

## ORDINANCE No. 1225

Introduced by All Commissioners

An ordinance amending Warrenton Comprehensive Plan Section 8, Adoption of Transportation System Plan, and amending Municipal Code Chapter Section 16.12 Definitions, 16.40 C-1 Commercial Uses, 16.44 Development Standards, 16.120 Vehicular Access & Circulation, 16.128.030 Vehicle Parking Standards, 16.128.040 Bicycle Parking Standards, 16.136.020 Transportation Standards, 16.208 Procedures, 16.216 General Requirements, 16.220 Conditional Use Review Criteria, 16.232 Transportation Planning Rule Compliance, & 16.256 Traffic Impact Study.

**WHEREAS**, the City of Warrenton needs to update master plans for infrastructure based on past and project growth patterns;

**WHEREAS**, the City of Warrenton has worked on creating a new Transportation System Plan to guide transportation investments and manage land use in an efficient and coordinated approach, and multiple public involvements opportunities were provided to allow community input;

**WHEREAS**, the City of Warrenton needs to update the Development Code to implement the new TSP policies to be consistent with state laws and regulations;

**NOW, THEREFORE**, the City of Warrenton ordains as follows: (Key: **new**)

Section 1. Warrenton Comprehensive Plan Section 8 is hereby repealed and replaced with the Transportation System Plan - January 2019;

Section 2. Warrenton Municipal Code Section 16.12.010 Definitions, is amended as follows:

**Drive-Through/Drive-Up Facility. A facility or structure that is designed to allow drivers to remain in their vehicles before and during an activity on the site. Drive-through facilities may serve the primary use of the site or may serve accessory uses. Examples are drive-up windows; automatic teller machines; coffee kiosks and similar vendors; menu boards; order boards or boxes; gas pump islands; car wash facilities; auto service facilities, such as air compressor, water, and windshield washing stations; quick-lube or quick-oil change facilities; and drive-in theaters. All driveways queuing and waiting areas associated with a drive-through/drive-up facility are similarly regulated as part of such facility.**

Section 3. Warrenton Municipal Code Section 16.40.030 General Commercial Conditional Uses.

The following uses and their accessory use may be permitted in the C-1 zone when approved under Chapter 16.220 and shall comply with Sections 16.40.040 through 16.40.060 and Chapters 16.124 (Landscaping) and 16.212 (Site Design Review):

A. Only the following uses and their accessory uses are permitted along Highway 101, SE Marlin and SW Dolphin Avenues, and shall comply with the above noted sections and Chapter 16.132:

5. RV Park.

**6. New Drive-Through/Drive-Up Facility or substantially improved as defined by 25% of assessed value.**

~~6.7.~~ Similar uses as those stated in this section.

16.40.050 Design Standards.

The following design standards are applicable in the C-1 zone:

- A. Any commercial development shall comply with Chapter 16.116 of the Development Code.
- B. Lots fronting onto U.S. Highway 101 shall have a setback of at least 50 feet between any part of the proposed building and the nearest right-of-way line of U.S. Highway 101.
- C. Signs in General Commercial Districts along Fort Stevens Highway/State Highway 104 (i.e., S. Main Avenue, N. Main Avenue, NW Warrenton Drive, and Pacific Drive) shall comply with the special sign standards of Section 16.144.040.
- D. Maximum front yard setback for commercial buildings in the C-1 zone along Fort Stevens Highway/State Highway 104 shall be 10 feet.
- E. Maximum front yard setback for commercial buildings in the C- 1 zone adjacent to existing or planned transit stops shall be 10 feet.**
  - 1. The Community Development Director may allow a greater front yard setback when the applicant proposes extending an adjacent sidewalk or plaza for public use, or some other pedestrian amenity is proposed between the building and public right-of-way, subject to Site Design Review approval.**

Section 4. Warrenton Municipal Code Section 16.44.030 Commercial Mixed Use Conditional Uses.

The uses listed under Section 16.44.020 and their accessory uses may be permitted in the C-MU district when approved under Chapter 16.220, Conditional Use Permits:

[...]

