
- E. New dikes limited to those in conjunction with uses permitted in the C-2 Zone.
- F. Storm water or waste-water outfall.
- G. Structural shoreline stabilization.
- H. Water-dependent portions of an aquaculture facility.
- I. Public utility structure.
- J. Marine research and education facility.
- K. Excavation to create new water surface area.
- L. Public access improvements, as specified in public access plans.
- M. Land transportation facilities and improvements.
- N. Passive restoration facilities.
- O. Communication facilities.
- P. Park host (one site) is an ancillary use for water-dependent commercial uses within the Warrenton Marina only, and located on a city approved RV site. Subject to provisions of Section 2.7.130.P. Also, see Definitions.
- Q. Similar uses as those listed in this section.

P. The City of Warrenton shall provide the Park Host RV site, within the Warrenton Marina, connections to utilities (city water and sewer, and electricity). Length of stay per host shall not exceed 6 months in a calendar year, and shall be in a state licensed RV.

## Chapter 2.8 — Open Space and Institutional (OSI) District

### Sections:

<b>2.8.100</b>	<b>Purpose</b>
<b>2.8.110</b>	<b>Permitted Uses</b>
<b>2.8.120</b>	<b>Conditional Uses</b>
<b>2.8.130</b>	<b>Development Standards</b>

**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.

J. The City of Warrenton shall provide the Park Host RV site, within a dedicated city park, connections to utilities (city water and sewer, and electricity). Length of stay per host shall not exceed 6 months in a calendar year, and shall be in a state licensed RV.

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.

**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.

3. Such nonwater-dependent uses shall not interfere with the conduct of the water-dependent use.

N. Standards for approval of a temporary use: Temporary nonwater-dependent uses that involve minimal capital investment and no permanent structures may be allowed. 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 public lands, as well as requiring "vacate" clauses for land use approvals involving leasing of private lands.

O. The City of Warrenton shall provide the Park Host RV site, within the Hammond & Warrenton Marinas, connections to utilities (city water and sewer, and electricity). Length of stay per host shall not exceed 6 months in a calendar year, and shall be in a state licensed RV.