

AN ORDINANCE AMENDING THE CITY OF WARRENTON ZONING
ORDINANCE NO. 911-A, AND REVISING ARTICLE 1, INTRODUCTORY
PROVISIONS; AMENDING SECTIONS 3.023, 3.033, 3.043, 3.053 AND
3.062; AND DELETING SINGLE FAMILY RESIDENCES AS CONDITIONAL
USES IN A C1-GENERAL COMMERCIAL ZONE; AND ADDING CARPORTS A
CONDITIONAL USES IN ALL RESIDENTIAL ZONES; AND AMENDING
SECTION 7.020, ACCESSORY PROVISIONS; SECTION 7.200, PROTECTION OF
WETLANDS AND RIPARIAN VEGETATION; SECTION 7.250, MANUFACTURED
DWELLING STANDARDS; AND ADDING SECTIONS 7.800, TREE HAZARDS
DUE TO SITE CLEARING, FILING AND/OR EXCAVATION; AND SECTION
7.900, CARPORTS

The City of Warrenton hereby resolves as follows:

WHEREAS, The certain changes are necessary to update and amend the City of Warrenton, Zoning Ordinance; and

WHEREAS, the City of Warrenton Planning Commission have reviewed the proposed changes, held a public hearing to obtain public input, and recommended said changes to the Warrenton City Commission; and

WHEREAS, The Warrenton City Commission has reviewed and held a public hearing to obtain public comment and approved revisions to the text to be inserted into the Warrenton Zoning Ordinance.

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

Section 1: Revision 1: Amend Article 1, Section 1.030 Definitions to add the following definitions:

"(101)" **Lot Coverage:** the percentage of a lot's total area that is covered by buildings and accessory structures. Includes above grade patios and decks in addition to areas covered by buildings.

"(112)" **Manufactured Dwelling:** A manufactured dwelling is (as amended to be consistent with ORS 446.003):

a. A registered trailer, a structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that in intended for human occupancy, is being used for residential purposes and was constructed before January 1, 1962.

b. A Mobile Home, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing

facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of the Oregon Mobile Home Law in effect at the time of construction.

c. A Manufactured Home, a structure constructed for movement on public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

"(160.)" Right of Way: a strip of land that owned in fee simple by the public.

"(163.)" Roadway: That part of a road or street that actually carries traffic. This term distinguishes the paved surface of a road or street from the broader term "right of way".

"(173.)" Street: A public thoroughfare. The term refers to a paved roadway in an urban or suburban location. It may be used to refer to an entire right of way including the paved roadway, curbs, sidewalks, and adjacent public land or to the paved surface only.

"(175.)" Structure: Anything constructed or installed or portable, the use of which requires a location on a parcel of land.

"(182)" Temporary Sign: A sign not permanently attached to a building, structure or the ground.

Revision 2: A. Amend Section 3.023, Development Standards, - R40 Low Density Residential Zone:

(1) Density Provisions;

e. Not more than 35% of the lot area shall be covered by buildings or other impervious surfaces; and

Section 3.022 Conditional Uses

a. Carports associated with single family dwellings.

Section 3.023, Development Standards, (2) Setback Requirements:

a. Minimum front yard setback 20 feet, 40,000 square foot lots, 15 feet, 10,000 square foot lots; and

e. Corner lot minimum street side, side yard set back: 10,000 square foot lot: 10 feet; and 40,000 square foot lot 15 feet.

d. Minimum rear yard setback: 10,000 square foot lot: 15 feet, except accessory structures that meet the criteria of Section 10.030(2), may extend to within five (5) feet of the rear property line; and 40,000 square foot lot dwelling and accessory structure must maintain a 15 foot setback.

Section 3.024 Other Applicable Standards

- a. Lot coverage 35%.
- b. All uses must comply with the criteria of Section 7.800.
- c. Manufactured Dwellings must comply with the criteria of Section 7.250.
- d. Carports shall comply with the requirements of Section 7.900.

Revision 3: B. Amend Section 3.032 Conditional Uses - R10 Intermediate Density Residential Zone:

- a. Carports associated with single family dwellings.

Section 3.033 Development Standards,

(1) Density Provisions:

- a. Not more than 35% of the lot area shall be covered by buildings or other impervious surfaces.

Section 3.033 Development Standards, (2) Setback Requirements:

- a. minimum from yard setback: 15 feet.
- c. Corner lot minimum street side, side yard setback: 10 feet.
- d. Minimum rear yard setback: 15 feet, except accessory structures that meet the criteria of Section 10.030(2), may extend to within 5 feet of the rear property line.