- C. Research and development establishments.
- D. **Drive-Through/Drive-Up Facility**
- ~~D.~~ **E.** Multiple (or mixed) uses on the same lot or parcel.
- ~~E.~~ **F.** Multiple (or mixed) uses on adjoining lots or parcels.
- ~~F.~~ **G.** Accessory dwelling subject to standards of Section 16.180.040.
- ~~G.~~ **H.** Similar uses as those listed in this section.

16.44.040 Development Standards.

The following development standards are applicable in the C-MU district:

- B. Setback Requirements (Residential and Multiple Uses).
  - 1. Minimum front yard setback: 15 feet **(Residential); none (Multiple Uses).**

2. Minimum side yard setback: 8 feet.
3. Minimum corner lot street side yard setback: 8 feet.
4. Minimum rear yard setback: 15 feet except accessory structures that meet the criteria of Section 16.280.020 may extend to within five feet of a rear property line.

**5. Maximum front yard setback: 10 feet for Multiple Uses adjacent to existing or planned transit stops.**

- a. The Community Development Director may allow a greater front yard setback when the applicant proposes extending an adjacent sidewalk or plaza for public use, or some other pedestrian amenity is proposed between the building and public right-of-way, subject to Site Design approval.**

C. Setback Requirements (Commercial Uses).

1. Minimum front yard setback: none.
2. Minimum side yard setback: None except where adjoining a residential zone in which case there shall be a visual buffer strip of at least 10 feet wide to provide a dense evergreen landscape buffer which attains a mature height of at least eight feet. Such buffers must conform to the standards in Chapter 16.124, Landscaping, Street Trees, Fences and Walls.
3. Minimum rear yard setback: None except where adjoining a residential zone in which case there shall be a visual buffer strip of at least 10 feet wide to provide a dense evergreen landscape buffer which attains a mature height of at least eight feet. Such buffers must conform to the standards in Chapter 16.124, Landscaping, Street Trees, Fences and Walls.

**4. Maximum front yard setback: 10 feet for Commercial Uses adjacent to existing or planned transit stops.**

- a. The Community Development Director may allow a greater front yard setback when the applicant proposes extending an adjacent sidewalk or plaza for public use, or some other pedestrian amenity is proposed between the building and public right-of-way, subject to Site Design approval.**

Section 5. Warrenton Municipal Code Section 16.120.020 Vehicular Access and Circulation.

- G. Access Spacing. Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures:
  2. Arterial and Collector Streets. Unless directed otherwise by this Development Code or by the Warrenton Comprehensive Plan/TSP, access spacing on City collector and arterial streets and at controlled intersections (i.e., with four-way stop sign or traffic signal) in the City of Warrenton shall be determined based on the policies and standards contained in the Warrenton Transportation System Plan, Manual for Uniform Traffic Control Devices, or other applicable documents adopted by the City.
- J. Street Connectivity and Formation of Blocks Required. In order to promote efficient vehicular and pedestrian circulation throughout the City, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:
  1. Block Length and Perimeter. The maximum block length shall not exceed **600 feet** between street corner lines **in Residential and C-1 zones, 400 feet in the C-MU zone, and 1,000 feet in other zones** unless it is adjacent to an arterial street or unless the topography or the location of adjoining streets justifies an exception. The minimum length of blocks along an arterial **in zones**

other than Residential, C-1, and C-MU is 1,800 feet. A block shall have sufficient width to provide for two tiers of building sites unless topography or location of adjoining streets justifies an exception.

16.120.030 Pedestrian Access and Circulation.

A. Pedestrian Access and Circulation.

2. Safe, Direct, and Convenient Pathways. Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets **and existing or planned transit stops**, based on the following definitions:

Section 6. Warrenton Municipal Code Section 16.128.030 **Vehicle Parking Standards.**

At the time a structure is erected or enlarged, or the use of a structure or parcel of land is changed within any zone in the City, off-street parking spaces shall be provided in accordance with requirements in this section, chapter, and Code, unless greater requirements are otherwise established. The minimum number of required off-street vehicle parking spaces (i.e., parking that is located in parking lots and garages and not in the street right-of-way) shall be determined based on the standards in Table 16.128.030.A.

