

7-B

*"Making a difference through excellence of service"*



## CITY OF WARRENTON

### AGENDA MEMORANDUM

TO: Warrenton City Commission  
FROM: Kevin A. Cronin, AICP, Community Development Director  
DATE: For the Agenda of January 22, 2019  
SUBJ: **Deliberation:** Transportation System Plan & Code Amendments  
(File No. DCA 18-5)

### SUMMARY

The City has been working on a TSP Update since 2015. The Oregon Department of Transportation (ODOT) has provided full funding to create a new transportation plan to guide coordinated transportation and land use investments for the next 20 years. On November 8, 2018 the City Commission and Planning Commission held a joint work session where major elements of the proposed Transportation System Plan (TSP) were discussed. The Planning Commission held multiple work sessions and a public hearing on December 13 and recommended approval to the City Commission. No public comments were received. A public hearing was held on January 8, 2019. No comments were received.

The following items are included in this Type 4 legislative package:

- Ordinance No. 1225 – “Track Changes” Version
- Transportation System Plan – September 2018
- Draft Code Amendments – Attachment B – December 17, 2018
- Staff Report to Planning Commission – December 6, 2018

The Development Code amendments implement the new TSP policy. A few notable changes include the removal of the requirement for off street parking in downtown, and adding drive thru establishments as a “conditional use” instead of an “outright permitted use.” The Planning Commission recommended a few revisions to the Development Code amendment proposal from staff’s recommendation. The changes include the following:

- Street Design Standard: 36 feet wide for new streets, 32 feet wide for existing streets from 28-32 wide for all streets regardless of new or existing.
- Add drive thru establishments as a conditional use to the Commercial Mixed Use (CMU) Zone. Currently, drive thrus are prohibited.

## RECOMMENDATION/SUGGESTED MOTION

The City Commission must make a decision on the street design standard and drive thru. Staff has developed a comparison table (enclosed) to weigh the costs and benefits of the street design standard. In addition, staff recommends removing drive thru as a conditional use in the CMU zone and remain as a prohibited use. Drive thru are not an appropriate land use for pedestrian scale, neighborhoods (S Main Avenue & Hammond). The C-1 General Commercial Zone is where these land uses are most appropriate to handle the additional traffic and impacts to an existing commercial district compared to a mostly residential district.

The City Commission needs to deliberate a decision. Staff recommends reviewing the TSP separate from the code amendments for discussion purposes. Below is a suggested motion.

## RECOMMENDATION/SUGGESTED MOTION

*Based on the staff report, application, and exhibits presented to the Planning Commission, the record established by the Planning Commission in its review of Application DCA 18-5, and Agenda Summary for January 8, 2019 City Commission public hearing, public testimony, I move to approve the first reading of Ordinance No. 1225, by title only.*

*Title: Ordinance 1225, Introduced by All Commissioners, to Amend Warrenton Comprehensive Plan, Adopt the Transportation System Plan, and amend Warrenton Municipal Code (WMC) 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.*

## ALTERNATIVE

*Based on the public testimony and Commission discussion, I move to continue the deliberation until the next regularly scheduled Commission meeting on February 12, 2019.*

## FISCAL IMPACT

The TSP sets a capital improvement plan but does not generate new revenues to fund planned projects. The City Commission will need to identify additional sources to implement the TSP.

Approved by City Manager: \_\_\_\_\_

*Linda Engbrechtson*

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.

## 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: ~~deleted~~ OR **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 (~~see Warrenton Comprehensive Plan and TSP for a list of 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** ~~1,000 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. Specific locations for parking are indicated in Division 2 for some land uses (e.g., the requirement that parking be located to side or rear of buildings, with access from alleys, for some uses). 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. A minimum of two bicycle parking spaces per use is required for all uses with more than 10 vehicle parking spaces. The following additional standards apply to specific types of development:
  1. Multifamily Residences. Every residential use of four or more dwelling units provides at least one sheltered bicycle parking space for each dwelling unit. Sheltered bicycle parking spaces may be located within a garage, storage shed, basement, utility room or similar area. In those instances in which the residential complex has no garage or other easily accessible storage unit, the bicycle

parking spaces may be sheltered from sun and precipitation under an eave, overhang, an independent structure, or similar cover.

2. ~~Parking Lots. All public and commercial parking lots and parking structures provide a minimum of one bicycle parking space for every 10 motor vehicle parking spaces, with a maximum of 28 bicycle parking spaces per commercial lot.~~
3. ~~Schools. Elementary and middle schools, both private and public, provide one bicycle parking space for every 10 students and employees. High schools provide one bicycle parking space for every five students and employees. All spaces should be sheltered under an eave, overhang, or bicycle shelter.~~

**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**

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

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. ~~Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:~~

1. ~~Street classification in the Transportation System Plan or Comprehensive Plan;~~
2. ~~Anticipated traffic generation;~~
3. ~~On-street parking needs;~~
4. ~~Sidewalk and bikeway requirements based on anticipated level of use;~~
5. ~~Requirements for placement of utilities;~~
6. ~~Street lighting;~~
7. ~~Street tree location, as provided for in Chapter 16.124;~~
8. ~~Protection of significant vegetation and wetland and riparian areas, as provided for in Chapters 16.124 and 16.156;~~
9. ~~Safety and comfort for motorists, bicyclists, and pedestrians;~~
10. ~~Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;~~
11. ~~Access needs for emergency vehicles; and~~
12. ~~Transition between different street widths (i.e., existing streets and new streets), as applicable.~~

**Table 16.136.010**  
**City of Warrenton Street Design Standards**

Type of Street	Average Daily Trips (ADT)	Right-of-Way Width	Curb-to-Curb Pavement Width	Motor Vehicle Travel Lanes <sup>4</sup>	Median/Flex Lane <sup>5</sup>	Bike Lanes or On-Street Parking (both sides)	Curb	Planting Strip <sup>5</sup>	Sidewalks
<b>Arterial Roads</b>									
<b>4-Lane Arterial</b>	Varies	80–102 ft.	64–78 ft.	12 ft. <sup>4</sup>	14 ft.	8 ft.	Yes	6 ft.	6 ft.
<b>2-Lane Arterial</b>	Varies	80 ft.	40–54 ft.	12 ft. <sup>4</sup>	14 ft.	8 ft.	Yes	6 ft.	6 ft.
<b>Collector Roads</b>									
<b>Collector Road</b>	Varies	60–64 ft.	36–40 ft.	12 ft. <sup>4</sup>	None	6–8 ft.	Yes	6 ft.	6 ft.
<b>Local Roads</b>									
<b>Local Road</b>	Varies	50–60 ft.	36 ft.	10–12 ft.	None	8 ft. parking (on one	Yes	5 ft.	5 ft. <sup>2</sup>

						or both sides <sup>1)</sup>	(on one or both sides)		
<b>Alternative Local Road<sup>2</sup></b>	< 250	50 ft.	20–28 ft. (no curbs required)	10 ft.	None	None <sup>3</sup>	None	5 ft.	None
<b>Alleys</b>	N/A	12–24 ft.	12–24 ft.	N/A	N/A	None	None	None	None
<b>Multi-Use Paths</b>	N/A	8–16 ft.	8–16 ft.	N/A	N/A	None	None	None	None

**Notes:**

<sup>1</sup>—Bike lanes are generally not needed on low volume (less than 3,000 ADT) and/or low travel speed (less than 35 mph) roads.

<sup>2</sup>—The alternative local road standard may be used when approved by the City of Warrenton. The standard is intended to apply under the following circumstances:

— The local road will serve 18 or fewer dwelling units upon buildout of adjacent property.

— The ADT volume of the road is less than 250 vehicles per day.

— Significant topographical or environmental constraints are present.

— Use of the alternative local road standard will not create gaps in connectivity or roadway standards with adjacent roadway sections (i.e., side-walk, parking, travel lane widths).

— The City-appointed engineer and emergency service providers have reviewed and accepted usage of the alternative local roadway standard.

<sup>3</sup>—Sidewalks are required on all local roads in high density residential and commercial zones unless exempted by the City-appointed engineer or Planning Commission.

<sup>4</sup>—Where parking is constructed next to a travel lane, the travel lane shall be increased to a width of 14 feet to function as a shared roadway and accommodate bicycles.

<sup>5</sup>—Footnote indicates that these features are optional. Flex lanes would provide for traffic flow in one direction or another depending upon the specific traffic patterns and demands for an area. Flex lanes could be used for transit routes or emergencies, and would provide extra right-of-way width for future rail or transit. Appropriate safety measures would need to be installed in conjunction with flex lanes.

— REFER TO FIGURES 5-3, 5-4, and 5-5 OF THE TSP FOR CROSS SECTION VIEWS OF LOCAL, COLLECTOR, AND ARTERIAL ROADS.

<sup>1</sup> Width if on-street parking is constructed in place of bike lanes. The travel lane width shall function as a

<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>Sidewalks</u>
<i>Arterial Roads</i>										
<u>4 – Lane Arterial</u>	<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>
<u>2- Lane Arterial</u>	<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>										
<u>Major Collector Road</u>	<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>
<u>Minor Collector Road</u>	<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>										
<u>Local Road</u>	<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>
<u>Alleys</u>	<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>
<u>Shared-Use Path<sup>5</sup></u>	<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>

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; and Sunset Empire Transportation District 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 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 and transit 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; 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.** Significant means the proposal would:

- ~~1. Change the functional classification of an existing or planned transportation facility. This would occur, for example, when a proposal causes future traffic to exceed the capacity of a "collector" street classification, requiring a change in the classification to an "arterial" street, as identified by the Transportation System Plan; or~~
- ~~2. Change the standards implementing a functional classification system; or~~
- ~~3. Allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or~~



4. ~~Reduce the level of service of the facility below the minimum acceptable level identified in the Transportation System Plan.~~

B. ~~Amendments to the Comprehensive Plan and land use standards which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:~~

1. ~~Limiting allowed land uses to be consistent with the planned function of the transportation facility; or~~
2. ~~Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the transportation planning rule; or~~
3. ~~Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation.~~

### 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.

~~Standards by which to gauge a~~ Average daily vehicle trips include: 10 trips per day per single-family household; five trips per day per apartment; and 30 trips per day per 1,000 square feet of gross floor area such as a new supermarket or other retail development **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 ~~may~~ **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 ~~m~~**M**anual; 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 sightsight 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 ~~in accordance with OAR 734-051-180~~ **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 ~~p~~lanning ~~r~~ule 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:

Second Reading:

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

APPROVED

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

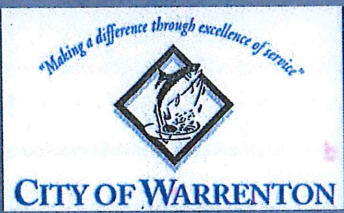
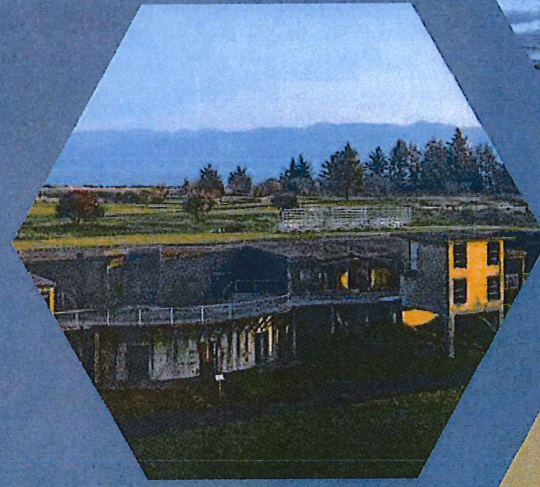
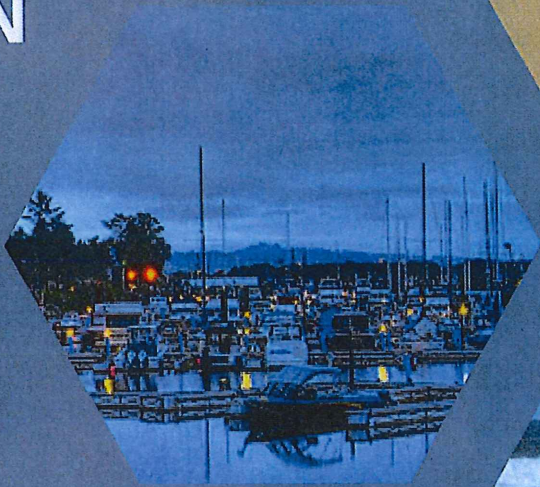
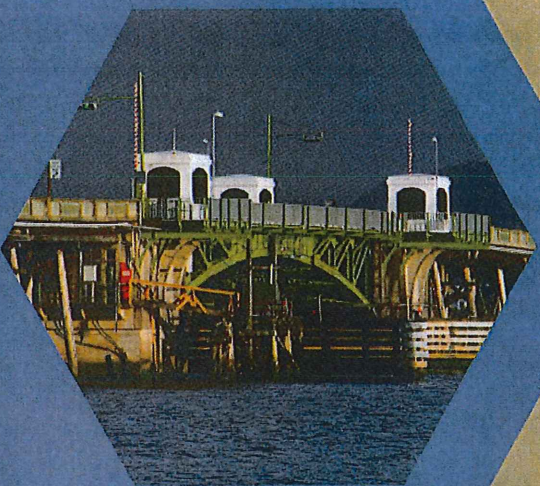
Attest:

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



# DRAFT TRANSPORTATION SYSTEM PLAN

Warrenton, Oregon  
September 2018



# ACKNOWLEDGMENTS

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Henry Balensifer, City of Warrenton

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# TSP ROADMAP

## Context

The Context chapter describes the city of Warrenton and its existing transportation system. Current and potential issues are outlined and funding constraints are described.

## Vision

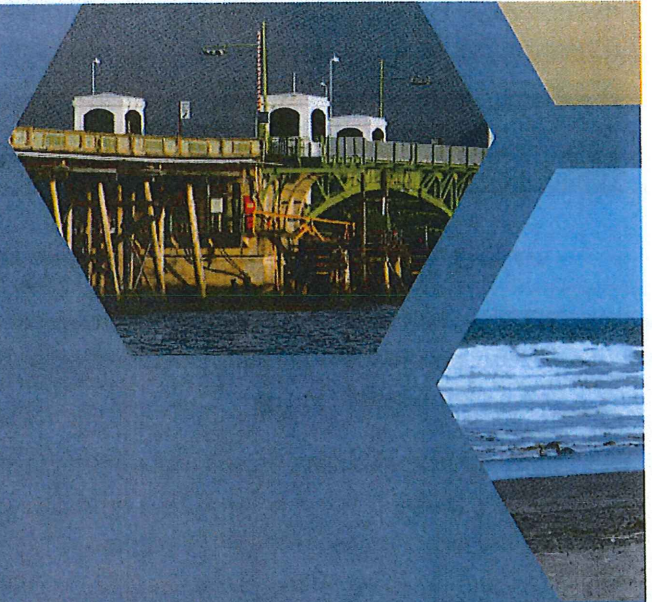
The Vision chapter establishes the community's vision, goals, and objectives for the city's transportation system.

## Plan

The Plan chapter outlines the lists of financially constrained and aspirational projects identified to be achieve the community's vision for the transportation system.

## Standards

The Standards chapter outlines the requirements that the system must meet in order to fulfill the goals and objectives identified by the community.



# CONTEXT

# CONTEXT

## What is a Transportation System Plan?

A TSP is a long-range plan that sets the vision for a community's transportation system for the next 20 years. This vision is developed through community and stakeholder input and is based on the system's existing needs, opportunities, and anticipated available funding.

In compliance with State requirements, the City of Warrenton updated the City's TSP, replacing the previous TSP was adopted in 2004. This Warrenton TSP update establishes a new 2016 baseline condition and identifies transportation improvements needed through the year 2040. The TSP addresses compliance with new or amended federal, state, and local plans, policies, and regulations including the Oregon Transportation Plan, the State's Transportation Planning Rule, and the Oregon Highway Plan.

## How was this TSP developed?

The best way to build a community-supported TSP is through an open, inclusive process. The decision-making structure for this TSP was developed to establish clear roles and responsibilities throughout the project.

**Warrenton Committee** was responsible for all final decisions for this TSP project.

**Citizen Advisory Committee (CAC)** was approved by the City Committee to provide community-based recommendations. The CAC was the primary recommendation body for the project team.

**Project Management Team (PMT)** made recommendations to the City Committee based on technical analysis and stakeholder input.

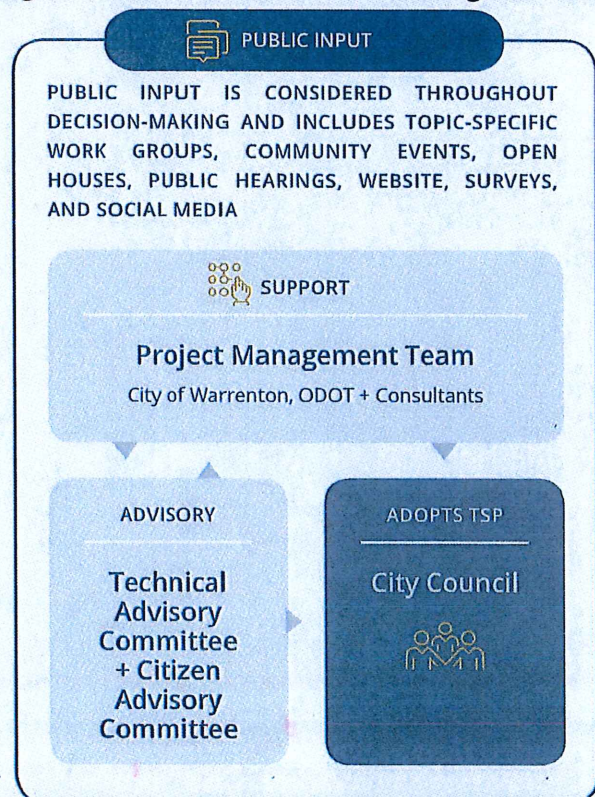
## Public Engagement

The strategy used to guide stakeholder and public involvement throughout the TSP update reflects the commitments of the City of Warrenton and the Oregon Department of Transportation (ODOT) to carry out public outreach that provided community members with the opportunity to weigh in on local transportation concerns and to provide input on the future of transportation within their city.

The City of Warrenton involved the public and stakeholders through a series of committee meetings, public open houses, and work sessions with elected officials and by providing project materials through the project's website [www.warrentontsp.com](http://www.warrentontsp.com). Engaging community members and organizations in the TSP process included engaging with the CAC, which included members representing:

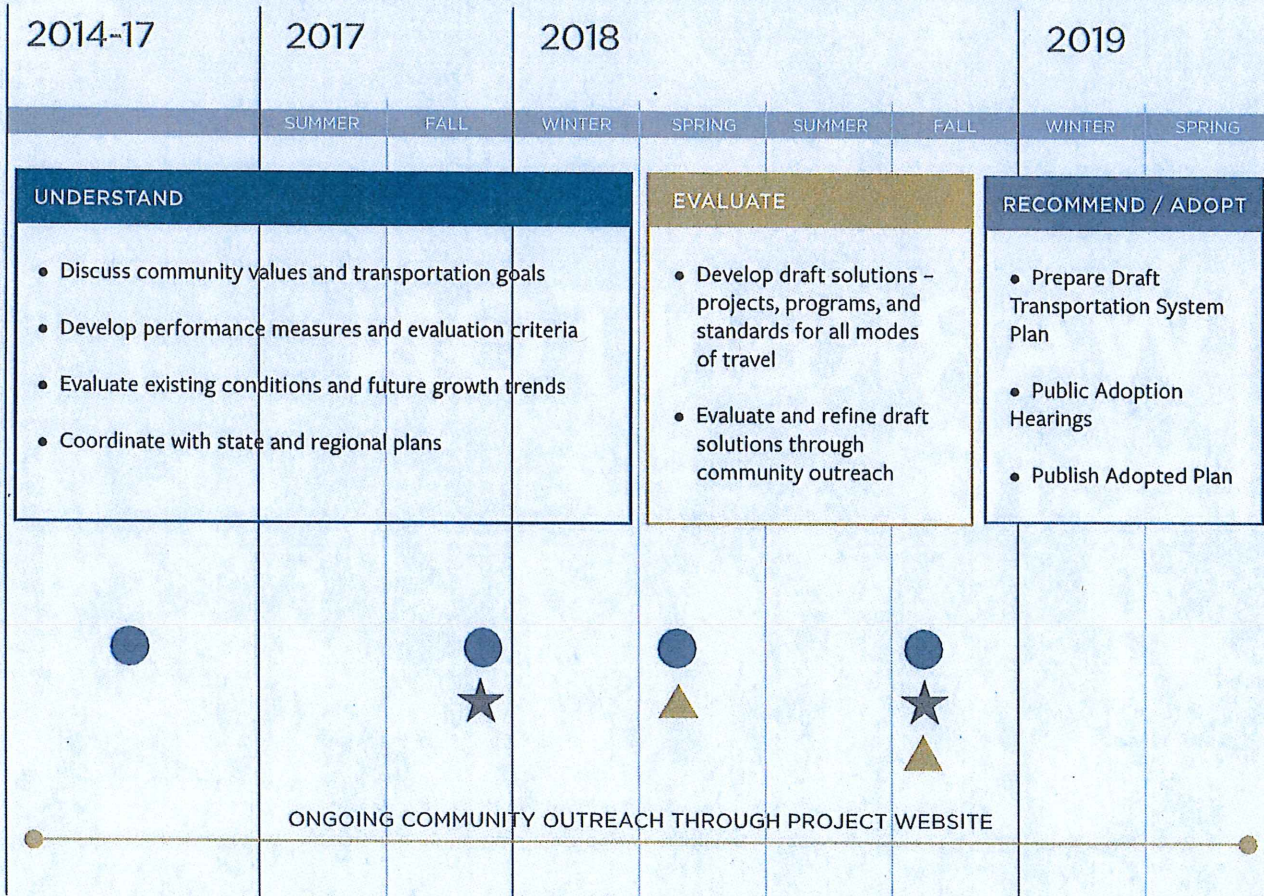
- Oregon Department of Transportation (ODOT)
- City of Warrenton
- Clatsop County

Figure 1. Warrenton TSP Decision-Making Structure



- Warrenton-Hammond School District
- Emergency service providers
- Warrenton Business Association
- Sunset Empire Transportation District
- Other key community groups and stakeholders
- General public

**Figure 2. City of Warrenton TSP Development Process**





**WARRENTON**  
**2016**

# WARRENTON 2016

Warrenton is situated on the most northwestern point of Oregon, adjacent to the Pacific Ocean, Fort Stevens State Park and the mouth of the Columbia River. Although Warrenton has a shared history and ongoing connection with the City of Astoria, its neighbor to the northeast, Warrenton has its own unique character. Warrenton residents and visitors alike have access to significant amounts of open space, city parks and water features, as well as important historical sites, within the City's boundaries.

## Key Destinations

An important aspect of evaluating and planning an effective transportation system is knowing where the people want to go. Warrenton has several destinations that attract a variety of visitors. Generally, these community features can be grouped into the following:

- Schools (e.g. Warrenton Prep, Warrenton Grade School, Warrenton High School)
- Places of employment (e.g. business areas, industrial areas, offices, airport)
- Shopping (e.g. downtown core, grocery stores, shopping centers, restaurants)
- Recreational (e.g. Fort Stevens State Park, beach, Warrenton Waterfront Trail)
- Cultural (e.g. Maddox Dance Studio, library, Wreck of the *Peter Iredale*)
- Public Transportation (e.g. Bus stops)

Wreck of the *Peter Iredale*



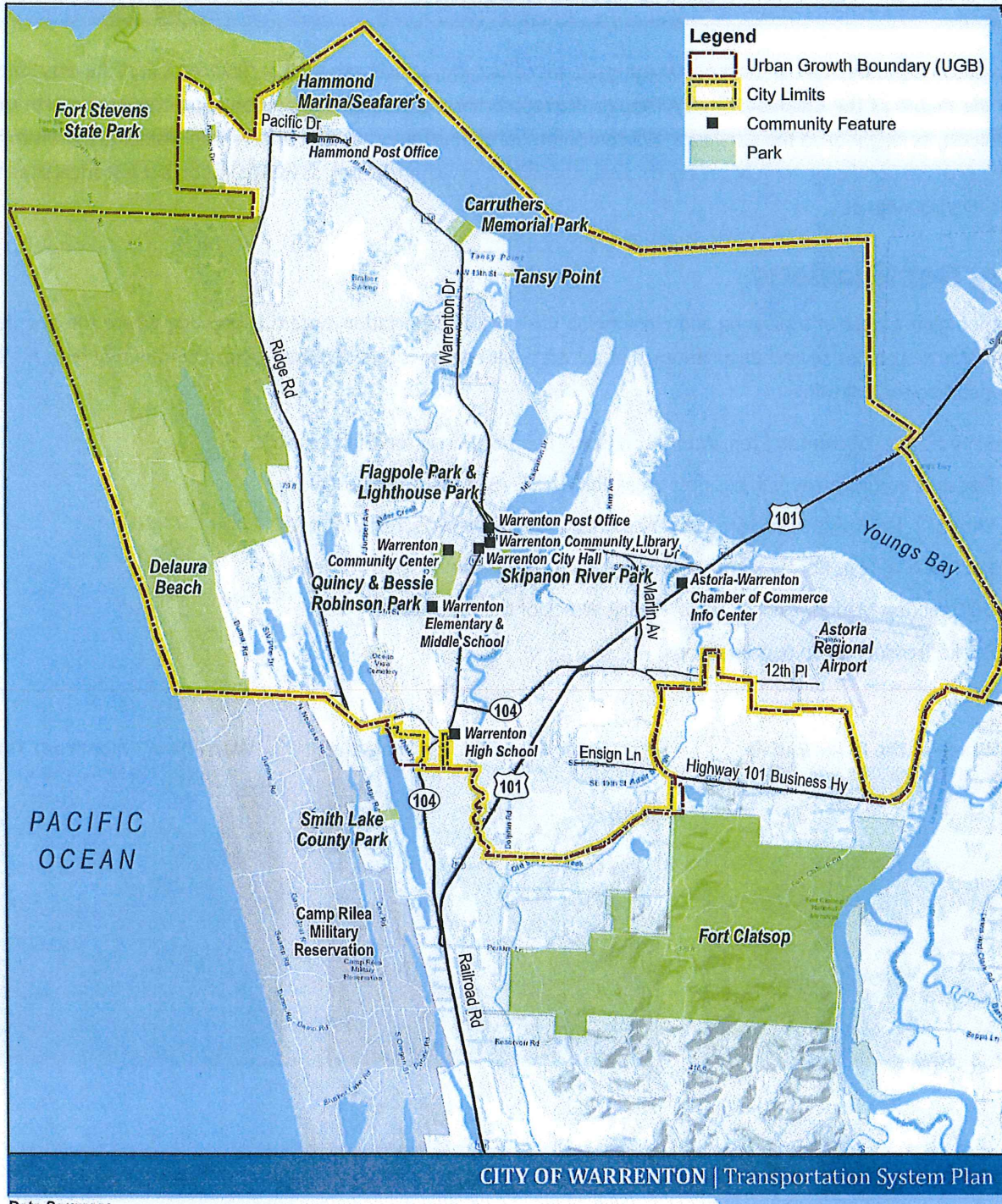
Warrenton Fiber-Nygaard Logging



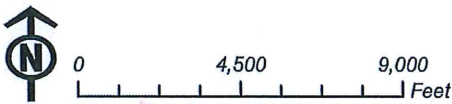
Warrenton Waterfront Trail



Figure 3. Warrenton TSP Study Area



**Data Sources:**  
 ESRI, ArcGIS Online, World Topography Map. 2015.  
 City of Warrenton, Oregon. 2015. Clatsop County, Oregon. 2015.



Document Path: C:\Users\temily.guise\Documents\ArcGIS\Packages\Fig\_7-01\_WarrentonTSP\_CommunityFeatures\_70D03253-7ED5-4AD0-A895-DCB23063A6B7v10\Fig\_01\_WarrentonTSP\_CommunityFe.

## Current and Anticipated Issues

Warrenton's existing transportation system poses issues for all users, including the following:

### PEDESTRIANS & BICYCLISTS

On Warrenton-Astoria Highway, there is no sidewalk present on the south side of Harbor Drive/Marlin Avenue from 160 feet east of SE Anchor Avenue to SE Galena Avenue.

Sidewalks do not exist from SE/NE King Avenue to SE 2nd Street, or on the east side of the roadway approximately 160 feet north of SE 11th Place to the City limits.

Bicycle and pedestrian safety on the Old Youngs Bay and New Youngs Bay Bridges.

Sidewalks do exist on the north side of Warrenton-Astoria Highway between NE Heron Avenue and Ensign Road.

Most pedestrian facilities can be rated "poor" when considering what type of system is currently in place in Warrenton. This means that facilities either are not in place or a pedestrian is required to travel along a roadway shoulder against vehicles at higher speeds.

It is apparent that the current network service system is only partially connected.

### TRANSIT USERS

Warrenton has about 10 bus stops. Improved access to transit may make this more desirable travel option for some community members.

Of the bus stops, only a fraction offer benches and shelter to the surrounding neighborhoods and businesses.

### DRIVERS

Warrenton is expected to experience more tourism traffic, as well as increased congestion in neighboring communities such as Astoria.

The New Youngs Bay Bridge (US 101) and the Old Youngs Bay Bridge (US 101 Business) are existing bottlenecks in the traffic that travels to and from Astoria that are expected to increase by 2040.

US 101 between mile point 6.48 and 6.58 (by SE Neptune Drive) and US 101 between mile point 7.96 and 8.09 (by SE Ensign Lane) were identified as a high collision roadway segments.

## Funding Constraints

The City's current revenue sources are expected to provide about \$21 million through 2040. This estimate is based on the assumption that the average amounts received over the previous five years will continue to be received at that per capita rate through 2040. Warrenton is expected to generate \$384,000 in Local Motor Vehicle Fuel Tax and \$378,000 in State Highway Fund shared revenue. House Bill 2017 is expected to contribute an additional \$121,000 annually. Forecast estimated System Development Charges (SDC) revenue was based, instead, on the current SDC rates that was used in the City's SDC methodology (for residential developments \$669 per single-family dwelling and for non-residential developments \$436 per hour per trip) and the forecasted yearly population and employment growth through 2040. This calculation yields an estimate of \$1,784,400 over the planning horizon.

The current funding sources summarized below and potential additional funding sources are detailed in Volume 2 in Technical Memorandum #9.

### ODOT Statewide Transportation Improvement Program (STIP) Enhance Funding

ODOT has modified the process for selecting projects that receive STIP funding to allow local agencies to receive funding for projects off the state system. Projects that enhance system connectivity and improve multi-modal travel options are the focus. The updated TSP prepares the City to apply for STIP funding. It is expected that ODOT will allocate about \$5



million for improvements in Warrenton over the planning horizon.

### **Transportation Utility Fee**

A transportation utility fee is a recurring monthly charge that is paid by all residences and businesses within the City. The fee can be based on the number of trips a particular land use generates or as a flat fee per unit. It can be collected through the City's regular utility billing. Assuming a flat fee of \$5.00 per month per water meter for both residential and \$ 0.5 per month per square foot for non-residential uses in the City, the City could collect approximately an additional \$19 million (\$1.6 million average annually) for transportation related expenses through 2040.

### **ODOT All Road Transportation Safety (ARTS) Funding**

ODOT All Roads Transportation Safety Program is a competitive data-driven funding program that is used to address safety challenges on all public roads, including the local and state system. It is focused on reducing fatal and serious crashes. Safety funding will be distributed to each ODOT region, which will collaborate with local governments to select projects that can reduce fatalities and serious injuries, regardless of whether they lie on a local road or a state highway.

### **Safe Routes to School**

The Oregon Safe Routes to School (SRTS) Program has money allocated for projects that improve connectivity for children to walk, bike and roll to and from school. Potential grant funds are distributed as a reimbursement program through an open and competitive process. Funding is available through this program for pedestrian and bicycle infrastructure projects within two miles of schools. These funds should be pursued to implement key pedestrian and bicycle projects identified through the SRTS process. The Warrenton Grade School is an ideal candidate due to its proximity to downtown and S Main Ave.

### **General Fund Revenues**

At the discretion of the City Council, the City can allocate General Fund revenues to pay for its transportation program (General Fund revenues primarily include property taxes, use taxes, and any other miscellaneous taxes and fees imposed by the City). This allocation is completed as a part of the City's annual budget process, but the funding potential of this approach is constrained by competing community priorities set by the City Council. General Fund resources can fund any aspect of the program, from capital improvements to operations, maintenance, and administration. Additional revenues available from this source are only available to the extent that either General Fund revenues are increased or City Council directs and diverts funding from other City programs.

### **Urban Renewal District**

An Urban Renewal District (URD) would be a tax-funded district within the City. The URD would be funded with the incremental increases in property taxes that result from construction of applicable improvements. This type of tax increment financing has been used in Oregon since 1960. Use of the funding includes, but is not limited to, transportation. Improvements are funded by the incremental taxes, rather than fees. The City has an existing URA serving the downtown core area.

### **Local Improvement Districts**

Local Improvement Districts (LIDs) can be formed to fund capital transportation projects. LIDs provide a means for funding specific improvements that benefit a specific group of property owners. LIDs require owner/voter approval and a specific project definition. Assessments are placed against benefiting properties to pay for improvements. LIDs can be matched against other funds where a project has system wide benefit beyond benefiting the adjacent properties. LIDs are often used for sidewalks and pedestrian amenities that provide local benefit to residents along the subject street. The City has no active LIDs.

## Debt Financing

While not a direct funding source, debt financing can be used to mitigate the immediate impacts of significant capital improvement projects and spread costs over the useful life of a project. This has been successful recently in Oregon communities such as Bend and McMinnville, where general obligation (GO) bond measures were passed. Key to the measures' success was that the increased property taxes were earmarked toward a defined set of projects with strong public support.

Though interest costs are incurred, the use of debt financing can serve not only as a practical means of funding major improvements, but is also viewed as an equitable funding strategy, spreading the burden of repayment over existing and future customers who will benefit from the projects. The obvious caution in relying on debt service is that a funding source must still be identified to fulfill annual repayment obligations.

