

Ordinance 1234
Introduced by All Commissioners

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND WARRENTON MUNICIPAL CODE CHAPTER 16.12, 16.180, 16.28, 16.32, 16.36, AND ADDING 16.202 REGARDING NEW POLICIES AND AMENDED CODES TO INCREASE THE SUPPLY AND DIVERSITY OF HOUSING

WHEREAS, the City Commission received and reviewed a Housing Needs Assessment in June 2019; and

WHEREAS, the City of Warrenton held multiple public meetings, hearings and work sessions, open to the public to solicit comments and make changes to the proposal; and

WHEREAS, the City of Warrenton wants to strike a balance with the need to create new housing opportunities with development of common sense regulations to protect neighborhood livability and mitigate traffic impacts while supporting property owners interest in redeveloping; and

WHEREAS, the Planning Commission held a public hearing on September 12, 2019 and recommended approval on November 14, 2019, and the City Commission held a public hearing on December 10, 2019 to take public testimony and adhere to the applicable notice procedures in the Warrenton Development Code.

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

Section 1. Amendments to the Warrenton Municipal Code Chapter 16 Development Code are as follows:

16.12.010 Definitions.

Courtyard Cottages: Four or more cottages that are 1,200 SF or less built or placed around a shared open space and shared side yard parking. Cottages can be on fee simple lots or one lot in common ownership.

Density. A measurement of the number of dwelling units in relationship to a specified amount of land. As used in this Code, density does not include land devoted to street right-of-way. **Density is a measurement used generally for residential uses but is also applied to mixed use developments.**

Density calculations resulting in fractions of more than .5 can be rounded up.

-Minimum: The amount of dwelling units that are the minimum necessary to develop a 1 acre or larger lot.

-Net: The amount of density allowed when non-buildable land (wetlands, riparian, floodplain) is subtracted from the gross acres.

-Maximum: The maximum amount of dwelling units on a given lot that is larger than 1 acre.

Mixed use: Commercial and residential space built on the same lot in vertical or horizontal format.

Single-Family Attached (Duplex, Townhome, Triplex, Rowhouse). Two (duplex, townhome) or more (triplex, rowhouse) single-family dwellings with common end walls. **Townhouses are distinct in architectural features and color. Rowhouses use similar architectural features.**

See Chapter 16.184, Single-Family Attached, Duplex, and Triplex Design Standards.

Zero Lot Line: Living units that can be built up to the property line providing space in the rear for accessory structures and common space.

16.180.040 Accessory Dwelling Standards.

~~C. Owner Occupied. The primary residence or accessory dwelling shall be owner-occupied. The owner may act as a resident caretaker of the principal house while occupying the accessory dwelling or appoint a family member to perform such duties.~~

I. Off-Street Parking. No additional off-street parking is required if the lot already contains at least two off-street parking spaces; ~~otherwise, one space is required.~~

Low Density Residential R-10 Zone

16.28.020 Permitted Uses.

The following uses and their accessory uses are permitted in the R-10 zone if the Community Development Director determines that the uses conform to the standards in Sections 16.28.040 through 16.28.050, applicable Zoning Ordinance standards, and other City laws:

A. Single-family detached, **attached, or duplex** dwelling.

16.28.040 Development Standards.

The following development standards are applicable in the R-10 zone:

A. Density Provisions.

1. Minimum lot area for residences: **8,000 square feet. Minimum density is 5 dwelling units per acre.**
2. Minimum lot width at the front building line **for detached dwelling: 50 feet.**
3. **Minimum lot area for single-family attached dwelling: 2,500 square feet.**
4. **Minimum lot width at the front building line for single-family attached dwelling: 25 feet.**
5. Minimum lot depth: 70 feet.
6. Not more than 35% of the lot area shall be covered by buildings except as may be permitted by conditional use permit or variance.

Medium Density Residential - RM Zone

16.32.020 Permitted Uses.

The following uses and their accessory uses are permitted in the R-M Zone if the Community Development Director determines that the uses conform to the standards in Sections 16.32.040 through 16.32.050, and any other applicable Development Code standards, and other City laws:

- A. Single-family detached dwelling.
- D. **Duplex, townhome, and triplex** subject to standards of Chapter 16.184.

16.32.040 Development Standards.

The following development standards are applicable in the R-M zone:

- A. Density Provisions.
 - 1. Minimum lot area for single-family detached dwelling or duplex: **5,000** square feet.
Minimum density is 8 dwelling units per acre.

High Density Residential - RH Zone

16.36.040 Development Standards.

The following development standards are applicable in the R-H zone:

- A. Density Provisions.
 - 1. Minimum lot area for a single-family detached dwelling: **4,500** square feet. **Minimum density is 20 units per acre.**

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, SE Ensign Drive, SE Discovery Lane, 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.

