

ORDINANCE NO. 663-A

Introduced by Commissioner *M. J. Gannon*

AN ORDINANCE AMENDING THE COMPREHENSIVE LAND USE PLAN FROM LOW DENSITY RESIDENTIAL TO GENERAL INDUSTRIAL, AND THE ZONING MAP FROM LOW DENSITY RESIDENTIAL TO GENERAL INDUSTRIAL ON THE APPLICATION OF THE WARRENTON LUMBER COMPANY FOR A 10-ACRE PARCEL.

THE CITY OF WARRENTON ORDAINS AS FOLLOWS:

Section 1. The Findings of Fact and Conclusionary Findings of the Warrenton Lumber Company Request for Comprehensive Plan Map Amendment and Zoning Map Amendment, attached hereto as Exhibit "A" be and the same are hereby adopted.

Section 2. The Comprehensive Land Use Plan map is hereby changed from low density residential designation to general industrial designation as Exhibit "B", attached hereto and by this reference incorporated herein.

Section 3. The zoning map is amended from low density residential (R-20) to General Industrial (I-2), as Exhibit "C", attached hereto and by this reference incorporated herein.

Passed by the City Commission of the City of Warrenton this 16 day of August, 1978.

Approved by the Mayor of the City of Warrenton this 16 day of August, 1978.

*Leticia Newton*  
Mayor

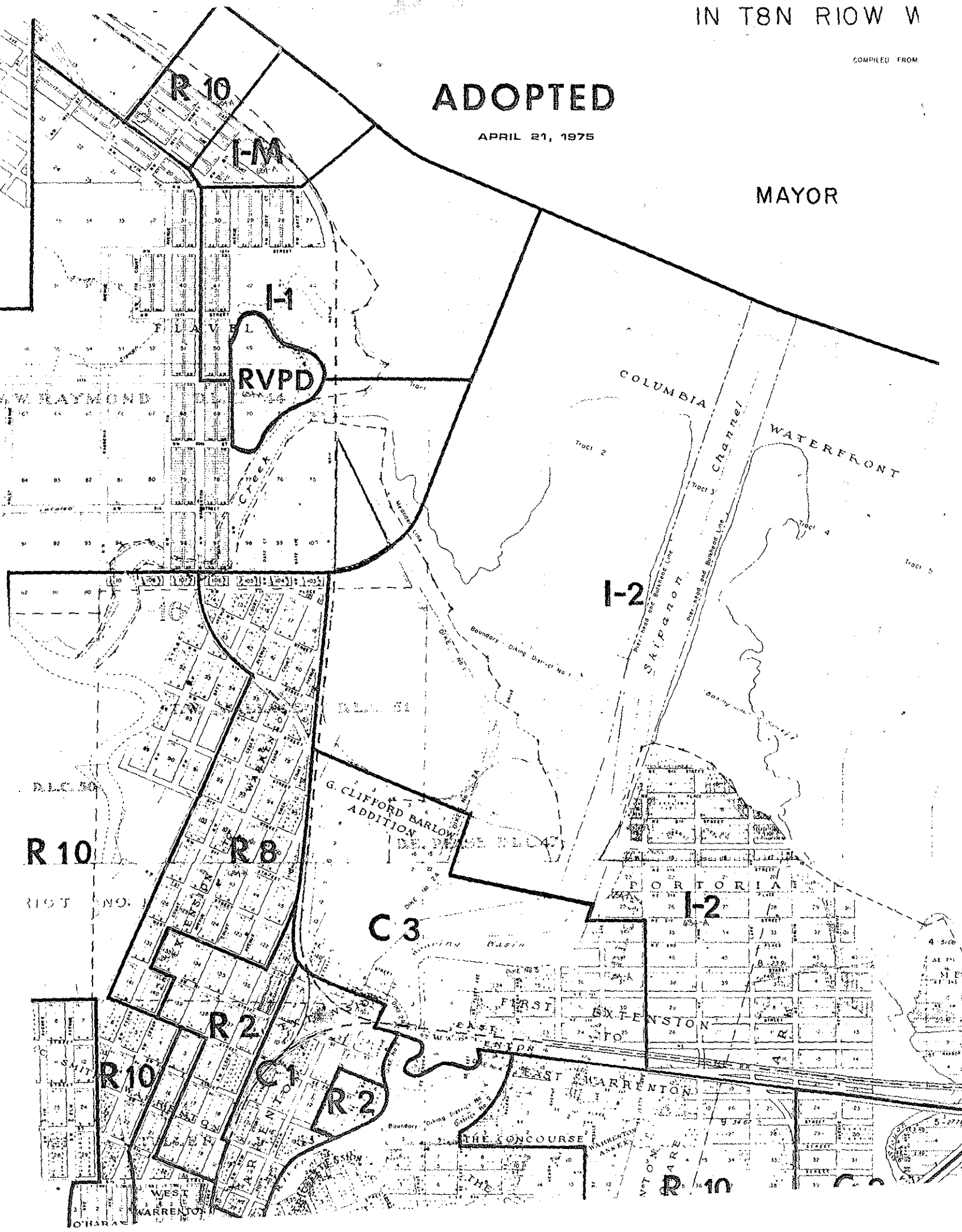
ATTEST:

*Buck Gannon*  
Auditor and Police Judge

# ADOPTED

APRIL 21, 1975

## MAYOR



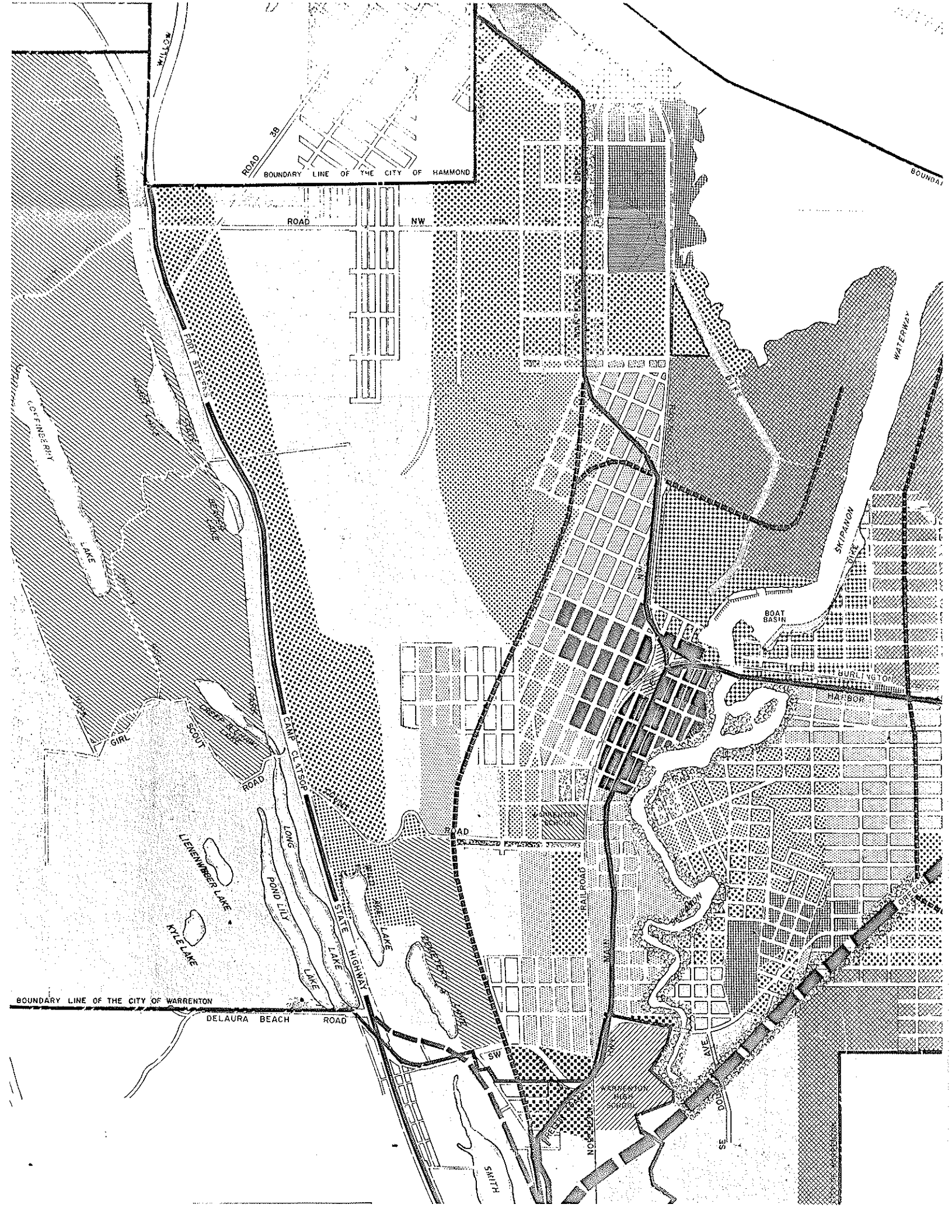


EXHIBIT "A"

