

Ordinance No. 1186-A

Amending Warrenton Municipal Code (WMC) Sections 16.40.020, 16.44.020, 16.48.020, 16.56.020, 16.60.020 and 16.64.020.

Purpose and intent: The City Commission finds that the term “public utility structures” in the Development Code was not intended to, and has not been construed, to permit only public utility buildings. The City Commission finds that this Ordinance corrects an inadvertent drafting error that creates an ambiguity regarding permitted public utilities in commercial and industrial zones, as further described in the staff report hereby adopted as the City Commissions findings in support of this Ordinance.

The City of Warrenton ordains as follows.

Section 1. WMC 16.40.020 is hereby amended as follows:

16.40.020 Permitted Uses.

The following uses and their accessory uses are permitted in the C-1 zone if the uses conform to the standards in Sections 16.40.040 through 16.40.060, Chapters 16.124, 16.212 and other applicable Development Code standards, and other City laws:

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

1. Personal and business service establishments such as barber or beauty shop, clothes cleaning, or funeral home.
2. Professional, financial, business and medical offices.
3. Retail business establishments.
4. Amusement enterprises such as theater or bowling alley.
5. Technical, professional, vocational and business schools.
6. Membership organizations such as unions, lodge hall, club or fraternal buildings.
7. Eating and drinking establishment.
8. Hotel, motel or other tourist accommodation, including bed and breakfast.
9. Automobile sales, and/or service and parts establishment.
10. Boat and marine equipment sales, service or repair facilities.
11. Building material sales yard.
12. Government buildings and uses.
13. Transportation facilities and improvements subject to the standards of Section 16.20.040.
14. Dredge material disposal (DMD) subject to Section 16.40.050 (site 27S located within this area zoned C-1) and Chapter 16.104.
15. Community garden(s) (see definitions).
16. Hospital, medical offices, sanitarium, rest home, nursing or convalescent home.
17. Congregate care or assisted living facility.

18. Public utilities, including pipelines, cables, and utility crossings but not structures.
19. Similar uses as those stated above.

B. For all other C-1 zoned areas within the City limits of Warrenton, the following uses and their accessory uses are permitted and shall comply with the above noted sections:

1. Personal and business service establishments such as barber or beauty shop, clothes cleaning or funeral home.
2. Professional, financial, business and medical offices.
3. Retail business establishments.
4. Amusement enterprises such as theater or bowling alley.
5. Technical, professional, vocational and business schools.
6. Membership organizations such as unions, lodge hall, club or fraternal buildings.
7. Eating and drinking establishment.
8. Hotel, motel or other tourist accommodation, including bed and breakfast.
9. Automobile sales, service or repair establishment.
10. Boat and marine equipment sales, service or repair facilities.
11. Building material sales yard.
12. Residential home.
13. Residential (care) facility.
14. Home occupations (must comply with paragraph 19 of this subsection).
15. Child care center.
16. Government buildings and uses.
17. Public utilities, including structures, pipelines, cables, and utility crossings.
18. Hospital, medical offices, sanitarium, rest home, nursing or convalescent home.
19. Congregate care or assisted living facility.
20. Single-family residences existing prior to April 2, 1997 may be repaired, remodeled, expanded, or replaced if damaged.
21. Transportation facilities and improvements subject to the standards of Section 16.20.040.
22. Community garden(s) (see definitions).
23. Similar uses as those stated in this section. (Ord. 1177-A § 2, 2013)

Section 2. WMC 16.44.020.B is hereby amended as follows:

16.44.020 Permitted Uses.

The following uses and their accessory uses are permitted in the C-MU district if the Community Development Director determines that the uses conform to the standards in Sections 16.44.040 and 16.44.050, applicable Development Code standards, and other City laws. All new sewer and water connections for a proposed development shall comply with all City regulations:

A. Residential.

1. Single-family detached dwelling with covered parking in accordance with Chapter 16.180 on lots not having direct frontage on, or taking direct access from, a state highway.
 2. Duplex, townhome, triplex, multifamily and rowhouse with garage (attached or detached) in accordance with Chapter 16.180 and subject to standards of Chapter 16.184.
 3. Daycare center.
 4. Home occupation, shall comply with Section 16.44.020(A)(5).
 5. Single-family residences existing prior to April 2, 1997 may be repaired, remodeled, expanded, or replaced if damaged so long as building permits are obtained within 12 months of the date of discontinuance.
 6. Similar uses as those listed in this section.
- B. Public and Institutional.
1. Church, synagogue, or other place of worship.
 2. Clubs, lodges, similar uses.
 3. Government buildings and uses.
 4. Libraries, museums, community centers, and similar uses.
 5. Public parking lots and garages, subject to design standards in Chapter 16.128.
 6. Public utilities, including structures, pipelines, cables, and utility crossings.
 7. Transportation facilities and improvements subject to the standards of Section 16.20.040.
 8. Community garden(s) (see definitions).
 9. Similar uses as those listed in this section.
- C. Commercial.
1. Personal and business service establishments such as a barber or beauty shop, clothes cleaning or a funeral home.
 2. Professional, financial, business and medical offices. Drive-through facilities are not permitted within the C-MU district.
 3. Retail business establishments and processing uses (e.g., bakery) of goods sold on site.
 4. Amusement enterprises such as a theater or bowling alley.
 5. Technical, professional, vocational and business schools.
 6. Eating and drinking establishments. Drive-through facilities are not permitted within the C-MU district.
 7. Hotel, motel or other tourist accommodation, including bed and breakfast.
 8. Similar uses as those listed in this section.