- 20. Commercial uses with 2nd floor residential use(s) [apartment(s)] or on same lot with existing single family detached built prior to April 2, 1997.**

- 21. 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.

- 23. Commercial uses with 2nd floor residential use(s) [apartment(s)] or on same lot with existing single family detached built prior to April 2, 1997.**

16.202 Courtyard Cottage Cluster Housing (NEW CODE SECTION)

A. Purpose. A cottage cluster housing development is a small cluster of dwelling units appropriately sized for smaller households and available as an alternative to the development of typical detached single-family and two-family homes on individual lots. Cottage cluster development is intended to address the changing composition of households, and the need for smaller, more diverse, and often, more affordable housing choices. Providing for a variety of housing types also encourages innovation and diversity in housing design and site development, while ensuring compatibility with surrounding single-family residential development.

B. Ownership and Parcelization. Cottage cluster developments may be sited on one commonly owned parcel with individual cottages owned in a condominium, cooperative, or similar arrangement, or cottages may be on individual lots with shared amenities and facilities owned in common. Applicants must submit proof that a homeowner's association or other long-term management agreement will be established to ensure the maintenance of development elements in common ownership.

C. Review Procedures.

1. Applications for cottage cluster development on a single lot will be reviewed by the Community Development Director - Type 2 application.

2. Applications for cottage cluster development involving creation of multiple lots shall be reviewed in accordance with 16.216. Subdivision.

D. Standards. Cottage cluster developments are subject to the following standards:

1. Density. Cottages may be built up to the density established for cottage cluster development in the underlying zone. Cottages are permitted outright in the R-10, RM, and RH zone. Minimum lot size is 15,000 SF.

2. Number of cottages. A cottage cluster development is composed of four (4) to twenty (20) dwelling units.

3. Cottage design. The cottages in a cottage cluster development are subject to the following standards:

a. Maximum floor area. The gross floor area of each cottage shall not exceed 1,250 square feet.

b. Maximum footprint: The footprint of each cottage unit shall not exceed 800 square feet, or 1,200 square feet including a garage. A communal garage or parking structure is permitted, and is not subject to the maximum footprint requirements for cottages.

c. Average size. The average size of all dwellings combined within a cottage cluster development will be less than 1,200 square feet.

d. Maximum height. The height of each cottage shall be the same as required by the underlying zoning and applicable overlay zoning.

e. Placement. If cottages differ in size, smaller cottages shall be located adjacent to or in closer proximity than larger cottages to the adjacent public street or River Trail to which the development is oriented.

f. Setbacks. The setbacks from adjacent property lines along the perimeter of the cottage cluster development shall be the same as required by the underlying zone. The minimum distance between all structures, including accessory structures, shall be in accordance with building code requirements (at least six (6) feet spacing between buildings).

g. Private open space. Each cottage may have private open space for the exclusive use of the cottage residents. Private open space does not count towards the required common open space.

h. Orientation of cottages. Cottages shall be clustered around the common open space. Each cottage shall have a primary entrance and covered porch oriented to the common open space. All cottages shall be within 10 feet from the common open space, measured from the façade of the cottage to the nearest delineation of the common open space. Lots in a cottage cluster development are not required to abut a public right-of-way, except that the parent parcel shall have frontage on a public right-of-way in accordance with 16.120

i. Common Open Space. The design of the common open space shall not use unusable lot area or projections to meet the requirement for common open space. Unusable lot area includes, but is not limited to, foundation landscaping, enlarged or enhanced parking strips or sidewalks, narrow strips of land, wetlands, or small dead zones of the lot.

j. Public street facing facades. Cottages abutting a public right-of-way or Waterfront Trail shall have a secondary entrance or a porch, bay window, or other major architectural feature oriented to the public right-of-way or the River Trail. Garage or carport entrances may not face a public right-of-way unless it is an alley.

k. Porches. Each cottage shall have a covered open porch that shall be oriented toward the common open space and that shall be at least six (6) feet in depth measured perpendicular to the abutting building facade and at least 60 square feet in area.

4. Community buildings. Cottage cluster developments may include community buildings that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. They shall have a footprint of no more than 800 square feet unless there is an existing dwelling that is renovated for community building space.