In addition, a "value capture" district is another financing tool to consider similar to urban renewal but uses a payment in lieu of taxes (PILOT) from large institutions and employers to finance the repayment of bonds.





# THE VISION

# THE VISION

## The Vision

The process of identifying a vision, goals, and objectives uncovers the transportation system that best fits Warrenton's values and sets the guide for development and implementation of the TSP.

The goals and objectives will guide the development of the transportation system plan, while the evaluation criteria will be used to evaluate and prioritize future transportation programs and improvements against the goals and objectives. Once adopted, the goals and objectives, as well as the project list, will become part of Warrenton's Comprehensive Plan. The goals and objectives outlined below were largely developed from previous local plans, including: 2004 Warrenton Transportation System Plan, 2009 Revised Warrenton Transportation System Plan, 2007 Warrenton Urban Renewal District Plan, Warrenton Comprehensive Plan, 2010 Warrenton Downtown and Marina Master Plans, 2005 Hammond Marina Master Plan, 2010 Warrenton Parks Master Plan, and 2008 Warrenton Trails Master Plan.

Towards the end of the process, once solutions were identified, policy statements to guide future decisions were developed to help the City implement plan recommendations.

## Goals & Objectives

### Goal 1: Health

Develop a transportation system that maintains and improves individual health by maximizing active transportation options.

#### Objectives

1. Maximize active transportation options.
2. Provide recreational opportunities outlined in the 2008 Warrenton Trails Master Plan.

### Goal 2: Safety

Develop a transportation system that maintains and improves public safety and effectively manages evacuations and emergency response preceding and following natural disasters.

#### Objectives

1. Improve safety and provide safe connections for all modes.
2. Meet applicable City and Americans with Disabilities (ADA) standards.
3. Increase public safety.
4. Improve signage for streets, pedestrian and bike ways, and trails as well as directional signs to points of interest.
5. Create safe routes and connections for vehicles, bicycles, and pedestrians, especially across US 101.
6. Limit access points on highways and major arterials, and use techniques such as alternative access points when possible.
7. Increase the city's resilience to natural hazards.

### Goal 3: Travel Choices

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Develop and maintain a well-connected transportation system that offers travel choices, reduces travel distance, improves reliability, and manages congestion for all modes.

#### Objectives

1. Reduce travel distance for all modes.
2. Improve travel reliability for all modes.
3. Manage congestion for all modes.
4. Encourage ride sharing.
5. Work with the Sunset Empire Transportation District to expand transit service, improve amenities, and develop stations in appropriate locations that efficiently serve resident and employee needs.
6. Provide a network of arterials, collectors, and paths that are interconnected, appropriately spaced, and reasonably direct.
7. Develop unused rights-of-way for pedestrian and bike ways or trails where appropriate.
8. Increase access to the transportation system for all modes regardless of age, ability, income, and geographic location.
9. Encourage development patterns that offer connectivity and mobility options for all members of the community.
10. Balance the desires of community members with public agency requirements.

### Goal 4: Economic Vitality

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Support the development and revitalization efforts of the City, Region, and State economies and create a climate that encourages growth of existing and new businesses.

#### Objectives

1. Balance needs for freight system efficiency, access, and capacity with needs for local circulation, safety, and access.
2. Manage parking efficiently and ensure that it supports downtown business needs and promotes new development.
3. Balance the simultaneous needs to accommodate local traffic and through-travel on state highways.
4. Provide transportation facilities that support existing and planned land uses.
5. Enhance the vitality of the Warrenton downtown area by incorporating design elements for all modes in roadway design standards.
6. Ensure that all new development contributes a fair share toward on-site and off-site transportation system improvements.
7. Support expansion of local boating and shipping activities, including the development of waterfront activities along the Skipanon River, Youngs Bay, and Alder Cove.
8. Enhance the connection of the Warrenton Harbor to the surrounding community.
9. Enhance tourism opportunities and access to tourist attractions.

## Goal 5: Livability

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Customize transportation solutions to suit the local context while providing a system that supports active transportation, promotes public health, facilitates access to daily needs and services, and enhances the livability of Warrenton neighborhoods and business community.

### Objectives

1. Minimize adverse social and economic impacts created by the transportation system, including balancing the need for street connectivity and the need to minimize neighborhood cut-through traffic.
2. Develop safe, connected pedestrian and bicycle facilities near schools, high-density residential districts, commercial districts, and waterfront areas.
3. Balance downtown livability with the need to accommodate freight access to industrial and waterfront areas.
4. Design streets to serve the widest range of users, support adjacent land uses, and increase livability.
5. Enhance the quality of life in commercial areas and in neighborhoods.
6. Improve public access to the waterfront and trails along the waterfront.
7. Develop transportation facilities that will allow development without major disruption of existing neighborhoods or the downtown area.

## Goal 6: Sustainability

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Provide a sustainable transportation system that meets the needs of present and future generations and is environmentally, fiscally and socially sustainable.

### Objectives

1. Support travel options that allow individuals to reduce single-occupant vehicle trips.
2. Minimize damage to the environment.
3. Support the reduction of greenhouse gas emissions from transportation sources.
4. Support and encourage transportation system management (TSM) and transportation demand management (TDM) solutions to congestion.
5. Preserve and protect the City's historic sites.

## Goal 7: Fiscal Responsibility

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Plan for and implement an economically viable transportation system that protects and improves existing transportation assets while cost-effectively enhancing the total system.

### Objectives

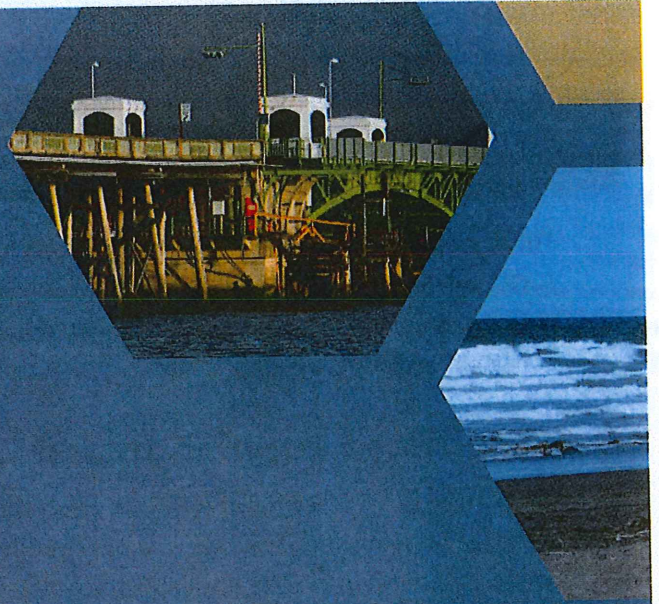
1. Plan for an economically viable and cost-effective transportation system.
2. Identify and develop diverse and stable funding sources to implement recommended projects in a timely fashion and ensure sustained funding for transportation projects and maintenance.
3. Make maintenance and safety of the transportation system a priority.
4. Maximize the cost effectiveness of transportation improvements by prioritizing operational enhancements and improvements that address key safety and congestion issues.
5. Identify local street improvement projects that can be funded through grant programs.
6. Provide funding for the local share (i.e. match) of capital projects jointly funded with other public partners.
7. Prioritize funding of projects that are most effective at meeting the goals and policies of the Transportation System Plan.

## Goal 8: Compatibility

Develop a transportation system that is consistent with the City's Comprehensive Plan and that is coordinated with County, State, and Regional plans.

### Objectives

1. Coordinate, support, and cooperate with adjacent jurisdictions and other transportation agencies to develop transportation projects that benefit the City, Region, and State as a whole (e.g. evacuation routes, county-wide transit, and jurisdictional transfer of roadways).
2. Work collaboratively with other jurisdictions and agencies to ensure the transportation system functions seamlessly.
3. Coordinate land use and transportation decisions to efficiently use public infrastructure investments to meet goals and objectives.
4. Maintain and implement functional classification standards and criteria.
5. Coordinate with other jurisdictions and community organizations to develop and distribute transportation-related information.
6. Review City transportation standards periodically to ensure consistency with Regional, State, and Federal standards.
7. Coordinate with the County and State agencies to ensure that improvements to County and State highways within the city benefit all modes of transportation.
8. Participate with ODOT, Clatsop County, and Astoria in the revision of their transportation system plans, and coordinate with neighboring jurisdictions regarding land development outside of the Warrenton urban growth boundary to ensure provision of a transportation system that serves the needs of all users.
9. Participate in updates of the ODOT State Transportation Improvement Program (STIP) and Clatsop County Capital Improvement Program (CIP) to promote the inclusion of projects identified in the Warrenton TSP.
10. Coordinate with the U.S. Army Corps of Engineers and the Oregon Division of State Lands to maintain appropriate operating depths at marina facilities, and identify beneficial uses of dredged material resulting from maintenance dredging.
11. Work to protect airspace corridors and airport approaches.
12. Coordinate planning for lifeline and evacuation routes with local, State, and private entities.



# WARRENTON IN 2040



# WARRENTON IN 2040

Future land use changes and growth in population, housing, and employment within Warrenton’s urban growth boundary (UGB) will have a significant impact on the existing transportation system and will create new travel demands. These growth projections and how they translate to new trips on the transportation network are key elements of the future conditions and performance analysis.

## Forecasted Population and Employment Growth

Understanding the influence of area land uses on the transportation system is a key factor in transportation system planning. The amount of land that is to be developed, the types of land uses, and their proximity to each other have a direct relationship to expected demands on the transportation system.

The process for developing future 2040 traffic volume forecasts for Warrenton involved three key components:

**The Astoria-Warrenton regional travel demand model was utilized as the primary tool to estimate future travel demand in Warrenton, using a base model year of 2015 and a future model year of 2035.**

**Refined travel demand forecasts were developed by adding local circulation characteristics in the travel demand model as needed (using a focus area approach).**

**The 20-year growth increment between the base and future year models was extrapolated to a 25-year increment and then added to the base year 2015 count data (referred to as post-processing) to develop final year 2040 traffic volume forecasts for Warrenton.**

As shown in Table 1, the 2015 model included approximately 2,179 households (representing 5,175 people) and 3,410 employees within the Warrenton UGB. With expected growth to the horizon year 2035, 579 households (or about 27 percent growth) are projected to be added, while the total employment is projected to grow by approximately 1,370 employees (40 percent growth). These future totals within the UGB were established in coordination with City using new population forecasts for Clatsop County and its cities.

Warrenton is currently experiencing a steep growth trajectory with several housing subdivision and employment-related land use applications being filed. The control totals shown in Table 1 represent our best estimate of 20-year growth given the available data and studies, and we understand that growth will not be linear over the 20 years.

**Table 1. Warrenton UGB Land Use Summary**

LAND USE	2015	2035	PERCENT INCREASE
Population	5,175	7,410	43%
Households	2,179	3,153	45%
Total Employment	3,410	4,934	45%

*Note: Land use summary based on travel demand model and zones that approximate the Warrenton UGB*

## Future Conditions without Improvements

The population, housing, and employment growth projected to occur through 2040 will result in increased travel demands within and through the city. An evaluation of Warrenton's transportation system under these conditions was performed to understand how transportation needs might change if no further investments to improve the system were made. This resulted in the following findings:

The forecast generated by analysis of the future 2040 roadway system identifies the following findings:

- The US 101 signalized intersections at E Harbor Drive, Marlin Drive and SE Ensign Lane are all expected to operate at levels above their corresponding mobility targets.
  - Future (2040) Summer PM Peak Hour
- Driving needs: The future summer and average weekday conditions each have separate needs:
  - Future (2040) Average Weekday PM Peak Hour
- Alternative Mobility Targets: There is a need to pursue alternative mobility targets along US 101, as it is not expected that enough capacity can be reasonably added to this facility to alleviate congestion during summer months.
- Including the three intersections operating worse than mobility targets under the average weekday conditions, four additional intersections worsen to exceed mobility targets: US 101 at SE Neptune Drive, OR 104/Ft Stevens Highway at NE Skipanon Drive/S Main Avenue, E Harbor Drive at Marline Drive and OR 104/S Main Avenue at SW 2nd Street.
- Safety Needs: High collision locations were identified at 4 signalized intersections along US 101. Warrenton has two SPIS locations. Both are on US 101 and each include a signalized intersection, at East Harbor Street and Ensign Lane.<sup>1</sup>
- Walking and Biking Needs: Warrenton lacks existing bike and pedestrian facility networks to adequately connect neighborhoods with commercial, institutional, recreational areas, and transit stops. Future improvements could improve safety and accessibility of using active modes of transportation to get around the City.
- Transit Needs: There are a limited number of transit stops and there are gaps in service and frequency. Some neighborhoods to the south and west of downtown are not within comfortable walking distance to a transit stop. An expansion in the number of stops and buses on routes would be required to fully serve all areas of the City.
- Freight Needs: Warrenton's only Federal Truck Route is US 101. It is important that future improvements maintain the geometry required to accommodate large freight vehicles along US 101.



1 . ODOT SPIS Report 2015(2012-2014 Data): Top ten percent SPIS sites

## Preparing for Smart Mobility

Emerging vehicle technology and design approaches will shape our roads, communities, and daily lives. As vehicles become more connected, automated, shared, and electric, the way we plan, design, build, and use our transportation system will change.

When discussing these vehicles as a whole, they can be referred to as connected, automated, shared, and electric (CASE) vehicles. Many of these vehicles will not be exclusive of the others and it is important to think of the host of implications that arise from the combination of these technologies.



**Connected Vehicles (CVs)** will enable communications between vehicles, infrastructure, and other road users. This means that our vehicles will be able to assist human drivers and prevent crashes while making our system operate more smoothly.



**Automated Vehicles (AVs)** will, to varying degrees, take over driving functions and allow travelers to focus their attention on other matters. Today, we already have vehicles with combined automated functions such as lane keeping and adaptive cruise control. However, these still require constant driver oversight. In the future, more sophisticated sensing and programming technology will allow vehicles to operate with little to no operator oversight.



**Shared Vehicles (SVs)** are already on the road today that allow ride-hailing companies to offer customers access to vehicles through smart phone applications. Ride-hailing applications allow for on-demand transportation with comparable convenience to car ownership without the hassle of maintenance and parking. Ride-hailing applications can enable customers to choose whether share a trip with another person along their route, or travel alone.



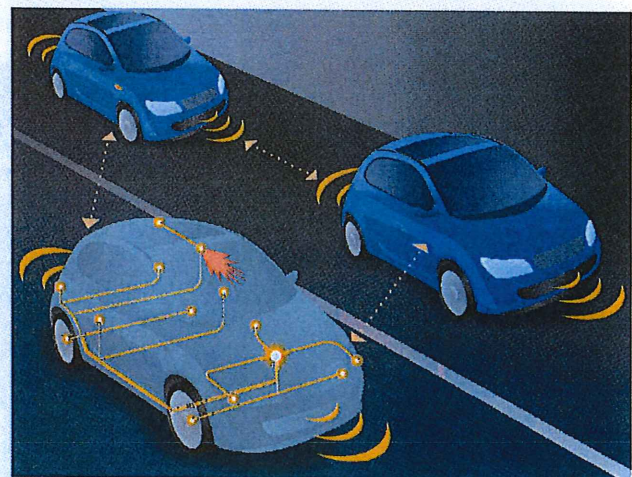
**Electric Vehicles (EVs)** have been on the road for decades and are becoming more economically feasible as the production costs of batteries decline.

### Planning for Change

The impacts of CASE vehicles on road capacity are uncertain. After CASE vehicles are widely adopted, there is a high likelihood that increases in road capacity will correspond with increasing traffic demand. We can expect that congestion will continue to persist.

The expected congestion can be used to encourage use of transit, shared vehicles, and bike share. These modes could all be encouraged through pricing mechanisms that are vastly less expensive to implement than building more road capacity. A variety of pricing mechanisms are enabled with CASE technology because these vehicles will be tracked geographically, and by time of day. With time/location data, transportation system operators will be able to develop pricing mechanisms that reduce congestion at a lower cost than other roadway improvements. Larger cities will be the first to implement these strategies and smaller cities should follow these developments closely.

Figure 4. Vehicle-to-Vehicle Communication



## Potential Impacts, Questions and Policy Considerations

### CONGESTION AND ROAD CAPACITY

#### Anticipated Impacts

- AVs may provide a more relaxing or productive experience and people may have less resistance to longer commutes.
- Shared AVs will likely cost significantly less on a per mile basis, increasing demand for travel.
- CVs will allow vehicles to operate safely at closer following distances. In the long run, this will increase road capacity in the long run as CVs and AVs comprise increasing portions of the public and private fleet of vehicles.
- In the near term, as AVs still make up a fraction of the fleet of vehicles, road capacity could decrease as AVs operate more slowly and cautiously than regular vehicles.
- A new class of traffic — zero-occupant vehicles — may increase traffic congestion
- Roadways may need to be redesigned or better maintained to accommodate the needs of automated driving systems.

#### Questions

- How much will AVs cost for people to own them personally?
- How much will AVs cost if they are used as a shared fleet?
- How does cost and the improved ride experience of AVs influence travel behavior?
- How much more efficiently will AVs operate compared to regular human driven vehicles once they dominate the vehicle fleet?
- How will AVs impact road capacity in the near term as they are deployed in mixed traffic with human driven vehicles?
- What portion of traffic will be zero-occupant vehicles and what areas will likely generate the highest portion of zero-occupant vehicles looking for parking or waiting for their next passenger?

### PARKING

Because AVs and Shared AVs will be able to park themselves, travelers will elect to get dropped off at their destination while the vehicle goes to find parking or its next passenger. With parking next to their destination no longer a priority for the traveling public, parking may be over-supplied in many areas and new opportunities to reconfigure land use will emerge.

#### Questions

- How does vehicle ownership impact parking behavior?
- What portion of the AV fleet will be shared?
- How far out of the downtown area will AVs be able to park while remaining convenient and readily available?

#### Considerations

- Consider building new parking garages that can be converted (with flat instead of ramped floors) to other uses in case AVs make them underutilized in their lifetime. If that isn't financially feasible, consider alternative transportation demand management strategies.
- Consider revising minimum parking requirements for new developments, especially in areas that are within one mile of transit.
- Consider system development charges that fund the installation of charging stations in new developments.

### CURB SPACE

The ability to be dropped off at your destination will also create more potential for conflicts in the right-of-way between vehicles dropping off passengers, vehicles moving through traffic, and vehicles parked on the street. In urban areas with ride-hailing companies, popular destinations are already experiencing significant double-parking issues. Curb-space management is a growing consideration. Jurisdictions should inventory parking utilization and identify areas that could be converted from parking to curbside pick-up and drop-off zones.

## PACKAGE DELIVERY

With the use of AVs to deliver packages, food, and expanded services, these vehicles will need to be accommodated in the right-of-way. For instance, if the AV parks at the curb in a neighborhood and smaller robots are used to deliver packages to the door, new conflicts will arise between vehicles, pedestrians, and bicyclists.

## TRANSIT

AVs could become cost competitive with transit and undermine transit ridership as riders prefer a more convenient alternative. However, transit will remain the most efficient way to move high volumes of people through constricted urban environments. AVs will not eliminate congestion and as discussed above, could exacerbate it — especially in the early phases of AV adoption. In addition, shared AVs may not serve all areas of a community and underserved communities still require access to transit to meet daily needs.

To avoid potential equity and congestion issues, transit agencies need to work together to integrate the use of automated vehicles and transit. Transit needs to adapt to new competition in the transportation marketplace as well as consider adopting CASE technologies to support transit operations.

## Considerations

- Partnering with ride-hailing companies to provide first and last-mile solutions.
- Working with ride-hailing companies and bike share to integrate payment platforms and enable one button purchase of a suite of transportation options for multimodal trips.
- Creating fixed route autonomous shuttles to provide first and last-mile solutions.
- Creating on-demand autonomous shuttles to provide first and last-mile solutions.

## ELECTRIC VEHICLE CHARGING

To accommodate a future where electric vehicles will come to dominate our vehicle fleet, charging station capacity will need to be increased. Cities, electric utilities, regions, and states will need to work together to meet the significant increase in demand.

## MOBILITY HUBS

A mobility hub is a central location that serves as a multimodal connection point for transit, car share, bike share, and ride share stations, see Figure 21. This system can serve as a tool to encourage travelers to take seamless multimodal trips that are well timed and convenient. Mobility hubs make the most sense to put in transit centers that are located near urbanized areas with multimodal supportive infrastructure (e.g., protected bike lanes) to maximize connectivity for first and last-mile solutions.

Figure 5. Mobility Hub





# THE PLAN

# THE PLAN

The purpose of the Warrenton TSP Update is to determine how best to serve the future transportation needs of Warrenton residents, businesses, and visitors. The existing and future conditions analysis suggest that the TSP will incorporate multi-modal options with the vision of the community to define draft transportation system solutions that address local needs.

## Evaluating the Possibilities

Recommended solutions were developed to be consistent with the project vision and goals and to focus on creating a balanced system able to provide travel options for a wide variety of needs and users. The list of recommended projects was prioritized using guidance provided by the project goals and objectives and with input from three main sources:

- Review of projects in 2004 TSP Update and other Local and Regional Plans, including:
  - 2015 Clatsop County Transportation System Plan
  - 2010 City of Warrenton Downtown and Marina Master Plans
  - 2018-2023 Warrenton Streets Capital Improvement Program
  - 2010-2030 Warrenton Parks Capital Improvements Plan
  - 2018-2021 Oregon (Final as Amended) Statewide Transportation Improvement Program (STIP)
- New Projects based on identified deficiencies and feedback from public and advisory committees
- System and Demand Management strategies

While the recommended projects include all identified projects for improving Warrenton's transportation system, regardless of their priority or their likelihood to be funded, the TSP planning process eliminated projects that may not be feasible for reasons other than financial limitations (such as environmental or existing development limitations). The recommended project list is composed of the following three lists, created based on each project's priority and likelihood to be funded.

- Aspirational Projects list includes all projects identified in the TSP.
- Likely Funded Projects list identifies the high priority projects from the Aspirational Projects list that could be constructed with funding anticipated through 2040.
- Possibly Funded Projects list identifies projects from the Aspirational Project list that are highly supported but that, due to cost or jurisdiction, were unable to be included in the Likely Funded list. Should additional funding become available, these are projects the City may want to consider.

The City is free to implement projects identified on the Likely Funded list first. Priorities may change over time and unexpected opportunities may arise to fund particular projects. The City is free pursue any of these opportunities at any time. The purpose of the Likely Funded project list is to establish reasonable expectations for the level of improvements that will occur and give the City initial direction on where funds should be allocated. The project design elements depicted are identified for the purpose of creating a reasonable cost estimate for planning purposes. The actual design elements for any project are subject to change and will ultimately be determined through a preliminary and final design process, and are subject to City, County and/or ODOT approval.

## Likely Funded Project List

The projects are listed in order of funding priority. Each project is identified by a project ID that consists of a mode acronym and number. Numbers do not imply priority. BP stands for Bicycle and Pedestrian, meaning it is a project primarily benefiting biking and walking; R is for Roadways, meaning it is primarily benefiting driving; T is for transit and benefits transit users, and O is for other, which benefits airport or waterways.

**Table 2. Likely Funded Projects**

PROJ. ID	DESCRIPTION	JURISDICTION	LOCATION	COST
BP1	Improve wayfinding signage and visibility of Warrenton Waterfront Trail. Provide a bicycle wayfinding signage network to help guide bicyclists to and from local destinations via bike routes and trails.	Warrenton	Warrenton Waterfront Trail	\$50,000
BP2	Provide a path connection and wayfinding for the Airport Dike Trail to cross US 101 at Harbor Drive.	Warrenton / ODOT	Airport Dike Trail: US 101 at Harbor Dr	\$133,000
BP3	Install bicycle parking at points of interest, such as downtown Warrenton, the City Park and the Warrenton Soccer Complex.	Warrenton	Parks, downtown, soccer complex	\$5,000
BP4	Improve pedestrian crossing at Fort Stevens Hwy 104, Warrenton-Astoria Hwy 105 (E Harbor Dr) and Skipanon Dr/Main Ave	ODOT	Fort Stevens Hwy 104, Warrenton-Astoria Hwy 105 (E Harbor Dr) and Skipanon Dr/Main Ave	\$100,000
BP5	Construct a 10-foot wide multi-use path on the east side of Ridge Road from SW 9th Street to the north edge of the Warrenton Soccer Complex.	County/ Warrenton	Ridge Rd: SW 9th St north along soccer fields	\$200,000
BP6	Construct an at-grade pedestrian crossing of Ridge Road at the Warrenton Soccer Complex with high visibility paint and advanced signage.	County	Soccer fields and across/along Ridge Rd	\$20,000
BP7	Enhance bicycle connectivity in Hammond. <i>Option A:</i> Install wayfinding and sharrows on parallel routes (6th and 7th) through Hammond and provide high visibility crosswalk across Pacific Drive. <i>Option B:</i> Construct curb, gutter and sidewalks on Pacific Drive through Hammond	ODOT/ Warrenton	Pacific Dr (Hammond)	\$50,000
BP8	Add bicycle route designation signage for length of Warrenton-Astoria Hwy 105 within Warrenton city limits.	ODOT/ Warrenton	Warrenton-Astoria Hwy 105	\$25,000
BP9	Install high visibility crosswalk at the intersection of Fort Stevens Hwy 104 (Main Avenue) at SW 9th Street to enhance visibility of crossing near elementary school.	ODOT/ Warrenton	Fort Stevens Hwy 104 (Main Ave) at SW 9th St	\$2,000



PROJ. ID	DESCRIPTION	JURISDICTION	LOCATION	COST
BP10	Upgrade curb and crosswalks to be ADA-compliant at Warrenton Elementary School.	Warrenton	SW Cedar Ave at SW 7th St	\$40,000
BP11	New marked crosswalks near community center/park. The crossings at SW 4th Street would also require installation of new curb.	Warrenton	SW Alder Ave at SW 3rd St and SW 4th St	\$30,000
BP12	Enhance bicycle visibility on New Youngs Bay Bridge. <i>Option A:</i> Install signage indicating bicyclists in outer lane. <i>Option B:</i> Install additional bike detection for cyclists traveling along the bridge	ODOT	New Youngs Bay Bridge	\$500,000
BP25	Construct bicycle lanes, curb, gutter and sidewalks on both sides of SE Neptune Avenue between Harbor Drive and US 101.	Warrenton	SE Neptune Ave: E Harbor Dr to US 101	\$1,400,000
BP27	Construct curb, gutter and sidewalks on both sides of Warrenton-Astoria Hwy 105 (E Harbor Drive) from Marlin Avenue to US 101.	ODOT	Warrenton-Astoria Hwy 105 (E Harbor Dr): Marlin Ave to US 101	\$1,600,000
BP28	Widen road to provide additional paved width for pedestrian connectivity on Delaura Beach Lane.	Warrenton / ODOT	Delaura Beach Ln: Pine Dr to Ridge Rd	\$1,400,000
BP32	Bike and pedestrian access from SW Dolphin Rd south to US 101. Consider an overpass to facilitate multi-modal crossing to employment and education center on SE Dolphin Rd south of US 101.	Warrenton / ODOT	SW Dolphin Rd at US 101	\$50,000
T1	Extend hours, decrease headway, review scheduling, improve efficiency of dial-a-ride program, meet the needs of future demands, improve connections, and advertise and promote services.	Sunset Empire Transportation District / NorthWest POINT	City wide	TBD
T2	Modernize transit stops to accommodate mobility devices	Warrenton	City wide	TBD
T3	Install transit shelters and kiosks on US 101 and both the north and south ends of the New Youngs Bay Bridge.	Warrenton / Astoria / ODOT	US 101 North and South of the New Youngs Bay Bridge	TBD
R1	Modify intersection to accommodate WB-62 trucks with a minimum turning radius of 45 degrees. This project rebuilds the intersection and includes water quality facilities, a new drainage system, concrete walks and curb.	ODOT	Fort Stevens Hwy 104 (Main Ave/ Skipanon Dr) at Warrenton-Astoria Hwy 105	\$3,000,000

PROJ. ID	DESCRIPTION	JURISDICTION	LOCATION	COST
R7	Construct shoulder widening of three feet on both sides (conservative estimate) of Fort Stevens Hwy 104 (Main Avenue) between 14th Street to just south of the spur to provide additional paved width. The estimate includes a new drainage system and two water quality facilities.	ODOT	Fort Stevens Hwy 104 (Main Ave) - 14th St to South of Spur	\$1,100,000
R9	Improve SW 4th Street between S Main Avenue and SW Alder Court and add sidewalk. Also includes drainage and power line improvements.	Warrenton	SW 4th St: S Main Ave to SW Alder Ct	\$296,000

\* Cost were not considered for possibly funded projects

## Possibly Funded Projects

The Possibly Funded Plan identifies additional transportation solutions that could be funded if the City develops new revenue sources. If the new funding sources do not become viable options, these projects would not be funded. The assumed possible new sources are summarized in the table below.

**Table 3. Potential New Funding Source**

DESCRIPTION	ESTIMATED AMOUNT THROUGH 2040
Transportation Utility Fee	\$19,000,000
Total New Revenue	\$19,000,000

Using these potential new funding sources, the additional projects in Possibly Funded table could be funded. More projects could be funded through other sources, such as development, state or federal funding, urban renewal districts, local improvement districts, and reallocating general fund and lodging tax revenues to transportation projects. The Possibly Funded Transportation System includes about \$18.7 million in transportation investments.