Section 3. WMC 16.48.020 is hereby amended as follows:

16.48.020 Permitted Uses.

The following uses and activities and their accessory uses and activities are permitted in the C-2 zone if the Community Development Director determines that the uses conform to the standards in Section 16.48.040, applicable Development Code standards, and other City laws:

- A. Water-dependent commercial uses, including, but not limited to:
 - 1. Marina or moorage facilities.
 - 2. Boat building or repair.
 - 3. Marine fuel storage and dispensing.
 - 4. Marine equipment sales, repair or manufacture.
 - 5. Wharves, docks, piers, marine railways and ways.
 - 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. Stormwater or wastewater outfall.
- G. Structural shoreline stabilization.
- H. Water-dependent portions of an aquaculture facility.
- I. Public utilities, including structures, on-shore pipelines, cables and utility crossings.
- 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 (on-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 16.48.040(P) (see definitions).
- Q. Community garden(s) (see definitions).
- R. Similar uses as those listed in this section.

Section 4. WMC 16.56.020 is hereby amended as follows:

16.56.020 Permitted Uses.

The following uses and activities and their accessory uses and activities are permitted in the R-C zone if the Community Development Director determines that the uses conform to the standards of Section 16.56.040, applicable Development Code standards, and other City regulations:

- A. Low-intensity water-dependent recreation.

- B. Navigational aids.
- C. Passive restoration measures.
- D. Maintenance and repair of existing structures and facilities.
- E. Temporary dike for emergency flood protection, limited to 60 days, subject to state and federal regulations.
- F. Hotel/conference center and associated facilities subject to the standards in Section 16.56.040.
- G. Shoreline stabilization.
- H. Water-related recreational, commercial and industrial uses, subject to the standards in Section 16.56.040, including, but not limited to:
 - 1. Seafood market;
 - 2. Boat and/or marine equipment sales establishments;
 - 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 16.20.040.
- 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 16.56.040. Also, see definitions.
- O. Community garden(s) (see definitions).
- P. Dredge material disposal (DMD) subject to Section 16.56.040 (portion of site O 7.6 within the City limits) and Chapter 16.104.
- Q. Public utilities, including on-shore pipelines, cables, and utility crossings.
- R. Similar uses as those listed in this section.

Section 5. WMC 16.60.020 is hereby amended as follows:

16.60.020 Permitted Uses.

The following uses and activities and their accessory uses and activities are permitted in the I-1 zone if the Community Development Director determines that the uses conform to the standards of Section 16.60.040, applicable Development Code standards, and other City regulations:

- A. Production, processing, assembling, packaging or treatment of such products as food products, pharmaceutical, hardware and machine products.

- B. Production, processing, assembling, packaging or treatment of articles and products from previously-prepared or semi-finished materials, such as paper, wood, rubber, plastics, fibers and sheet metal.
- C. Research and development laboratories.
- D. Printing facilities.
- E. Public utility facilities such as power stations, sewage and water treatment plants.
- F. Storage and distribution services and facilities (i.e., truck terminals, warehouses and storage buildings and yards, contractor's establishments, lumber yards and sales) or similar uses.
- G. Vehicle repair (welding, painting and service, and parts facilities).
- H. Airport support structures: hangars, weather stations, fuel terminals storage buildings, etc.
- I. Mini-warehouses or similar storage uses.
- J. Contractor shop or equipment storage yard for storage and rental of equipment commonly used by a contractor.
- K. Cabinet, carpenter, woodworking, sheet metal shops or similar establishments.
- L. Professional, financial or business offices.
- M. Public utilities, including structures, pipelines, cables, and utility crossings.
- N. Government buildings and uses.
- O. Passive restoration.
- P. Government buildings and uses.
- Q. Transportation facilities and improvements subject to the standards of Section 16.20.040.
- R. Dredge material disposal (DMD) subject to Section 16.60.040 (site 20S), and Chapter 16.104.
- S. Community garden(s) (see definitions).
- T. Similar uses to those listed in this section.

Section 6. WMC 16.64.020 is hereby amended as follows:

16.64.020 Permitted Uses.

The following uses and activities and their accessory uses and activities are permitted in the I-2 zone if the Community Development Director determines that the uses conform to the standards in Section 16.64.040, applicable Development Code standards, and other City laws:


- A. The following water-dependent industrial or port uses:
 - 1. Industrial docks, piers, moorage facilities.
 - 2. Marine cargo transfer facilities.
 - 3. Seafood receiving and 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 I-2 zone.
- F. Land transportation facilities and improvements.
- G. Stormwater or wastewater outfall.

- H. Shoreline stabilization.
- I. Water-dependent portions of an aquaculture facility.
- J. Public utility structures, on-shore pipelines, cables and utility crossings.
- K. Marine research and education facility.
- L. Community garden(s) (see definitions).
- M. Similar uses as those listed in this section.

ADOPTED by the City of Warrenton, Oregon, this 25th day of February, 2014.

First Reading and Second Reading, pursuant to the Warrenton Charter of 1972, Section 35(2): February 25, 2014.

Approved:



Mayor Mark Kujala

Attest:



Linda Engbretson, City Recorder