Section 3.034 Other Applicable Standards:

- a. All uses must comply with the criteria of Section 7.800.
- b. Manufactured dwellings must comply with the criteria of Section 7.250.
- c. Carports shall comply with the requirements of Section 7.900.

Revision 4: C. Amend Section 3.042, Conditional Uses - RM Medium Density Residential Zone:

- a. Carports Associated with single family residences.

Section 3.043 Development Standards, - (1) Density Provisions:

- d. Not more than 40% of the lot area shall be covered by buildings or other impervious surfaces.

Section 3.043, Development Standards, (2) Setback Requirements:

- b. Minimum side yard setback: 10 feet.
- c. Corner lot minimum street side, sideyard setback: 10 feet.
- d. Minimum rear yard setback 15 feet, except accessory structures that meet the criteria of Section 10.030(2), may extend to within five feet of the rear property line.

- e. Corner lot minimum rear yard setback: 10 feet.

Section 3.044 Other Applicable Standards

- a. All uses must comply with the criteria of Section 7.800
- b. Manufactured Dwellings must comply with the criteria of Section 7.250.
- c. Carports shall comply with the criteria of Section 7.900.

Revision 5: D. Amend Section 3.052 Conditional Uses - RH High Density Residential Zone:

- a. Carports associated with single family dwellings.

Section 3.053, Development Standards,

(1) Density Provisions:

- i. Not more than 55% of the lot area shall be covered by buildings or other impervious surfaces.

(2) Setback Requirements:

- d. Rear Yard Setback: 15 feet, except accessory structures that meet the criteria of Section 10.030(2),
- e. Corner lot minimum street side, sideyard setback: 10 feet.

Section 3.054 Other Applicable Standards

- a. All uses must comply with the Criteria of Section 7.800.
- b. Carports shall comply with the criteria of Section 7.900.

Revision 6: E. Amend Section 3.062 Conditional Uses, - C1 General Commercial Zone.

- (2) Delete Single family dwellings, modular housing.

Revision 7: Amend Section 7.020 Accessory Uses

- (1) An accessory use or structure shall comply with this ordinance's requirements for a principal use including all setback requirements, except as this ordinance specifically allows to the contrary.
- (2) Except in required clear visions areas, fences, retaining walls or hedges will be allowed in setback areas so long as their height does not exceed six feet.
- (3) Decks, porches, and stairways are accessory structures and shall conform to the setback requirements, except as this ordinance specifically allows.
- (4) Satellite Dish Receiving Antennae. Satellite dish receiving antenna shall be located on the ground in the rear yard and no closer than five (5) feet to the rear property line.
- (5) A greenhouse or solar panel may be maintained adjacent to a dwelling providing the activity does not exceed that which requires a license under Chapter 571 of the Oregon Revised Statutes: Nurseries and Nurserymen.

Revision 8: Amend Section 7.200 Protection of Wetland Areas and Riparian Vegetation

(1) Wetland areas are identified on the 1":400 maps entitled Warrenton Wetland Conservation Plan Inventory. These maps show determined and delineated wetland boundaries for wetland areas within the Warrenton Urban Growth Boundary.

a. The standard buffer width from wetlands to the edge of any structures or residences shall be the same as the required setbacks for the zone in which the structure is built. The buffer shall be measured perpendicularly from the delineated wetland boundary.

b. The standard buffer width for new commercial development from a delineated wetland boundary is thirty (30) feet measured perpendicularly from the wetland boundary.

c. Unvegetated buffer areas shall be planted with native vegetation; and,

d. Buffers which are currently accessible by domestic animals or will be accessible to domestic animals due to future adjacent uses, must have a permanent fence or vegetative barrier installed along the outer edge of the buffer. The fence or barrier must be of a design and constructed to exclude domestic animal access to the wetland and buffer.

(2) Areas of riparian vegetation have been identified on the zoning map as A1 - Aquatic Development, A2 - Aquatic Conservation, A3 - Aquatic Natural, and A5 - Coastal Lakes and Freshwater Wetlands on the City Zoning Maps and the Warrenton Wetland Conservation Plan Inventory, dated 10/15/93. These areas are identified as a zone (30') thirty-foot wide from the shoreline of coastal lakes, rivers, estuaries and significant wetland habitat.