A. General Provisions.

- 7. Parking spaces and parking areas may be used for transit related uses such as transit stops and park-and-ride/rideshare areas, provided minimum parking space requirements can still be met.**
- 8. Parking areas that have designated employee parking and more than 20 automobile parking spaces shall provide at least 10% of the employee parking spaces (minimum two spaces) as preferential carpool and vanpool parking spaces. Preferential carpool and vanpool parking spaces shall be closer to the employee entrance of the building than other parking spaces, with the exception of ADA accessible parking spaces.**
- 9. Sites that are adjacent to existing or planned transit stops or are in the General Commercial (C-1) and Commercial Mixed Use (C-MU) districts are subject to maximum off-street vehicle parking requirements. The maximum number of off-street vehicle parking spaces allowed per site shall be equal the minimum number of required spaces, pursuant to Table 16.128.030.A, multiplied by a factor of:**
  - a. 1.2 spaces for uses fronting a street with adjacent on-street parking spaces; or**
  - b. 1.5 spaces, for uses not fronting a street with adjacent on-street parking; or**
  - c. A factor determined according to a parking analysis prepared by a qualified professional/registered engineer and submitted by the applicant.**
- 10. The applicant may propose a parking space standard that is different than the standard in Table 16.128.030.A, for review and action by the Community Development Director through a variance procedure, pursuant to Chapter 16.272. The applicant's proposal shall consist of a written request and a parking analysis prepared by a qualified professional/registered engineer. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site; opportunities for shared parking with other uses in the vicinity; existing**

**public parking in the vicinity; transportation options existing or planned near the site, such as frequent transit service, carpools, or private shuttles; and other relevant factors.**

**The Community Development Director may reduce or waive the off-street parking standards for sites with one or more of the following features:**

- a. Site has a transit stop with existing or planned frequent transit service (30-minute headway or less) located adjacent to it, and the site's frontage is improved with a transit stop shelter, consistent with the standards of the applicable transit service provider: Allow up to a 20 percent reduction to the standard number of automobile parking spaces;**
- b. Site has dedicated parking spaces for carpool/vanpool vehicles: Allow up to a 10 percent reduction to the standard number of automobile parking spaces;**
- c. Site has dedicated parking spaces for motorcycle and/or scooter or electric carts: Allow reductions to the standard dimensions for parking spaces and the ratio of standard to compact parking spaces;**
- d. Available on-street parking spaces adjacent to the subject site in amounts equal to the proposed reductions to the standard number of parking spaces.**
- e. Site has more than the minimum number of required bicycle parking spaces: Allow up to 10 percent reduction to the number of automobile parking spaces.**
- f. The property is located in the downtown area as defined by the intersection of E Harbor Drive, S Main Ave and 4<sup>th</sup> St.**

**B. Parking Location and Shared Parking.**

1. Location. Vehicle parking is allowed only on approved parking shoulders (streets), within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this Code. **Parking and loading areas shall not be located in required yards adjacent to a street unless otherwise specifically permitted in this ordinance. Side and rear yards that are not adjacent to a street may be used for such areas when developed and maintained as required in this ordinance.** See also Chapter 16.120, Access and Circulation.

16.128.040 Bicycle Parking Requirements.

- A. All uses shall provide bicycle parking in conformance with the following standards which are evaluated during development review or site design review.
- B. Number of Bicycle Parking Spaces. **The minimum number of bicycle parking spaces required for uses is provided in Table 16.128.040.A.**

**Where an application is subject to Conditional Use Permit approval or the applicant has requested a reduction to the vehicle parking standard, pursuant to 16.128.030(A)(10), the City may require bicycle parking spaces in addition to those in Table 16.128.040.A.**

**Table 16.128.040.A Bicycle Parking Requirements**

<u>Minimum Required Bicycle Parking Spaces</u>		<u>Long and Short Term Bicycle Parking</u>
<u>Use</u>	<u>Minimum Number of Spaces</u>	<u>(As % of Minimum Required Bicycle Parking Spaces)</u>
<b>Multifamily Residential</b> (required for 4 or more dwelling units)	<u>1 space per 4 dwelling units</u>	<u>75% long term</u> <u>25% short term</u>
<b>Commercial</b>	<u>2 spaces per primary use or 1 per 5 vehicle spaces, whichever is greater.</u> <u>Maximum of 28 spaces per commercial lot.</u>	<u>25% long term</u> <u>75% short term</u>
<b>Schools</b> (all types)	<u>2 spaces per classroom</u>	<u>100% long term</u>
<b>Parks</b> (active recreation areas only)	<u>4 spaces</u>	<u>100% short term</u>
<b>Transit Stops</b>	<u>2 spaces</u>	<u>100% short term</u>
<b>Transit Centers</b>	<u>4 spaces or 1 per 10 vehicle spaces, whichever is greater</u>	<u>50% long term</u> <u>50% short term</u>
<b>Other Uses</b>	<u>2 spaces per primary use or 1 per 10 vehicle spaces, whichever is greater</u>	<u>50% long term</u> <u>50% short term</u>