Figure 1: Example of Cottage Cluster Layout on Infill Lot



5. Common open space. Cottage cluster developments shall have a common open space in order to provide a sense of openness and community of residents. Common open space is subject to the following standards:

- a. Each cottage cluster development shall contain a minimum 2,000 square feet of common open space regardless of the number of cottages in the cluster, and not less than 200 square feet of common open space per cottage.
- b. The common open space shall include at least a single, contiguous, useable piece.
- c. Cottages shall abut the common open space on at least two sides of the open space.
- d. Parking areas, required yards, private open space, and driveways do not qualify as common open space.

6. Parking. Parking for a cottage cluster development is subject to the following standards:

- a. **Minimum number of parking spaces.** Cottage cluster developments shall have at least one parking space for each unit with a gross floor area of 700 feet or less.
- b. **Guest parking.** Cottage cluster developments shall have at least 0.5 additional guest parking spaces for each cottage in the development, rounded up to the nearest whole number. These spaces shall be clearly identified as being reserved for guests.
- c. **Reduction in number of required parking spaces.** The required number of guest parking spaces may be reduced by the number of on-street parking spaces on public streets adjacent to and immediately abutting the cottage cluster development.
- d. **Clustering and parking structures.** Parking areas may be arranged in clusters limited to no more than five contiguous spaces. Clustered parking areas may be covered. Up to two (2) carriage house dwelling units are permitted on the second floor of a parking structure, with a maximum of one (1) carriage house dwelling unit per four (4) cottages (rounded to the nearest whole number). Parking structures may or may not be located on the same lot as the cottage they serve. Parking structures shall not be located within a common open space and are required to be screened from view from common open space areas.
- e. **Parking access.** Parking areas shall be accessed only by a private driveway or public alley or local street. No parking space may be between a public street and cottages that abut a public street.
- f. **Design.** The design of garages, carports, and parking structures, including the roof lines, windows, and trim, shall be similar to and compatible with that of the cottages within the cottage cluster development.
- g. **Screening.** Landscaping or architectural screening at least three feet tall shall separate parking areas and parking structures from the common area and public streets. Solid fencing (e.g., board, cinder block) shall not be allowed as an architectural screen.
- h. **Location.** Parking can be grouped and located on a separate lot within 100 feet of an edge of the cottage cluster development.

8. Frontage, access, and walkways.

- a. **Frontage.** The parent parcel shall have frontage on a public street. If individual lots are created within the cluster development, each lot shall abut the common open space, but is not required to have public street frontage.
- b. **Access.** No part of any structure shall be more than 150 feet, as measured by the shortest clear path on the ground, from fire department vehicle access, unless the building has a fire suppression system.

c. **Walkways.** A cottage cluster development shall have sidewalks abutting all public streets. A system of interior walkways shall connect each cottage to the common open space, parking areas, private driveways, any community buildings, the sidewalks abutting any public streets bordering the cottage cluster development, and other pedestrian or shared use facilities such as the Waterfront Trail. Sidewalks abutting public streets shall meet the width requirements established in the Warrenton Engineering Design Standards, and interior walkways shall be at least four (4) feet in width.

9. **Interior fences.** Fences on the interior of the cottage cluster development shall not exceed three (3) feet in height and shall not consist of solid (e.g., board, cinder block) fencing.

10. **Existing structures.** On a lot or parcel to be used for a cottage cluster development, an existing detached single-family dwelling that may be nonconforming with respect to the requirements of this section may remain, but the extent of its non-conformity may not be increased. Such dwellings shall count towards the number of cottages allowed in the cottage cluster development unless converted for community building use.

E. **Conflicts.** In the event of a conflict between this Section and other Sections of the Warrenton Development Code, this Section shall control.

Section 2. The Warrenton Comprehensive Plan Section 3.3.10 shall be amended with the following:

Section 3.3.10 Residential Lands

(14) **The City shall support the creation of housing that is affordable to low- and moderate-income households through partnerships, land use policies, and programmatic efforts.**

(15) **The City shall allow for a mix of residential uses with other compatible uses in appropriate locations.**

(16) **The City will allow and support the development of Accessory Dwelling Units in all residential zones in accordance with Oregon law. Accessory Dwelling Units are an important housing option that can help meet the need for affordable rental units, reduce housing costs for homeowners, and enable multi-generational living.**

(17) **As necessary, the City shall regulate short term rentals to reduce their impact on availability and long-term affordability of housing.**

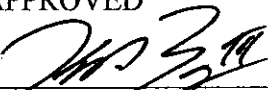
Section 3. This Ordinance shall take full force and effect 30 days upon its adoption by the Commission of the City of Warrenton.

First Reading: January 28, 2020

Second Reading: February 11, 2020


ADOPTED by the City Commission of the City of Warrenton, Oregon this 11th day February of 2020.

APPROVED



Henry A. Balensifer, Mayor

Attest:



Dawne Shaw, City Recorder