**Table 4. Possibly Funded Projects**

PROJ. ID	DESCRIPTION	JURISDICTION	LOCATION	COST OPINION (2018 DOLLARS)
BP13	Construct a new trail connection from the KOA access east to NW Warrenton Drive following the NW 11th Street alignment. Includes excavation and embankment.	Private/ Warrenton	KOA access/NW 11th alignment	\$2,700,000
BP14	Install bicycle facilities along Fort Stevens Hwy 104 (Main Avenue): <i>Option A:</i> Install sharrows and “share the road” signage <i>Option B:</i> Remove parking on one side of the road and widening where needed to provide striped bicycle facilities	ODOT	Fort Stevens Hwy 104: Harbor Dr to 9th St	<i>Option A:</i> \$30,000 <i>Option B:</i> \$695,000*
BP15	Construct sidewalks on both sides of SE 19th Street south of Ensign Lane. Project includes new sidewalk, curb and gutter on the north/east side of the road and extends the sidewalk on the south/west side of the road.	Warrenton	SE 19th: Ensign Ln to Chokeberry Ave	\$1,600,000
BP16	Construct a 10-foot wide multi-use path on one side of Pacific Drive from Lake Drive to Fort Stevens State Park entrance.	State Parks/ County/ Warrenton	Hammond to Fort Stevens State Park	\$600,000
BP17	Provide enhanced bicycle and pedestrian connectivity along SW 9th Street. <i>Option A:</i> Widen sidewalk to 10 feet on north side <i>Option B:</i> Multiuse path (Cedar Dr to Ridge Rd)	Warrenton	SW 9th St: SW 9th St to Ridge Rd	\$1,160,000
BP18	Stripe bicycle lane stencil on both sides of the road for length of Fort Stevens Hwy 104 Spur to indicate bicyclists are present.	ODOT	Fort Stevens Hwy 104 Spur	\$10,000

PROJ. ID	DESCRIPTION	JURISDICTION	LOCATION	COST OPINION (2018 DOLLARS)
BP19	Construct curb, gutter and sidewalks on the east side of Fort Stevens Hwy 104 between SW 3rd Street and SW 9th Street.	ODOT	Fort Stevens Hwy 104:SW 3rd St to SE 9th St	\$1,400,000
BP20	Construct bicycle lanes, curb, gutter and sidewalks on both sides of SE Marlin Avenue between Harbor Drive and SE 6th Street.	ODOT	Warrenton-Astoria Hwy 105 (SE Marlin Ave): Harbor Dr to SE 6th St	\$1,500,000
BP23	Provide bicycle and pedestrian improvements at the OR 104S bridge over the Skipanon River <i>Option A:</i> Advanced signing and striping to share the road with pedestrian and bicyclists <i>Option B:</i> Cantilever multi-use path on one side of bridge	ODOT	Skipanon River Br. No. 1400	Option A: \$25,000 Option B: \$2,100,000*
BP24	Construct multi-use path from north end of Burman Road to connect to Fort Stevens State Park trail system.	State Parks / County / Warrenton	Along Burma Rd to Delaura Beach Rd	\$300,000
BP28	Provide sidewalks on S Main Ave	Warrenton / ODOT	S Main Ave and SW 14th Pl (Orchard Subdivision)	\$24,000
BP29	Provide multi-use trail along NW 13th St between Warrenton Dr and River Front Trail.	Warrenton	NW 13th St and Warrenton Dr Trail	\$113,000
R2	Rebuild N Main Avenue and NW 7th Place between NW Warrenton Dr and NE 5th Street to improve rideability. (Would also include water system upgrades of \$500,000)	Warrenton	N Main Ave and NW 7th Pl (NW Warrenton Dr to NE 5th St)	\$367,000
R3	This project would allocate the SDC funds for street improvements throughout the city.	Warrenton	City of Warrenton	\$742,400
R4	Construct new section of SW 2nd Street to improve connectivity. Design will involve determining if any wetland mitigation needs to be done. Potential wetland mitigation not included in estimate.	Warrenton	SW 2nd St (Elm - Gardenia)	\$315,000
R5	Rebuild SW Alder Avenue with curbs from 1st Street to 2nd Street, grind, and overlay from 2nd Street to 3rd Street.	Warrenton	SW Alder Ave Reconstruction Project (SW 1st - SW 3rd)	\$185,000
R6	Modify signal timing to optimize traffic operations (e.g. Flashing yellow arrows, cycle length, optimize signal splits, protecting/ permitted phasing)	ODOT	US 101 at Harbor, Marlin and Neptune	\$30,000
R11	Construct a new road by extending SE 19th St north (connectivity project). Project assumes minor collector cross-section.	Warrenton / County	19th to Jetty or King	\$1,700,000

PROJ. ID	DESCRIPTION	JURISDICTION	LOCATION	COST OPINION (2018 DOLLARS)
R12	Construct a new road by extending NW/SW Juniper Avenue (connectivity project). Project assumes minor collector cross-section and accounts for excavation and embankment work.	Warrenton	NW/SW Juniper Ave: SW 9th St to Ridge Rd	\$3,800,000
R13	Provide access management control measures to improve safety and traffic flow at the Premarq Center accesses.	Private / ODOT	Premarq Center accesses	\$10,000
R14	Install intersection capacity improvement such as traffic signal (if warranted), turn lanes or roundabout and then cite the ODOT approval criteria.	ODOT	Fort Stevens Hwy 104 (Main Ave/ Skipanon Dr) at Warrenton-Astoria Hwy 105	Option A:\$1,000,000* Option B:\$500,000
R15	Install intersection capacity improvement such as traffic signal (if warranted), turn lanes or roundabout and then cite the ODOT approval criteria.	ODOT	E Harbor Dr at SE Neptune Ave	Option A: \$1,000,000* Option B: \$500,000
R16	Install intersection capacity improvement such as traffic signal (if warranted), turn lanes or roundabout and then cite the ODOT approval criteria.	ODOT	East Harbor Dr at SE Marlin Ave (Warrenton-Astoria Hwy 105)	Option A:\$1,200,000* Option B:\$750,000
R25	Rebuild SE Main Court between SE 9th Street and SE 11th Street.	Warrenton	SE Main Ct (9th - 11th)	\$107,000
R27	Realign Delaura Beach Lane to intersect with Ridge Road at a T-intersection.	Warrenton	Delaura Beach Ln at Ridge Rd	\$470,000

\* Cost were not considered for possibly funded projects

## Aspirational Project List

Table 5. Aspirational Project List

PROJ. ID	DESCRIPTION	JURISDICTION	LOCATION	COST OPINION (2018 DOLLARS)
BP21	Construct curb, gutter and sidewalks on both sides of Fort Stevens Hwy 104 Spur: Phase 1: Hwy 104 (Main Ave) to Ensign Ln Phase 2: Ensign Ln to US 101	ODOT	Fort Stevens Hwy 104 Spur	\$3,300,000
BP22	Improve pedestrian amenities along the Warrenton Waterfront Trail including restrooms, lighting, trash receptacles	Warrenton	Warrenton Waterfront Trail	-
BP26	Construct curb, gutter and sidewalks on both sides of Warrenton-Astoria Hwy 105 (E Harbor Drive) from Fort Stevens Hwy 104 (Main Avenue) to Marlin Avenue.	ODOT	Warrenton-Astoria Hwy 105 (E Harbor Dr): Fort Stevens Hwy 104 (Main Ave) to Marlin Ave	\$3,200,000
BP30	Construct sidewalk on south side of Ensign Ln	Warrenton	Fort Stevens Hwy 104 Spur to US 101	\$472,000
BP31	Pave top of Airport Dike Trail from Hwy 105 by Lewis and Clark bridge to US 101.	Warrenton / Airport (?)	Airport Dike Trail	\$3,300,000
T4	Increase transit amenities throughout the city (covered shelters, signage, and bus pullouts).	Warrenton / Varies	City wide	-
R8	Rebuild SE Anchor Avenue and add sidewalk between Harbor Street and SE 3rd Street. Also includes drainage and power line improvements.	Warrenton	SE Anchor Ave: Harbor St to SE 3rd St	\$1,323,000
R13	Rebuild and widen roadway to accommodate WB 62 trucks. This improvement supports a truck route by rebuilding the intersection of Hwy 104 (Warrenton Drive) at 5th Street and roadway improvements along Skipanon Drive and 5th Street. Project assumes new water quality facilities, drainage system, curb, gutter and sidewalks.	Private / ODOT	5th St: Hwy 104 (Warrenton Dr) to Skipanon Dr	\$9,000,000
R18	Add STOP-control at the intersection of SE 9th Street at SE Anchor Avenue.	Warrenton	SE 9th St at Anchor Ave	\$28,000
R19	Install intersection capacity improvement such as right-turn lanes on SE Marlin Ave (Warrenton-Astoria Hwy 105)	ODOT	SE Marlin Ave (Warrenton-Astoria Hwy 105) at US 101	\$1,100,000
R20	Add second eastbound left-turn lane on E Harbor Drive, second northbound through lane, and second southbound through lane.	ODOT	E Harbor Dr at US 101	\$1,200,000

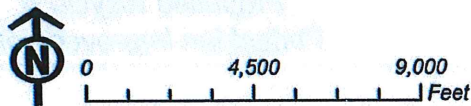
PROJ. ID	DESCRIPTION	JURISDICTION	LOCATION	COST OPINION (2018 DOLLARS)
R21	Add westbound left-turn lane on East Harbor Drive. This improvement would decrease traffic delays for westbound through traffic on East Harbor Drive, but further improvements would be necessary to resolve the delays on the south leg.	ODOT	East Harbor Dr at SE Marlin Ave (Warrenton-Astoria Hwy 105)	Option A: \$1,200,000* Option B: \$400,000
R22	Widen OR 104 Spur to add a dedicated westbound left-turn lane with 100 feet of storage.	ODOT	OR 104 Spur at Ensign Ln	Option A: \$1,000,000* Option B: \$140,000
R23	Construct a new local roadway by extending SE 7th Street east to connect to SE Marlin Avenue. The project assumes a new 3-lane bridge over the Skipanon Slough.	Private / Warrenton	Private road (SE 7th St): Hwy 104 (Main Ave) to SE Marlin Ave	\$20,000,000
R24	Provide a westbound left-turn from SE Ensign Lane to the Warrenton Highland Shopping Center <i>Option A:</i> Remove existing raised median and add a westbound left-turn lane to provide single-vehicle turn lane <i>Option B:</i> Reconstruct roadway to provide a westbound left-turn lane and shared through-right	Warrenton	SE Ensign Ln at Warrenton Highland Shopping Center	Option A: \$105,000 Option B: \$420,000*
R26	Rebuild SE 2nd Street between S Main Street and SE Anchor Avenue and pave from Anchor Avenue to Skipanon River Park.	Warrenton	SE 2nd St (Main - Skipanon River Park/Anchor Ave)	\$281,000
O1	Improve existing water facilities	Warrenton	Marina/Rivers	-
O2	Retrofit Skipanon River Bridge to address structural deficiency.	ODOT	Skipanon River Br. No. 1400	\$2,100,000
O3	Improve runway surface at Astoria Regional Airport	Airport	Astoria Regional Airport	-
O4	Improve runway safety areas	Airport	Astoria Regional Airport	-

\* Cost were not considered for possibly funded projects

Figure 6. Proposed Roadway Projects



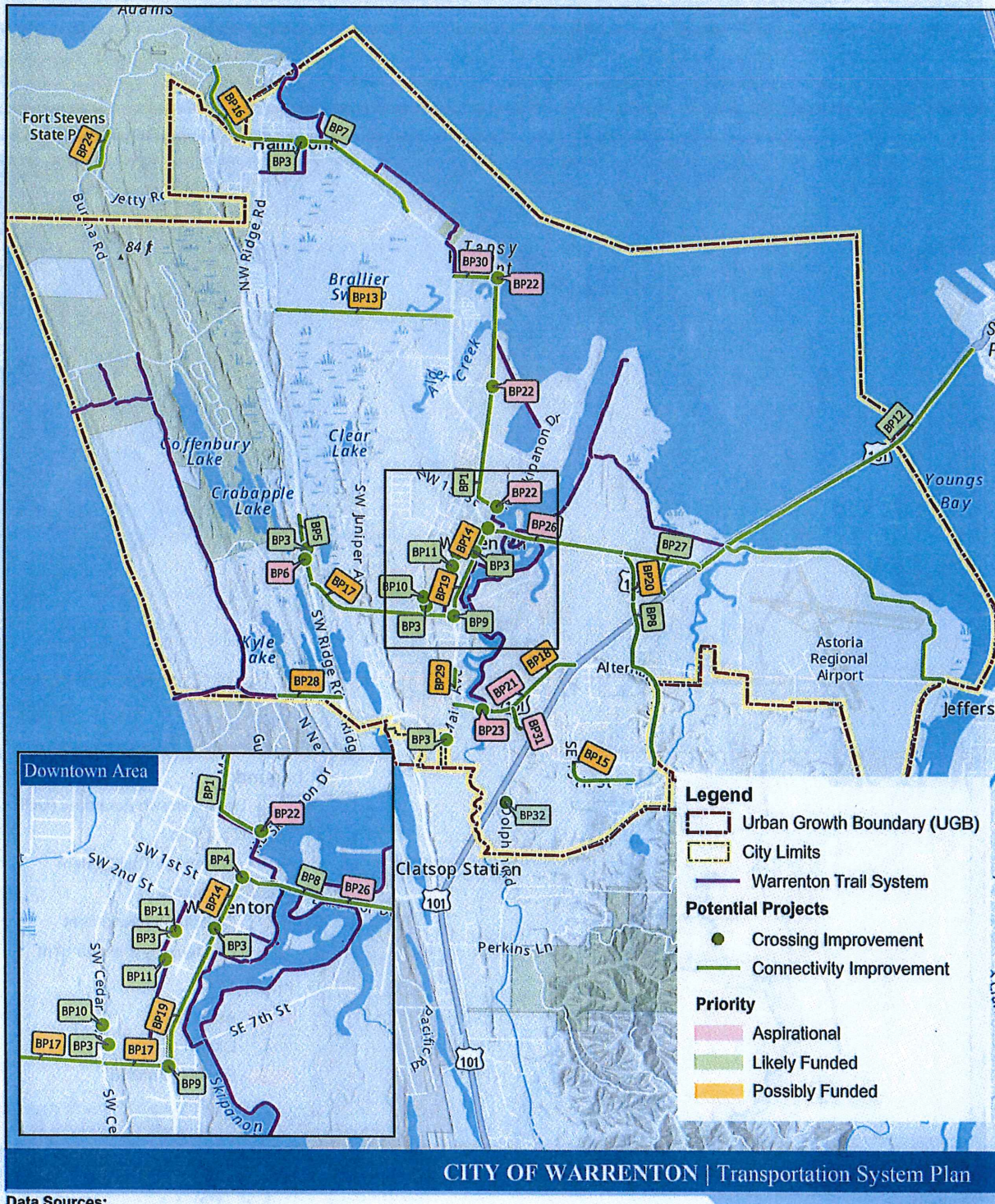
Data Sources:  
 ESRI, ArcGIS Online, World Topography Map. 2015.  
 City of Warrenton, Oregon. 2015. Clatsop County, Oregon. 2015.



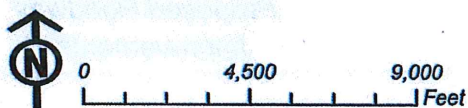
Proposed Roadway Improvements



Figure 7. Proposed Bicycle and Pedestrian Projects



Data Sources:  
 ESRI, ArcGIS Online, World Topography Map. 2015.  
 City of Warrenton, Oregon. 2015. Clatsop County, Oregon. 2015.



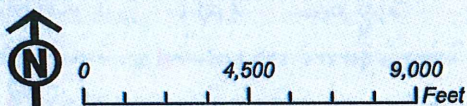
Proposed Bicycle & Pedestrian Improvements

Figure 8. Proposed Waterway and Airport Improvements

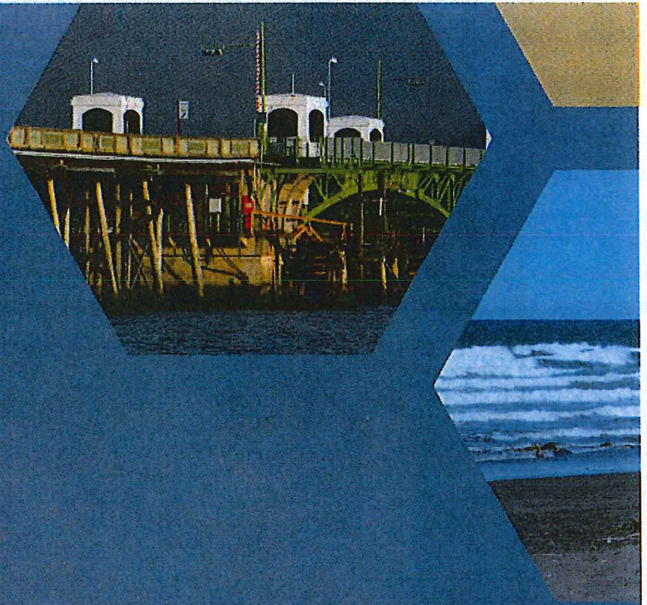


CITY OF WARRENTON | Transportation System Plan

Data Sources:  
 ESRI, ArcGIS Online, World Topography Map. 2015.  
 City of Warrenton, Oregon. 2015. Clatsop County, Oregon. 2015.



Proposed Waterway & Airport Improvements



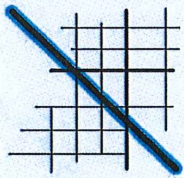
# THE STANDARDS

# THE STANDARDS

Warrenton applies transportation standards and regulations to the construction of new transportation facilities and to the operation of all facilities to ensure that the system functions as intended and investments are not wasted. These standards reflect the goals of the City for a safe and efficient transportation system and enable consistent future actions.

## Street Functional Classification

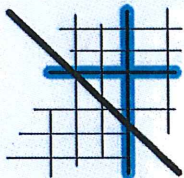
Street functional classification is an important tool for managing the roadway network. The street functional classification system recognizes that individual streets do not act independently of one another but instead form a network that works together to serve travel needs on a local and regional level. By designating the management and design requirements for each roadway classification, this hierarchal system supports a network of streets that perform as desired.



### Principal and Minor Arterials

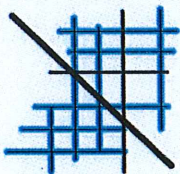
Principal Arterials provide a high degree of mobility and can serve both major metropolitan centers and rural areas. They serve high volumes of traffic over long distances, typically maintain higher posted speeds, and minimize direct access to adjacent land to support the safe and efficient movement of people and goods. Inside urban growth boundaries, speeds may be reduced to reflect the roadside environment and surrounding land uses.

Minor Arterials serve trips of moderate length and smaller geographic areas than Principal Arterials and are often used as a transition between Principal Arterials and Collectors. Minor Arterials typically serve higher volumes of traffic at moderate to high speeds, with posted speeds generally no lower than 30 mph.



### Major and Minor Collectors

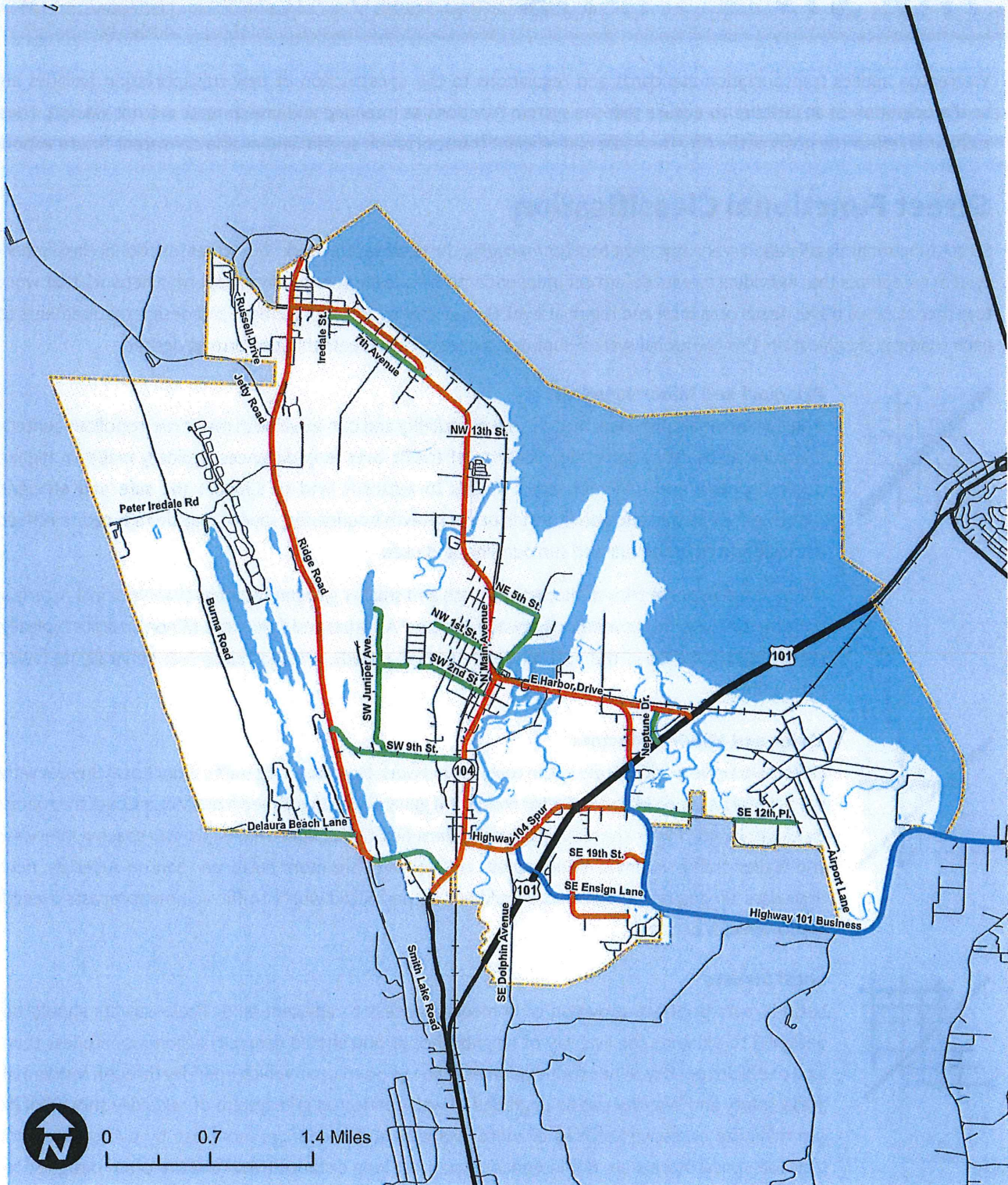
Collectors serve a critical role in the roadway network by connecting traffic from Local Streets with the Arterial network. Major Collector routes are generally distinguished from Minor Collector routes by longer length; lower connecting driveway densities; higher speed limits; greater spacing intervals; and higher traffic volumes. While access and mobility are more balanced than on Arterials, new driveways serving residential units should not be permitted where traffic volume forecasts exceed 5,000 vehicles per day.



### Local Streets

Local streets prioritize provision of immediate access to adjacent land. These streets should be designed to enhance the livability of neighborhoods and should generally accommodate less than 2,000 vehicles per day. When traffic volumes reach 1,000 to 1,200 vehicles per day through residential areas, safety and livability can be degraded. A well-connected grid system of relatively short blocks can minimize excessive volumes of motor vehicles and encourage more use by pedestrians and bicyclists. Local streets are not intended to support long distance travel and are often designed to discourage through traffic.

Figure 9. Warrenton Proposed Street Functional Classification



**Functional Classification**

- Principal Arterial
- Minor Arterial
- Major Collector
- Minor Collector

- Street
- Railroad
- City Limit
- UGB
- Water Bodies



## Truck Route Designations

Streets designated as Truck Routes in Warrenton are recognized as being appropriate and commonly traveled corridors for truck passage. Decisions affecting maintenance, operation, or construction on a designated truck route must address potential impacts on the safe and efficient movement of truck traffic. However, the intent is not to compromise the safety of other street users to accommodate truck traffic, especially in areas where many conflicts with vulnerable travelers (e.g., people walking and biking) may be present. The following local roads that provide access to industrial areas and help to minimizing truck volumes in downtown have been proposed as designated Truck Routes in the currently adopted TSP:

- NW 13th Street
- NE 5th Street
- NE Skipanon Drive
- SE 12th Place
- SE Ensign Lane
- SE Neptune Avenue

Designating these streets as local truck routes would establish the movement of truck traffic as a priority when considering future decisions such as whether to allow on-street parking, addressing requests for traffic calming, determining the need for separate biking facilities, or making changes to the physical curb-to-curb width and corner radii.

As noted in Technical Memorandum #2, US 101 (No. 9) is classified as a Statewide Highway, part of the National Highway System (NHS), a Truck Route, and a Scenic Byway. US 101B Business (No. 105), Fort Stevens Highway 104, and OR-104S (Fort Stevens Spur) are classified as District Highways with no other designations.

The design and management of the Truck Routes through Warrenton is subject to a number of policies and standards in the Oregon Highway Plan and Highway Design Manual intended to maintain safe and efficient movement of large vehicles.

## Roadway Cross-Section Standards

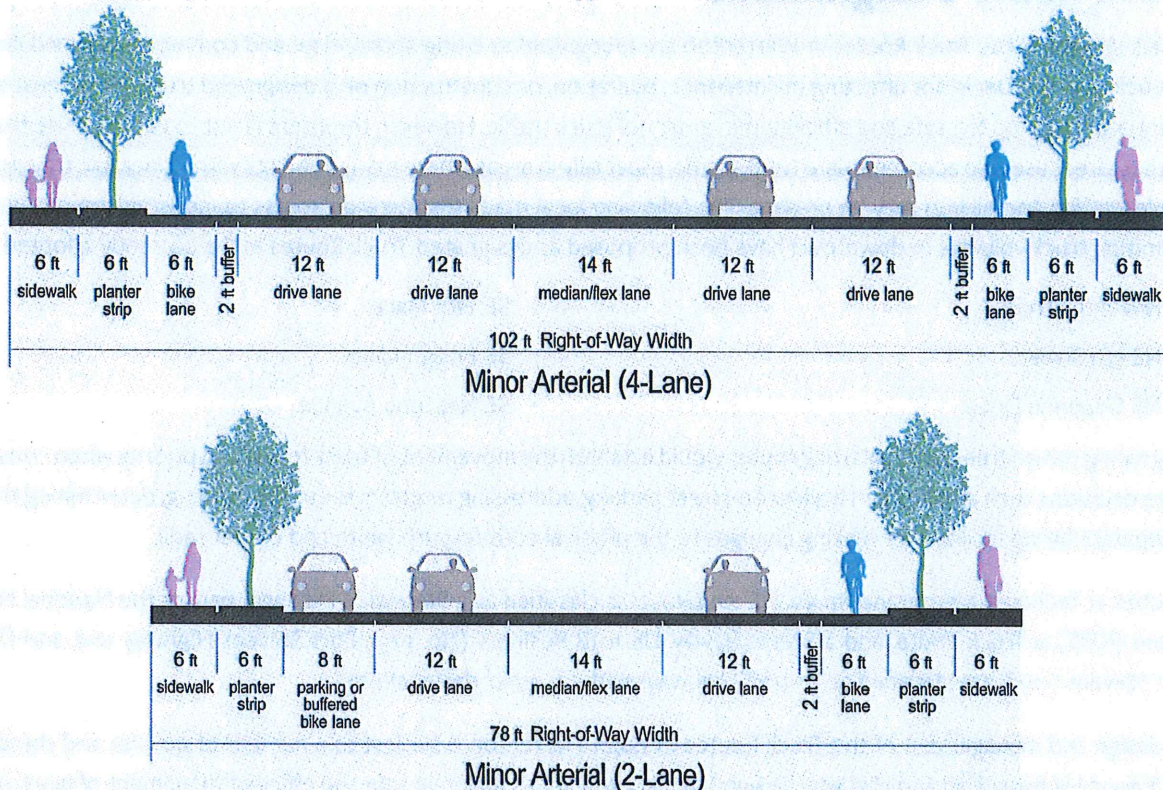
Roadway cross-section standards identify the design characteristics needed to meet the function and demand for each City of Warrenton transportation facility type. Since the actual design of a roadway can vary from segment to segment due to adjacent land uses and demands, this system allows standardization of key characteristics to provide consistency, while providing application criteria that allow some flexibility in meeting the design standards.

Figure 10 to Figure 15 and Table 7 to Table 10 illustrate the standard cross-sections for minor arterials, major collectors, minor collectors, local streets, and shared-use paths in the City of Warrenton. These street standards are compliant with the Oregon Transportation Planning Rule, which specifies that local governments limit excessive roadway widths. They are intended to be used as guidelines in the development of new roadways and the upgrade of existing roadways. Planning level right-of-way needs can be determined using these figures. Under some conditions a variance to the street standards may be requested from the City-appointed engineer to consider the alternative minimum cross-section or other adjustments. Typical conditions that may warrant consideration of a variance include:

- Infill sites
- Innovative designs
- Severe constraints presented by topography, environmental, or other resources present
- Existing developments and/or buildings that make it extremely difficult or impossible to meet the standards

Roadways under ODOT jurisdiction are subject to design standards in ODOT's Highway Design Manual. Roadways under Clatsop County jurisdiction are subject to design standards in the Clatsop County TSP.

**Figure 10. Proposed 4-Lane and 2-Lane Minor Arterial Typical Cross-Section Standards**



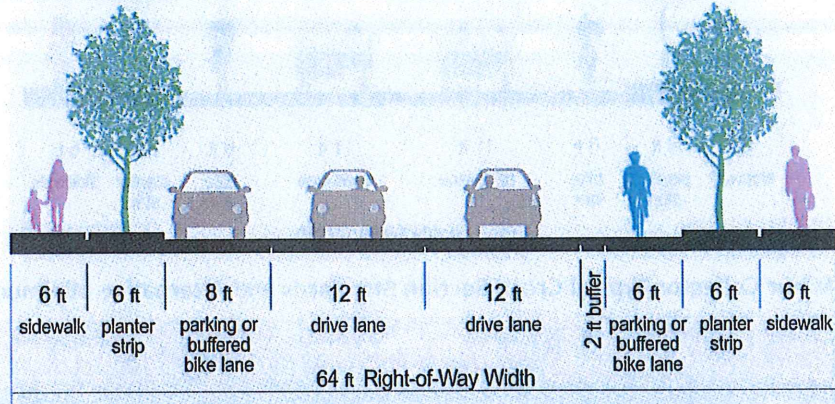
**Table 6. Proposed Minor Arterial Typical Cross-Section Standards and Alternative Minimum Standards**

WIDTH	4-LANE STANDARD	4-LANE ALTERNATIVE MINIMUM	2-LANE STANDARD	2-LANE ALTERNATIVE MINIMUM	CONSIDERATIONS
Right-of-Way	102 ft.	80 ft.	<del>78 ft. 80 ft.</del> (82 ft.)'	58 ft. (66 ft.)'	Median/flex lane and planting strips is optional depending on surrounding land use and available right-of-way.
Curb-to-Curb Pavement	78 ft.	64 ft.	54 ft. (58 ft.)	34 ft. 40 ft. (42 ft.)'	
Travel Lanes	12 ft.	11 ft.	12 ft. (14 ft.)'	11 ft. 12 ft. (14 ft.)'	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.
Median/Flex Lane	14 ft.	None	14 ft.	None	
Bike Lanes	8 ft.	6 ft.	8 ft.	6 ft. 8 ft.	
On-Street Parking	None	None	8 ft.	7 ft. 8 ft.	On-street parking is not permitted on 4-lane minor arterial streets. On-street parking is permitted in place of bike lanes on 2-lane minor arterial streets. However, where parking is constructed next to a travel lane, the travel lane width shall be increased to 14 feet to function as a shared roadway and accommodate bikes.
Curb	Yes	Yes	Yes	Yes	
Planting Strip	6 ft.	6 ft.	6 ft.	6 ft.	
Sidewalks	6 ft.	6 ft.	6 ft.	6 ft.	

\*Changes from the Municipal Code Section 16.136.020 are shown in **bold text** and existing standards where changes are proposed are shown in ~~strike through text~~. Text not bold or stricken is consistent with the City's current standard.

1. Width if on-street parking is constructed in place of bike lanes.
2. Minor arterials under ODOT jurisdiction have to follow Oregon Highway Plan and Highway Design Manual.

**Figure 11. Proposed Major Collector Typical Cross-Section Standard**



**Table 7. Proposed Major Collector Typical Cross-Section Standards and Alternative Minimum Standard**

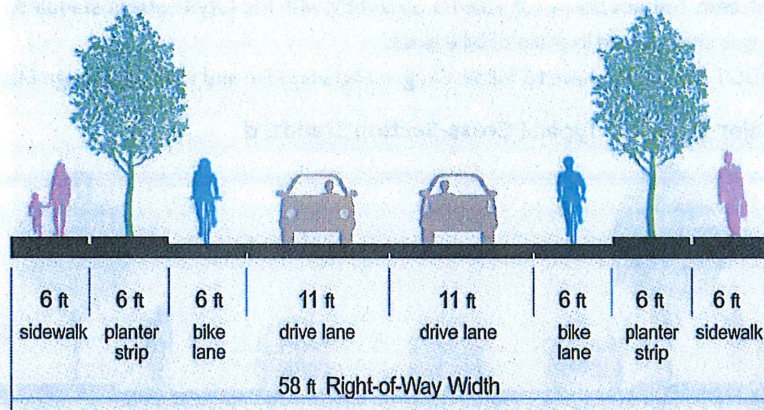
WIDTH	STANDARD	ALTERNATIVE MINIMUM	CONSIDERATIONS
Right-of-Way	64 ft. ( <b>68 ft.</b> )'	<b>58 ft.</b> <del>60 ft.</del> ( <b>66 ft.</b> )'	Planting strips is optional depending on surrounding land use and available right-of-way.
Curb-to-Curb Pavement	40 ft. ( <b>44 ft.</b> )'	<b>36 ft.</b> ( <b>42 ft.</b> )'	
Travel Lanes	12 ft. ( <b>14 ft.</b> )'	<b>11 ft.</b> <del>12 ft.</del> ( <b>14 ft.</b> )'	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.
Median/Flex Lane	None	None	
Bike Lanes	8 ft	6 ft.	
On-Street Parking	8 ft.	<b>7 ft.</b>	On-street parking is permitted in place of bike lanes on major collector streets. However, where parking is constructed next to a travel lane, the travel lane width shall be increased to 14 feet to function as a shared roadway and accommodate bikes. On-street parking is discouraged where posted speeds are greater than 35 mph.
Curb	Yes	Yes	
Planting Strip	6 ft.	6 ft.	
Sidewalks	6 ft.	6 ft.	

\*Changes from the Municipal Code Section 16.136.020 are shown in **bold text** and existing standards where changes are proposed are shown in ~~strike through text~~. Text not bold or stricken is consistent with the City's current standard.

1. Width if on-street parking is constructed in place of bike lanes.



**Figure 12. Proposed Minor Collector Typical Cross-Section Standard**



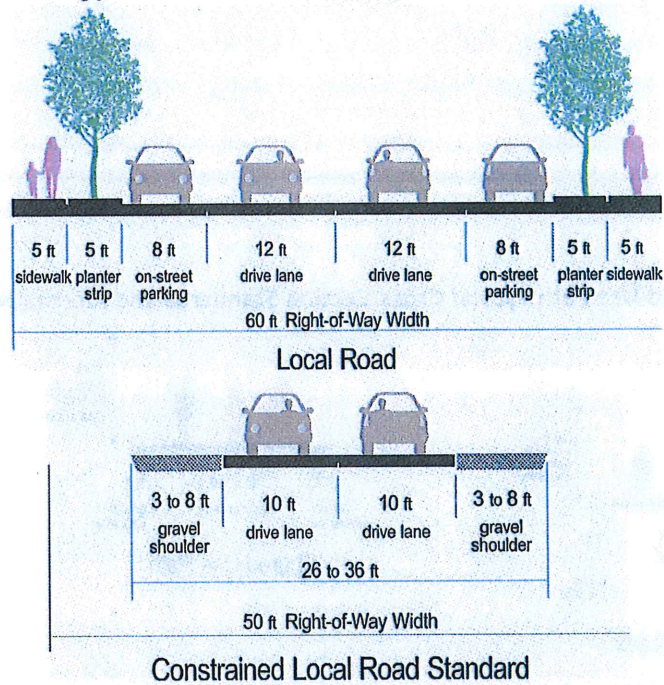
**Table 8. Proposed Minor Collector Typical Cross-Section Standards and Alternative Minimum Standard**

WIDTH	STANDARD	ALTERNATIVE MINIMUM	CONSIDERATIONS
Right-of-Way	<b>58 ft.</b> <del>64 ft.</del> ( <b>68 ft.</b> ) <sup>1</sup>	<b>50 ft.</b> <del>60 ft.</del> ( <b>62 ft.</b> ) <sup>1</sup>	Planting strips is optional depending on surrounding land use and available right-of-way.
Curb-to-Curb Pavement	<b>40 ft.</b> ( <b>44 ft.</b> ) <sup>1</sup>	<b>36 ft.</b> ( <b>42 ft.</b> ) <sup>1</sup>	
Travel Lanes	<b>11 ft.</b> <del>12 ft.</del> ( <b>14 ft.</b> ) <sup>1</sup>	<b>10 ft.</b> <del>12 ft.</del> ( <b>14 ft.</b> ) <sup>1</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.
Median/Flex Lane	None	None	
Bike Lanes	<b>6 ft.</b> <del>8 ft.</del>	<b>5 ft.</b> <del>6 ft.</del>	
On-Street Parking	<b>8 ft.</b>	<b>7 ft.</b>	On-street parking is permitted in place of bike lanes on minor collector streets. However, where parking is constructed next to a travel lane, the travel lane width shall be increased to 14 feet to function as a shared roadway and accommodate bikes. On-street parking is discouraged where posted speeds are greater than 35 mph.
Curb	Yes	Yes	
Planting Strip	<b>6 ft.</b>	<b>5 ft.</b> <del>6 ft.</del>	
Sidewalks	<b>6 ft.</b>	<b>5 ft.</b> <del>6 ft.</del>	

\*Changes from the Municipal Code Section 16.136.020 are shown in **bold text** and existing standards where changes are proposed are shown in ~~strikethrough text~~. Text not bold or stricken is consistent with the City's current standard.