FINDINGS OF FACT AND CONCLUSIONARY FINDINGS

Warrenton Lumber Company Request for

Comprehensive Plan Map Amendment and Zoning Map Amendment

A. BACKGROUND INFORMATION

1. Warrenton Lumber Company (the applicant) has acquired an option from the Spokane, Portland and Seattle Railway, a subsidiary of the Burlington Northern Railroad, on a 27-plus acre parcel in Northeast Warrenton, and has requested a comprehensive plan map amendment from Low Density Residential to General Industrial and a zone map change from R-20 to I-2 for a ten-acre parcel of land. The area involved is covered with scattered vegetation and is undeveloped.

2. On May 10, 1978, an oral report by the Planning Commission staff and public comment on the application was heard by a quorum of four members of the Planning Commission. The hearing on the application was continued until June 14, 1978, in order to allow the applicant to respond to public comments and submit documentation establishing compliance with Section 9.02 of the zoning ordinance and the public need and justification for the comprehensive plan change.

B. COMPLIANCE WITH STATE-WIDE PLANNING GOALS

1. OPEN SPACES -- NATURAL RESOURCES. The only concern raised under LCDC Goal 5 is that the area is a wild-life habitat. The Columbia River Estuary Study Taskforce (CREST) inventory data for the area, particularly Figures 303-1 and 303-2, establish that the land in question is shrub and forest habitat, is not a tidal marsh and is not an important wildlife area. The scattered vegetation and general location of the area in the city make it unsuitable for a scenic or wilderness area. Accordingly, irrespective of whether the property is developed as R-20 or I-2, such development is consistent with LCDC Goal 5.

2. AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS. The area in question is above the 500-year flood line as shown

by the Flood Insurance Rate Map and the CREST Hazards Map (Figure 210-4) indicates no known hazard for this area. Thus the proposed use is consistent with LCDC Goal 7 which is designed to protect life and property from natural disasters and hazards.

3. ECONOMY OF THE STATE. Clatsop County has had and continues to have a higher rate of unemployment than the state as a whole as set forth in the Oregon Coastal Conservation and Development Commission (OCC & DC) Economic Survey and Analysis of the Coastal Zone. In addition, the projected out-migration of young workers, (Comprehensive Plan, Vol. 1, p. 15) could have a negative impact on the economy of the community unless the city accommodates industrial development. The Beuter Report shows that the allowable cut for timber in Northwest Oregon will be increasing over the next several years. The city in its comprehensive plan has indicated it needs to maintain and enlarge its industrial base. The proposed redesignation will permit the expansion of an existing firm, i.e., Warrenton Lumber Company, and will serve to strengthen the local and regional economic development, consistent with LCDC Goal 9.

4. HOUSING. As set forth on page 15 of Vol. 2 of the Comprehensive Plan, the City of Warrenton has large portions of land which are only suitable for low density development because of soil conditions and roadway systems. The removal of ten acres of low density residential property will not significantly affect the availability of housing in the City of Warrenton or the region and is therefore consistent with LCDC Goal 10.

5. COASTAL SHORELANDS. Goal 17, Coastal Shorelands, applies to the property to be redesignated. The land is within the Coastal Shorelands Planning Area as specified by CREST. Inventory requirements have been met by CREST and are hereby adopted as part of this redesignation. CREST has developed policies for shorelands, and, to the extent they are applicable to the property redesignated, those policies are adopted as part of these findings. Reading CREST's Columbia River Estuary Regional Policies (2d ed., July 1977) Nos. II C. 10(1) and I. C. 2(3) together, they state a public policy in favor of providing backup land for water-dependent or water-related industrial uses over development for residential

uses in those areas designated as non-water-related shoreland areas. The CREST Draft Plan Map of November 14, 1977, designates the area as "development non-water-related" and that designation is hereby adopted for the property to be redesignated.

With respect to the relationship between coastal shorelands and resources of coastal waters, because the area to be redesignated is behind Dike No. 1, the only effect on coastal waters will be through the tide gate at the north end of the sewage lagoons. The only product expected to affect coastal waters would be water, after treatment to remove leachates. This water will meet water quality standards. With respect to the relationship between coastal shorelands and geologic and hydrologic hazards associated with coastal shorelands, CREST Figure 210-4 shows no such hazards for the area to be redesignated.