**C. Design and Location.**

- 1. All bicycle parking shall be securely anchored to the ground or to a structure.**
- 2. All bicycle parking shall be lighted for theft protection, personal security and accident prevention.**
- 3. All bicycle parking shall be designed so that bicycles may be secured to them without undue inconvenience, including being accessible without removing another bicycle. Bicycle parking spaces shall be at least six (6) feet long and two-and-one-half (2 ½) feet wide, and overhead clearance in covered spaces should be a minimum of seven (7) feet. A five (5) foot aisle for bicycle maneuvering should be provided and maintained beside or between each row/rack of bicycle parking.**
- 4. Bicycle parking racks shall accommodate locking the frame and both wheels using either a cable or U-shaped lock.**

- 5. Direct access from the bicycle parking area to the public right-of-way shall be provided at-grade or by ramp access, and pedestrian access shall be provided from the bicycle parking area to the building entrance.**
  - 6. Bicycle parking shall not impede or create a hazard to pedestrians or vehicles and shall not conflict with the vision clearance standards of Chapter 16.132.**
  - 7. All bicycle parking should be integrated with other elements in the planter strip when in the public right-of-way.**
  - 8. Short-term bicycle parking.**
    - a. Short-term bicycle parking shall consist of a stationary rack or other approved structure to which the bicycle can be locked securely.**
    - b. If more than 10 short-term bicycle parking spaces are required, at least 50% of the spaces must be sheltered. Sheltered short-term parking consists of a minimum 7-foot overhead clearance and sufficient area to completely cover all bicycle parking and bicycles that are parked correctly.**
    - c. Short-term bicycle parking shall be located within 50 feet of the main building entrance or one of several main entrances, and no further from an entrance than the closest automobile parking space.**
  - 9. Long-term bicycle parking. Long-term bicycle parking shall consist of a lockable enclosure, a secure room in a building onsite, monitored parking, or another form of sheltered and secure parking.**
- D. Exemptions. This Section does not apply to single-family and duplex housing, home occupations, and agricultural uses. The City may exempt other uses upon finding that, due to the nature of the use or its location, it is unlikely to have any patrons or employees arriving by bicycle.**
- E. Hazards. Bicycle parking shall not impede or create a hazard to pedestrians or vehicles and shall be located so as to not conflict with the vision clearance standards of Chapter 16.132.**

Section 7. Warrenton Municipal Code Section 16.136.020 Transportation Standards

- F. Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall conform to the design standards in Table 16.136.010. A variance shall be required in accordance with Chapter 16.272 of this Code to vary the standards in Table 16.136.010.