1. Width if on-street parking is constructed in place of bike lanes.

**Figure 13. Proposed Local Street Typical Cross-Section Standard**



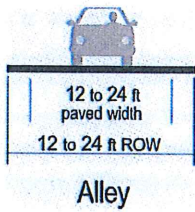
**Table 9. Proposed Local Street Typical Cross-Section Standards and Alternative Minimum Standard**

WIDTH	STANDARD	ALTERNATIVE MINIMUM	CONSIDERATIONS
Right-of-Way	60 ft.	50 ft.	Planting strips is optional depending on surrounding land use and available right-of-way.
Curb-to-Curb Pavement	36 ft.	28 ft.	
Travel Lanes	12 ft.	10 ft	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.
Median/Flex Lane	None	None	
Bike Lanes	None	None	The constrained local road standard may be used when approved by the City of Warrenton. The standard is intended to apply under one of the following circumstances:
On-Street Parking	8 ft	8 ft	
Curb	Yes	Yes	<ol style="list-style-type: none"> <li>1. The local road will serve 18 or fewer dwelling units upon build out of adjacent property.</li> <li>2. The ADT volume of the road is less than 250 vehicle/day.</li> <li>3. Significant topographical or environmental constraints are present.</li> </ol>
Planting Strip	5 ft.	5 ft.	
Sidewalks	5 ft.	5 ft.	<ol style="list-style-type: none"> <li>4. Use of the alternative local road standard will not create gaps in connectivity or roadway standards with adjacent roadway sections (i.e., sidewalk, parking, travel lane widths).</li> <li>5. The City Engineer and emergency service providers have reviewed and accepted usage of the alternative local roadway standard.</li> </ol>

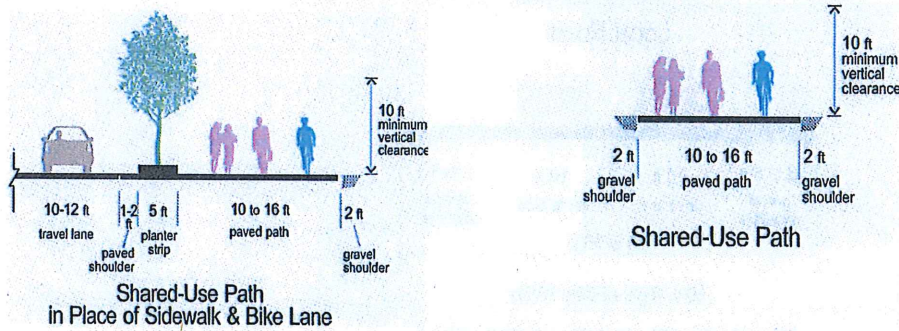
\*Changes from the Municipal Code Section 16.136.020 are shown in **bold text** and existing standards where changes are proposed are shown in ~~strike through text~~. Text not bold or stricken is consistent with the City's current standard.

1. Width if on-street parking is constructed in place of bike lanes.

**Figure 14. Proposed Alley Typical Cross-Section Standard**



**Figure 15. Proposed Shared-Use Path Typical Cross-Section Standards and Alternative Minimum Standards**



## Access Management

The number and spacing of access points, such as driveways and street intersections, along a roadway affects its function and capacity. Access management is the control of these access points to match the functionality and capacity intended by the roadway’s functional classification.

Access management is especially important on arterial and collector facilities to reduce congestion and crash rates and to provide for safe and efficient travel. Since each access point is an additional conflict point, reducing or consolidating driveways on these facilities can decrease collisions and preserve capacity on high volume roads, maintaining traffic flow and mobility within the city. Balancing access and good mobility can be achieved through various access management strategies, including establishing access management spacing standards for driveways and intersections.

Table 11 below contains recommended access spacing standards under the City of Warrenton’s jurisdiction. New access points shall meet or exceed these minimum spacing requirements. However, where no reasonable alternatives exist or where strict application of the standards would create a safety hazard, the City may allow a variance.

Both Clatsop County and ODOT maintain access regulations for roadways under their jurisdiction. Clatsop County’s access regulations are documented in the Clatsop County TSP in Volume 1. Access Management regulations for the state highways are provided through the 1999 Oregon Highway Plan and OAR 734-051.

**Table 10. Existing and Recommended Access Spacing Standards**

FUNCTIONAL CLASSIFICATION	CURRENT MINIMUM ACCESS SPACING	RECOMMENDED MINIMUM ACCESS SPACING
Minor Arterial		300 ft
Major Arterial		150 ft
Minor Collector		100 ft
Local Street	25 ft	15 ft

## Local Street Connectivity

Local street connectivity is required by the state Transportation Planning Rule (OAR 660-012) and is important for Warrenton’s continued development. Providing adequate connectivity can reduce the need for wider roads, traffic signals, and turn lanes. Increased connectivity can reduce a city’s overall vehicle miles traveled (VMT), balance the traffic load on major facilities, encourage citizens to seek out other travel modes, and reduce emergency vehicle response times. While improvement to local street connectivity is easier to implement in newly developed areas, retrofitting existing areas to provide greater connectivity should also be attempted.

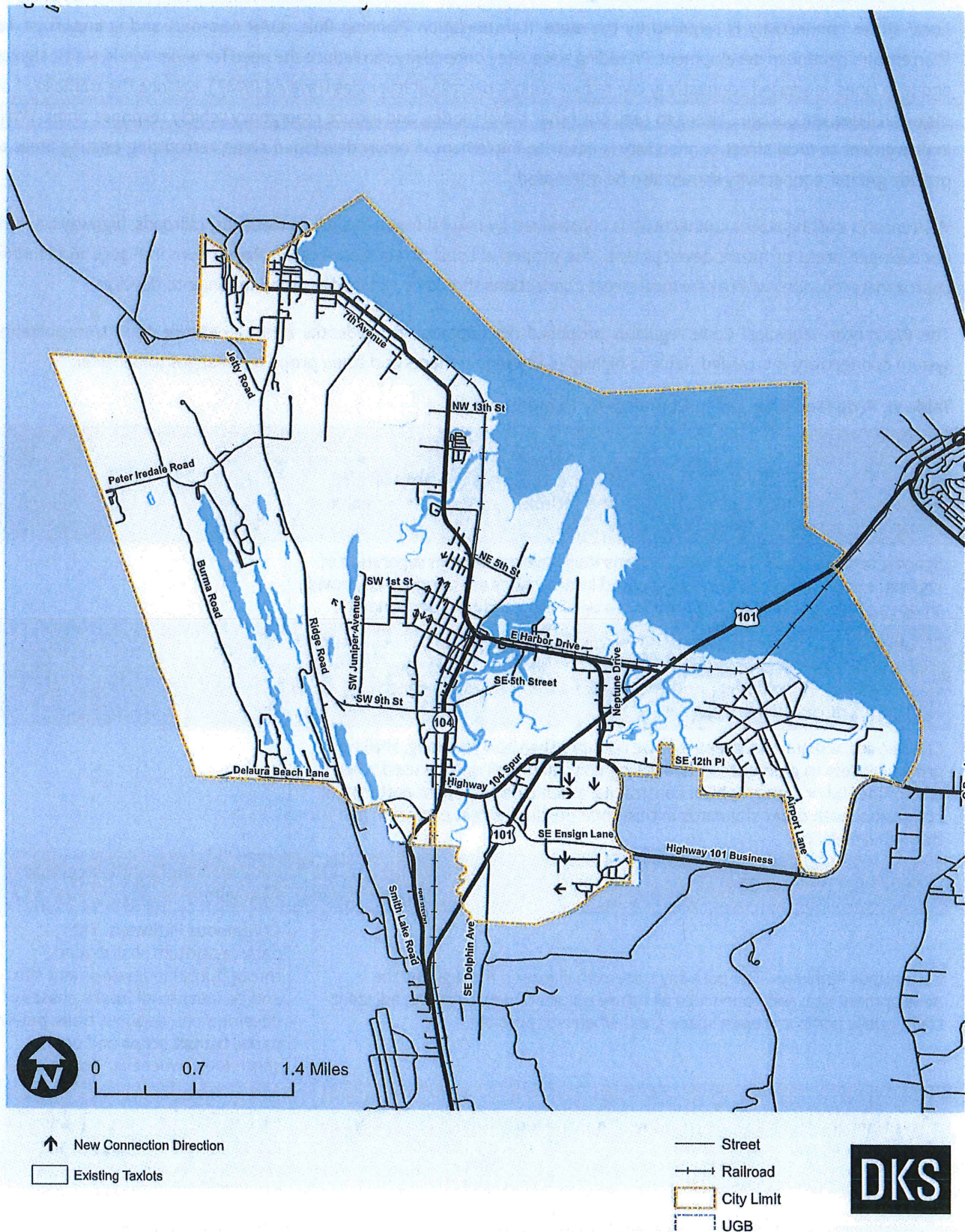
Warrenton’s existing street connectivity is constrained by natural features such as wetlands, railroads, highways, and by undeveloped areas of future development. The proposed Local Street Connectivity Plan shown in Figure 16 identifies approximate locations where new local street connections should be installed as areas continue to develop.

The Warrenton Municipal Code regulates proposed development in residential zones to ensure good transportation system connectivity is provided. Table 12 highlights key requirements and some proposed changes to consider.

**Table 11. Proposed Changes to Connectivity Requirements**

EXISTING REQUIREMENT	PROPOSED CHANGE
Staggering of streets making “T” intersections at collectors and arterials shall not be designed so that jogs of less than 300 feet on such streets are created, as measured from the centerline of the street.	
Spacing between local street intersections shall have a minimum separation of 125 feet, except where more closely spaced intersections are designed to provide an open space, pocket park, common area or similar neighborhood amenity.	
The maximum block length shall not exceed 1,000 feet between street corner lines unless it is adjacent to an arterial street or unless the topography or the location of adjoining streets justifies an exception. The maximum length of blocks along an arterial is 1,800 feet.	
Cul-de-Sacs. A dead-end street shall be no more than 200 feet long, shall not provide access to greater than 18 dwelling units, and shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this Code preclude street extension and through circulation.	
Pedestrian Access and Circulation	Pedestrian and Bicycle Access and Circulation
Continuous Pathways. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas whenever possible.	Continuous Pathways. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks, <b>transit stops</b> and open space areas whenever possible.
Street Connectivity: Multi-use pathways (i.e., for pedestrians and bicyclists) are no less than six feet wide.	Street Connectivity: Multi-use pathways (i.e., for pedestrians and bicyclists) are no less than <b>10</b> feet wide.

Figure 16. Local Street Connectivity Plan



## Mobility Targets

Mobility standards, or targets, are the thresholds set by an agency for the maximum amount of congestion that is acceptable for a given roadway. Warrenton does not currently have adopted mobility standards. The City would like to adopt mobility standards as part of this TSP Update process.

Similar cities, such as Philomath and Junction City, use “level of service” (LOS) as the measure of congestion for their mobility standards. Philomath has adopted LOS D as the minimum acceptable operating condition for both signalized and unsignalized intersections during the peak hour. Junction City has adopted LOS D as the minimum acceptable operating conditions for signalized intersection and LOS E for unsignalized intersections during the peak hour. LOS D equates to a maximum allowed average delay per vehicle of 55 seconds at signalized intersections and 35 seconds at stop-controlled intersections. LOS E equates to a maximum allowed average delay per vehicle of 50 seconds at unsignalized intersections.

It is recommended that Warrenton adopt LOS D as the minimum acceptable operating condition for both signalized and unsignalized intersections during the peak hour. The assessment of traffic operating conditions under existing and future (year 2040) conditions conducted in Technical Memoranda #5 and #7 found that all studied intersections under City jurisdiction comply with the adopted LOS D mobility standard and will continue to do so through 2040. Establishing the recommended mobility standard will give the City of Warrenton the ability to ensure that future development proposals do not overly burden the transportation system and that improvements are made in a timely manner to maintain the desired level of service.

For roadways within the City of Warrenton that are under ODOT or Clatsop County jurisdiction, the mobility standards/targets of those agencies will apply. All intersections under ODOT jurisdiction must comply with the volume to capacity (v/c) ratio targets in the Oregon Highway Plan (OHP). The ODOT v/c targets are based on highway classification and posted speed. Mobility standards for roadways under Clatsop County are documented in the Clatsop County TSP in Volume 1.

## Traffic Impact Analyses

Warrenton’s development review process is designed to manage growth in a responsible and sustainable manner. By assessing the transportation impacts associated with land use proposals and requiring that adequate facilities be in place to accommodate those impacts, the City is able to maintain a safe and efficient transportation system concurrently with new development, diffusing the cost of system expansion.

Technical Memorandum #3 included a review of the Warrenton Development Code that is needed to ensure and strengthen compliance with the state Transportation Planning Rule (OAR 660-012) and to help the transportation system serve planned growth. That review found that the existing development code already includes requirements for traffic impact analyses (TIAs) as part of development proposals. There are some recommended changes to consider.

A TIA will be required with a land use application where the following conditions apply:

- The development application involves a change in zoning or a plan amendment designation; or,
- 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:

- An increase in site traffic volume generation by 300 average daily trips (ADT) or more; or
- An increase in peak hour volume of a particular movement to and from the state highway by 20% or more; or
- 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
- 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
- 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.

The Warrenton Development Code currently does not establish minimum content required in a TIA. It is recommended that the development code be amended to specify that the scope and content of the TIA be determined in consultation with the City Engineer and the roadway authority.

It is recommended that Warrenton add approval criteria to existing TIA requirements, as well as an acknowledgment of transportation mitigation measures that may be required as conditions of approval in order to meet adopted mobility and safety standards. Mitigation measure provisions can address multi-modal transportation improvements that may be required to mitigate impacts of the proposed development and protect the function and operation of the planned transportation system.

## Intelligent Transportation Systems

Two pieces of Intelligent Transportation System (ITS) equipment exist along US 101: a Highway Advisory Radio (HAR) Beacon Sign and a Variable Message Sign (VMS). The HAR Beacon is located just north of Dolphin Avenue and alerts northbound traffic to upcoming congestion with flashing lights. The VMS is just over a mile south of Warrenton. Although it is outside city limits, it provides alerts to northbound travelers on US 101.

Warrenton does not own or operate any ITS systems, or even traffic signals at this time. It is unlikely that the City of Warrenton will invest in ITS systems on its own, but there may be opportunities to work with regional partners on larger scale efforts that would benefit Warrenton residents. Such cooperation could range from agreements to share information and data or allow use of City right-of-way for regional ITS infrastructure.

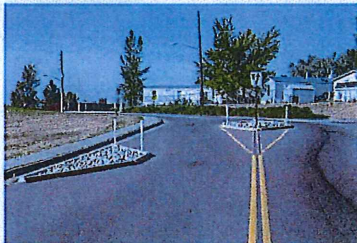
For example, US 101 is a regional roadway facility that could benefit from transportation system management (TSM) infrastructure. Before future investments are made along this roadway designs should be reviewed with City and ODOT staff to determine if communications or other ITS infrastructure should be addressed as part of the street design/construction. The City should follow the Oregon Statewide ITS Plan for any projects that affect operations on state roadways.

# Neighborhood Traffic Management Tools

Neighborhood Traffic Management (NTM) describes strategies that can be deployed to slow traffic, and potentially reduce volumes, creating a more inviting environment for pedestrians and bicyclists. NTM strategies are primarily traffic calming techniques for improving neighborhood livability on local streets, though a limited set of strategies can also be applied to collectors and arterials. Mitigation measures for neighborhood traffic impacts must balance the need to manage vehicle speeds and volumes with the need to maintain mobility, circulation, and function for service providers, such as emergency responders. Figure 17 includes a visual summary of common neighborhood traffic management strategies.

**Figure 17. Neighborhood Traffic Management Strategies**

### CHICANES



[www.pedbikeimages.org/Dan Burden](http://www.pedbikeimages.org/Dan_Burden)

### CHOKERS



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### MEDIAN ISLANDS



[www.pedbikeimages.org/Dan Burden](http://www.pedbikeimages.org/Dan_Burden)

### RAISED CROSSWALKS



[www.pedbikeimages.org/Tom Harned](http://www.pedbikeimages.org/Tom_Harned)

### SPEED CUSHIONS



NACTO Urban Street Design Guide

### SPEED HUMP



[www.pedbikeimages.org/Dan Burden](http://www.pedbikeimages.org/Dan_Burden)

### TRAFFIC CIRCLES



[www.pedbikeimages.org/Carl Sundstrom](http://www.pedbikeimages.org/Carl_Sundstrom)



Table 13 lists common NTM applications. Any NTM project should include coordination with emergency response staff to ensure that public safety is not compromised. NTM strategies implemented on a state freight route will require input from ODOT regarding freight mobility considerations.

**Table 12. Application of Neighborhood Traffic Management Strategies**

NTM APPLICATION	USE BY FUNCTION CLASSIFICATION			IMPACT	
	Arterials	Collectors	Local Streets	Speed Reduction	Traffic Diversion
Chicanes			■	■	■
Chokers			■	■	■
Curb Extensions	■	■	■	■	■
Diverters (with emergency vehicle pass-through)		■	■		■
Median Islands	■	■	■	■	■
Raised Crosswalks			■	■	■
Speed Cushions (with emergency vehicle pass-through)			■	■	■
Speed Hump			■	■	■
Traffic Circles			■	■	■

The City of Warrenton currently does not have a formal neighborhood traffic management program. If such a program were desired to help respond to future issues, suggested elements include:

- Provide a formalized process for citizens who are concerned about the traffic on their neighborhood street. The process could include filing a citizen request with petition signatures and a preliminary evaluation. If the evaluation finds cause for concern, a neighborhood meeting would be held and formal data would be collected and evaluated. If a problem is found to exist, solutions would be identified and the process continued with neighborhood meetings, feedback from service and maintenance providers, cost evaluation, and traffic calming device implementation. Six months after implementation the device would be evaluated for effectiveness.
- For land use proposals, in addition to assessing impacts to the entire transportation network, traffic studies for new developments must also assess impacts to residential streets. A recommended threshold to determine if this additional analysis is needed is if the proposed project at ultimate build out increases through traffic on any one residential street by 200 or more vehicles per day. Once the analysis is performed, the threshold used to determine if residential streets are impacted would be if their daily traffic volume exceeds 1,200 vehicles.

*"Making a difference through excellence of service"*



## CITY OF WARRENTON

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December 6, 2018

To: Warrenton Planning Commission  
From: Kevin A. Cronin, AICP, Community Development Director  
Re: Comprehensive Plan Amendment - Section 8 Transportation, Adoption of Transportation System Plan, Development Code Amendments to Warrenton Municipal Code (WMC) 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 (File: DCR 18-5)

The purpose of this memo is to outline a proposed amendment to the Warrenton Comprehensive Plan Section 8 Transportation, adopt the new Transportation System Plan (TSP) as a reference to the Comprehensive Plan, and Development Code amendments that implement the new TSP policies and Oregon Statutes and Administrative Rules. The Development Code amendments include housekeeping, clarification of street, parking, and bike standards as well as adding "drive thru/up" as a new category for land use review as a conditional use. A summary of the changes is described below along with required findings for a text amendment to the Development Code (DCR 18-5).

First, the City of Warrenton like all cities in Oregon has a Comprehensive Plan to guide land use and growth management decisions and address Statewide Land Use Planning Goals. Section 8 of the Comprehensive Plan addresses "Goal 12: Transportation." The proposal is to replace Section 8 with the new TSP which has new goals, policies, and standards. The original Section 8 has policies from 2003 that are in conflict with the new TSP.

Second, the City of Warrenton adopted its original TSP in 2003 but became outdated after the amount of growth that occurred in the 2000s and the projected growth rate that was expected made the original TSP obsolete. The Oregon Department of Transportation (ODOT) funded the development of a new TSP in 2015 and hired DKS a Portland based consulting firm to conduct the technical analysis. A Project Advisory Committee (PAC) was formed to provide technical advice to the City, consultant team, and policymakers. Multiple, periodic PAC meetings were held to gather feedback on major element of the TSP, including new capital projects, street classifications, mobility standards, and amended codes.

A three-year process was not expected and was a result of skewed traffic numbers that were taken during the summer of 2015 from two bridge closures, construction projects, and heavy summer traffic.

In addition to the PAC meetings, two community open houses were held to gather input. The level of analysis for the TSP has been exhaustive and thorough and provides among other things a list of capital projects that are needed to maintain a working transportation system for all modes, including vehicles, bikes, pedestrians, transit, airport, and freight. However, it does not specify how the improvements will be funded over and above existing sources.

Finally, in order to implement the TSP, Development Code amendments are proposed to bring land use regulations into compliance with the State Transportation Planning Rule (TPR).

The following changes, include:

- Street standards for new development
- Refinements to vehicle parking and bike parking standards
- A drive thru category for land use review to better manage new traffic impacts of new development proposals.
- Clarifications on land use procedures
- Clarifications on traffic impact study requirements; and
- Improvements for coordinated transit improvements

#### **Procedures, Public Notice, & Public Involvement**

The Community Development Director has the authority to initiate a text amendment according to WMC 16.208.070(D) General Provisions. This proposal is being reviewed pursuant to Warrenton Municipal Code Sections 16.208.060 (Type IV Procedure - Legislative and Map Amendments), 16.232 (Land Use District Map and Text Amendments), Comprehensive Plan (CP), Statewide Planning Goals, Oregon Revised Statutes and the Oregon Administrative Rules. The City will publish notice of the Planning Commission public hearing in *The Columbia Press* before the December 13 meeting. The City, Project Advisory Committee, and consultants hosted a community open house on October 10, 2018 at the Warrenton Community Center. About 24 people signed in. One public comment was received after the community open house. A public notice was published in *The Columbia Press* as required for Type 4 applications. The Planning Commission will make a recommendation to the City Commission, which will consider it with another public hearing.

#### **FINDINGS**

## **Comprehensive Plan**

Comprehensive Plan Section 8 is being replaced by the proposal.

## **Compliance with Oregon's Statewide Planning Goals and Related Rules and Statutes**

### **Goal 1, Citizen Involvement**

Goal 1 outlines policies and procedures to be used by local governments to ensure that citizens will be involved "in all phases of the planning process."

This proposal for a development code amendment is being reviewed in accordance with the acknowledged provisions for citizen involvement in the municipal code. It does not propose any changes to those provisions. This application therefore complies with Goal 1.

### **Goal 2, Land Use Planning**

Goal 2 requires local governments to "establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions."

The proposal and applicable comprehensive land use plan policy is being reviewed by the Planning Commission who will forward a recommendation to the City Commission who will ultimately make a decision on it, which satisfies Goal 2.

### **Goal 3, Agricultural Lands**

Goal 3 deals with conservation of "agricultural lands" as defined in that goal. The goal's provisions are directed toward counties, not cities (such as Warrenton). The goal states, "Agricultural land does not include land within acknowledged urban growth boundaries...." This goal does not apply.

### **Goal 4, Forest Lands**

Goal 4 deals with conservation of "forest lands" as defined in that goal. Details about such conservation are set forth in related administrative rules: OAR Chapter 660, Division 006. OAR

660-006-0020 states: "Goal 4 does not apply within urban growth boundaries...." This goal does not apply.

#### **Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces**

The basic aim of Goal 5 is "To protect natural resources and conserve scenic and historic areas and open spaces." Because no such natural resources, scenic and historic areas and open spaces will be affected, this goal does not apply.

#### **Goal 6, Air, Water and Land Resources**

Statewide Planning Goal 6 is "to maintain and improve the quality of the air, water and land resources of the state." It deals mainly with control of "waste and process discharges from future development." Because no development is proposed, this goal does not apply.

#### **Goal 7, Areas Subject to Natural Hazards**

Statewide Planning Goal 7 is to "to protect people and property from natural hazards." This proposed code amendment does not address natural hazards and therefore is not applicable.

#### **Goal 8, Recreational Needs**

Goal 8 is "to satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts." This goal does not apply to the proposal.

#### **Goal 9, Economic Development**

Goal 9 is to strengthen the ensure there is adequate land for commercial and industrial development and policies to support the type of industries that a local government wants to attract and grow. A community that consistently invests in quality infrastructure is an economically diverse, resilient, and stronger community. Standard is met.

#### **Goal 10, Housing**

Statewide Planning Goal 10 is "to provide for the housing needs of citizens of the state." The goal requires cities to assess future need for various housing types and to plan and zone

sufficient buildable land to meet those projected needs. The TSP does not directly address housing therefore this goal does not apply.

#### **Goal 11, Public Facilities and Services**

Goal 11 is “to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.” The TSP does not directly address public facilities such as city owned utilities. However, an efficient transportation network is a conduit for utility location and maintenance. Standard is met.

#### **Goal 12, Transportation**

Goal 12 is “to provide and encourage a safe, convenient and economic transportation system.” The purpose of the amendment is to comply with Goal 12 and the Transportation Planning Rule. The new TSP coupled with the Development Code amendments are intended to bring the City into compliance with applicable Oregon Revised Statutes and Oregon Administrative Rules. Standard is met.

#### **Goal 13, Energy**

Goal 13 is simply “to conserve energy” and does not apply.

#### **Goal 14, Urbanization**

Goal 14 is “to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.” An efficient transportation system supports the efficient use of urban land within the UGB. Standard is met.

#### **Goal 15, Willamette River Greenway**

Goal 15 deals with lands adjoining the Willamette River and does not apply to this proposal.

#### **Goal 16, Estuarine Resources**

Goal 16 is “to recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon’s estuaries.” Because the code amendment would not affect any natural estuarine characteristics, this goal does not apply.

#### **Goal 17, Coastal Shorelands**

Goal 17 aims “to conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics.” This goal does not apply.

#### **Goal 18, Beaches and Dunes**

Goal 18 says that “coastal areas subject to this goal shall include beaches, active dune forms, recently stabilized dune forms, older stabilized dune forms and interdune forms.” This goal does not apply.

#### **Goal 19, Ocean Resources**

Goal 19 deals with management of resources in Oregon’s territorial sea (the waters bordering the state’s coastline). Goal 19 does not apply to this application.

#### **CONCLUSIONS AND RECOMMENDATION**

Adoption of the amendment would fulfill the comprehensive plan policy regarding housing, airport development, and economic development. The action would also meet the applicable statewide planning goals. Most importantly, incorporating these changes to the Development Code would facilitate more investment in our transportation system in the future.

Based on these findings and conclusions, staff recommends that the Planning Commission hold a public hearing on December 13 to take public testimony.

**Attachments:**

- Transportation System Plan, Final Draft – October 31, 2018
- Comprehensive Plan Amendment, Section 8 – Transportation
- Attachment B: Development Code Amendments
- Technical Memorandum: Proposed Development Code Amendments, September 27, 2018



## Attachment B: Development Code (Title 16 of the Warrenton Municipal Code) Amendments

*Provided in this attachment are the recommended changes to the City's development requirements, based on an audit and analysis of the Development Code (Title 16 of the Warrenton Municipal Code) and input from the Project Advisory Committee and Planning Commission. Proposed amendments to development requirements are intended to both implement the goals and policies of the draft TSP and to ensure consistency with the Transportation Planning Rule (TPR).*

Underlined bolded text is new, ~~strikeout~~ is current text to be removed from adopted development code language.

### 16.12.010 Definitions.

**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.**

[...]

### 16.40.030 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.

[...]

**16.40.040 Development Standards.**

[...]

**B. Setback Requirements.**

1. Minimum front yard setback, commercial uses: none except where adjoining a residential zone, in which case it shall be 15 feet. See Section 16.40.050 for maximum front yard setback for commercial uses.

[...]

**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 approval.**

**16.44.030 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.**

#### 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 (see ~~Warrenton Comprehensive Plan and TSP for a list of 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** ~~1,000 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:
    - a. Reasonably Direct. 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 likely users.
    - b. Safe and Convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.
    - c. For commercial, industrial, mixed use, public, and institutional buildings, the “primary entrance” is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.
    - d. For residential buildings the “primary entrance” is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the “primary entrance” may be a lobby, courtyard or breezeway which serves as a common entrance for more than one dwelling.

## 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.** Specific locations for parking are indicated in Division 2 for some land uses (e.g., the requirement that parking be located to side or rear of buildings, with access from alleys, for some uses). See also Chapter 16.120, Access and Circulation.
2. Off-Site Parking. Except for single-family, two-family, and three-family dwellings, the vehicle parking spaces required by this chapter may be located on another parcel of land, provided the parcel is within 200 feet or a reasonable walking distance of the use it serves. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.

**Bicycle Parking**

**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.** A minimum of two bicycle parking spaces per use is required for all uses with more than 10 vehicle parking spaces. The following additional standards apply to specific types of development:
  1. ~~Multifamily Residences. Every residential use of four or more dwelling units provides at least one sheltered bicycle parking space for each dwelling unit. Sheltered bicycle parking spaces may be located within a garage, storage shed, basement, utility room or similar area. In those instances in which the residential complex has no garage or other easily accessible~~

storage unit, the bicycle parking spaces may be sheltered from sun and precipitation under an eave, overhang, an independent structure, or similar cover.

2. **Parking Lots.** All public and commercial parking lots and parking structures provide a minimum of one bicycle parking space for every 10 motor vehicle parking spaces, with a maximum of 28 bicycle parking spaces per commercial lot.
3. **Schools.** Elementary and middle schools, both private and public, provide one bicycle parking space for every 10 students and employees. High schools provide one bicycle parking space for every five students and employees. All spaces should be sheltered under an eave, overhang, or bicycle shelter.

**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><u>Multifamily Residential</u></b> <u>(required for 4 or more dwelling units)</u>	<u>1 space per 4 dwelling units</u>	<u>75% long term</u> <u>25% short term</u>
<b><u>Commercial</u></b>	<u>2 spaces per primary use or 1 per 5 vehicle spaces, whichever is greater. Maximum of 28 spaces per commercial lot.</u>	<u>25% long term</u> <u>75% short term</u>
<b><u>Schools</u></b> <u>(all types)</u>	<u>2 spaces per classroom</u>	<u>100% long term</u>
<b><u>Parks</u></b> <u>(active recreation areas only)</u>	<u>4 spaces</u>	<u>100% short term</u>
<b><u>Transit Stops</u></b>	<u>2 spaces</u>	<u>100% short term</u>
<b><u>Transit Centers</u></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><u>Other Uses</u></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.**

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. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:

1. Street classification in the Transportation System Plan or Comprehensive Plan;
2. Anticipated traffic generation;
3. On-street parking needs;
4. Sidewalk and bikeway requirements based on anticipated level of use;
5. Requirements for placement of utilities;
6. Street lighting;
7. Street tree location, as provided for in Chapter 16.124;
8. Protection of significant vegetation and wetland and riparian areas, as provided for in Chapters 16.124 and 16.156;
9. Safety and comfort for motorists, bicyclists, and pedestrians;
10. Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;
11. Access needs for emergency vehicles; and
12. Transition between different street widths (i.e., existing streets and new streets), as applicable.

**Table 16.136.010**  
**City of Warrenton Street Design Standards**

Type of Street	Average Daily Trips (ADT)	Right-of-Way Width	Curb-to-Curb Pavement Width	Motor Vehicle Travel Lanes <sup>4</sup>	Median/Flex Lane <sup>5</sup>	Bike Lanes or On-Street Parking (both sides)	Curb	Planting Strip <sup>5</sup>	Sidewalks
<i>Arterial Roads</i>									
4-Lane Arterial	Varies	80-102 ft.	64-78 ft.	12 ft. <sup>4</sup>	14 ft.	8 ft.	Yes	6 ft.	6 ft.
2-Lane Arterial	Varies	80 ft.	40-54 ft.	12 ft. <sup>4</sup>	14 ft.	8 ft.	Yes	6 ft.	6 ft.
<i>Collector Roads</i>									

<b>Collector Road</b>	Varies	60–64 ft.	36–40 ft.	12 ft. <sup>4</sup>	None	6–8 ft.	Yes	6 ft.	6 ft.
<b>Local Roads</b>									
<b>Local Road</b>	Varies	50–60 ft.	36 ft.	10–12 ft.	None	8 ft. parking (on one or both sides <sup>4</sup> )	Yes (on one or both sides)	5 ft.	5 ft. <sup>3</sup>
<b>Alternative Local Road<sup>2</sup></b>	< 250	50 ft.	20–28 ft. (no curbs required)	10 ft.	None	None <sup>4</sup>	None	5 ft.	None
<b>Alleys</b>	N/A	12–24 ft.	12–24 ft.	N/A	N/A	None	None	None	None
<b>Multi-Use Paths</b>	N/A	8–16 ft.	8–16 ft.	N/A	N/A	None	None	None	None

**Notes:**

<sup>1</sup>— Bike lanes are generally not needed on low volume (less than 3,000 ADT) and/or low travel speed (less than 35 mph) roads.

<sup>2</sup>— The alternative local road standard may be used when approved by the City of Warrenton. The standard is intended to apply under the following circumstances:

- The local road will serve 18 or fewer dwelling units upon buildout of adjacent property.
- The ADT volume of the road is less than 250 vehicles per day.
- Significant topographical or environmental constraints are present.
- Use of the alternative local road standard will not create gaps in connectivity or roadway standards with adjacent roadway sections (i.e., side walk, parking, travel lane widths).
- The City appointed engineer and emergency service providers have reviewed and accepted usage of the alternative local roadway standard.

<sup>3</sup>— Sidewalks are required on all local roads in high density residential and commercial zones unless exempted by the City appointed engineer or Planning Commission.

<sup>4</sup>— Where parking is constructed next to a travel lane, the travel lane shall be increased to a width of 14 feet to function as a shared roadway and accommodate bicycles.

<sup>5</sup>— Footnote indicates that these features are optional. Flex lanes would provide for traffic flow in one direction or another depending upon the specific traffic patterns and demands for an area. Flex lanes could be used for transit routes or emergencies, and would provide extra right-of-way width for future rail or transit. Appropriate safety measures would need to be installed in conjunction with flex lanes.

— REFER TO FIGURES 5-3, 5-4, and 5-5 OF THE TSP FOR CROSS SECTION VIEWS OF LOCAL, COLLECTOR, AND ARTERIAL ROADS.

<sup>1</sup> Width if on-street parking is constructed in place of bike lanes. The travel lane width shall function

<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>Sidewalks</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>

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.

[New Chapter] 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.

16.208.040 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; and Sunset Empire Transportation District 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 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.];
    - iv. Any neighborhood or community organization recognized by the City Commission and whose boundaries include the property proposed for development;

[...]

#### 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 and transit 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; and Sunset Empire Transportation District and other transportation facility and service providers.**

16.216.020 General Requirements.

[...]