With respect to urban and urbanizable lands being protected for water-dependent recreational, commercial and industrial uses, there is no special suitability for the property to be redesignated because: (a) the dike, a conservation area and a natural area of Alder Cove separate the property to be redesignated from the deep water of the Columbia, (b) the property, being above the 500-year flood plain, is not suitable for aquaculture, (c) the area is not subject to scour, (d) and there is no potential for recreational utilization of this coastal shoreland because of its separation from the coastal waters by the dike, and because of the adjacent industrial area and the nearby sewage lagoons. This land is, however, suitable for backup land to the already existing water-dependent industrial uses located on the Skipanon because of its close proximity to those uses, being separated therefrom only by Skipanon Drive and the sewage lagoons. The Flood Insurance Rate Map for the city shows that the area is not in a flood plain. With regard to priorities of use, the need for backup land to already existing water-dependent or water-related industrial uses has received a third priority from CREST, and is of a higher priority than the presently existing designation of Low Density Residential. The proposed use as a bark disposal facility and a future lumber storage facility, will retain flexibility of future use and will not prematurely or unalterably commit shorelands to more intensive use as would the present residential designation.

6. OTHER GOALS. Goal 3 is not applicable within city boundaries and the other goals are not relevant to this redesignation.

E. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Warrenton Comprehensive Plan involves implementation of six goals dealing with community development, residential land uses, commercial land uses, industrial land uses, transportation, and community facilities. Redesignation from residential to industrial will directly affect those two goals and the goal on commercial land uses.

1. COMMUNITY DEVELOPMENT GOAL. The proposed redesignation will eliminate a potential conflict between the present low density residential designation and the adjacent industrial designation. If the land is redesignated, then the industrial area will be separated from the residential area by the dike, the railroad and the buffer area between the railroad and North Main. The proposed uses involve landfill and lumber storage and will not require additional public facilities to service the area, but should such facilities be required they are readily available.

2. RESIDENTIAL LAND USES GOAL. As noted above, the redesignation of ten acres will not significantly affect the availability of land for low density residential development. Furthermore, as noted elsewhere in these findings, the environment in the area is more suitable for industrial development than residential.

3. INDUSTRIAL LAND USES GOAL AND OBJECTIVES. The company has shown that future development on its present site is limited and that the land being redesignated is needed for expansion of existing operations. The land being redesignated is adjacent to an already designated industrial area and is in close proximity to the existing Warrenton Lumber Company facility. The sewage lagoons are nearby and plans exist for lagoon expansion, and there is existing railroad service in the area. A report prepared by E. R. Baldwin indicates that other suitable and adequate land is not available to meet the needs for bark disposal and lumber storage of the Warrenton Lumber Company. Hence, the redesignation is completely consistent with the industrial land use goals.

4. STANDARDS ON INDUSTRIAL LAND USE. The proposed redesignation is also consistent with the standards for industrial land use in the Comprehensive Plan. As set forth below (at D-3) bark disposal and lumber storage will have minimal environmental impact because air, water, noise and health hazards are not detrimental. The redesignation is consistent with the CREST plan which found the area suitable for development. Public access to Alder Cove will not be interfered with by the redesignation. The second standard dealing with vehicular access, signs, lighting, building placement designs, etc., is not relevant because none of these types of development will be undertaken. The proposed uses are not particularly susceptible to landscaping standards and this standard is not significant since the area is below and behind an existing dike and a railroad right of way. The only houses in the area are separated from the property to be redesignated by North Main and a 100-foot buffer, 50 feet on either side of the centerline of the railroad. As noted above, the proposed uses will not require the extension of public facilities.

D. COMPLIANCE WITH CRITERIA FOR GRANTING AN AMENDMENT TO THE ZONING MAP.

1. The Planning Commission has considered the staff report, the Baldwin Report, the CREST Study, the Clatsop County Overall Economic Development Program, the Warrenton Lumber Company Report and other documents included with or mentioned in these reports.

2. The proposed redesignation will not impact on existing developed land in the vicinity and is compatible with surrounding land use patterns. The property to the south of the land to be redesignated Industrial is presently designated Industrial. The area to the north and east, although presently designated R-20 should be changed to Conservation and Natural based upon the CREST plan and study results. The nearest residences are more than 300 feet from the property and are separated therefrom by the railroad tracks and a buffer strip of alder trees consisting of 50 feet from the centerline on either side of the railroad tracks. On the west, there are no plotted subdivisions between the railroad right-of-way and Alder Slough. Furthermore, the dike separates and protects the Alder Cove CREST proposed natural and conservation area from the area being redesignated as Industrial.