The following riparian vegetation areas include a (30') thirty-foot wide buffer measured from, and perpendicular to, the high water mark of the water bodies named below:

a. A 30 foot wide band surrounding the following lakes:

- Coffenbury Lake**
- Crabapple Lake**
- Creep and Crawl Lake**
- Long Lake**
- Pond Lily Lake**
- Wild Ace Lake**
- Shag Lake and associated wetlands**
- Clear Lake and associated wetlands**
- Leinenwebber Lake**
- Kyle Lake**

b. A 30 foot wide band on both sides of the following sloughs:

- Alder Creek**
- Tansy Creek**
- Skipanon Slough**
- Holbrook Slough**
- Adams Slough**
- Vera Slough**

c. A 30 foot wide bank on the Skipanon River upstream of the Eighth Street Dam, limited as shown on the City's maps of riparian vegetation.

d. A 30 foot wide band around wetlands at the south end of the Alumax site, as shown on the City's maps of riparian vegetation.

Revision 9: Amend Section 7.250 Manufactured Dwelling Standards: A manufactured dwelling placed on an individual lot, other than a lot in a manufactured dwelling park, shall conform to the requirements of the zone in which it is located, applicable state installation standards, and the following additional provisions:

(1) The manufactured dwelling shall be multi-sectional and enclose a floor space of not less than 1,000 square feet.

(2) The manufactured dwelling shall be placed on an excavated and/or back-filled foundation and enclosed by skirting at the perimeter such that the manufactured home is located at least 16 inches from mainframe to grade.

(3) The skirting and perimeter foundation of the manufactured dwelling shall consist of masonry or poured concrete.

(4) The manufactured dwelling shall have a roof with a minimum pitch of 3:12. The roofing material shall be composition, shake, shingle or tile.

(5) The manufactured dwelling shall have exterior siding material such as horizontal or vertical wood, vinyl or aluminum lap siding similar to that used in single-family residences constructed to the Uniform Building Code.

(6) Shall not have bare metal siding or roofing.

(7) The manufactured dwelling shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwelling constructed under the state building code ORS 455.010.

(8) The manufactured dwelling shall have an attached or detached garage constructed of like materials, and be a minimum size of 400 square feet.

(9) The manufactured dwelling shall have permanent porches of 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.

(10) All porches and decks to be constructed shall be shown on the site/plot plan)

(11) Any Walkways constructed as a part of the site development shall be made of concrete, asphalt, pressure treated wood or other hard surfaced non gravel material.

(12) The Driveway to the manufactured dwelling is required and shall be made of concrete, asphalt or other hard surfaced non gravel material.

(13) The manufactured dwelling shall have a meter base no power pole.

(14) The manufactured dwelling shall utilize at least two of the following design features:

- a. dormer
- b. recessed entries
- c. Architectural grade roofing
- d. bay or bow windows
- e. window shutters/window treatments
- f. off-sets on building face or roof (minimum 12")
- g. gables
- h. covered porch entry

- i. pillars or posts
- j. eaves (minimum 6")
- k. 4:12 pitch roof

(15) 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 dwellings must also be provided with a permanent perimeter enclosure.

(16) The manufactured dwelling's wheels, axles and hitch mechanism shall be removed. The wheels, axles and hitch mechanisms shall not be left under the manufactured home.

(17) If a manufactured dwelling is removed from its foundation and not replaced by another manufactured dwelling within 60 days, the owner of the lot shall immediately thereafter remove the foundation, fill all excavations and disconnect and secure all utilities.

Revision 10: Add Section 7.800 Tree Hazards Due to Site Clearing, Filling, and/or Excavation. (1) Prior to the construction of a building:

a. A review of the site will be conducted by the Building Inspector to determine if any trees will need to be removed from the site.

b. Any trees that can be shown to have root damage from fill an/or site excavation, and that pose a hazard to a structure or the siting of a structure shall be removed.

Revision 11: Add Section 7.900 Carports

(1) Carports constructed in conjunction with a single-family residence, manufactured dwelling or modular home shall:

- a. be a minimum size of 360 square feet, including enclosed storage area.
- b. include an enclosed storage area that is a minimum size of 120 square feet.
- c. be compatible with Accessory Structure Standards of Section 7.600.
- d. be constructed in accordance with the uniform building code requirements.

Section 2: 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 : December 6, 1995

Second reading : December 20, 1995

PASSED by the City Commission of the City of Warrenton, Oregon,
this 20th day of December, 1995 .

PASSED by the Mayor of the City of Warrenton, this 20th day of December, 1995.


Barbara Balensifer, Mayor

ATTEST:


Gilbert G. Gramson
City Manager/Auditor

Ordinance\Amend4.95