<u>Type of Street</u>	<u>Standard Requirements or Alternative Minimum</u>	<u>Right-of-Way Width</u>	<u>Curb-to-Curb Pavement Width</u>	<u>Motor Vehicle Travel Lanes<sup>4</sup></u>	<u>Median /Flex Lane<sup>3</sup></u>	<u>Bike Lanes (both sides)</u>	<u>On-Street Parking (both sides)</u>	<u>Curb</u>	<u>Planting Strip<sup>3</sup></u>	<u>Side walks</u>
<i>Arterial Roads</i>										
<b>4 – Lane Arterial</b>	<u>Standard Requirements</u>	<u>102 ft.</u>	<u>78 ft.</u>	<u>12 ft.</u>	<u>14 ft.</u>	<u>8 ft.</u>	<u>None</u>	<u>Yes</u>	<u>6 ft.</u>	<u>6 ft.</u>
	<u>Alternative Minimum<sup>2</sup></u>	<u>80 ft.</u>	<u>64 ft.</u>	<u>11 ft.</u>	<u>None</u>	<u>6 ft.</u>	<u>None</u>	<u>Yes</u>	<u>6 ft.</u>	<u>6 ft.</u>
<b>2- Lane Arterial</b>	<u>Standard Requirements</u>	<u>78 ft. (82 ft.)<sup>1</sup></u>	<u>54 ft. (58 ft.)<sup>1</sup></u>	<u>12 ft. (14 ft.)<sup>1</sup></u>	<u>14 ft.</u>	<u>8 ft.</u>	<u>8 ft.</u>	<u>Yes</u>	<u>6 ft.</u>	<u>6 ft.</u>
	<u>Alternative Minimum<sup>2</sup></u>	<u>58 ft. (66 ft.)<sup>1</sup></u>	<u>34 ft. (42 ft.)<sup>1</sup></u>	<u>11 ft. (14 ft.)<sup>1</sup></u>	<u>None</u>	<u>6 ft.</u>	<u>7 ft.</u>	<u>Yes</u>	<u>6 ft.</u>	<u>6 ft.</u>
<i>Collector Roads</i>										
<b>Major Collector Road</b>	<u>Standard Requirements</u>	<u>64 ft. (68 ft.)<sup>1</sup></u>	<u>40 ft. (44 ft.)<sup>1</sup></u>	<u>12 ft. (14 ft.)<sup>1</sup></u>	<u>None</u>	<u>8 ft.</u>	<u>8 ft.</u>	<u>Yes</u>	<u>6 ft.</u>	<u>6 ft.</u>
	<u>Alternative Minimum<sup>2</sup></u>	<u>58 ft. (66 ft.)<sup>1</sup></u>	<u>36 ft. (42 ft.)<sup>1</sup></u>	<u>11 ft. (14 ft.)<sup>1</sup></u>	<u>None</u>	<u>8 ft.</u>	<u>7 ft.</u>	<u>Yes</u>	<u>6 ft.</u>	<u>6 ft.</u>
<b>Minor Collector Road</b>	<u>Standard Requirements</u>	<u>58 ft. (68 ft.)<sup>1</sup></u>	<u>40 ft. (44 ft.)<sup>1</sup></u>	<u>11 ft. (14 ft.)<sup>1</sup></u>	<u>None</u>	<u>6 ft.</u>	<u>8 ft.</u>	<u>Yes</u>	<u>6 ft.</u>	<u>6 ft.</u>
	<u>Alternative Minimum<sup>2</sup></u>	<u>50 ft. (62 ft.)<sup>1</sup></u>	<u>36 ft. (42 ft.)<sup>1</sup></u>	<u>10 ft. (14 ft.)<sup>1</sup></u>	<u>None</u>	<u>5 ft.</u>	<u>7 ft.</u>	<u>Yes</u>	<u>5 ft.</u>	<u>5 ft.</u>
<i>Local Roads</i>										
<b>Local Road</b>	<u>Standard Requirements</u>	<u>60 ft.</u>	<u>36 ft.<sup>6</sup></u>	<u>12 ft.</u>	<u>None</u>	<u>None</u>	<u>8 ft</u>	<u>Yes</u>	<u>5 ft.</u>	<u>5 ft.</u>
	<u>Alternative Minimum<sup>2</sup></u>	<u>50 ft. (48 ft.)<sup>4</sup></u>	<u>28 ft.</u>	<u>10 ft.</u>	<u>None</u>	<u>None</u>	<u>8 ft<sup>4</sup></u>	<u>Yes</u>	<u>5 ft.</u>	<u>5 ft.</u>
<b>Alleys</b>	<u>N/A</u>	<u>12 ft. - 24 ft.</u>	<u>12 - 24 ft.</u>	<u>N/A</u>	<u>N/A</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<b>Shared-Use Path<sup>5</sup></b>	<u>N/A</u>	<u>10 ft. - 16 ft.</u>	<u>10 - 16 ft.</u>	<u>N/A</u>	<u>N/A</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>

<sup>1</sup> Width if on-street parking is constructed in place of bike lanes. The travel lane width shall function as a shared roadway and accommodate bikes. On-street parking is not permitted where posted speeds are greater than 35 mph.