**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.

#### 16.220.030 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.**

**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.** Significant means the proposal would:
1. ~~Change the functional classification of an existing or planned transportation facility. This would occur, for example, when a proposal causes future traffic to exceed the capacity of a "collector" street classification, requiring a change in the classification to an "arterial" street, as identified by the Transportation System Plan; or~~
  2. ~~Change the standards implementing a functional classification system; or~~
  3. ~~Allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or~~
  4. ~~Reduce the level of service of the facility below the minimum acceptable level identified in the Transportation System Plan.~~
- B. ~~Amendments to the Comprehensive Plan and land use standards which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:~~
1. ~~Limiting allowed land uses to be consistent with the planned function of the transportation facility; or~~
  2. ~~Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the transportation planning rule; or~~
  3. ~~Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation.~~

**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.**

Standards by which to gauge average daily vehicle trips include: 10 trips per day per single-family household; five trips per day per apartment; and 30 trips per day per 1,000 square feet of gross floor area such as a new supermarket or other retail development **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 ~~may~~ **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~~ **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 ~~site~~ **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 ~~in accordance with OAR 734-051-180~~ **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.**

**City Street Design Standards  
"Local Streets"**

**Pros & Cons of Wider Streets**

**December 2018**

<b>Pros</b>	<b>Cons</b>	<b>Notes</b>
Provides full emergency responder access	Allows higher travel speeds and potentially creates an enforcement burden for WPD and unsafe traffic conditions	Wider streets end up costing cities more over time when traffic calming measures are employed to retrofit streets
City does not bear initial additional cost	More expensive for developers; increases O&M for City over time	Costs are passed along to new homeowners/renters
Could allow quicker evacuation in case of major catastrophic event	How often do severe events occur to warrant wide streets? Pedestrian movement higher priority in case of event	Frequency of events must be weighed with normal use and neighborhood livability
Works better for larger trucks and SUVs	Increases impervious runoff and water quality can be compromised	Stormwater management is a challenge; balancing act of competing priorities
	Less land devoted to housing or commercial that has assessed value for city services	Balancing efficient land use is hallmark of Oregon planning system
Trucks prefer wider streets	Trucks can navigate 32 ft streets but must slow down	Freight traffic is mostly confined to US 101; local deliveries can navigate 32 ft standard

7-C

*"Making a difference through excellence of service"*



**CITY OF WARRENTON**

## AGENDA MEMORANDUM

**TO:** The Warrenton City Commission  
**FROM:** Kevin A. Cronin, AICP, Community Development Director  
**DATE:** For the Agenda of January 22, 2019  
**SUBJ:** Clatsop County Street Vacation | Ordinance No. 1226

The City received a street vacation request from Clatsop County on October 23, 2018. On November 27, 2018, the City Commission directed staff to schedule a public hearing for January 8, 2019 where the Commission held a first reading of the ordinance.

The proposal includes several unimproved street rights of way in the vicinity of SW 9<sup>th</sup> Street. The Oregon Department of State Lands required a street vacation on County owned property before a planned transfer of property to the North Coast Land Conservancy for open space preservation. The County owns in excess of two-thirds of the impacted property around the proposed street vacation which satisfies ORS 271.

Finally, the County has requested vacation of the lots and blocks in the plat. The Warrenton Development Code WMC 16.216.110.B requires the same procedure for the creation of a subdivision as for a plat vacation. A special meeting of the Planning Commission will be scheduled for January 31 to hear this case.

### RECOMMENDATION/SUGGESTED MOTION

I move to conduct the second reading of Ordinance No. 1226 by title only.

*"An ordinance vacating undeveloped street rights-of-way in the plat of WC Smith's Warrenton in Warrenton, Oregon"*

### ALTERNATIVE

None recommended

### FISCAL IMPACT



ORDINANCE NO. 1226

INTRODUCED BY ALL COMMISSIONERS

**AN ORDINANCE VACATING UNDEVELOPED STREET RIGHTS-OF-WAY IN THE TOWN PLAT OF W.C. SMITH'S OF WARRENTON IN WARRENTON, OREGON**

WHEREAS, The Warrenton City Commission deems it to be in the best interest of the City to vacate undeveloped street rights-of-way in the town plat of W.C. Smith in the City of Warrenton, County of Clatsop, State of Oregon; and

WHEREAS, a public hearing on the petition was held at the hour of 6:00 p.m. on Tuesday, January 8, 2019, in the Commission's Chambers at Warrenton City Hall; and

WHEREAS, due notice of time and place for said hearing was given, as by law required;

NOW, THEREFORE, the City of Warrenton ordains as follows:

**Section 1.** The public rights-of-way in the City of Warrenton, Clatsop County, State of Oregon, described in Exhibit A, are hereby vacated. Nothing contained herein shall cause or require the removal or obstruction of any drainage ditch, abandonment of any sewer, water main conduit, utility line, pole or any other thing used or intended to be used for any public service.

**Section 2.** The City Recorder of the City of Warrenton is hereby ordered to make this vacation a matter of public record; and it is expressly provided that the petitioner shall forthwith pay the costs of the necessary changes of public records, as required by law, and it is hereby provided that the City Recorder shall file with the clerk, the assessor, and the surveyor of Clatsop County, a certified copy of this ordinance.

**Section 3.** This ordinance will take effect 30 days after its adoption by the Warrenton City Commission.

Adopted by the City Commission of the City of Warrenton, Oregon this \_\_\_ day of January, 2019.

First Reading:

Second Reading:

APPROVED:

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

ATTEST:

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

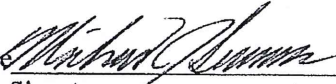
**RIGHT OF WAY VACATION**  
Street Vacation Check List

**DISCLAIMER:** Completion of this application does not constitute approval of the street vacation. The ultimate decision will be made by the Warrenton City Commission.

To help facilitate the street vacation process, you must complete the steps below in the order presented.

- I have read the "Vacating A Street" brochure.
- I have called and spoken to ADAM NTIES at Clatsop County's Cartography Department (503/ 325-8522) to see who will own the right-of-way area after the vacation is completed. (In most cases the vacated area is split down the middle and reverts back to the adjacent property owner.) Please list who receives property: ALL OF THE AREA WITHIN THE LOTS, BLOCKS AND STREETS WILL BE OWNED BY CLATSOP COUNTY AFTER THE VACATION.
- I have talked with all owners of the properties that abut all sides and corners of the portion of right-of-way to be vacated and they will support the vacation request (objecting property owners will complicate or stop the process).
- I have contacted private utilities to determine if the companies will support the vacation, with or without special conditions. To ensure that you have a complete understanding of affected utilities, a utility locate should be requested by calling: 800/ 332-2344.

**SIGN TO CONFIRM:**

I have completed all of the above  10/15/2018  
Signature Date

**After you have done all of the above and it appears that a right-of-way vacation may be feasible,** a written right-of-way vacation petition (attached) and a Six Hundred Dollar (\$600.00) application fee is required. If multiple streets are involved, or it affects multiple lots, a land use review by the Planning Department and Planning Commission is required. The petition fee is Eight Hundred Dollars (\$800) when it's required to go before the Planning Commission.

Upon receipt of this checklist, the petition, the required fee and all necessary signatures, (see ORS 271.080 – attached), the City Recorder shall review the petition. If petition is deemed incomplete, it will be returned to the petitioner for additional signatures or other required information. If required percentages of consent is confirmed, the matter will be placed on the City Commission's Agenda to consider setting a public hearing or referred to the Planning Commission, if required. Please allow four weeks for the review of the petition.



Page Two (2)

Send the petition along with the petition fee in the form of a check made out to the City of Warrenton and a signed copy of this checklist to:

**Mail Form To:**  
City Recorder  
City of Warrenton  
P.O. Box 250  
Warrenton, OR 97146

**or**

**Deliver Form in Person To:**  
City Recorder  
City of Warrenton  
225 S. Main Street  
Warrenton, OR 97146

If you have additional questions about the street vacation process, please contact Linda Engbretson, at 503/ 861-0823 or at [cityrecorder@ci.warrenton.or.us](mailto:cityrecorder@ci.warrenton.or.us).

**STREET VACATION PETITION**  
**City of Warrenton**

Fee: \$600.00

<u>Petitioner</u>	<u>Petitioner's Representative</u>
Name: <b>CLATSOP COUNTY</b>	Name: <b>MICHAEL SUMMERS</b> <b>(PUBLIC WORKS DIRECTOR)</b>
Mailing Address: <b>1100 OLNEY AVE.</b> <b>ASTORIA, OR 97103</b>	Mailing Address: <b>1100 OLNEY AVE.</b> <b>ASTORIA, OR 97103</b>
Phone Number: <b>503-325-8631</b>	Phone Number: <b>503-325-8631</b>
Email Address: <b>MSUMMERS@CO.CLATSOP.OR.US</b>	Email Address: <b>MSUMMERS@CO.CLATSOP.OR.US</b>
<p>1. A description of the right-of-way area to be vacated. <i>(Don't forget to include a map highlighting the area. A survey or professionally developed legal description is required).</i></p> <p><b>SEE ATTACHED LEGAL DESCRIPTION AND MAPS.</b></p>	
<p>2. Reason for the Vacation Request. <i>(Advise if any buildings/structures will be in the area to be vacated).</i></p> <p><b>SEE ATTACHED PAGE.</b></p>	
<p>Note: If additional room is necessary, please attach extra pages.</p>	
<p>3. Required affidavits.</p> <ul style="list-style-type: none"><li>a. <u>100%</u> of abutting property owners.</li><li>b. Two-thirds in area of real property affected by proposal. Refer to <i>ORS Chapter 271</i> (attached).</li><li>c. List of all abutting and affected property owners, mailing addresses, and corresponding square footage of property owned.</li></ul>	

*Michael J. Lawrence*  
Petitioner

*10/15/2018*  
Date

Return To:	City of Warrenton P.O. Box 250 225 S. Main Street Warrenton, OR 97146
For Questions – Contact:	Linda Engbretson, City Recorder Phone: 503/ 861-0823 Email: <a href="mailto:cityrecorder@ci.warrenton.or.us">cityrecorder@ci.warrenton.or.us</a>

## **Town Plat of W.C. Smith's Warrenton Vacation Request**

### **Reason for Vacation Request:**

Clatsop County is planning on creating a 40 acre wetlands preservation area on county-owned land in the area between SW 2<sup>nd</sup> Street and SW 9<sup>th</sup> Street. One of the requirements within this preservation area is that all public streets are vacated. During the vacation process, Clatsop County is intending to vacate all of the lots and blocks within the preservation area also. Clatsop County is the owner of all of the land adjoining the streets to be vacated. There are no existing roadways along the platted streets and structures on the platted lots.

AFFIDAVIT

STATE OF OREGON )  
COUNTY OF CLATSOP )

CLATSOP COUNTY,

being the owners of the following real property: BLOCKS D, 7-12, 24-29,  
EXCEPTING LOT 3, BLOCK 9 AND LOT 6, BLOCK 24 IN THE  
TOWN PLAT OF W.C. SMITH'S (WARRENTON,

as a basis of the petition from CLATSOP COUNTY,

REPRESENTING 100% OF ADJOINING OWNERS,

do hereby consent to the vacation of a portion of THE TOWN PLAT OF W.C.  
SMITH'S WARRENTON

as described: - SEE ATTACHED LEGAL DESCRIPTION.

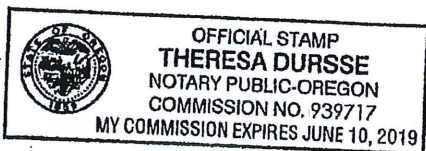
Signature: Michael J Summers Date: 10/15/2018

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

On this 15 day of October, 2018, personally appeared before me, a  
notary public in and for the State of Oregon, the within named \_\_\_\_\_

Michael Summers acknowledged the following instrument to be \_\_\_\_\_

voluntary act and deed.



Theresa Dursse  
Notary Public for Oregon

My commission expires: 6/10/19

**271.080 Vacation in incorporated cities; petition; consent of property owners.** (1) Whenever any person interested in any real property in an incorporated city in this state desires to vacate all or part of any street, avenue, boulevard, alley, plat, public square or other public place, such person may file a petition therefor setting forth a description of the ground proposed to be vacated, the purpose for which the ground is proposed to be used and the reason for such vacation.

See attached petition, included therein is a description of the plat and street areas to be vacated, as well as a description of the purpose for which the ground is proposed to be used.

(2) There shall be appended to such petition, as a part thereof and as a basis for granting the same, the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby.

Clatsop County is the owner of all the property to be vacated, and the only abutting property is one 5000 square foot lot (TL81021BD03300), which is not proposed to be vacated, and the street serving it is not proposed to be vacated.

The real property affected thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated.

Each street was offset 200 feet and extended 400 along its course beyond the extents of the portions proposed to be vacated. All of the real properties adjoining these offsets and extensions were factored into the total area of real property affected. Clatsop County owns more than two-thirds in area of the real property affected thereby.

Where a street is proposed to be vacated to its termini, the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted.

The vacated portions of the streets were extended 400 feet along their course beyond the portions proposed to be vacated. No streets were vacated to their termini, but would include the same extension described above.

In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as to such street area the above requirements shall also apply.

Clatsop County owns all of the portion of the plat to be vacated. The vacation embraces street area, therefore see descriptions above for street vacation requirements.

The consent of the owners of the required amount of property shall be in writing. [Amended by 1999 c.866 §2]

Clatsop County has completed petition in writing and submitted it to the City of Warrenton.

PRIVATE NUMBER	AREA
1	80,000
2	22,400
3	80,000
4	23,000
5	22,800
6	62,500
7	42,000
8	39,500
9	65,000
10	20,000
11	5,000
12	10,000
13	20,000
14	22,500
15	7,000
16	20,500
17	31,150
18	12,600
19	12,800
20	21,350
21	10,450
22	60,000
23	10,000
24	5,000
TOTALS	705,550

COUNTY NUMBER	AREA
30	22,600
31	79,500
32	80,000
33	80,000
34	72,900
35	80,000
36	80,000
37	80,000
38	13,700
39	80,000
40	80,000
41	20,000
42	69,000
43	98,000
44	98,000
45	105,600
46	617,201
47	46,600

1,803,101

TOTAL AREA 2,508,651

PERCENTAGE OF TOTAL AREA  
72%

01/04/19

**Portions of Streets in W.C. Smith's Warrenton to be Vacated**

Those portions of the streets in the town plat of *W.C. Smith's Warrenton*, Book 3, Page 5, Clatsop County Town Plat Records described as: that portion of Willow Street between the Westerly extensions of the north and south lines of Block 9; that portion of Laurel Street lying Southerly of the Easterly extension of the south line of Block 9; all of Pine Street; that portion of 5th Street lying between the Southerly extension of the west line of Block 9 and the Southerly extension of the east line of Block 7; that portion of 6th Street lying between the Southerly extension of the west line of Block 10 and the southerly extension of the west line of Lot 8, Block 12; and those portions of 7th and 8th Streets lying between the Southerly extension of the west line of Block 26 and the Southerly extension of the west line of Block 24 in the town plat of *W.C. Smith's Warrenton*, being more particularly described as:

All those Streets within a tract of land in the West Half of Section 21, Township 8 North, Range 10 West, Willamette Meridian, Clatsop County Oregon, the boundaries of which are described as follows:

Beginning at the northeast corner of Block 7, in the town plat of *W.C. Smith's Warrenton*, Book 3, Page 5, Clatsop County Town Plat Records; thence Southerly along the east line of Block 7 and its Southerly extension to the southeast corner of Block 12, *W.C. Smith's Warrenton*; thence Westerly along the south line of Block 12 to the southwest corner of Lot 8, Block 12; thence Southerly in a straight line to the northeast corner of Lot 16, Block 24, *W.C. Smith's Warrenton*; thence Southerly along the east line of Lot 16 and its Southerly extension to the southeast corner of Lot 13, Block 24; thence Westerly along the south line of Lot 13 to its southwest corner on the west line of Block 24; thence Southerly along the west line of Block 24 and its Southerly extension to the south line of *W.C. Smith's Warrenton*; thence Westerly along the south line of *W.C. Smith's Warrenton* to its intersection with the Southerly extension of the west line of Block 27, *W.C. Smith's Warrenton*; thence Northerly along the west line of Block 27 and its Northerly extension to the Easterly extension of the south line of Block D, *W.C. Smith's Warrenton*; thence Westerly in a straight line to the southeast corner of Block D; thence Westerly along the south line of Block D to its southwest corner; thence Northerly along the west line of Block D to its northwest corner; thence Easterly along the north line of Block D and its Easterly extension to the northeast corner of Block 9, *W.C. Smith's Warrenton*; thence Southerly along the east line of Block 9 to the northeast corner of Lot 3, Block 9; thence Westerly along the north line of Lot 3 to its northwest corner; thence Southerly along the west line of Lot 3 to its southwest corner; thence Easterly along the south line of Lot 3 to its southeast corner on the east line of Block 9; thence Southerly along the east line of Block 9 to its southeast corner; thence Easterly in a straight line to the southwest corner of Block 8, *W.C. Smith's Warrenton*; thence Northerly along the west line of Block 8 to its northwest corner; thence Easterly along the north line of Block 8 and its Easterly extension to the northeast corner of Block 7 *W.C. Smith's Warrenton* at the Point of Beginning.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

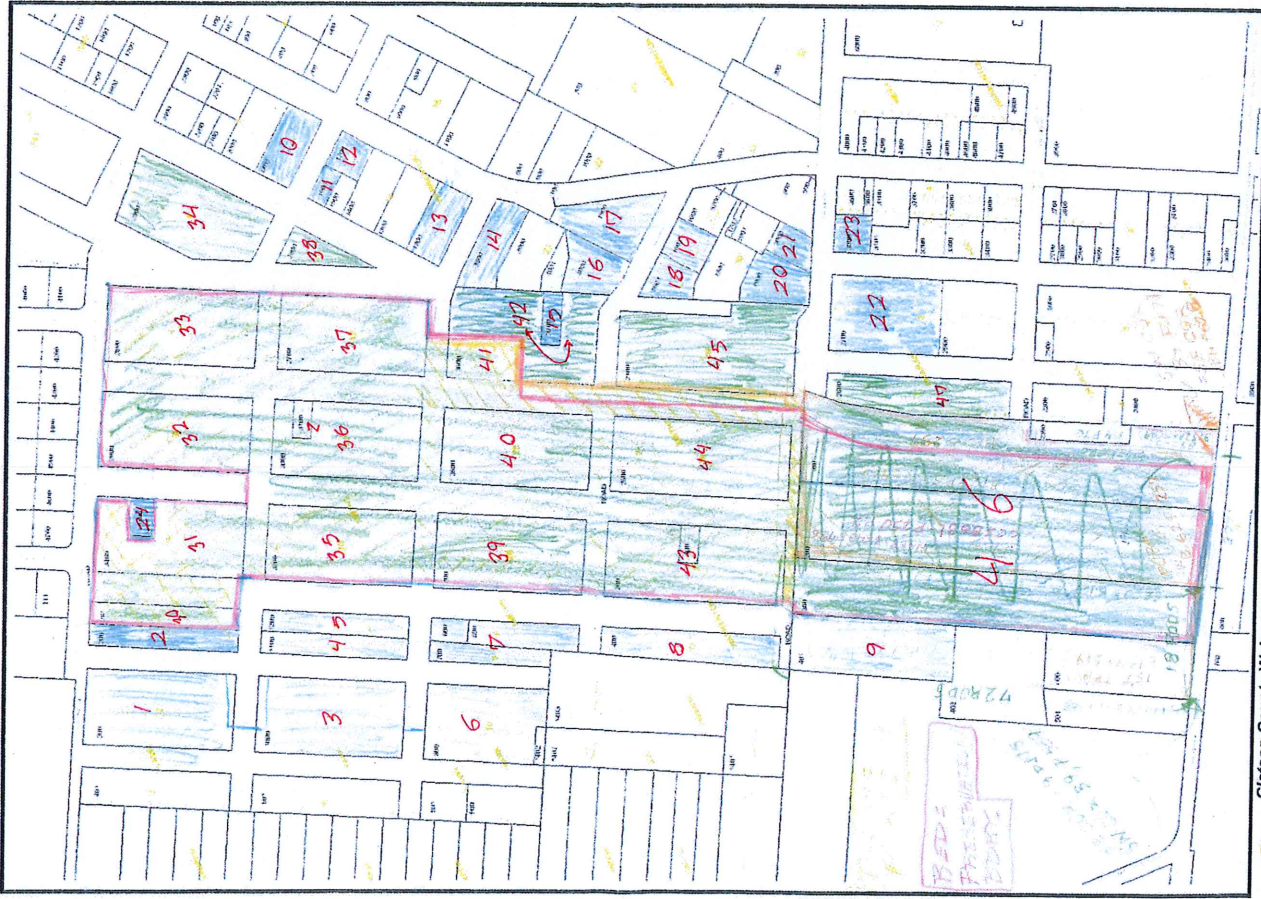
VANCE SWENSON

OREGON  
JULY 9, 2001  
VANCE S. SWENSON  
65703

RENEWS 07-01-2020



# Map



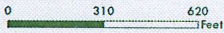
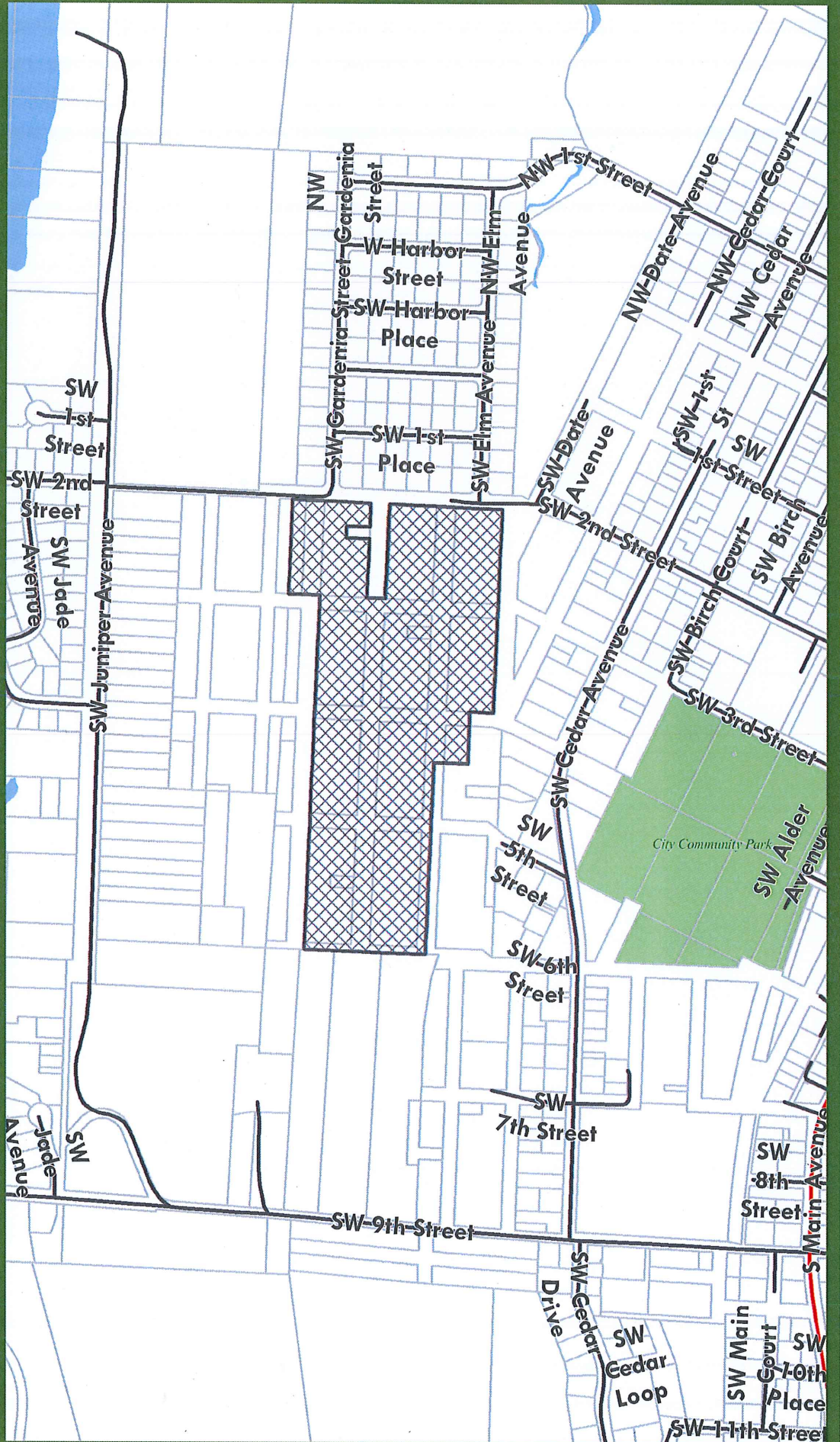
### Clatsop County Webmaps

Disclaimer: This map was produced using Clatsop County GIS data. The GIS data is maintained by the County to support its governmental activities. This map should not be used for survey or engineering purposes. The County is not responsible for map errors, omissions, misuse or misinterpretation. Photos may not align with taxlots.



# 9th Street Mitigation Site

-  Area to be Vacated
-  Highway
-  Local
-  Tax Lot Boundary
-  Waterbodies
-  Park/Open Space/Natural Area



DISCLAIMER: This data was produced using Clatsop County GIS data. The data is maintained by Clatsop County to support its governmental activities. Clatsop County is not responsible for any map errors, possible misuse, or misinterpretation.

MAP AUTHOR: Alejandra Bancke (GIS Specialist / Project Planner)  
DATE SAVED: Monday, October 08, 2018

FILE LOCATION: O:\Will9th Drainage Project\LEGAL Description Work\Legal\STREET AND PLAT VACATION\NCRP\_9thStreet\_Mitigation\_Site\_vacate.mxd

7-D

*"Making a difference through excellence of service"*



## CITY OF WARRENTON

# AGENDA MEMORANDUM

**TO:** The Warrenton City Commission  
**FROM:** Kevin A. Cronin, AICP, Community Development Director  
**DATE:** For Agenda of January 22, 2019  
**SUBJ:** **Ordinance 1223:** Development Code Amendment | I-2  
Industrial Shorelands Employee Housing | Pacific Seafoods  
(DCR: 18-4)

### SUMMARY

The proposed development code amendment is a request made by Pacific Seafoods to allow under certain conditions employee housing on I-2 Industrial Water Dependent Shorelands. A more detailed policy discussion is contained in the Planning Commission staff report. The City Commission held a public hearing on November 13, 2018 and continued the hearing to allow additional testimony and requested the applicant hold a town hall with the full City Commission that was held on December 4. On December 11, the City Commission elected to deliberate on January 8, 2019 when the City Commission held a first reading of a proposed ordinance. Enclosed is Ordinance No. 1223 for a final consideration. The applicant has also submitted final findings of fact that can be adopted as part of the final decision.

### RECOMMENDATION/SUGGESTED MOTION

*Based on the staff report, application, and exhibits presented to the Planning Commission, the record established by the Planning Commission in its review of Application DCA 18-4, and Agenda Summary for November*



Warrenton City Commission Agenda Summary  
I-2 Water Dependent Industrial Amendment (DCR 18-4)  
For Agenda of January 22, 2019

*13, 2018, December 11, 2018, and January 8, 2019 City Commission public hearing, public testimony, and further input received at the town hall, I move to approve a second reading and adopt Ordinance No. 1223, by title only.*

Title: *Ordinance 1223, Introduced by All Commissioners, to Amend Warrenton Municipal Code (WMC) 16.64.020.*

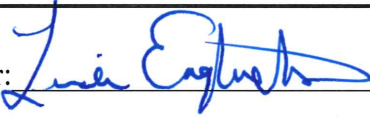
**ALTERNATIVE**

*None*

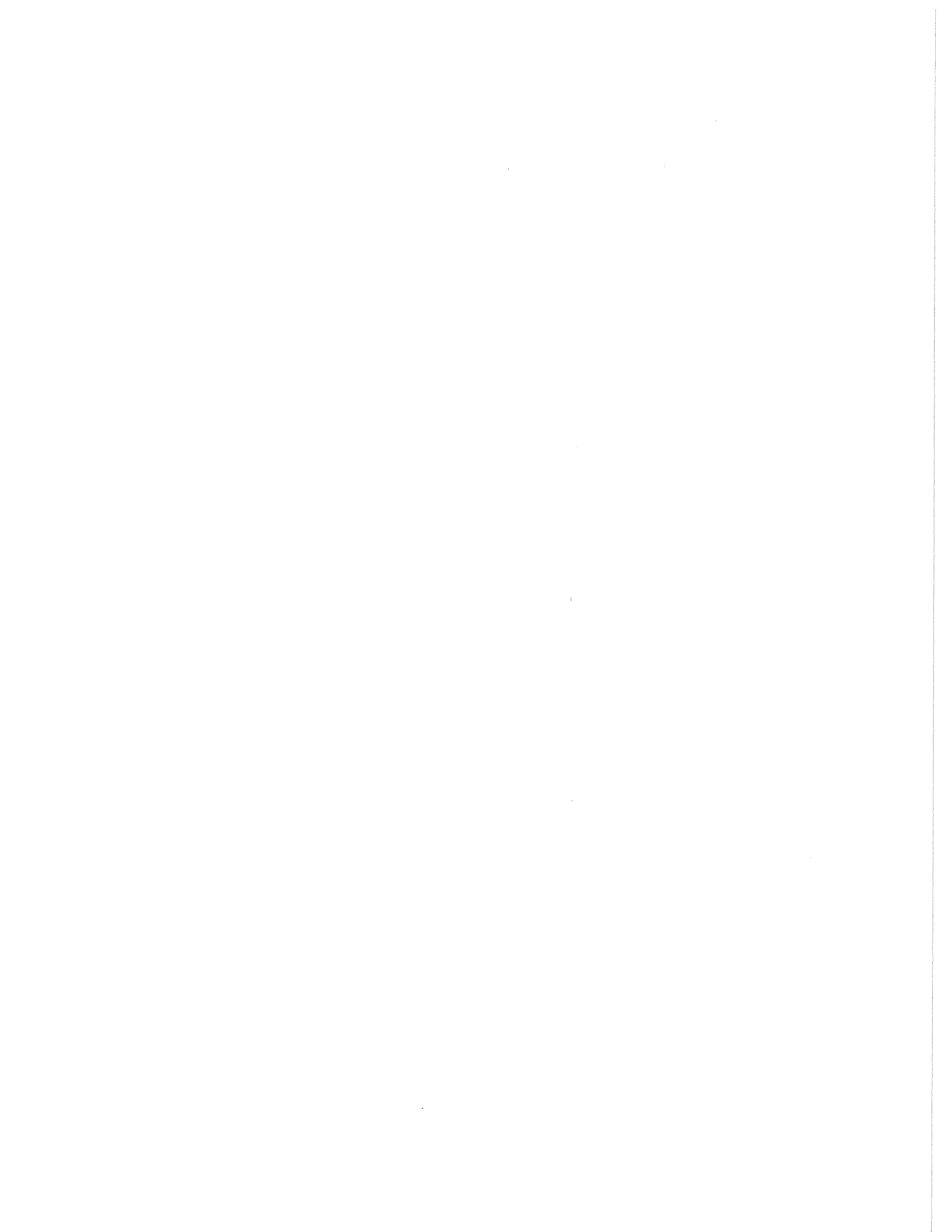
**FISCAL IMPACT**

Not known at this time.

Approved by City Manager:

A handwritten signature in blue ink, appearing to read "Lina Engstrom", is written over a horizontal line.

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.



## ORDINANCE No. 1223

Introduced by All Commissioners

An ordinance amending Warrenton Municipal Code Chapter 16.64.020

**WHEREAS**, Pacific Seafoods has made application to amend the I-2 Industrial Water Dependent Shorelands Zone to allow employee housing;

**WHEREAS**, the City of Warrenton has supported specific and targeted revisions to the Warrenton Development Code in order to facilitate new housing opportunities.

**WHEREAS**, the City of Warrenton has provided numerous public involvement opportunities for local residents and stakeholders to provide input and address potential neighborhood impacts;

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

Section 1. Warrenton Municipal Code Section 16.64.030 Conditional Uses, is amended as follows:

16.64.030 Conditional Uses.

The following uses and activities and their accessory uses and activities may be permitted in the I-2 zone when approved under Chapter 16.220, Conditional Use Permits. These uses are also subject to the provisions of Section 16.64.040, Development Standards.

- A. Temporary uses, subject to the standards in Section 16.64.040, involving an existing structure; a removable structure (such as a trailer); or involving minimal capital investment.
- B. Beach nourishment at sites designated in this plan.
- C. Mitigation, restoration, creation and enhancement.
- D. Dredged material disposal.
- E. Water-related uses subject to the standards in Section 16.64.040.
- F. Water-dependent commercial uses.
- G. Passive restoration measures.
- H. Excavation to create new water surface area.
- I. Public access improvement projects, as specified in public access plans.
- J. The following water-dependent industrial or port uses:
  - 1. Marine fuel storage and dispensing.
  - 2. Forest products processing, storage and loading.
- K. Communication facilities subject to the standards of Chapter 16.148.
- L.M.** Similar uses as those listed in this section.