3. The zone change will not be detrimental to property surrounding or adjacent to the area to be redesignated. As noted elsewhere in these findings, the surrounding land uses are more compatible with an industrial zone than with a residential zone, and accordingly, this fact when combined with the intended use as a bark disposal and lumber storage site, means that there will be a minimal or nonexistent impact on the surrounding properties. Some dust problems may result from vehicular traffic during the late summer months, but the wind patterns, distances involved, generally low particulate levels and available mitigation measures on problem days establish that the dust impact will not be detrimental.

4. The Water Quality Report by Seton, Johnson & Odell, Inc., indicates that the ground water quality in the area is unusable and infiltration from the fill site will not impact on ground water quality. Runoff from the fill site would follow the sewage lagoon drainage pattern to Alder Cove, but no significant impact is anticipated due to the availability of treatment for the leachates and the chlorination available for the sewage lagoons, which use the same discharge point.

5. Noise impact on surrounding areas will not be detrimental due to the infrequency of truck and equipment operations associated with landfill and lumber storage. In addition, as noted above, the nearest residential houses are a substantial distance from the center of the property to be redesignated and are screened by the railroad embankment and natural alder growth.

6. The principal components of the fill material are bark, clay and rock and are not malodorous. This material is likewise not suitable as a nutrient source for vermin. Occasional fires which may start do not present a significant danger, since they burn slowly, can be quickly extinguished, and the wind patterns in both summer and winter are away from the residences.

#### E. PUBLIC NEED

1. EXPANSION OF THE EXISTING INDUSTRY. One of the objectives under the goal to encourage industrial development is to "provide suitable land for expansion of existing industrial uses ... " The ten acres to be redesignated, when coupled with the overall option property, will provide just that, namely, suitable land for expansion of existing industrial uses. The

City of Warrenton is on record as declaring this objective as a public need.

2. JOBS. The background planning information in Vol. 1 of the Comprehensive Plan indicates that by 1972, the persons employed in lumber and wood products in Clatsop County numbered 1,000, with employment at Warrenton Lumber Company representing about 19% of this, thus making it the largest employer in the Warrenton-Hammond area. The background information further indicates:

"However, the lumber industry affects other sectors of the economy. For example, lumbering includes not only lumber and wood products manufacturing, but also logging, log handling, logging contractors, longshore and timber dealers. This sector of the economy purchased a total of \$11,451,000 worth of goods and services from commercial enterprises within the county. The approximation of total taxes paid by this sector of employment was \$1,832,000 while \$8,828,000 went to households in the form of wages, profits, interest, royalties or rent." (Page 20 of Vol. 1; figures for Clatsop County as a whole).

The background information also recognized that there is an out-migration of individuals in the 21-24 year old age category (id. at 15). The Economic Survey and Analysis of the Coastal Zone done by OCC & DC in November of 1974 (p. J-5) indicates that for each new forest products job there will be 1.8788 additional jobs, and another study indicates that for each dollar of expansion in the lumber sector there will result an \$1.85 increase in total economic activity in the community (see Oregon Agricultural Experimental Station Bulletin 614).

At present, the company employs 135 in its mill and 62 in its logging operations. Additional expansion, including more jobs, depends on whether land is available to the company, including land for storage and fill and disposal operations. The company will not be in a position to consider expanding its operations for a small log sawmill and a veneer plant unless it has a way to make room for wholesale lumber storage.. Thus in terms of the community's economic well-being, there is a public need for this redesignation.

3. THE SEWAGE LAGOONS. Volume 2 of the Comprehensive Plan points out (at page 30) that by 1980 the treatment system will be close to capacity. The city's General Manager pointed out that increased development could accelerate even this need. Expansion of the present lagoons is contemplated. A portion of the land under option may be necessary for this purpose. If the redesignation is not made, then it is not likely that Warrenton Lumber Company will exercise its option. The result will be that the city will need to acquire, probably by condemnation, the property directly from S. P. & S. Railway, a lengthy and costly process. Thus there is a public need to make arrangements for expansion of the sewer lagoons.