<sup>2</sup> The standard design should be provided where feasible. In constrained areas where providing the standard widths are not practical, alternative minimum design requirements may be applied with approval of the City Engineer.

<sup>3</sup> Median/flex lane and planting strips are optional depending on surrounding land use and available right-of-way.



<sup>4</sup>Parking on residential neighborhood streets is allowed and may be allowed on one side only in constrained areas or where approved by the City Engineer, resulting in a curb-to-curb width of 28 feet and overall right-of-way width of 48 feet.

<sup>5</sup>Shared-use path requires 2 ft. gravel shoulder and 10 ft. minimum vertical clearance. If a shared-used path is put in place of a sidewalk and bike lane a 1 ft. to 2 ft. paved shoulder and a 5 ft. planter strip is required between the path and the travel lane.

<sup>6</sup>Existing streets that require reconstruction or additional improvements such as sidewalks can be built to a 32 ft standard.

REFER TO FIGURES 9 - 14 OF THE TSP FOR CROSS SECTION VIEWS OF ALL STREET TYPES.

Section 8. Warrenton Municipal Code Section 16.201 Transit Access and Supportive Improvements

Development that is proposed adjacent to an existing or planned transit stop, as designated in an adopted transportation or transit plan, shall provide the following transit access and supportive improvements in coordination with the transit service provider:

- A. Reasonably direct pedestrian connections between the transit stop and primary entrances of the buildings on site. For the purpose of this Section, "reasonably direct" means a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for users.
- B. The primary entrance of the building closest to the street where the transit stop is located that is oriented to that street.
- C. A transit passenger landing pad that is ADA accessible.
- D. An easement or dedication for a passenger shelter or bench if such an improvement is identified in an adopted plan.
- E. Lighting at the transit stop.
- F. Other improvements identified in an adopted plan.

Section 9. Warrenton Municipal Code Section 16.208 Type II Procedure (Administrative).

C. Notice of Application for Type II Administrative Decision.

1. Before making a Type II administrative decision, the Community Development Director shall mail notice to:
  - a. All owners of record of real property within 100 feet of the subject area not less than 20 days prior to the decision date;
  - [...]
  - d. Any person who submits a written request to receive a notice; and
  - e. Any governmental agency which is entitled to notice under an intergovernmental agreement entered into with the City. The City may shall notify other affected agencies, as appropriate, for review of the application. Affected agencies include but are not limited to other City and corresponding County departments; Warrenton-Hammond School District; utility companies; Sunset Empire Transportation District, Astoria Warrenton Regional

**Airport, and other transportation facility and service providers.** ODOT shall be notified when there is a land division abutting a state facility for review of, comment on, and suggestion of conditions of approval for, the application.

16.208.050 Type III Procedure (Quasi-Judicial).

C. Notice of Hearing.

1. Mailed Notice. Notice of a Type III application hearing (or appeal) or Type I or II appeal hearing shall be given by the Community Development Director in the following manner:
  - a. At least 20 days before the hearing date, notice shall be mailed to:
    - i. The applicant and all owners or contract purchasers of record of the property which is the subject of the application;
    - ii. All property owners of record within 200 feet of the site (N/A for Type I appeal);
    - iii. Any governmental agency which has entered into an intergovernmental agreement with the City, which includes provision for such notice, or who is otherwise entitled to such notice. ODOT shall be notified when there is a land division abutting a state facility for review of, comment on, and suggestion of conditions of approval for, the application.  
**Transit and other transportation facility and service providers, including the Astoria Warrenton Regional Airport, shall be notified of Type III application hearings.** [Owners of airports shall be notified of a proposed zone change in accordance with ORS 227.175.];

16.208.070 General Provisions.

C. Pre-Application Conferences.

1. Participants. When a pre-application conference is required, the applicant shall meet with the Community Development Director or his/her designee(s). **The Community Development Director shall invite City staff from other departments to provide technical expertise applicable to the proposal, as necessary, as well as other public agency staff such as transportation, transit, and airport agency staff.**

D. Applications.

3. Check for Acceptance and Completeness.

b. Completeness.