**16.64.030. L. Dormitory. A dormitory only for employees of one or more industrial water-dependent uses in the I-2 zoning district. The dormitory shall be on a lot which includes one or more benefitting industrial water-dependent uses. The dormitory shall be discontinued if either the ownership changes so that the lot on which the dormitory is located is no longer controlled by the owner of one or more of the benefitting industrial water-dependent uses, or the benefitting industrial water dependent use on the same lot as the dormitory ceases to operate. The dormitory may house workers of other industrial water-dependent uses if in the same ownership as the lot on which dormitory is located.**

**16.64.050 Conditional Use Standards for Dormitory Use in 16.64.030.M. Subject to the provisions of Chapter 16.220, except 16.220.030, findings shall be made that the use will comply with the following standards:**

- 1. The use meets the I-2 Development Standards in 16.64.040.**
- 2. The use provides for bus transportation to the work place for residents.**
- 3. The use provides for a Dormitory Management and Operations Plan, including a plan for removing terminated employees no longer allowed to reside in the dormitory.**
- 4. The applicant for the proposed use has entered into a Good Neighbor Agreement with the City and shall use its best efforts to enter into the same agreement with the adjacent residential neighbors.**
- 5. The use has appropriate on-site physical improvements, including fencing on the perimeter of the lot adjacent to a residential neighborhood.**

**16.64.060 Review of Conditional Use Permit Conditions Granted Under 16.64.050**

**Two (2) years after final approval of the conditional use permit granted under this section, the City Commission may, in its discretion, request a report from the Community Development Director in a public meeting analyzing the permittee's adherence to the conditions of approval in the conditional use permit. If the report demonstrates substantial issues with compliance with the conditions of approval, the City Commission may hold a public hearing subject to the notice provisions in 16.208.050 where it may consider the report and determine remedies including but not limited to additional conditions of approval.**

Section 4. This ordinance shall become effective 30 days after second reading

First Reading: January 8, 2019  
Second Reading: January 22, 2019

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

APPROVED



Henry A. Balensifer, Mayor

Attest:

Dawne Shaw, City Recorder



BEFORE THE CITY COMMISSION

FOR THE CITY OF WARRENTON, OREGON

In the Matter of a Type IV Application to ) FINDINGS OF FACT AND  
Amend Warrenton Development Code (the ) CONCLUSIONS OF LAW APPROVING  
“WDC”) Section 16.64.030 to Allow ) THE REVISED TEXT AMENDMENT  
Dormitories for Employees of Water ) (FIRST READING, JANUARY 8, 2019;  
Dependent Industrial Uses (the ) SECOND READING AND ADOPTION  
“Application”) as a conditional use in the ) OF FINAL DECISION ON JANUARY 22,  
 (“I-2”) Zoning District ) 2019)

**I. Request.**

This Type IV legislative amendment Application to the text of the WDC, the City’s acknowledged land use regulations, requests that the Warrenton City Commission (the “City Commission”) approve a text amendment to WDC 16.64.030, conditional uses in the Water-Dependent Industrial Shorelands (“I-2”) Zoning District, to add the following conditional use:

**“M. “Dormitory. A dormitory only for employees of one or more industrial water-dependent uses in the I-2 zoning district. The dormitory shall be on a lot which includes one or more benefitting industrial water-dependent uses. The dormitory shall be discontinued if either the ownership changes so that the lot on which the dormitory is located is no longer controlled by the owner of one or more of the benefitting industrial water-dependent uses, or the benefitting industrial water-dependent use on the same lot as the dormitory ceases to operate. The dormitory may house workers of other industrial water-dependent uses if in the same ownership as the lot on which dormitory is located.”**

The purpose of the text amendment is to allow work force housing to accommodate the unmet need for affordable, short-term housing for employees of water-dependent industries in the I-2 zoning district. The amendment is solely for the benefit of employees of water-dependent industrial uses in the I-2 zoning district.

All of the statements of fact in this decision are findings of fact expressly adopted by the City Commission in support of this decision.

**II. Classification of Application and Procedure.**

**A. Authority to Initiate the Application.**

WDC 16.208.070.D.1.a.iv provides that a legislative amendment to the City’s land use regulations, the WDC, may be initiated by a record owner of property. The Application for the

text amendment submitted included a completed City of Warrenton land use application form signed by the authorized representative of Pacific Seafood Group, a record owner of property within the City of Warrenton, Oregon.

**B. Characterization of the Application as a Legislative Application.**

This Application is properly characterized as a legislative application and not as a quasi-judicial application. WDC 16.208.020.D. The application is properly characterized as a legislative application because it makes new law.

**C. Procedure Type.**

This Application is characterized as a Type IV Application because the final decision is made by the City Commission following a recommendation by the Planning Commission and includes a text amendment to the WDC. WDC 16.208.020.D.

**D. Pre-Application Meeting.**

WDC 16.208.060.A requires a pre-application meeting. The City held a pre-application meeting with the Applicant on August 8, 2018. The pre-application meeting met the requirements of WDC 16.208.070.C.

**E. Application Requirements.**

This Application meets the requirements of a Type IV application by providing the information required for a Type IV amendment. The Application provides the information required by WDC 16.208.060.B, findings of fact and other evidence to support the request and addresses all applicable approval criteria as required by WDC 16.208.060.F.

**F. Description of Proposed Amendment.**

The proposed text amendment requests that the City amend the I-2 zoning district to allow dormitories as a conditional use. The I-2 zoning district implements Goal 17, "Coastal Shorelands".

WDC 16.64.030, "Conditional Uses", lists the current permitted uses in the I-2 zoning district. The Application proposes to add a new conditional use "M." to allow a dormitory for employees of water-dependent industrial uses in the I-2 zoning district.

Pacific Seafood maintains and operates two water-dependent industrial uses in the I-2 zoning district. The first facility is the Pacific Seafood's processing plant which processes seafood. The second is Bio Oregon which processes the residue from Pacific Seafood.

The proposed location of the residential use is on the west side of a large, existing industrial building in the I-2 zone. The building is at least 100 feet from the lot's east property line, which abuts a residential area. No building entrance for the proposed dormitory will be located on the east side of the building. The lot on which the building is located is entirely surrounded by a fence on all sides. Traffic from the facility will not use the local street serving

the residential area. There is no reason to believe that the location of, or the operation of the residential facility, will lead to any external impacts noticeable to the residential area.

Pacific Seafood proposes to use a portion of the Bio Oregon plant, known as Pacific Fabrication, which contains a vacant, water-dependent industrial use as a dormitory to serve employees of the two Pacific Seafood water-dependent industrial uses in the I-2 zoning district.

As explained elsewhere in this Application, the proposed text amendment satisfies the requirements of Goal 17 and its implementing administrative rule.

**Exhibit 1** shows the proposed text amendment. The proposed text amendment adds “dormitory” as a new conditional use to the list of conditional uses in the I-2 zoning district. The purpose of the text amendment is to allow dormitories in the I-2 zoning district exclusively for employees of industrial water-dependent uses located in the I-2 zoning district in order to provide affordable, short-term work force housing for employees of water-dependent industrial uses in the I-2 zoning district. The text amendment does not allow a dormitory for general public use.

### **G. Public Review Procedure for the Application.**

After the City accepted the original Application, the City provided notice of the Application and the first Planning Commission hearing date to the Oregon Department of Land Conservation and Development (“DLCD”) thirty-five (35) days before the Planning Commission hearing on October 11, 2018. WDC 16.208.060.C.2.d. The City was not required to mail notice of the hearing to surrounding property owners. The Planning Commission held one public hearing on the Application on October 11, 2018.

The City Commission received a unanimous recommendation from the Warrenton Planning Commission and a recommendation from the Warrenton Development Director to approve the proposed text amendment. The City Commission held two public hearings on the Application on November 13, 2018 and December 11, 2018 and a “Town Hall” meeting on December 4, 2018. WDC 16.208.060.G. The City Commission closed the public record on January 2, 2019. The City Commission adopted the ordinance adopting the text amendment on first reading on January 8, 2019. The City will provide notice of the City Commission’s final decision within twenty (20) days to DLCD and to anyone who testified orally or in writing before the Planning Commission or the City Commission.

The Applicant submitted a revised text amendment on September 25, 2018. The revision included revised text amendment language developed through coordination with the Department of Land Conservation and Development (“DLCD”) and the City and revised findings addressing Statewide Planning Goal (the “Goals”) 17, “Coastal Shorelands”, and its implementing administrative rule in OAR Chapter 660, Division 037, “Goal 17 Water-Dependent Shorelands.

### **III. Reasons for the Text Amendment.**

Pacific Seafood Group makes this Application because it is a large employer in the City and has found it difficult to keep existing employees and hire new employees due to the lack of affordable short-term housing. Pacific Seafood Group maintains a processing plant in the City

("Pacific Seafood") and also operates Bio-Oregon ("Bio-Oregon"), a non-adjacent facility that processes the residue from Pacific Seafood. Both uses are water-dependent uses as defined in Goal 17 and OAR 660-037-0040(6). The peak demand for work force housing occurs during the Shrimp, Whiting and Crab seasons, about six to eight months each year. As explained in Part IV, "Applicable Approval Criteria", the City has an acknowledged need for affordable work force housing. In this case, the lack of work force housing at affordable prices, acknowledged in the Warrenton Comprehensive Plan (the "Plan"), makes it difficult for Pacific Seafood Group's employees to find acceptable housing for needed rental periods at affordable prices. Pacific Seafood Group has determined that it must provide work force housing for its employees.

This amendment to the WDC is necessary to allow Pacific Seafood Group to use an existing vacant building in the I-2 zoning district in order to provide a dormitory for work force housing in the building. The proposed text amendment discussed with the City's Planning Director and DLCDC prior to submittal of the Application amends the I-2 zoning district list of conditional uses to accomplish this purpose. The dormitory use will provide affordable work force housing to its workers. This legislative amendment is a reasonable solution to the identified problem without requiring Pacific Seafood Group or another developer to construct additional multi-family dwelling units, or to compete with full-time City residents for affordable housing.

#### **IV. Applicable Approval Criteria.**

This legislative amendment to the City's acknowledged land use regulations requires the City to demonstrate that the applicable approval criteria, including relevant Goals, and administrative rules (the "Rules") implementing the Goals, and provisions of the acknowledged Plan and WDC, are satisfied. ORS 197.195(2)(d); WDC 16.208.060.F. This decision addresses the relevant Goals, Rules and Plan findings and policies for the proposed text amendment and adopts findings of fact explaining why the relevant approval criteria are satisfied.

##### **A. WDC Chapter 16.64, "Water-Dependent Industrial Shorelands" (I-2) District".**

**FINDING:** The purpose of WDC Chapter 16.64 is set forth in WDC 16.64.010. The I-2 zoning district is to provide water-dependent industrial shorelands and maintain water-dependent industrial shorelands areas for uses allowed by Goal 17. Among the purposes are to allow "uses which are not water-dependent or water-related when they do not foreclose options for future higher priority uses and do not limit the potential for more intensive uses of the area."

The City Commission finds that this text amendment satisfies the purpose statement. The proposed conditional use is to be located in an existing building on the same lot as a water-dependent use and only for employees for water-dependent industrial uses in the I-2 zoning district.

WDC 16.64.040 is entitled "Development Standards." All conditional uses in the I-2 zoning district must comply with WDC 16.64.040. Among the requirements are WDC 16.64.040.V, "Standards for Approval of Non-Water-Dependent Uses". WDC 16.64.040.V(1)-(3) implement the administrative rule requirements from OAR 660-037-0080(3)(b)(A)(C).

The City Commission finds that adoption of the text amendment provides that the requirements for a non-water-dependent use in the I-2 zoning district found in the Rules implementing Goal 17 will apply to the dormitory use.

**B. Relevant Goals.**

**1. Goal 1, “Citizen Involvement”:**

**“To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.”**

**FINDING:** The City Commission finds that Goal 1 is satisfied because the City followed its acknowledged Citizen Involvement Program (the “CIP”) in reviewing the proposed land use regulation amendment. The City provided notice of the legislative amendment hearings in the local newspaper of record (WDC 16.208.060.C.2.b) and held three public hearings and a “Town Hall” meeting where persons could testify about the Application. WDC 16.208.060.C.1.

The City Commission finds that Goal 1 is satisfied.

**2. Goal 2, “Land Use Planning”:**

**“To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual basis for such decisions and actions.”**

**FINDING:** The Application contains an adequate factual basis for the proposed legislative amendment to the City’s acknowledged land use regulations. The adequate factual base includes a description of the problem and the proposed amendment to the WDC to address the problem.

The City must also demonstrate that it has “coordinated” the Application, as “coordination” is defined in ORS 197.015(5), with affected governmental units including but not limited to local governments, special districts and state and federal agencies by providing them with notice of the Application, an opportunity to comment and considering their comments in the decision-making process as much as possible. The City has coordinated the Application with affected governmental entities, including DLCD, by providing them with an opportunity to review and comment on the Application. DLCD did not submit a written comment to the City prior to the close of the record on January 2, 2019.

The City Commission finds that the proposed text amendment to the WDC does not require an amendment to the acknowledged Plan.

The City Commission finds that Goal 2 is satisfied.

**3. Goal 9, “Economic Development”:**

**“To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.”**

**FINDING:** The City Commission finds that the proposed legislative amendment supports the City’s Goal 9 program by providing adequate work force housing to support Pacific Seafood Group and other water-dependent industrial employers.

The City Commission finds that Goal 9 is satisfied.

**4. Goal 12, “Transportation”:**

**“To provide and encourage a safe, convenient and economic transportation system.”**

**FINDING:** The City Commission finds that Goal 12 is satisfied because the proposed text amendment adds a new use to the City’s I-2 zoning district that will not generate more than a minimal amount of new vehicle traffic trips to streets and state highways. Further, the approval criteria for the conditional use requires bus transportation for residents of the dormitory.

The City Commission finds that Goal 12 is satisfied.

**5. Goal 17, “Coastal Shorelands”:**

**“To conserve, protect, where appropriate develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and esthetics. The management of the shorelands areas shall be compatible with the characteristics of the adjacent coastal waters; and**

**“To reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon’s coastal shorelands.”**

**FINDING:** Goal 17 provides for six priorities for the use of coastal shorelands. Priority four is to “provide for nondependent, nonrelated uses which retain flexibility of future uses and do not prematurely or inalterably commit shorelands to more intensive uses”.

The proposed text amendment allows the establishment of a dormitory in an existing building that will be on the same lot as a water-dependent industrial use. Only interior tenant improvements are proposed to the building. The building will remain available for water-



dependent industrial uses and will not prematurely or inalterably commit shorelands to more intensive uses.

Goal 17 also permits as permissible uses non-water dependent uses which are “in conjunction with and incidental and subordinate to a water-dependent use”.

The City Commission finds that the proposed conditional use in the I-2 zoning district will be in conjunction with and incidental and subordinate to a water-dependent use in the I-2 zoning district.

Finally, Goal 17 includes “F. Examples of Incidental Uses”. The Goal provides examples of uses that are in conjunction with and incidental to a water-dependent use including, but not limited to, a restaurant on the second floor of an existing seafood processing plant in a retail sales room as part of a seafood processing plant. The examples of incidental uses allows other incidental uses to be proposed consistent with Goal 17.

This section of Goal 17 provides:

**“Generally, to be in conjunction with an incidental to a water-dependent use, a non-water-dependent use must be constructed at the same time or after the water-dependent use at the site is established and be carried out together with the water-dependent use. Incidental means size of non-water-[d]ependent use in relation to the water-dependent operation in that it does not interfere with the conduct of the water-dependent use.”**

The City Commission finds that this part of Goal 17 is satisfied. First, the proposed non-water-dependent use either was constructed at the same time, or after the water-dependent use at this site was established. Second the proposed non-water-dependent use will be carried out together with the water-dependent use. The proposed text amendment provides that the non-water-dependent use, the dormitory, must be on the same lot as a water-dependent use and must be in the same ownership as the non-water-dependent use. These requirements are satisfied. Further, the text amendment provides that if the ownership changes so that the two uses are no longer in the same ownership or the water-dependent use ceases to operate, then the dormitory use shall be terminated. The City Commission finds that the non-water-dependent and water-dependent uses will be carried out together. Third, the City Commission finds that the non-water-dependent use, the dormitory, will be incidental to the water-dependent use because it is small in relation to the water-dependent operation. Finally, the City Commission finds that the proposed non-water-dependent use will not interfere with conduct of the water-dependent use. The dormitory is for the sole purpose of housing employees of the two water-dependent uses. The location of the building to accommodate the dormitory and its improvements will not interfere with the water-dependent uses.

The City Commission finds that Goal 17 is satisfied.

## 6. Remaining Goals.

**FINDING:** The City Commission finds that Goals 3-8, 11, 13-16, and 18-19 are inapplicable to this Application because they are either relevant to geographic areas not found in the I-2 zoning district or are not germane to the text amendment.

### C. Applicable Administrative Rules.

#### 1. OAR Chapter 660, Division 9, "Economic Development".

**FINDING:** The City Commission finds that this administrative rule implementing Goal 9 is inapplicable because it applies to amendments to comprehensive plans for areas within urban growth boundaries. OAR 660-009-0010(1). This Application does not amend the Plan.

The City Commission finds that this administrative rule does not apply to this Application.

#### 2. OAR Chapter 660, Division 12, "Transportation Planning".

**FINDING:** OAR 660-012-0060 is entitled "Plan and Land Use Regulation Amendments." OAR 660-012-0060(1) provides that the administrative rule applies to amendments to existing land use regulations. The administrative rule requires a determination of whether a land use regulation amendment would "significantly affect" a transportation facility. OAR 660-012-0060(1)(a)-(c) identifies when a land use regulation amendment significantly affects a transportation facility. The City Commission finds that OAR 660-012-0060 is inapplicable to this Application because none of the three situations constituting when a "significant affect" occurs are applicable to this Application.

The City Commission finds that OAR 660-012-0060(1) is satisfied by this Application.

#### 3. OAR Chapter 660, Division 37, "Goal 17 Water-Dependent Shorelands".

**FINDING:** OAR Chapter 660, Division 37 is entitled "Goal 17 Water-Dependent Shorelands." OAR Chapter 660-Division 37 implements Goal 17, "Coastal Shorelands". The City Commission finds that the following provisions of the administrative rule are satisfied. First, is entitled "Policy". Subsection (3) provides:

**"As a matter of state policy, it is not desirable to allow the scarce and non-renewable resources of the marine economy to be irretrievably committed to, or otherwise significantly impaired by, non-industrial or non-water-dependent types of developments which enjoy a far greater range of locational options."**

The City Commission finds that the proposed text amendment does not detract from the policy of the administrative rule. First, the proposed non-water-dependent use is consistent with the administrative rule's requirements for non-water-dependent uses. Second, the proposed use

will be located in an existing and partially-vacant building. The building will not be permanently removed from the ability to accommodate water-dependent uses. Third, the City Commission finds based on the testimony of the Applicant that other options for work force housing for employees of I-2 water-dependent uses are not available within the City or other areas outside of the City. Instead, the Applicant proposes to use an existing and partially-vacant building adjacent to and on the same lot as a water-dependent use (and under the same ownership) to serve the housing needs of both water-dependent uses in the I-2 zoning district.

OAR 660-037-0080 is entitled, “Methods of Protection”. OAR 660-037-0080(3)(b) provides for local land use regulations to allow non-water-dependent uses that are in conjunction with and incidental and subordinate to water-dependent uses on the site. OAR 660-037-0080(3)(b)(A)-(C) establishes three requirements for such incident and subordinate uses. The City Commission finds that this part of the administrative rule is satisfied. First, the proposed dormitory use will be on the site of a water-dependent use. Second, the proposed dormitory use will be carried out together with the water-dependent use. Third, the ratio of the square footage of the ground-level indoor floor space plus outdoor acreage distributed between the non-water-dependent uses and the water-dependent uses at the site does not exceed one to three (non-water-dependent to water-dependent). Finally, the City Commission finds that the dormitory will not interfere with the conduct of the water-dependent use. Further, this part of the administrative rule is implemented through WDC 16.64.040.V for all conditional uses in the I-2 zoning district.

The City Commission finds that OAR 660-037-0080(4)(a) is satisfied. The City has chosen to employ a traditional water-dependent zoning district as a means of protecting water-dependent shorelands. The City Commission finds that the dormitory is appropriate as a conditional use so that additional discretionary conditional use standards and the relevant administrative rule provisions can be implemented through a conditional use permit.

The City Commission finds that OAR 660-037-0090, “Rezoning of Qualifying Shorelands to Non-Water-Dependent Uses” is satisfied. OAR 660-037-0090(1) is satisfied because the proposed text amendment to the City’s acknowledged land use regulations satisfies Goal 1, Goal 7, Goal 9, Goal 12 and Goal 17.

Finally, the City Commission finds that OAR 660-037-0090(2) is inapplicable. This Application does not propose to rezone shorelands sites to non-water-dependent uses but instead proposes to add a permitted use to the I-2 zoning district that supports existing water-dependent uses.

### **C. Warrenton Comprehensive Plan.**

The acknowledged Plan contains two sections relevant to this Application.

#### **1. Plan Article 3, “Land and Water Use”.**

**FINDING:** Plan Pages 15 and 16 under Plan Section 3.240, “Housing Costs, Housing Incomes and Housing Affordability”, address incomes in relation to housing affordability. The Plan states at Page 16 that: “[2000 U.S. Census] data indicated that just over 26% of all homeowner households spent over 30% of their incomes on houses, while about 39% of renter households did the same. These percentages likely have climbed since the year 2000, given

increases in housing costs, particularly for owner-occupied housing during this period.” The Plan noted prior to this statement that housing affordability is typically assessed in one of two ways, including estimating the percentage of households which spend more than 30% of their monthly income on housing.

The City Commission finds that this acknowledged Plan provision indicates that about one-third of Warrenton households spend more than 30% of their incomes on housing, an indicator of lack of affordable housing. The acknowledged Plan also notes that this ratio is higher for rental households. As the Plan suggests, housing affordability may have deteriorated over the last eighteen years, meaning that work force housing has likely become even more scarce and expensive.

Plan Section 3.260, “Future Housing Types”, notes several trends that are expected to affect many types of housing. The first identified trend is “increasing costs of land and housing in coastal and other communities throughout Oregon.” The next relevant trend is “potential increase in need in market for multi-family and single-family attached housing as a potential supply of low and moderate cost housing.”

The Plan then notes that the two noted factors will generate a “continued need for some manufactured housing as a potential supply of low-cost, workforce housing.” While the Applicant is not suggesting manufactured housing as a solution for workforce housing, this Plan statement indicates a need for a solution to work force housing. The Applicant’s proposed text amendment meets that need.

Plan Section 3.330, “Industrial Lands”, states:

**“(1) It is the City’s policy to support the establishment of a variety of well-designed industrial facilities in appropriate locations in order to expand employment opportunities \* \* \*.”**

The City Commission finds that having sufficient work force housing is a requirement for the expansion and retention of industrial facilities in the City. This text amendment fulfills the goal of maintaining and expanding the City’s industrial land base by providing affordable work force housing, through dormitories, as proposed in this amendment.

## **2. Plan Article 9, “Economy”.**

Plan Section 9.100, Finding 2, “Current Businesses and Economic Conditions”, notes that

**“Warrenton has a natural resource-based economy which is closely intertwined with the economy of the County as a whole. Wood processing, food processing and commercial fishing are three of the natural resource-oriented activities which have been particularly important to the City’s economy historically.”** Plan Page 198.

The City Commission finds that this Plan Finding notes the importance of food processing and commercial fishing as part of the City’s economic base. Pacific Seafood and

Bio-Oregon are water-dependent uses that process seafood and its residue in the I-2 zoning district and are supported by commercial fishing. Therefore, supporting the provision of affordable work force housing to serve food processing workers in the I-1 zoning district supports the City's economy.

Plan Section 9.310 contains "City Economy Policies." Policy 4 provides as follows:

**"Encourage present employers to expand their operations and aid them in doing what is necessary to maintain an economic base for employment within the City."**

The City Commission finds that that Application aids present employers in providing affordable workforce housing by allowing them to provide dormitories for employees of water-dependent uses, which will have the result of maintaining an economic base for employment within the City.

### **3. Conclusion.**

The City Commission finds that the acknowledged Plan supports the Plan's acknowledgment of commercial food processing as an important industry in the City and encourages private developers to provide solutions to the City's work force housing needs.

## **V. Response to Issues Raised Unrelated to Approval Criteria.**

The City Commission adopts as its own the following findings to respond to issues not concerning relevant approval criteria.

### **A. Crime Issue.**

Pacific Seafood runs background checks on each employee and each employee hired meets the company's hiring policies. In fact, most of Pacific Seafood's seasonal team members are returning employees. Pacific Seafood has proposed an Operation and Management Plan for the residential use to assure a well-run and orderly residential facility. Pacific Seafood will not tolerate bad behavior in the dormitory. As explained below, Pacific Seafood proposes several ways to eliminate the possibility of such behavior.

It is unfair and unjustified to assume that the seasonal team members are criminals, or are inclined to commit crimes. No such evidence is in the record and hardworking employees should not be the target of such speculation. Pacific Seafood is confident that its hiring practices and its proposed Dormitory Operations and Management Plan for the residential use will assure the City that no such adverse effects will occur. This issue and issues such as use of public property are not germane to the land use issue.

### **B. Transportation.**

Pacific Seafood is uncertain how many employees will bring cars to the site. However, past experience with seasonal employees suggests that very few will have cars. Further, Pacific Seafood has committed to providing a shuttle for workers to and from their place

of employment in the I-2 zone. Pacific Seafood will develop a plan for providing a shuttle for shopping opportunities for the residents. The evidence before the City Commission is that there will not be an adverse traffic issue caused by the dormitory.

The text amendment requires a conditional use permit for the dormitory. A conditional use application is subject to Warrenton Development Code (“WDC”) 16.64.040, which requires compliance with WDC 16.128 (Parking) and 16.144 (Traffic).

**C. Dormitory Operation and Management Plan (the “Plan”).**

Pacific Seafood committed to a Dormitory Operation and Management Plan to assure a well-run residential facility. The Dormitory Operation and Management Plan is one of the approval criteria for the conditional use permit.

**D. Neighborhood Meeting and Good Neighbor Agreement.**

Pacific Seafood committed to offering a Good Neighbor Agreement to the adjacent neighbors and holding a neighborhood meeting. The Good Neighbor Agreement is one of the approval criteria for the conditional use permit.

**E. External Impacts.**

The proposed location of the dormitory use is on the west side of a large, existing industrial building in the I-2 zone. The building is at least 100 feet from the lot’s east property line, which abuts a residential area. No building entrance for the proposed dormitory will be located on the east side of the building. The lot on which the building is located is entirely surrounded by a fence on all sides. Traffic from the facility will not use the local street serving the residential area. There is no reason to believe that the location of, or the operation of the residential facility, will lead to any external impacts noticeable to the residential area.

**VI. Conclusion.**

For the reasons contained in this Application, the City Commission finds that the proposed text amendment to the WDC satisfies the applicable Goals, Rules and Plan policies. By adopting the proposed text amendment, the City will encourage private employers to find solutions to work force housing needs for their employees.

**CITY COMMISSION FINDINGS  
EXHIBIT 1**

**Revised I-2 Text Amendment Adopted on First and Second Readings**

16.64.030.M “Dormitory. A dormitory only for employees of one or more industrial water-dependent uses in the I-2 zoning district. The dormitory shall be on a lot which includes one or more benefitting industrial water-dependent uses. The dormitory shall be discontinued if either the ownership changes so that the lot on which the dormitory is located is no longer controlled by the owner of one or more of the benefitting industrial water-dependent uses, or the benefitting industrial water-dependent use on the same lot as the dormitory ceases to operate. The dormitory may house workers of other industrial water-dependent uses if in the same ownership as the lot on which dormitory is located.”

16.64.050 “Conditional Use Standards for Dormitory Use in 16.64.030.M”

“Subject to the provisions of Chapter 16.220, except 16.220.030, findings shall be made that the use will comply with the following standards:

1. The use meets the I-2 Development Standards in 16.64.040.
2. The use provides for bus transportation to the work place for residents.
3. The use provides for a Dormitory Management and Operations Plan, including a plan for removing terminated employees no longer allowed to reside in the dormitory.
4. The Applicant for the proposed use has entered into a Good Neighbor Agreement with the City and shall use its best efforts to enter into the same agreement with adjacent residential neighbors.
5. The use has appropriate on-site physical improvements, including fencing on the perimeter of the lot adjacent to a residential neighborhood.”

16.64.060 “Review of Conditional Use Permit Conditions Granted Under 16.64.050”

“Two (2) years after final approval of the conditional use permit granted under this section, the City Commission may, in its discretion, request a report from the Community Development Director in a public meeting analyzing the permittee’s adherence to the conditions of approval in the conditional use permit. If the report demonstrates substantial issues with compliance with the conditions of approval, the City Commission may hold a public hearing subject to the notice provisions in 16.208.050 where it may consider the report and determine remedies including but not limited to additional conditions of approval.”





7-E

*"Making a difference through excellence of service"*



# AGENDA

**CITY OF WARRENTON**

## MEMORANDUM

**TO:** The Warrenton City Commission  
**FROM:** Kevin A. Cronin, Community Development Director  
**DATE:** For Agenda of January 22, 2019  
**SUBJ:** **Ordinance 1224: Homestay Lodging Program – 2<sup>nd</sup> Reading**

### SUMMARY

Homestay lodging was a topic of discussion at the August 14, August 28, October 9, and November 13 City Commission meetings. The Commission directed staff to prepare an ordinance to amend the Municipal Code to add new safety regulations for homestay lodging businesses. City Commission approved a first reading of an amended Ordinance 1224 (enclosed).

The Community Development Director will conduct inspections to verify safety improvements and consult the Building Official as needed. Staff has begun to reach out to known homestay lodging and vacation rental owners about the new regulations. A formal outreach strategy was launched on January 9 to initiate a one-month grace period beginning January 9 to February 12, 2019.

### RECOMMENDATION/SUGGESTED MOTION

*Based on the body of evidence and research presented to the City Commission over numerous work sessions and regular meetings, including the Agenda Summary for January 8, 2019 City Commission, I move to approve the second reading of Ordinance No. 1224, by title only.*

*Title: Ordinance 1221, Introduced by All Commissioners, to Amend Warrenton Municipal Code (WMC) Chapter 8 and adding 8.24 Homestay Lodging Standards.*

### ALTERNATIVE

*None*

### FISCAL IMPACT

**Ordinance 1224**  
**Introduced by All Commissioners**

**AN ORDINANCE CREATING WARRENTON MUNICIPAL CODE CHAPTER 8.24  
REGARDING SAFETY STANDARDS FOR SHORT TERM RENTALS REFERRED TO  
HOMESTAY LODGING**

**WHEREAS**, the Warrenton Municipal Code needs to be updated periodically to reflect changing economic conditions in the community, to protect public safety, and respond to changes required by the Oregon Legislature; and

**WHEREAS**, the City of Warrenton supports home-based tourism while creating and maintaining livable neighborhoods, and encouraging local economic development through the “shared economy;” and

**WHEREAS**, the City of Warrenton held multiple public meetings, open to public comment, to shape a homestay lodging proposal and met individually with impacted homeowners; and

**WHEREAS**, the City of Warrenton wants to balance the public's need to create a safe experience for visitors and common sense regulations to protect neighborhood livability.

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

**Section 1.** A new chapter regulating the development and operation of Homestay Lodging shall be added to Warrenton Municipal Code Chapter 8 Health & Safety, Section 8.24 Homestay Lodging Standards.

**8.24.010 Definitions:**

- 1. Homestay Lodging.** A short-term rental in an owner-occupied, single-family detached dwelling unit using up to five bedrooms, including bedrooms in accessory dwellings.
- 2. Vacation Rental Dwelling.** A single-family dwelling or accessory dwelling that is non-owner occupied and is rented for terms of less than 30 days.
- 3. For all other definitions, refer to Section 16.12.**

**8.24.020 Homestay Lodging.**

**Homestay lodging is permitted in certain residential zones as specified in Title 16, Division 2 of the Warrenton Municipal Code.**

**8.24.030 Safety Regulations.**

- 1. All homestay lodging businesses shall comply with the following regulations:**
  - a. Apply for a homestay lodging permit.**
  - b. Comply with Chapter 3.04 Transient Room Tax and Chapter 5.04 Business License.**
  - c. Install carbon monoxide (CO) and smoke detector devices in each bedroom for rent.**
  - d. Post a tsunami evacuation map in a visible location.**
  - e. A NOAA weather radio with alert capabilities, shall be permanently displayed in a visible location.**

- f. All electrical outlets in a kitchen or bathroom accessible to guests will be rated GFCI and have faceplates installed.
- g. Circuit breaker box will be properly labeled.
- h. Any bedroom for short term rental will have emergency egress.
- i. All handrails shall comply with state building code.
- j. Address numbers shall be visible from the street.
- k. Garbage and recycling service is required.
- l. Provide one off street parking space per guest bedroom.
- m. A permit will not be issued until all outstanding code violations on record or any visible violations are recorded upon on-site inspection.
- n. Homeowners are required to maintain a complaint registry and report problems to the Community Development Director.
- o. All of the above are required prior to issuance of a homestay lodging permit and verified through an on-site inspection.
- p. Separate cooking facilities such as stoves, rangetops, ovens, hotplates, or other similar equipment (but excluding microwave ovens) may not be provided.

**8.24.040 Transferability.** Homestay lodging permits are non-transferable upon sale of the property. However, the new property owner may apply for a homestay lodging permit in accordance with this Chapter and other applicable ordinances.

**8.24.050 Enforcement.** Any enforcement of Chapter 8.24 shall follow enforcement procedures outlined in Chapter 16.16. In addition, if there are multiple violations that occur within a two-year period from the date of issuance, the Community Development Director may revoke the homestay lodging permit.

**Section 2.** This Ordinance being necessary for the immediate protection of the health, safety and welfare of the citizens and residents of the City of Warrenton, an emergency hereby is declared to exist and this Ordinance shall take full force and effect immediately upon its adoption by the Commissioner of the City of Warrenton.

**First Reading: January 8, 2019**  
**Second Reading: January 22, 2019**

**ADOPTED by the City Commission of the City of Warrenton, Oregon this 22<sup>nd</sup> day January of 2019.**

APPROVED

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

Attest:

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

*"Making a difference through excellence of service"*



**CITY OF WARRENTON**  
**Finance Department**  
**Agenda Memorandum**

7-F

To: The Honorable Mayor and Members of the Warrenton City Commission  
From: April Clark  
Finance Director  
Date: January 22, 2019

**Regarding: Insurance Agent of Record Services**

**SUMMARY:**

The City has had the same Insurance Agent of Record for many years. In an effort to make sure that the City is getting the best value and as many risk management services as possible for our agent commissions, an RFP was prepared and posted on our website on October 31, 2018. The RFP was distributed to our current agent as well as four other agencies experienced in providing insurance and other risk management services to municipalities.

We received four qualified responses. A staff committee was formed to review the responses. Staff evaluated the proposals and unanimously agreed to recommend WSC Insurance to the Commission as Insurance Agent of Record.

**RECOMMENDATION:**  
**Recommended Motion -**

I move to award the contract for professional services to WSC Insurance for Insurance Agent of Record Services beginning January 22, 2019 for a three year period with the option to extend for an additional three years.