4. RAIL FACILITY USE. While Warrenton has had rail facilities for a number of years and these were used extensively during the Second World War, it is only recently that these facilities have begun to be used again. Dant & Russell anticipates the shipping of up to 1,000 cars a year out of its Warrenton plant as its dry kiln operations become fully operational. Because of a recent rail car shortage, inventory is accumulating in the company's yards almost to capacity. The zoning ordinance recognizes that the industrial classification provides sites for industrial uses which are typically appropriate to areas with extensive rail facilities. Thus a public need is expressed through the zoning ordinance concerning development of the City of Warrenton's rail potential.

5. LIMITATIONS ON ECONOMIC DEVELOPMENT IN CLATSOP COUNTY. All of Clatsop County has a high unemployment rate. The county as a whole favors economic development. Yet the sites for economic development are limited. (See, for example, the Lower Columbia River Ports Region Study done in June, 1975; the Department of Economic Development analysis of this study entitled, "Sites Suitable for Marine Related Development" and the draft of the CREST River Estuary Land and Water Use Plan, Youngs Bay-Astoria Unit, p. 22, Oct. 1977). One of the main problems in economic development is having adequate backup land. The CREST regional policies [I.c.2(3) and II.c.10 (the third priority and (1) read together] recognize that there is a public need for non-water related development land near water-dependent/related development land and that industrial use of this land should be encouraged and residential use discouraged. As indicated, the mill and log sorting operations of the company are reaching capacity. There is a public need to

provide backup land.

F. BEST FULFILLING THE PUBLIC NEED

1. EXPANSION. As previously indicated, the company's short term need is for a place to dispose of its mill and log yard wastes and then in the longer range to provide additional land for wholesale lumber and possibly retail lumber storage and sales. The mill is reaching capacity in terms of available space for this activity. Because of the close proximity of this land to the mill's already existing activities, the objective expansion of existing industrial uses is best fulfilled by this redesignation.

2. JOBS. While there may be no jobs directly resulting from this redesignation at this time, for the mill to expand in the future additional backup space is needed. Warrenton Lumber Company is not merely a potential industry, but rather it is existing and the largest employer in the community. If adequate space is provided, because of the capital investment already made, the company will continue to expand its operations as money and raw materials become available. Thus, this redesignation best fulfills community aims of stemming the out-migration of 21-24 year olds, increasing the number of jobs, both in lumber and in spinoffs from lumber products activity and increasing the economic activity of the community.

3. THE SEWAGE LAGOONS. The city anticipates a need to expand its sewage lagoons. The optioned property has the necessary space to make that expansion. Warrenton Lumber Company has indicated a willingness to work with the city to provide that additional space rather than the city's having to condemn the property, as it may have to do if S. P. & S. Railway continues ownership. Without the redesignation, there would not be adequate land available to the company to do what it needs to do if the area to be reserved for sewage lagoons is subtracted. For these reasons, the proposed redesignation best fulfills the need of the city to provide space for possible expansion of its sewage lagoons.

4. RAIL FACILITY USE. The overall intent of the zoning ordinance of providing industrial land adjacent to rail facilities is best fulfilled by this redesignation because, ultimately, it will result in the property proposed for redesignation being developed into a large tract of usable industrial

land adjacent to a railroad in an area that can be developed without adverse impacts on surrounding landowners.

5. LIMITED ECONOMIC DEVELOPMENT SITES. The draft CREST Plan Map indicates that the land to be redesignated is suited for non-water-related development. The CREST Regional Policies show that backup land for water-related uses is to be preferred in such areas and residential development discouraged. The land to be redesignated is adjacent to land already designated for industrial use in both the Comprehensive Plan and the zoning ordinance. Given the limited availability of other industrial sites and the close proximity of this site to the mill, and the fact that further expansion at the millsite is limited, redesignation of this site best fulfills the community's need for industrial expansion. Furthermore, as consultant Baldwin's study shows, there are no sites available for the short range purpose of disposing of mill waste other than the S. P. & S. Railway site.

#### G. MISTAKE

The former City Manager, E. R. Baldwin, stated that at the time the area being redesignated was planned, the Planning Commission had indicated that the area east of the railroad tracks was to be designated for industrial uses. However, because of difficulties with the consultants (the city had three planning consultants over the time of drafting the comprehensive plan) the intentions of the city were not carried out. Present Planning Commissioner Davis, who was also on the Planning Commission during the time when the comprehensive plan was drafted, recollected that it was the Planning Commission's intention to make the area east of the railroad tracks, including the area being redesignated, Industrial. Hence it is concluded that there was a mistake in the map and that the area now being redesignated should have been designated General Industrial at the time of adoption of the original comprehensive plan for the city and its implementing zoning ordinance.