- iv. Coordinated Review. When required by this Code, or at the direction of the Community Development Director, the City shall submit the application for review and comment to ODOT and other applicable City, county, state, and federal review agencies. **Potential applicable agencies include but are not limited to City Building, Public Works, Fire, Police, and Parks departments; Clatsop County Building, Planning, Parks, Public Health, Public Safety, and Public Works departments; Warrenton-Hammond School District; utility companies; Port of Astoria, and Sunset Empire Transportation District and other transportation facility and service providers.**

**k. Flag lots and lots accessed by midblock lanes.**

**Infill lots may be developed as flag lots or mid-block developments as defined in this section.**

- A. Flag Lots. Flag lots may be created only when a through street cannot be extended to serve future development. A flag lot must have at least 16 feet of frontage on a public way and may serve no more than two dwelling units, including accessory dwellings and dwellings on individual lots or other commercial or industrial uses. A minimum width of 12 feet of frontage for each lot shall be required when three or more flag lots are using a shared access. In no instance may more than four parcels utilize a joint access; in such instances the properties shall be served by a public or private street as the case may dictate. The layout of flag lots, the placement of buildings on such lots, and the alignment of shared drives shall be designed so that future street connections can be made as adjacent properties develop, to the extent practicable, and in accordance with the transportation connectivity and block length standards of Section 16.120.020.**
- B. Mid-Block Lanes. Where consecutive flag lot developments or other infill development could have the effect of precluding local street extensions through a long block, the Planning Director may require the improvement of mid-block lanes through the block. Lots may be developed without frontage onto a public street when access is provided by mid-block lanes. Mid-block lanes are private drives serving more than two dwelling units with reciprocal access easements; such lanes are an alternative to requiring public right-of-way street improvements where physical site constraints preclude the development of a standard street. Mid-block lanes, at a minimum, shall be paved, have adequate storm drainage (surface retention, where feasible, is preferred), meet the construction standards for alleys, and conform to the standards of subsections C through E.**
- C. Dedication of Shared Drive Lane. A drive serving more than one lot shall have a reciprocal access and maintenance easement recorded for all lots. No fence, structure or other obstacle shall be placed within the drive area. The owner shall record an easement from each property sharing a drive for vehicle access similar to an alley. Dedication or recording, as applicable, shall be so indicated on the face of the subdivision or partition plat.**
- D. Maximum Drive Lane Length. The maximum drive lane length is subject to requirements of the Uniform Fire Code, but shall not exceed 150 feet for a shared drive, and 400 feet for a shared rear lane.**
- E. Future Street Plans. Building placement and alignment of shared drives shall be designated so that future street connections can be made as surrounding properties develop.**

Section 11. Warrenton Municipal Code Section 16.220.030 Conditional Use Review Criteria.

**C. Drive-Up/ Drive-Through Facility**

**A. Purpose. Where drive-up or drive-through uses and facilities are allowed, they shall conform to all of the following standards, which are intended to calm traffic, provide for adequate vehicle queuing space, prevent automobile turning movement conflicts, and provide for pedestrian comfort and safety.**

**B. Standards. Drive-up and drive-through facilities (i.e., driveway queuing areas, customer service windows, teller machines, kiosks, drop-boxes, or similar facilities) shall meet all of the following standards:**

- 1. The drive-up or drive-through facility shall orient to and receive access from a driveway that is internal to the development and not a street, as generally illustrated.**
- 2. The drive-up or drive-through facility shall not be oriented to street corner.**
- 3. The drive-up or drive-through facility shall not be located within 20 feet of a street right-of-way.**
- 4. Drive-up and drive-through queuing areas shall be designed so that vehicles will not obstruct any street, fire lane, walkway, bike lane, or sidewalk.**
- 5. Along Highway 101, between SE Marlin and SE Dolphin Avenues, no new drive-up or drive-through facility is allowed within 400 linear feet of another drive-up or drive-through facility, where the existing drive-up or drive-through facility lawfully existed as of the date of an application for a new drive-up or drive-through facility.**

Section 12. Warrenton Municipal Code Section 16.232.060 Transportation Planning Rule Compliance.