**ALTERNATIVE:**  
None recommended

**FISCAL IMPACT:**

Most insurance companies pay agent commissions directly through rates, typically 10% of premiums, so the choice of agent does not affect the cost, unless premiums are reduced. SAIF and other providers do not allow any other option. City County Insurance Services allows an option for commissions to be paid directly to the agent. WSC has proposed their commissions to be paid in this manner at 7.50%, an estimated savings of approximately \$4,400 in the first year.

Approved by City Manager:

A handwritten signature in blue ink, which appears to be "Linda Engstrom", written over a horizontal line.

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.

**CITY OF WARRENTON  
CONTRACT FOR PROFESSIONAL CONSULTING SERVICES**

**CONTRACT:**

This Contract, made and entered into this \_\_\_ day of \_\_\_\_\_, 2019, by and between the City of Warrenton, a municipal corporation of the State of Oregon, hereinafter called "CITY", and WSC Insurance, hereinafter called "CONSULTANT", duly authorized to do business in Oregon.

**WITNESSETH**

WHEREAS, the CITY requires services which CONSULTANT is capable of providing, under terms and conditions hereinafter described; and

WHEREAS, CONSULTANT is able and prepared to provide such services as CITY does hereinafter require, under those terms and conditions set forth; now, therefore,

IN CONSIDERATION of those mutual promises and the terms and conditions set forth hereafter, the parties agree as follows:

1. CONSULTANT SERVICES:

A. CONSULTANT shall provide Insurance Agent of Record services for the City of Warrenton, as outlined in the attached Proposal (attachment A).

B. CONSULTANT's obligations are defined solely by this contract and its attachment and not by any other contract or agreement that may be associated with this project.

2. COMPENSATION

A. The CITY agrees to pay a CONSULTANT fee of 7.5% for CIS Property/Casualty Services, and as outlined in the attached proposal.

B. The CONSULTANT will submit any invoices to:  
City of Warrenton, Attention: Accounts Payable, PO Box 250, Warrenton, Oregon 97146, **OR**, CONSULTANT may submit invoice via email to [ap@ci.warrenton.or.us](mailto:ap@ci.warrenton.or.us). City pays net 21 upon receipt of invoice.

C. CITY certifies that sufficient funds are available and authorized for expenditure to finance costs of this Contract.

3. CONSULTANT IDENTIFICATION

CONSULTANT shall furnish to the CITY the CONSULTANT's employer identification number, as designated by the Internal Revenue Service, or CONSULTANT's Social Security number, as CITY deems applicable.

4. CITY'S REPRESENTATIVE

For purposes hereof, the CITY'S authorized representative will be Linda Engbretson, City Manager, City of Warrenton, PO Box 250, Warrenton, Oregon, 97146.

5. CONSULTANT'S REPRESENTATIVE

For purposes hereof, the CONSULTANT's authorized representative will be \_\_\_\_\_.

6. CONSULTANT IS INDEPENDENT CONSULTANT

A. CONSULTANT shall be an independent CONSULTANT for all purposes and shall be entitled to

no compensation other than the compensation provided for under Section 2 of this Contract,

B. CONSULTANT acknowledges that for all purposes related to this contract, CONSULTANT is and shall be deemed to be an independent CONSULTANT and not an employee of the CITY, shall not be entitled to benefits of any kind to which an employee of the CITY is entitled and shall be solely responsible for all payments and taxes required by law; and furthermore in the event that CONSULTANT is found by a court of law or an administrative agency to be an employee of the CITY for any purpose, CITY shall be entitled to offset compensation due, or, to demand repayment of any amounts paid to CONSULTANT under the terms of the contract, to the full extent of any benefits or other remuneration CONSULTANT receives (from CITY or third party) as result of said finding and to the full extent of any payments that CITY is required to make (to CONSULTANT or a third party) as a result of said finding.

C. The undersigned CONSULTANT hereby represents that no employee of the City of Warrenton, or any partnership or corporation in which a City of Warrenton employee has an interest, has or will receive any remuneration of any description from the CONSULTANT, either directly or indirectly, in connection with the letting or performance of this contract, except as specifically declared in writing.

#### 7. CANCELLATION FOR CAUSE

CITY may cancel all or any part of this Contract if CONSULTANT breaches any of the terms herein or in the event of any of the following: Insolvency of CONSULTANT; voluntary or involuntary petition in bankruptcy by or against CONSULTANT; appointment of a receiver or trustee for CONSULTANT, or any assignment for benefit of creditors of CONSULTANT. Damages for breach shall be those allowed by Oregon law, reasonable and necessary attorney's fees, and other costs of litigation at trial and upon appeal. CONSULTANT may likewise cancel all or any part of this contract if CITY breaches any of the terms herein and be therefore entitled to equivalent damages as expressed above for CITY.

#### 8. ACCESS TO RECORDS

CITY shall have access to such books, documents, papers and records of CONSULTANT as are directly pertinent to this contract for the purposes of making audit, examination, excerpts and transcripts.

#### 9. FORCE MAJEURE

Neither CITY nor CONSULTANT shall be considered in default because of any delays in completion of responsibilities hereunder due to causes beyond the control and without fault or negligence on the part of the party so disabled provided the party so disabled shall within ten (10) days from the beginning such delay notify the other party in writing of the causes of delay and its probable extent. Such notification shall not be the basis for a claim for additional compensation.

#### 10. NONWAIVER

The failure of the CITY to insist upon or enforce strict performance by CONSULTANT of any of the terms of this Contract or to exercise any rights hereunder shall not be construed as a waiver or relinquishment to any extent of its right to assert or rely upon such terms or rights on any future occasion.

#### 11. ATTORNEY'S FEES

In the event suit or action is instituted to enforce any of the terms of this contract, the prevailing party shall be entitled to recover from the other party such sum as the court may adjudge reasonable as attorney's fees at trial or on appeal of such suit or action, in addition to all other sums provided by law.

#### 12. APPLICABLE LAW

The law of the State of Oregon shall govern the validity of this Agreement, its interpretation and performance, and any other claims related to it.

#### 13. CONFLICT BETWEEN TERMS

It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the proposal of the CONSULTANT, this instrument shall control and nothing herein

shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

14. INDEMNIFICATION

CONSULTANT agrees to indemnify and hold harmless the City of Warrenton, its Officers, and Employees against and from any and all loss, claims, actions, suits, reasonable defense costs, attorney fees and expenses for or on account of injury, bodily or otherwise to, or death of persons, damage to or destruction of property belonging to city, CONSULTANT, or others resulting from or arising out of CONSULTANT's negligent acts, errors or omissions in the supply of goods or performance of services pursuant to this Agreement. This agreement to indemnify applies whether such claims are meritorious or not; provided, however, that if any such liability, settlements, loss, defense costs or expenses result from the concurrent negligence of CONSULTANT and The City of Warrenton this indemnification and agreement to assume defense costs applies only to the extent of the negligence or alleged negligence of the CONSULTANT.

With regard to Professional Liability CONSULTANT agrees to indemnify and hold harmless CITY, its officers and employees from any and all liability, settlements, loss, reasonable defense costs, attorney's fees and expenses arising out of CONSULTANT's negligent acts, errors, or omissions in service provided pursuant to this Agreement; provided, however, that if any such liability, settlements, loss, defense costs or expenses result from the concurrent negligence of CONSULTANT and the City, this indemnification and agreement to assume defense costs applies only to the extent of negligence of CONSULTANT.

With respect to Professional Liability, CONSULTANT reserves the right to approve the choice of counsel.

15. INSURANCE

Prior to starting work hereunder, CONSULTANT, at CONSULTANT's cost, shall secure and continue to carry during the term of this contract, with an insurance company acceptable to CITY, the following insurance:

A. Commercial General Liability. CONSULTANT shall obtain, at CONSULTANT's expense and keep in effect during the term of this Contract, Commercial General Liability Insurance covering bodily injury and property damage with limits of not less than \$1,000,000 per occurrence and the annual aggregate of not less than \$2,000,000. Coverage shall include CONSULTANTs, sub consultants and anyone directly or indirectly employed by either. This insurance will include personal and advertising injury liability, products and completed operations. Coverage may be written in combination with Automobile Liability Insurance (with separate limits). Coverage will be written on an occurrence basis. If written in conjunction with Automobile Liability the combined single limit per occurrence will not be less than \$1,000,000 for each job site or location. Each annual aggregate limit will not be less than \$2,000,000.

B. Professional Liability Insurance. The CONSULTANT shall have in force a policy of Professional Liability Insurance in an amount not less than \$1,000,000 per claim and \$2,000,000 aggregate. The CONSULTANT shall keep such policy in force and current during the term of this Agreement.

C. Automobile Liability. CONSULTANT shall obtain, at CONSULTANT's expense and keep in effect during the term of the resulting Contract, Commercial Business Automobile Liability Insurance covering all owned, non-owned, or hired vehicles. This coverage may be written in combination with the Commercial General Liability Insurance (with separate limits). Combined single limit per occurrence will not be less than \$1,000,000, and annual aggregate not less than \$2,000,000.

D. Additional Insured. The liability insurance coverage shall include City and its officers and employees as Additional Insured but only with respect to CONSULTANT's activities to be performed under this Contract. Coverage will be primary and non-contributory with any other insurance and self-insurance. Prior to starting work under this Contract, CONSULTANT shall furnish a certificate to City from each insurance company providing insurance showing that the City is an additional insured, the required coverage is in force, stating policy numbers, dates of expiration and limits of liability, and further stating that such coverage is primary and not contributory.

E. Notice of Cancellation or Change. There will be no cancellation, material change, potential exhaustion of aggregate limits or non-renewal of insurance coverage(s) without thirty (30) days written notice from CONSULTANT or its insurer(s) to City. Any failure to comply with the reporting provisions of this clause will constitute a material breach of this Contract and will be grounds for immediate termination of this Agreement.

16. LABORERS AND MATERIALMEN, CONTRIBUTIONS TO INDUSTRIAL ACCIDENT FUND, LIENS AND WITHHOLDING TAXES ORS 279B.220

CONSULTANT shall make payment promptly, as due, to all persons supplying CONSULTANT labor or material for the prosecution of the work provided for this contract.

CONSULTANT shall pay all contributions or amounts due the Industrial Accident Fund from CONSULTANT or any sub consultant incurred in the performance of the contract.

CONSULTANT shall not permit any lien or claim to be filed or prosecuted against the state, county, school district, municipality, municipal corporation or subdivision thereof, on account of any labor or material furnished.

CONSULTANT shall pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167.

17. WORKERS COMPENSATION INSURANCE

CONSULTANT, its sub-CONSULTANTS, if any, and all employees working under this agreement are either subject to employers under the Oregon Worker's Compensation Law and shall comply with ORS 656.017, which requires them to provide workers compensation coverage for all their subject workers, or are employers that are exempt under ORS 656.126.

18. PAYMENT OF MEDICAL CARE ORS 279B.230

CONSULTANT shall promptly, as due, make payment to any person, co-partnership, association or corporation, furnishing medical, surgical and hospital care or other needed care and attention, incident to sickness or injury to the employees of such CONSULTANT, of all sums which the CONSULTANT agrees to pay for such services and all moneys and sums which the CONSULTANT collected or deducted from the wages of employees pursuant to any law, contract or agreement for the purpose of providing or paying for such service.

19. OVERTIME ORS 279B.235.

Employees shall be paid for overtime work performed under this contract in accordance with ORS 279B.235(3) unless excluded under ORS 653.010 to 653.261 (29 U.S.C. sections 201 to 209).

20. BUSINESS LICENSE

Prior to commencing work in the City of Warrenton, CONSULTANT shall obtain a city business license.

21. STANDARD OF CARE

The standard of care applicable to CONSULTANT's services will be the degree of skill and diligence normally employed by CONSULTANTs performing the same or similar services at the time CONSULTANT's services are performed. CONSULTANT will re-perform any services not meeting this standard without additional compensation.

22. NO THIRD PARTY BENEFICIARIES

This contract gives no rights or benefits to anyone other than the CITY and CONSULTANT and has no third party beneficiaries.

23. SEVERABILITY AND SURVIVAL

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the enforceability of the remaining provisions shall not be impaired thereby. Limitations of liability shall survive termination of this Agreement for any cause.



24. COMPLETE CONTRACT

This Contract and its referenced attachments constitute the complete contract between CITY and CONSULTANT and supersedes all prior written or oral discussions or agreements. CONSULTANT services are defined solely by this Contract and its attachments and not by any other contract or agreement that may be associated with this Contract.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first written above.

City of Warrenton, a Municipal Corporation

CONSULTANT:

BY: \_\_\_\_\_  
Linda Engbretson, City Manager

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_ Date \_\_\_\_\_  
Title: \_\_\_\_\_

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## Cover Letter

November 21<sup>st</sup>, 2018

Finance Director  
April Clark  
225 S Main Street  
PO Box 250  
Warrenton, OR 97146

Dear April:

Having provided insurance and risk management services to Public Entities for over 50 years, we differentiate ourselves as a client partner, not just a service provider. We promise to work harder than our competition, be more responsive to your needs and offer innovation and creativity in the day-to-day tasks of handling your insurance and risk management programs. As one of the largest representatives of public entities in the State of Oregon and West Coast, we bring valuable resources and keen benefits among all lines of insurance coverages.

WSC is a leader in providing insurance and risk management services to public entities. We have accomplished this by:

- Being customer service driven, not just with words, but with our actions.
- Providing effective, responsive and innovative risk management and insurance services to our clients.
- Providing experienced and qualified specialists in public entity insurance and risk management.

The enclosed scope of services demonstrates our overall risk management expertise and service commitment to City of Warrenton. Thank you for your careful consideration of WSC Insurance. We are available to answer any questions or clarify any information included within this document.

Sincerely,



Tom BeLusko, Jr CIC AU

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2000 Pacific Avenue  
PO Box 128  
Forest Grove, Oregon  
97116

P 503.357.3154  
F 503.716.1022  
E [info@wscinsurance.com](mailto:info@wscinsurance.com)  
W [wscinsurance.com](http://wscinsurance.com)

## Experience and Qualifications

**WSC Insurance** is a full-service insurance agency offering all lines of coverage. WSC Insurance clients benefit from a team oriented consultative approach. Our team has a combined experience of approximately 70 years. A brief overview of our backgrounds is highlighted below.

**Tom BeLusko and Alycia Johnson** work as a team overseeing all public entity clientele and are both managing partners at WSC Insurance. **Alycia Johnson** will be your designated Property & Casualty specialist. **Lynn Omey** is our workers' compensation specialist. **Amie Freeman** is your designated Employee Benefits and Compliance Coordinator. **Crystal Woods** is the designated Property & Casualty account manager working with all public entity clients with **Judy Charles** as her back up.

### Property & Casualty Team

#### Tom BeLusko, AU CIC

Tom BeLusko is a Cum Laude graduate from The University of Portland with a degree in Business Administration. He began his insurance career with North Pacific Insurance Company in 1993 and joined WSC Insurance as an Account Executive in 1998. Tom is well-known and respected among his peers in the insurance community. With over 25 years in the insurance business, Tom specializes in insurance programs for difficult to place risks, public entities, Professional Liability, and Directors & Officers Liability. Tom holds the Certified Insurance Counselor designation and is an Associate in Underwriting. He is a past City councilor for the City of Forest Grove (Oregon) giving him a unique perspective and making him a real asset for understanding the politics involved with public entity clients. Tom is also a past-president of the Independent Insurance Agents/Brokers of Oregon. Tom holds licenses in Oregon for Property/Casualty and Consulting and Health & Life.

#### Alycia Johnson

Alycia Johnson joined WSC Insurance as their Director of Executive Risk in early 2014. Alycia had spent the prior seven years as an Executive Risk and Management Liability Underwriter with Chubb & Sons in both Oregon and California. With her extensive knowledge of Professional and Management Liability coverage, Alycia is a great addition to your City resources as she can thoroughly explain from hiring to retiring all mitigation strategies and teach you how these coverages protect. Graduating from California State University, Hayward with a Bachelor of Science in Marketing & Finance, Alycia, as an entrepreneur, founded and successfully ran a business and understands the risks and concerns of many clients enabling her to confidently offer Risk Management Solutions. This allows clients to focus on what they do best. Alycia will focus on the Risk Management concerns and Best Practices to continually improve programs to become highly efficient with regards to Loss Prevention, Employment Practices Training and Loss Mitigation. Alycia holds licenses in Oregon for Property/Casualty and Consulting.

#### Lynn Omey, CIC

Lynn Omey is our workers' compensation specialist at WSC Insurance. She joined WSC in 2001 as an Account Executive. Lynn has over 35 years' experience in the insurance industry specializing in Workers' Compensation and employee safety programs with the last 12 years working with public entities. Her experience before joining WSC Insurance includes over 20 years with an insurance company in marketing/underwriting and claims management. Lynn has an extensive background in the management of Workers' Compensation claims making her a valuable asset to our clients. Lynn will flag challenging claims for regular review to ensure the claim moves as quickly as possible toward resolution and lowering of

# City of Warrenton

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reserves. She also provides input regarding safety programs and loss control issues for WSC clients. She monitors changes in OR-OSHA regulations and keeps our clients informed of significant changes. Lynn will also participate in safety committee meetings and assist in site visits where requested. She will interface with the Loss Control Consultant at the insurance company and work as team with them to ensure our clients receive prompt services. Lynn prides herself on superior service, attention to detail and building long-term relationships with her clients. Lynn holds licenses in Oregon for Property/Casualty and Consulting.

## Amie Freeman,

Amie Freeman, joined WSC in 2016 with an extensive background in large group and small group Employee Benefits and compliance. Now as our Director of Employee Benefits for our large group clients, Amie oversees all client relationships, compliance both training and submitting, marketplace knowledge, carrier competencies along with the ability to take complex strategies and methodologies and simplify them and apply them to each of her clients. Her service is outstanding, and she is readily available to research and tackle any challenge our clients might face. She is most notably recognized for her work with Self-Funded plans. Amie holds a Health & Life License in Oregon.

## Crystal Woods, CIC ACSR

Crystal Woods is a licensed agent and joined WSC in 2006. She is responsible for the processing of all related claims and endorsements. Crystal maintains the computerized schedules for all assets, coverage, and underwriting information. She holds the Certified Insurance Counselor (CIC) and Accredited Customer Service Representative (ACSR) designations. Crystal holds licenses in Oregon for Property/Casualty and Consulting and Health & Life.

## Judy Charles, CIC

After an insurance career that started in 1997, Judy joined WSC in 2001. She also holds the Certified Insurance Counselor (CIC) designation. Judy backs up Crystal in assisting with policy changes, submitting claims, certificates of insurance, and other day to day servicing needs. Judy holds licenses in Oregon for Property/Casualty.

All team members undergo ongoing continuing education annually with a primary focus being risk management for public entities and larger commercial clients. They are all actively involved in professional associations and industry groups that offer additional training and resources. Consistent attendance at carrier conferences and agent meetings assures clients that they are aware of industry trends and challenges. Of the team listed above, Tom, Alycia, Lynn and Amie all attended the CIS Conference's Agent Day Training in February of 2018, the last training date offered. We all will attend the upcoming training in February 2019 as well.

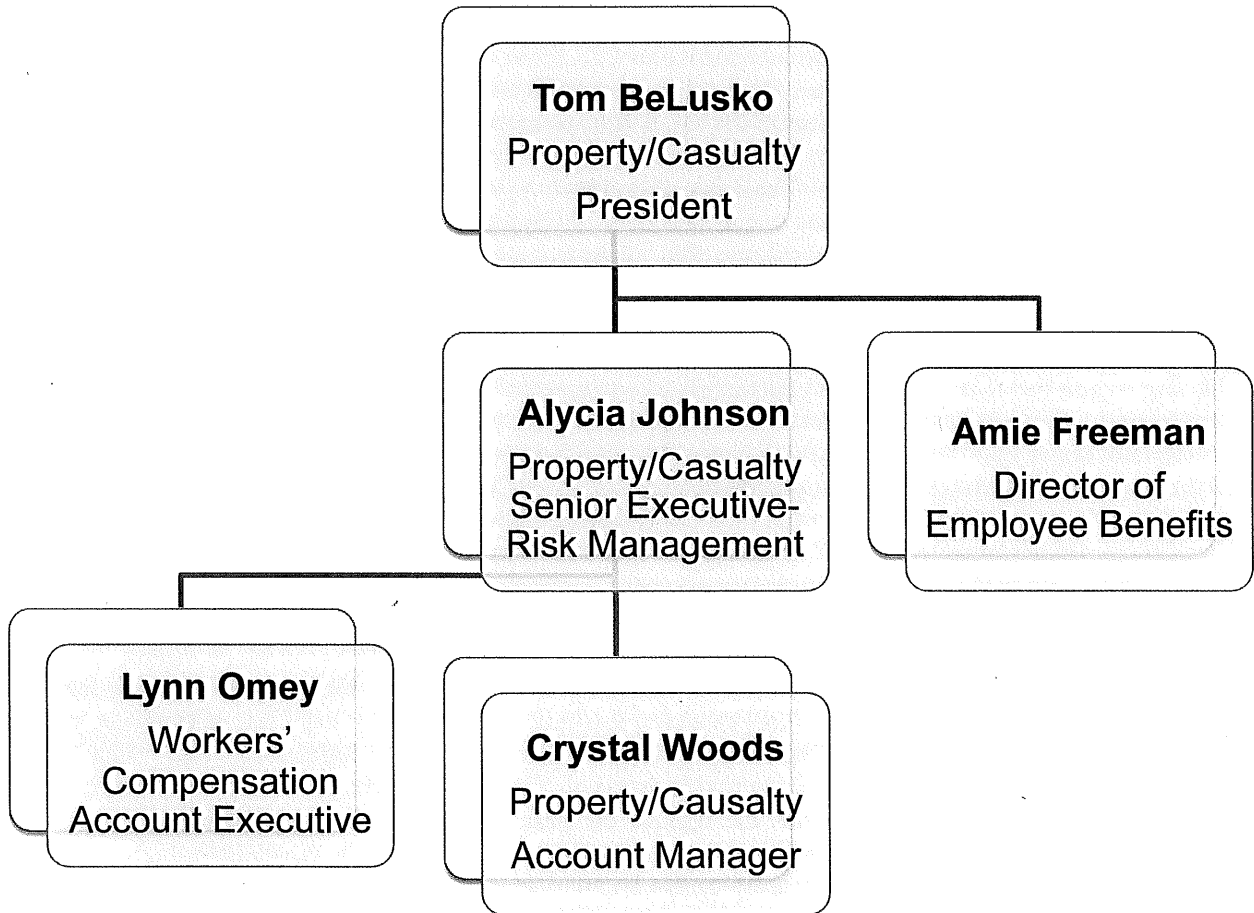
WSC represents many City County Insurance Services members and represents many members in their Sister Trust, Special Districts Association of Oregon. As we have been working with both trusts and other services providers for decades and prior to their existence, we feel the need for an educated, engaged and well-intended agent provide the member with unparalleled service and we feel that materially enhances the vitality and financial condition of the Trust. Claims mitigation, daily risk transferring, and guidance do positively impact the financial performance of the trust from expenses, to diligence and to reduced claims. The more trained people involved asking the right questions, and teaching and sharing best practices are invaluable. What this means to you is that you will continue to have fewer claims, a more engaged team focusing on safety and reducing insurance costs year over year. We take the phrase practice makes perfect, to the next level as we practice until we can't get it wrong. WSC also takes on an advocacy role for the City of Warrenton and we look after your best interest in your relationship with CIS, SAIF and other carriers. As we are an independent agency, we can offer many types of insurance products that could be a solution to a

# City of Warrenton

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problem. There are main exposures that are under served by the CIS Trust such as; Pollution Coverage, broad Cyber Liability Coverage, Non-Owned Drone Liability coverage and a series of smaller coverage nuances that we can further explain. While not every member needs to buy extra coverages, we feel every member should be well educated on the risk, learn to identify the exposure, then make an informed decision with the help of a well-intended and engaged Agent of Record.

WSC prides itself on becoming an integrated part of your Executive Team by meeting with all Departments, learning what motivates and concerns each member then looks towards many ways to help assist. We either source trainings, host and teach classes on a variety of topics, specifically tailored to your needs' or we can share resources and templates that we've helped produce with our many Cities and Counties that are clients. The result and benefits are an efficient way for all leaders within your City to be engaged at every level all working toward the City's mission.



## Response to Scope of Service

- A. WSC confirms our vast knowledge of both Federal and Oregon State laws, and we adhere and comply with all those laws. We also familiarize ourselves with ordinances, resolutions and each City or County that we serve their individual policies. It would be our honor to learn, read and analyze your current polices, charter and other governing documents. We were able to find many of those items on your website and have started an initial review.
  - B. WSC Insurance and our specific team members have been providing decades of Risk Management and Insurance Brokerage and Consulting services to Oregon municipalities. We cover a wide breadth of types of municipalities and public entities, from Cities, Counties, School Districts, Private Universities, Fire Districts, Water Districts, Dams and Levees, Special Districts, Watersheds, Behavioral Health to Ambulatory and Medical Helicopter Evacuation Services all here in lovely Oregon.
  - C. WSC Insurance has been an annual sponsor of CIS for many, many years and we had four of our six team members at the CIS Agents Day in February 2018 held in Salem, OR. While we do attend these meetings regularly we also interact with all of CIS' teams to continually learn. Alycia Johnson, was a guest speaker at the Agents Day Training in 2017, explaining the protocols and benefits for implementing an Enterprise Risk Management Team for all entities. As Alycia, trained with the CIS staff on how to become ISO 31000 engaged, they saw her strength of implementing this concept to many public entities, and since then has accomplished that ten-fold. Tom BeLusko has also presented several times at the CIS Annual Conference as well and has also participated as a panel member at The League of Oregon Cities Annual Conference.
  - D. Each member of our team is intentional about our time and efforts. We each choose to invest into CIS from a knowledge standpoint to be a strong advocate for you and our many public entity clients. We attend every Best Practices Survey, Cyber Liability Survey, Asset Works Appraisal, have meaningful conversations with CIS underwriting, leadership and Loss Control, regularly, and are a champion for our clients by requesting CIS to provide member trainings, more than just on occasion. We recently held a County Wide Distracted Driver's training and had a turnout of 100 employees from the County, nearby Cities and a record number of employees (amongst many departments) from Warrenton.
- I. Risk Analysis**
- i. Annually CIS prepares a member specific report that has very important information regarding your CIS program, including schedules, loss ratios as a graph for each line of coverage, services available and Risk Management options to focus on for the upcoming year. While a very valuable document, we also provide you with this information in a variety of forms, and keep and review your schedules throughout the year, as things change you need a team to keep everything on track.
  - ii. Within our onboarding process we are honored to take on the initiative to review the City's Risk Management Plan. Our next steps analyze each aspect of the City and operations. We do this by touring each facility and meeting with all Department Heads in a series of intentional meetings and fact findings. This allows us to prioritize the City's needs compared to the cost of employee time and other resources. This process is called, Enterprise Risk Management in which we have successfully led many public entities to proficiency. The process takes about three years to fully go through all operations and have a strong well communicating ERM Team thriving, and we are here to help set, reach and maintain that goal. All on your time table.

- iii. At the completion of the Best Practices Survey conducted by John Zakariassen with CIS, he creates a Risk Management Plan, that has one to three items he asks you to focus on for the year. During that meeting, as we are at the table, we ask follow up questions as to the viability and resources it would take to accomplish these tasks. Our goal is to help offer reasonable goals, that will mitigate the City's risk profile as greatly as possible. What we have found with our many members, is that JZ has a hard time finding items to assign to our members, as we are well above the requirements. Our passion is to take all our clients to that level, as we found it HAS POSITIVELY impacted the member contributions; year over year. While, JZ is not listed as a reference, please reach out to him to get a better sense of our commitment to our clients.
- iv. We would look to meet with you at quarterly meetings and during those meetings we go over your current property, auto (including special codes), mobile equipment and other policy schedules to ensure that all City owned assets or interests are properly protected. During the renewal cycle as you will see on our Annual Calendar exhibit, we send out in March all your schedules to send to each Department Head to again review and confirm all items are accounted for. Every five years CIS also provides a City-wide appraisal from Asset Works to view and properly value each City owned asset. We attend those sight visits as well to make sure that nothing is missed and at that same time we look for potential hazards for the City. Those hazards are both for third party claims and first party Worker's Compensation claims avoidance.
- v. The first agenda item at our quarterly meetings to review all your claims and near miss claims for all lines of coverage. We review the current year and then look back to previous years to identify trends and areas of improvement. When claims are open and are progressing, we stay involved with the claims adjuster by holding conference calls or advocating and supplying resources to the City. This allows us to steer the results in the favor of the City and help with future mitigation. Then at the closure of the claims, we round table what action items should be assigned to mitigate a similar claim.
- vi. Our Enterprise Risk Management strategy and our Risk Management Checklist (found in Sample Reports at the end of this response), shows the level of detail that we go to, to find trends and look for solutions on risk elimination. We love to attend, offer trainings, invite in guest speakers for your Safety Committee, but also see a larger opportunity to influence all your staff with trainings and engagement in the culture of safety.
- vii. Many agencies complete annual audits or multi- year audits. We are always available to guide and direct members of your staff to the appropriate resource or analyze the information and explain it. For example, annually SAIF completes a payroll and classification code audit. Some years that is in person, others it's a form filed on-line. We have great relationships with auditors and can assist in timely responses and what financial impact those results can have. Another example, is if we receive any type of OR-OSHA complaint, we can help you review and respond and get the right persons to review to minimize your exposures to another governing body.

## II. Insurance Administration

- i. WSC encourages all your staff to discuss each potential claim with our team to give guidance on when to tender and when the possibility of self-insuring should take place. After that initial analysis, when warranted, we file a claim on behalf of the City to the carrier for that line of coverage and help with initial contact, guidance on expectations and other advice to minimize the total cost of the claim. As the claim progresses we work in conjunction with the adjuster to streamline settlements and minimize department disrupt. For example, in the case of a water loss where a vital aspect of operations cannot be performed, we assist you with guidance on remediation, contacting Agility, and being there to get you back to full operations as quickly as possible. As we know a claim can have lasting impacts on your staff and community our goal is to shield the City from any unnecessary situation.



- ii. Crystal Woods, is responsible for the day to day additions and removals on all schedules and has great pride in her work and compassion for all her clients. She has the authority to handle many of the requests and process them real-time with CIS, SAIF or similar carriers. That is a great benefit to the City as you aren't waiting for things to happen and you have another set of eyes confirming that each City owned asset is properly protected. As, Crystal, Tom & Alycia, work closely on many matters, if there is ever an item that is added or removed that could have an impact on liability or property exposures, Crystal reaches out to Tom or Alycia and then we discuss any other collateral impact that may have and reach out with guidance. For example, if adding a new Public Works vehicle, we will ask about any exterior fuel tanks, to make sure that we explain the CIS coverage for scheduling fuel as a contents limit, the limited pollution coverage for defense only and then we would analyze if there was any employee training or personal protective equipment that might keep the employee safer while doing their job. This extra level of care and attention we pay to each of our clients is our difference and our promise to you and each of our clients.
- iii. WSC assists both the finance and budgeting teams annually as we project out insurance costs and budgets the end of February BEFORE the annual budgets are due for sign off. This allows your Boards and Executive Teams to thoroughly analyze and prepare for the insurance costs. Within this process goes a lot of details that not everyone spends the extra time to perform. For many insurance carriers/self-insured Trusts, they have a time in the year where they capture past claims data including, what has been paid and what they have reserved, for a set number of years, to, calculate an Experience Modification Factor. This is true of both CIS and SAIF. WSC can positively affect the Experience Modification Factor, by reaching out to each adjuster for claims that have any outstanding reserves or unpaid portions that can be reduced by the company to help reduce the total overall losses the City has had for a given time period. On average we can shave off 1-5 percentage points of losses, that greatly reduce your premium contribution levels. We feel this is extremely important and often overlooked. It's so important because your Experience Modification Factor is a rolling number and claims stay in the calculation for three to five years. So, a one-point difference is three to five points over the claim recovery period. Clearly, extra attention to detail, does make a lasting difference. For CIS that happens in the February/March time frame and for SAIF in late October. Our team behind the scenes works on this and has been very impactful. Once, the rates are set and are as accurate as they can be, we review and compare them with other like sized City's with similar services and exposures to make sure your rates are favorable and just within the pool. We can also offer great allocation methods for the General and Auto Liability line items and help project out additional services or location costs.
- iv. We can most certainly review policies, contracts, personal service agreements, inter-governmental agreements and similar contracts annually. What we have found is that when we are working in coordination with the City Attorney that this happens every three years, or as laws change. Our team reviews contracts for our public entity clients daily and can even train on the topic and offer draft language and templates to help or improve your policies, if needed, with less resources or costs. Many of our clients are more than happy to share their finished products and we gladly coordinate and share work to help each entity be as efficient as possible. That is an exceptional service that we can offer.

### III. Financial Analysis

- i. As noted above, we provide annual estimates among all lines of coverages and can even project out farther than one year to help with trending. We deliver this information to you in March, after the CIS Trust Conference, as rates are decided at that Board Meeting the evening before. But we have a great pulse on what to expect as we watch the Trust's performance on claims by

going to the source and asking the questions. This not only gives us the ability to influence the Trust and their offerings, but it helps us to better prepare our clients if substantial changes are coming. For Worker's Compensation the forecasting can be estimated out even further as we can with more certainty access your losses and exposures. Fortunately, SAIF is an excellent choice and their rates have been decreasing for a decade, all the while offering Dividends. WSC, has the privilege of sitting at the table for the SAIF discussions as well, as Tom, Chairs the Agency Committee. That gives our clients a voice amongst Oregon employers as to your needs and desires from your Worker's Compensation partner. Our ultimate goal, is no surprises. How can we best serve and empower your Executive Team and staff so that you can focus on your mission to your citizens. These extra steps of finding knowledge and details allows us to promise greater results.