- A. When a development application includes a proposed Comprehensive Plan amendment, ~~or~~ **rezone, or land use regulation change**, the proposal **shall demonstrate it is consistent with the adopted transportation system plan and the planned function, capacity, and performance standards of the impacted facility or facilities. The proposal shall** be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060. See also Chapter 16.256, Traffic Impact Study. **Where it is found that a proposed amendment would have a significant effect on a transportation facility, the City will work with the applicant and, where applicable, with the roadway authority to modify the request or mitigate the impacts in accordance with the TPR and applicable law.**

Section 13. Warrenton Municipal Code Section 16.256 Traffic Impact Study

16.256.010 Purpose.

The purpose of this chapter of the Warrenton Development Code is to implement Section 660-012-0045(2)(e) of the State Transportation Planning Rule that requires the City to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities (**see Section 16.256.060**). This chapter establishes the standards for when a proposal must be reviewed for

potential traffic impacts; when a traffic impact study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a traffic impact study; and who is qualified to prepare the study.

#### 16.256.020 Typical Average Daily Trips.

Average daily vehicle trips shall be calculated using the rates and methodology in the most recent addition of the Institute of Transportation Engineers Trip Generation Manual.

#### 16.256.030 When Required.

A traffic impact study **will** be required to be submitted to the City with a land use application, when the following conditions apply:

- A. The development application involves a change in zoning or a plan amendment designation; or,
- B. The development shall cause one or more of the following effects, which can be determined by field counts, site observation, traffic impact analysis or study, field measurements, crash history, Institute of Transportation Engineers Trip Generation Manual; and information and studies provided by the local reviewing jurisdiction and/or ODOT:
  - 1. An increase in site traffic volume generation by 300 average daily trips (ADT) or more; or
  - 2. An increase in ADT hour volume of a particular movement to and from the state highway by 20% or more; or
  - 3. An increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day; or
  - 4. The location of the access driveway does not meet minimum **sight** distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the state highway, creating a safety hazard; or
  - 5. A change in internal traffic patterns that may cause safety problems, such as back up onto the highway or traffic crashes in the approach area.

#### 16.256.040 Traffic Impact Study Requirements.

- A. Preparation. A traffic impact study shall be prepared by a professional engineer **registered in the State of Oregon. The study scope and content shall be determined in coordination with the City Public Works Director or designee. Traffic impact analyses required by Clatsop County or**

**ODOT shall be prepared in accordance with the requirements of those road authorities. Preparation of the study report is the responsibility of the land owner or applicant.**

B. Transportation Planning Rule compliance, Section 16.232.060.

**16.256.050 Approval Criteria.**

**The traffic impact study report shall be reviewed according to the following criteria:**

- A. The study complies with the content requirements set forth by the City and/or other road authorities as appropriate;**
- B. The study demonstrates that adequate transportation facilities exist to serve the proposed land use action or identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the road authority;**
- C. For affected City facilities, the study demonstrates that the project meets mobility and other applicable performance standards established in the adopted transportation system plan, and includes identification of multi-modal solutions used to meet these standards, as needed; and**
- D. Proposed design and construction of transportation improvements are in accordance with the design standards and the access spacing standards specified in the transportation system plan.**

**16.256.060 Conditions of Approval.**

- A. The City may deny, approve, or approve a proposal with conditions necessary to meet operational and safety standards; provide the necessary right-of-way for planned improvements; and require construction of improvements to ensure consistency with the future planned transportation system.**
- B. Construction of off-site improvements may be required to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and/or to upgrade or construct public facilities to City standards.**
- C. Where the existing transportation system is shown to be impacted by the proposed use, improvements such as paving; curbing; installation of or contribution to traffic signals; and/or construction of sidewalks, bikeways, access ways, paths, or streets that serve the proposed use may be required.**
- D. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on transportation facilities. Findings in the development approval shall indicate how the required improvements directly relate to and are roughly proportional to the impact of development.**

Section 14. This ordinance shall become effective 30 days after second reading

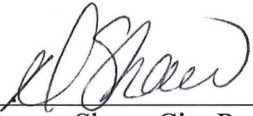
First Reading: 1.22.19  
Second Reading: 2.12.19

ADOPTED by the City Commission of the City of Warrenton, Oregon this day 12 of February 2019.

APPROVED

  
\_\_\_\_\_  
Henry A. Balensifer, Mayor

Attest:

  
\_\_\_\_\_  
Dawne Shaw, City Recorder