- ii. At our pre-renewal meeting held in March or April, we discuss the options of coverages at many deductible or retention levels, explain how each of those items affect the insurance budget and impact the finance department. We show you a 10-year chart that contemplates the buying options of the past coupled with your loss performance on all lines of coverage and forecast out the future loss expectancy and what buying level is best for the City. We also look to identify funds that can be used for Risk Management or mitigation. While we never count on Dividends, some carriers like SAIF, do offer Dividends that can be used for these loss prevention items. We have seen public entities take a portion of the Dividend as they do not include them into their budget and then reinvest into a Safety Program or challenge their Committees to find solutions that will prevent all types of claims.
- iii. Allocation for lines of coverage can vary, but typically they are constant. We will speak to each exposure or new service or operation that the City partakes in that would increase premiums. For example, claims or new services, or claims from similar Trust members can impact your premiums even though you haven't had a specific loss. As this is a fluid conversation and our entire team is available by phone, email or in person, you will always have this information readily available. For each renewal period, we will show you a comprehensive set of claims review amongst all lines of coverage, including a comparison of similar sized entities, showing your frequency and severity, cost of claims allowing us to analyze and benchmark your performance for the past 5 years. We prepare, and review loss runs, examine for accuracy, explain each claim and help assess where it is in the claim life cycle. We will also set projections on closure timelines and costs and present that for both Property/Casualty and Worker's Compensation. Experience Modification factors and trends are identified and reviewed for accuracy and the ability to have reserves reduced, or claims closed to improve your loss ratios and history with each carrier. These reports are available at any time for all lines of coverage and we monitor losses monthly and review in greater detail quarterly, with more complicated or costly claims being monitored weekly or daily as needed.

#### **IV. General Risk Management Services**

- i. WSC Insurance, focuses on Risk Management and Stakeholders as these two topics dictate perception and overall employee and citizen morale. For example, as the City is working towards the Economic Vitality goals, we would help analyze the exposures, area for training and resource assistance so that we can be a part of the process, not as an outsider transacting insurance, but as a business partner that can coach you on the insurance and claims exposures while planning and obtaining your goals. As the redevelopment is in full swing there will be

sensitive topics and difficult conversations to be had and ultimately decisions will be made. Having the ability to lean on other professionals who have the City of Warrenton in their best interest allows the City to move forward with a reduction of exposures. We have helped other Coastal Entities with this exact transition and have been monumental in claims avoidance.

- ii. CIS does request as a Best Practice that the City has a current policy on reporting a claim under each line of coverage and who has the first and secondary authority. That reporting relationship typically involves our team as we review the claim, gather information, call on behalf of the City the injured party if applicable and help the City with reporting and claims management.
- iii. As we follow your lead on pace and expectations, we do conduct and lead quarterly meetings. These meetings are vital to the integrated approach that we are known for. Each meeting has an agenda and we track all efforts towards completing and discussing all types of exposures. The meetings are collaborative and foster strong, high quality working relationships amongst your team and ours.

## V. Other General Services

- i. From a humble and sincere heart, we each highly value our many clients and are proud to be given the opportunity to serve so many public entities in the State of Oregon. As you will read from our testimonials and letters of recommendation, we develop truly unique relationships that go beyond the black and white of the insurance contract or agenda. Our team firmly believes that we can assist you in this specialty; by teaching and explaining, so that all members are focused on the same mission.
- ii. To be a resource in Risk Management we feel that we need to highlight the types of services that we currently organize, train on or perform for our clients. Service Plan Offerings include but are not limited to the below areas of risk management and consulting.

### -Property/Casualty

Depending on the City's Risk Management team and preferences, we can help to initiate an Enterprise Risk Management Team for the entire City and operations or create a similar team for Departments. We hold and schedule meetings to assist with exposures, concerns, to prepare for the renewal, and then to confirm the renewal is accurate. These include any potential cost saving measures or additional protection opportunities. We provide a spreadsheet analysis of proposals detailing and comparing coverage, forms and pricing. Based on this analysis, we provide our recommendations for your program. These recommendations could involve self-insurance options or higher retention levels as a result of detailed analysis of past loss experience. Upon receipt of your renewal policies we prepare a coverage binder or CD including coverage forms, schedules, certificate copies, etc. for your reference each year.

### -Employee Benefits and Ancillary Coverage

Amie Freeman, heads our Employee Benefits Department and our team has been at the leading edge for many decades. As Amie works closely with CIS and their Regence and Kaiser plans, she has a vast knowledge of the compliance requirements, options for self-funding and the State requirements for both Police and Fire. As we represent many Cities that have one or both services, we have our recommendations on placing those life policies along with the option for both Short-term and Long-term Disability benefits. We coordinate this as some of those employees are part-time or are NOT on the CIS program. Volunteers, or on-call positions have exclusions on some policies. These services would be included under those ancillary policies.

Claims management and advocacy are always included as part of our services and clients have 24/7 emergency contact information to agency principals in times of crisis

Annual Best Practice Surveys are used to identify and improve risk management practices to reduce claims and lower insurance contributions. We attend these meetings and act as your advocate and help to show a true exposure to CIS or other carriers. We maintain an ongoing target list of risk management initiatives that are reviewed regularly and prioritized to be accomplished with our support; this runs in conjunction with your Risk Management Plan created by CIS and John Zakariassen. WSC initially reviews your existing risk management programs to preserve the best of what is working well and is effective in preventing losses. We then provide recommendations for the improvement of existing programs and assist in the development of programs that have not yet been implemented. In instances where insurance carriers provide loss prevention services, WSC works closely with loss control personnel to ensure the City receives the level of service you require and deserve by the carrier and WSC. The Stewardship Report found under Sample Reports outlines the services we performed for the current policy period year.

- Executive Risk- We analyze and assist your human resources team with questions surrounding employment issues, coverage analysis and work closely with CIS' Pre- Loss Team. Given, the relationship and strong claims teams at CIS, our work in this regard has been moderate, but we are here when the need arises.

- Contract Liability- We continually offer our expertise to the City's staff in many capacities, and review contracts of all sizes and scopes. We would work closely with your City Attorney, Project Team and Accountant to review insurance language, hold harmless and indemnification language to properly transfer risk away from the City, as well as look to preserve the City's position for vendors and the like.

- Worker's Compensation- Our goal is in line with your goals for Worker's Compensation service. To assist in all levels of risk mitigation, through safety committees, to claims, return to work programs and ultimately a full release or employment separation. We monitor and provide advocacy and claims details to your team with the hopes to reduce the time loss and total cost of the claim. We audit and look for programs such as Employer At-Injury Program (EAIP) and recommend such options as Global Settlements for claims resolutions. Within the Sample Stewardship report highlights some of the other items that are offered with no additional costs to the City, but wonderful benefits.

- Loss Control-For each Department and as the City sees fits, we will help to coordinate and find the appropriate Loss Control resources to identify risk, minimize known hazards and theorize about potential hazards to find feasible solutions for both the short term and the long term and as budgetary resources allow. While these have been on-going and specific, in general we look for hazards in both physical and operational spaces, including internal policies.

- Claims Advocacy- Amongst all lines of coverage we provide proactive services of tendering claims, advising on when to tender a claim, working with each adjuster as the claim progresses.

## City of Warrenton

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Keeping open lines of communication and working towards closure or settlements. When necessary given a claims year we will have a claims meeting with each carrier to discuss open claims, closed claims and look for trends or patterns to avoid or offer ways for the carrier to improve upon their claims process.

- Asset Protection and Emergency Preparedness- We help to coordinate services from Agility Recovery Services, help to offer ideas to your existing Continuity of Operations Plans (COOP) and Emergency Operations Plans (EOP) as each location needs. We can also tour City Hall for a security and threat assessment and will assist the City to make decisions based on those results. We can analyze specialty items unique to the City; like liquor liability or pollution hazards, Property of others, Marine exposures and the DEQ and other regulatory bodies.

In addition to the specified items above, we are available on short notice to meet with the City, talk on the phone with all City staff, attends meetings with you and on your behalf and serve the City in any and all capacities as it relates to Risk Management and Insurance. We believe in and understand that our job is flexible and revolves around your needs and at your pace.

Our Loss Prevention services, will vary with the City's current needs, areas of growth or expanded services, claims history and regulations. We will work with all your loss control specialists assigned specifically to the City, like John Zakariassen and Dave Nelson of City County; or Sharon Harris and Tamara Jones. We help to coordinate specific trainings for City staff and regional trainings for multiple public entities. We reach out for Safety and Security assessments, and overall identification. Our team is available and attends Safety Committee meetings as invited and works closely with Loss Control and the entire SAIF team on claims resolutions as allowable by law. For example, as the City has questions or needs regarding OSHA regulation, we will research and offer our findings and information after inquiring with many different resources. This extensive process saves the City valuable time and confirms that your answer is complete, accurate and a benefit to the City.

- iii. We would gladly come to City Council and Budget Committee meetings as requested and have presented many times to these groups. The better they know of our services the better we can tailor our approach to helping all aspects of the City operations.
- iv. During the CIS Trust Conference and OR-PRIMA conference, Kirk Mylander of CIS, along with Tamara Jones, host sessions on the updates in all legal affairs and what claims or trends they are watching. The importance of being at those conferences and learning, benefit the City with knowledge and resources as we are constantly in an ever-changing legal environment.
- v. WSC Insurance takes advantage of all the useful resources from insurance providers, including CIS, SAIF, VFIS, Regence and other ancillary coverage lines. For example, SAIF now offers a Learning Management System that we helped pilot with one of our Cities and while the on-boarding process took some resources the City has saved thousands in training costs AND their employees are happily attending the trainings on their own time. Many hurdles were overcome with this exciting development. This true example is only possible if your Agent of Record is privy to these offerings as we are Washington County's largest SAIF agency relationship, we are given these luxuries to help our clients.

## City of Warrenton

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- vi. We will most definitely offer professional advice and be with you through the process on both specific and general consultation on all public property and contracting matters. That would be key items to review on our quarterly meetings.
- vii. Many members of our team attend the CIS Annual Conference and participate in trainings and speaking with our clients and CIS staff. We have had the privilege of sponsoring the events for many years. At the main presentation from the CIS Executive Leadership we carefully listen to the trends and impacts that have transpired on the trust over all lines of coverage. We then relay that information to all our clients who are in attendance or not. We then communicate what that means to each member. We take the analysis a step above the “rate” guidance delivered by CIS, as the true member contribution is determined on the “rate” PLUS other factors that give us our total increase or decrease annually. Those other factors, are exposure changes, claims, special services, increase or decrease in assets like vehicles, mobile equipment, property and so on. For the Employee Benefits portion, we also meet individually with CIS’ team and have the ability to negotiate terms and rates for benefits.

### In Summary:

WSC takes great pride, time and intentional attention to each of its many clients and public entity clients. Below are some additional topics that we like to offer services on or recommendations on that were not specifically asked in the response, but after careful review of the City of Warrenton and your potential exposures, we wanted you to know that we were thinking of other ways to assist.

- Impact the City of Warrenton has on both the Pacific Ocean and the Columbia River
- Marina areas, including the fueling operations, moorage services and money collections, USL&H safety precautions, Life Vest Training and Safety precautions.
- Special information on fueling on or near waterways and the DEQ requirements for reporting, subsequently the potential need for a pollution policy.
- Sewer Expertise and training coordination with Asbestos or containment procedures
- Offering of Dave Nelson, de-escalation and Officer Training
- SAIF on-boarding demonstration and enrollment services
- SAIF specialty programs, like Oregon Public Employers Group (OPEG) discount, Loss Control Services, Non-Disabling Claims Analysis, Pre-pay discounts, claims review, Unit Statistical Reporting
- Personal Protective Equipment, Hearing Loss Program, Employee Wellness Programs
- The understanding and utilization of Agility Recovery Services

## Fees and Expenses

### Property Casualty and Worker's Compensation Proposal

WSC has always believed in full disclosure of compensation agreements in accordance with Oregon law. Compensation levels are transparent, and we will include this information in the form of a Transparency Letter issued to the City each year outlining any and all compensation. At WSC we are both licensed consultants and agents, therefore, we have the flexibility to work on either a fee or commission basis. When we evaluate the most appropriate compensation method for our clients, it is either one of these two methods by coverage line. We do not propose to work on a combination of fees and commissions for the same line of coverage.

Any and all services provided by WSC Insurance, including those outlined in this proposal, are included as part of this compensation arrangement. Should the City request referrals to 3rd parties for specific needs, those services and corresponding fees would be directly negotiated with the 3rd party.

We would like to reserve the right to openly negotiate the option for a fee for the CIS Property/Casualty services. The standard CIS commission is 10%, we will give you a full 10% credit and then charge you a consultant fee of 7.5%. The City receives a Risk Management Credit in the amount of 10% and then you can negotiate for services with those funds. That net savings would be a reduction in your Member Contributions, estimated at the current year of \$4,400. WSC is open to negotiating this fee and feel that we provide a wealth of services, information and ways for the City to save; paying for our services well above our fee. SAIF does not offer an option like this.

### Employee Benefits Option

Depending on the City's current and on-going needs, we have the capability to offer you full Employee Benefits Services. We would be your advocate to the market place and would offer the above services if you so choose. That additional level of service would be a negotiated price as it can be a fee or a per life/month calculation.

For ancillary benefits of Life Benefits and State Mandatory items, to include but not limited to, Volunteer Accident, Emergency Services Volunteer Accident policies would be serviced by our team and paid within your policy premium in the form of a commission.

## Clients/References

### Partial Client List

#### Public Entity References

*City of Lake Oswego* – since 2010 / Insurance & Risk Management Consultant, re-awarded May 2018  
Megan Phelan – Assistant City Manager  
503-635-0281

*Clatsop City* —since 2016 / Full Agent of Record and Benefits  
Monica Steele—Assistant County Manager/Risk Manager  
503-325-8565

*City of Forest Grove* – since 1970 (est.) / Full Agent of Record  
Paul Downey – Finance Director  
503-992-3220

*City of Sherwood* – since 2014 / Full Agent of Record  
Josh Soper – City Attorney  
503-925-2302

*City of Cannon Beach* – since 2013 / Full Agent of Record  
Bruce St. Denis – City Manager  
503-436-8050

*City of Gladstone* – since 2010 / Full Agent of Record  
Jacque Betz – City Manager  
503-557-2766

*City of Wilsonville* – since 2005 / Limited Services Agent of Record  
Jeanna Troha – Assistant City Manager  
503-570-1520

#### Partial Additional Municipal Client List

*City of Banks*

*City of Carlton*

*City of Cornelius*

*City of Gaston*

*City of North Plains*

*City of Happy Valley*

*City of Vernonia*

*Metropolitan Area Communications Commission (MACC)*

Client testimonials can be found below. More references or a complete list of clients can be provided as well.



## References

Please see our three letters of reference from Clatsop County, City of Lake Oswego and City of Happy Valley immediately following these other testimonials.

“While WSC has represented the City of Gladstone for nearly a decade, I have had the pleasure of working with their team over the past few years. They were gracious as they onboarded me, kept me updated and showed me the City’s main level exposures and minor exposures so that I could properly assess where to spend valuable resources of time and money. As our City has been growing and facing difficult challenges in many departments, Alycia and her team are always there to assist, offer sound advice and work towards a timely solution. My team and all departments heads have engaged in Risk Management planning services and we’ve seen a positive shift in our culture towards safety and claims mitigation. The resources Alycia provides and coordinated trainings are invaluable and we are ever thankful for their genuine attitude of service to our City.”

Jacque Betz – City Manager  
*City of Gladstone*

“This is a letter of strong endorsement for the WSC Insurance Agency. We are very pleased with their level of service and style of caring for us as a client. They are our agent of record and have served in that capacity for well over a decade. As an insurance agency, they have watched out for us during times of past political turmoil and change within the city. WSC Insurance has provided great oversight and detail in caring for our needs. They have initiated and made solid recommendations to modify our coverage when circumstances have changed, the market has warranted adjustments and Oregon laws have been modified or added. They have provided invaluable services for the City of Cornelius. We meet quarterly with representatives of the agency. They provide updated information and ask about additional needs or services. It is a real pleasure to do business with WSC Insurance.”

Rob Drake - City Manager  
*City of Cornelius*

“WSC has represented the City of Banks for more than 20 years, and Tom and Amy have been our assigned representatives for the last 10 years. Throughout that time, we have received outstanding service from WSC as our insurance agent of record.

I have been the City Manager of Banks for the last year and a half, and as the City Manager I must ensure that the insurance and risk management matters of the City are handled with skill and care. The individuals at WSC Insurance, especially Tom and Amy, have a long history of exceptional service and are consummate professionals who truly know how to support the operation of a municipality in Oregon. I always have the utmost confidence that when my staff and I interact with Tom and Amy our needs are met with efficiency, creativity and an adept risk management / insurance coverage skill-set. Traditionally agents of record are focused on servicing the insurance policy that a city may have. While this is not inappropriate, in Tom’s case he proactively seeks to assist our staff by going the extra mile to help us address risk management issues. Under Tom’s tutelage to our small staff, we have changed our City County Insurances Services (CCIS) “Best Practices Survey” rating from 56% compliance to 95% compliance, a significant increase in the overall estimated quality of our safety at the city.

## City of Warrenton

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While I could continue to enumerate the myriad ways that WSC Insurance has assisted our fair city in increasing our risk management and insurance activities, suffice it to say that I would highly recommend WSC Insurance to other public entities looking for a true partner in their insurance agent of record.”

Jim Hough, Past City Manager  
*City of Banks*

“The City of Carlton is very fortunate to be a client of WSC Insurance. As a City Manager of a small city I wear multiple hats and I don’t have the time or ability to focus on the many risk management issues. WSC is very proactive and they follow-up regularly to see how they can help. Rather than waiting for us to call them like our old broker, they establish and maintain an ongoing line of communication. Amy and Tom are very knowledgeable and provide great insights into how to solve a problem or implement a program. They have clearly established an outstanding reputation with other public entities including City County Insurance Services where we purchase most of our coverage. I would highly recommend WSC as a professional, knowledgeable, and responsive risk management partner.”

Steven Weaver, Past City Manager  
*City of Carlton*

“I appreciate the timely services that WSC Insurance provides to assist the City in performing its risk management responsibilities. They do an excellent job of processing the claims and the other normal insurance activities as well. But what is more important to me than services provided is the quality with how the services are provided. I look to WSC Insurance for advice in all areas of risk management and they have proven to be excellent at providing up front advice and laying out all the options for the City to consider. They are proactive in letting me know about issues or changes in risk management that the City will need to consider, and they are always helpful in developing solutions. The City has entertained proposals from larger agencies but has stayed with WSC Insurance because of the personal level of service the City has received. I would recommend WSC Insurance to any City without any hesitation.”

Paul Downey – Director of Administrative Services  
*City of Forest Grove*

“We are fortunate to have a local insurance agency that has provided us with all of our insurance needs; given excellent service and advice; and has the ability to cover all realms of insurance, even for our students. With access to the same markets, services, etc. that a large national brokerage firm has, WSC offers a hands-on approach to risk management. They make every effort to place the University needs in front of their own by alerting us to market and industry changes and recommending necessary risk management expertise and advice. We have enjoyed our relationship with WSC over the last 35 years and find their leadership and expertise in the educational and non-profit environment, as well as a caring and able agency, very worthy of Pacific University’s recommendation.”

Mike Mallery, VP of Finance & Administration  
*Pacific University*

“George Fox University works with WSC Insurance as its insurance and risk management consultant firm. We are extremely impressed with their professional and courteous staff as well as their expertise in all areas of risk management. WSC Insurance has access to the same resources as large insurance brokerage houses, but they provide their services with a personal touch that is very much appreciated by GFU. They offer the highest level of service and knowledge and have worked to improve our risk management systems. They have responded promptly to any issue that has arisen. I am pleased to recommend WSC Insurance to any organization in need of risk management expertise and comprehensive insurance programs.”

Ted Allen, VP of Finance & Administration  
*George Fox University*



## HUMAN RESOURCES DEPARTMENT

October 14, 2013

To Whom It May Concern:

I am pleased to have the opportunity to write a letter of recommendation for WSC Insurance. My association with them began in 2005, when risk management became part of my position at the City of Wilsonville. Through the next few years, I worked closely with Amy, Tom and Lynn to ensure that the City of Wilsonville was properly insured and utilizing risk management best practices.

In 2009, I was hired by the City of Lake Oswego as their Human Resources Director and although risk management was not initially part of my responsibility, over the course of the next year I assumed the Risk Manager title. Following a competitive Request for Proposal process, I was pleased when WSC Insurance was selected unanimously by the City's selection committee in 2010. We've had a wonderful working relationship ever since.

I think what sets WSC Insurance apart from other providers I have worked with, is their customer service and work ethic. Amy and her team have responded promptly to every inquiry and they have provided us valuable guidance on how best to protect the City's interests. They are extremely knowledgeable and quick to do research when I call them with a random question. More specifically, they have assisted the City with significant and complicated construction projects such as the Lake Oswego Interceptor Sewer (LOIS) project and the Lake Oswego Tigard Water Partnership project. They have reviewed contracts and provided our City Attorney's office with suggestions and professional opinions on a wide variety of risk related topics. They are the go-to agency when we have risk related questions in police and fire. In short, I would be hard pressed to provide an example of a time where they did not meet or exceed my expectations.

I highly recommend WSC Insurance and encourage you to take a good look at them as part of your RFP process. I know they will provide value to your organization. If you require any additional information, please do not hesitate to contact me at 503-635-0281 or [mphelan@ci.oswego.or.us](mailto:mphelan@ci.oswego.or.us).

Sincerely,

Megan Phelan  
Human Resources Director



**Clatsop County**  
Budget and Finance

800 Exchange St., Suite 310  
Astoria, OR 97103  
(503) 325-8565 phone / (503) 325-8606 fax  
[www.co.clatsop.or.us](http://www.co.clatsop.or.us)

November 7, 2018

To Whom It May Concern:

**Clatsop County** completed a Request for Proposal (RFP) process in the spring of 2016 for the County's Property & Casualty, Worker's Comp and Health Benefits programs. During this process we were very pleased with the wealth of knowledge that many brokers shared during this process but in the end found that WSC would be the most appropriate choice for Clatsop County.

The County has been very pleased with our decision to work with WSC Insurance. WSC has followed through on the scope of work set out by the county in addition to going above and beyond what was promised in their proposal. They have been extremely attentive to detail, deadlines, and departmental needs and continue to spend valuable time working with departments and building positive relationships and is viewed as an integral participant in our strategic risk management meetings.

WSC Insurance has been an excellent and loyal partner who has advocated on behalf of the County with multiple entities, including vendors, contractors, insurance companies and claims management representatives to help resolve and mitigate matters in a timely fashion. We are looking forward to continued opportunities where we can partner with WSC for strategic planning, problem solving and training that helps keep the County's mission first on our minds.

We look forward to a continued working relationship with WSC.

Sincerely,

A handwritten signature in black ink, appearing to read "Monica Steele".

Monica Steele  
Assistant County Manager/Risk Manager

Mayor  
Honorable Lori Chavez-DeRemer



City Manager  
Jason A. Tuck, ICMA-CM

November 7, 2018

City of Warrenton  
225 S Main Ave/PO Box 250  
Warrenton, OR 97146

To Whom It May Concern,

WSC Insurance has been the City of Happy Valley's Agent of Record since 2015. The City switched to WSC after several years of declining levels of service with our previous broker. The City of Happy Valley has been very pleased with the level of service WSC provides. Our City has grown and developed tremendously, and the agents at WSC have been engaged every step of the way, providing consistent, informed, sound advice on a variety of topics.

Small but growing communities like ours have certainly appreciated and taken advantage of the wide breadth of knowledge and resources WSC provides. As the City Recorder/Management Analyst who is also responsible for risk, I often lack the time to fully research and delve into an insurance or risk management topic. This is where WSC, and Alycia especially, are an enormous help. Their experience working with other public organizations allows them to connect those working through the same issues or share some of the great ideas from other agencies. They also offer relevant, timely advice for public organizations—best practices, ways to mitigate risk, how to best leverage our insurance dollars, updates on CIS activities, training opportunities and insurance analyses.

The team, especially Alycia, Lynn and Tom are fully engaged with CIS and many carriers. They love the opportunity to teach and hold trainings, taking to do's off my plate! Alycia has even come to the rescue when balancing some of the sensitive issues that arise when trying to implement risk mitigation techniques that impact others in the organization.

I'm grateful for their continued research into emerging trends and ways to keep us safe and moving ahead, as claims free as possible. If you have any questions, please contact me at [karak@happyvalleyor.gov](mailto:karak@happyvalleyor.gov) or (503) 783-3836.

Thank you,



City Recorder/Management Analyst

16000 SE Misty Drive, Happy Valley, Oregon 97086-4288  
Telephone: (503) 783-3800 Fax: (503) 658-5174  
[happyvalleyor.gov](http://happyvalleyor.gov)

**Proposers Warranty**



CITY OF WARRENTON

EXHIBIT B

PROPOSER'S WARRANTY

TO: City of Warrenton, Oregon

PROPOSAL OF: Insurance Agent of Record Services

( ) an individual ( ) a partnership ( X ) a corporation (please mark the appropriate box) organized under the laws of the State of Oregon

The undersigned, having carefully read and considered the Request for Proposal to provide Insurance Agent of Record services for the City of Warrenton, Oregon does hereby offer to perform such services on behalf of the City, in the manner described and subject to the terms and conditions set forth in the attached proposal. Services will be performed at the rates set forth in the Proposal.

OFFEROR

WSC Insurance  
Company Name

BY [Signature] Thomas Belusko, Jr  
Signature of Authorized Representative Please print name

PRINCIPAL OFFICE ADDRESS

Federal tax ID 93-0519362 State ID 010603758-08

Street Address 2000 Pacific Avenue

City Forest Grove County Washington

State Oregon Zip Code 97116

Telephone 503.357.3154 Facsimile 503.716.1022

E-Mail Address tomb@wscinsurance.com

THIS FORM MUST ACCOMPANY ALL PROPOSALS

## Other

WSC Insurance can confirm that our agents and employees that will be working on your account have never been sued or subject to professional discipline in connection with acting as Insurance Agent of Record for any client or related services.

The annual Property/Casualty premium volume for the State of Oregon is roughly \$6,000,000 for our Public Entity Clients. Our Property/Casualty premium volume for the United States of America is roughly \$200,000,000.

## Sample Reports- examples follow

### **Risk Management Policy Review & Training**

This report is a summary of trainings and Risk Management items that we've identified and will work to provide to our clients. As this is a SAMPLE of recent findings, there may be more or less to the training. Our reports are designed to work towards goals set forth in our Quarterly meetings with your Executive Risk Management Team.

### **Risk Management Annual Calendar**

This report is relatively static each year and maps out our course of action with the City so that all Departments are prepared for renewals and that the work load is not overwhelming.

### **Risk Management Checklist**

Our Sample Risk Management Checklist is compiled quarterly and reviewed with your Executive Risk Management Team. The Checklist is constantly revolving and is managed by us jointly. The initial construction of the document arises from the All Facilities Walk Through and Department Head meetings.

### **Stewardship Report**

This report captures on a high level all the items that were addressed throughout the year. You will see there is specific attention to many departments within the City. This document can be expanded and presented to your Council annually to further detail the progress in Risk Management and mitigation the City is actively working on.

### **Liability Aggregate Deductible Analysis Report**

This report is a sample that's generated annually to review and confirm that the City is buying their liability coverages at the right limits and deductibles. This tracks the prior 5 years and allows us to project trends and prepare for future unknowns.



## Risk Management Policy Review & Training

### Property Casualty & Risk Management Trainings:

WSC feels that ongoing specific training compliments the culture of the City and sets the stage for expectations on all levels of operations.

- Contractual trainings on the importance of favorable indemnification/hold harmless language, insurance limits, and acceptable actions; for leasing, facility use agreements, permitting, construction, vendor contractors, and special events
- Certificate of Insurance acceptability training
- Records Retention training and Student Internship coordinated assistance
- Cyber liability trainings for employee personal protections and work safeguards
- Harassment and Employment Discrimination Training
- Hire to Retire Trainings
- Driven to Distraction Trainings
- Line of Duty Death Training (Local Chaplain)
- Surety/Bond Management Training covering DEQ Bonds, Public Official Bonds, USDA Scheduled Bonds
- Global Settlements training the intersection of Employment Claims and Worker's Comp claims
- Earthquake Analysis Training
- ISO 31000 Executive Risk Management Team highlight training and assistance establishing
- CIS's online learning system, assistance and training on how to navigate and implement the training system.

### Worker's Compensation:

WSC would recommend reviewing your Workers Comp losses to determine major loss sources and tailor training and safety consultant efforts towards the predominant loss sources. In addition, we recommend the following basic education and training:

- Workers' Comp 101: Targeted to department managers and supervisors. We will provide basic information on the importance of completing incident reports; accident/incident investigation reports and getting claims filed in a timely fashion. Supervisors and Managers are the front line in creating a safety culture at the City. This training will help set the tone for an improved safety culture at the City.
- Risk Management Center: In the first 30 days WSC will provide a password and access to our Risk Management Center website with our partner Succeed Management Solutions. This is a web-based risk management tool that will allow the City to provide valuable web-based safety training and track the training hours and completion in one place via the website. The Risk Management Website will also track incidents and injuries and automatically pre-populate an OSHA300 log and 300a summary.
- In partnership with Safety Consultants, training will include:
  - o Review and updating Bloodborne Pathogens policy and training
  - o Review and train the City's safety committee as desired. If there are new members to the committee, consider additional training regarding roles and responsibilities of the safety committee. Will assist in re-energizing your safety committee. The safety committee can be a valuable tool in addressing the safety needs of the City.
- Review and train on current policy regarding Hazard Communication/Globally Harmonized System (GHS):
- Review and train on policies concerning hearing protection and other Personal Protective Equipment unique to each department.
- Review and train on Lockout/tag out procedure (Control of hazardous energy)
- Review and train on Emergency Response Plans to include training regarding active shooter situations.
- Review and train on exposures to slip, trips, falls and ladder safety. Target training to those departments that may have greater exposure to this type of work place injury.

## City of Warrenton

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- Review your utilization of and train on the Employer At Injury Program (EAIP) and the wage subsidy reimbursement available through this program for injured workers where the City has accommodated light duty work. We will also encourage and train on the use of additional funds in the program for tools or equipment that may facilitate a light duty assignment.

## Risk Management Annual Calendar

### City of Warrenton Risk Management Annual Calendar

#### January:

- Alycia to start planning with JZ for Best Practices survey in February (every third year)
- Release the preliminary Experience Mod Rating Worksheet

#### February:

- Alycia, Amie, Tom, Lynn to attend the CIS Trust Conference
- Prepare the Trust email on rate expectations to the City
- Host the Best Practices surveys and help prepare City for the renewal
- Confirm your anticipated Asset Works appraisal timeline
- Follow up on open items for the renewal or Best Practices Survey so that they can be completed by 4/1 for renewal/underwriting credit.

#### March:

- Pre- Renewal Meeting full agenda to address any concerns and plan for renewal
- Renewal items needed sent via email with last year's information populated and showing any changes noted from the Trust meeting, by mid-March.
- Review all claims for the year and look for trends and/or speak with claims for a reserve release.
- Claims are capped at \$25K and do count towards the 5-year running Ex Mod that CIS uses. Once items are noted report to underwriting.
- Set training schedule for the upcoming year across all departments

#### April:

- CIS online portal to open on 4/1, we load the information
- Will systematically follow up until all the needed City information is complete
- Formalize and plan any changes or increases/decreases on limits or coverages.

#### May-June:

- Hold the Renewal meeting, bring all comparisons, spreadsheets and coverage reviews
- Confirm and decide on coverage terms and programs
- Audit the policies and coverages, schedules and interim changes
- Set and confirm goals for the next fiscal year
- Deliver all Auto ID cards

#### July:

- Deliver the renewal binders by July 1<sup>st</sup>
- Confirm any loose ends with underwriting or policy issuance
- Provide access to WSC Risk Management Center

#### August:

- Rest and prepare for next Risk Management Meetings

#### September-December:

- Have Risk Management meetings
- Schedule in-person WC Claims Review with SAIF all open time loss claims-October
- Provide WC budget estimate December
- Analyze the Benefits options, open enrollment, services, plan actions, education
- Review any interim invoices
- Recommendations for the following year

## Risk Management Checklist

**Sample City**

Column4 Priority	Column1 Risk Management Item	Column2 Target Date	Column3	Column32
	Facilities Walk Through	Completed	8/4/2014	
	Claims Review with CIS	Completed	9/2/2014	
	Risk Management Review with John Zakariassen with CIS	Completed	9/2/2014	
	Initial Document Overview and Clarification Meeting	Completed	9/9/2014	
<b>HIGH</b>	<b>Outside Group Lease and/or Agreement</b>			
	Need Clarification on Groups, their relationships and completed checklist:			
	Special Event Management			
	- Confirm a Master List of Events			
	- Who runs those events (City or otherwise)			
	- Separate Groups from the City? (Separate 501.c.3?)			
	Checklist Provided from CIS includes:			
	- Certificate of Insurance / Additional Insured Status			
	- Coverage Requirements, if any? \$2MM is recommended			
	- Abuse Coverage?			
	- Confirm Compliance with OR liquor laws and obtain Certificates naming the City			
	- Accident Insurance?			
	- is the City using a Facility Use Agreement on all events?			
	TULIP Program- offers \$1MM in coverage, below the recommendation of \$2MM			
	K&K Specialty Programs- offers \$2MM in coverage and are for specific events			
	Eventhelper.com also offers \$2MM in coverage and is an easy online option for 3rd parties to purchase coverage			
	<b>Certificate of Insurance / Additional Insured Staff Training</b>			
	- Insurance Requirements under the Permit process:			
	<b>Programs to analyze for the above items:</b>			
	Chamber of Commerce			
	Farmers Market/ Saturday Market			
	"Friends of" Groups			
	Music on the Green –Thursday Evenings during Summer			
	Concession stands and subcontracted out food service:			
<b>HIGH</b>	<b>Volunteer Activities</b>			
	Volunteer Handbook <u>and</u> Volunteer Coordinator(s) for all volunteers			
	Accident insurance versus Workers' Compensation			
	Police Reserves are in discussion will need to address once approved			
<b>HIGH</b>	<b>Confined Space: Use of respirators per OSHA law requirements--about 10 confined spaces:</b>			
	RM Incentive \$'s from CIS potentially available- refer to accepted items list			
<b>HIGH</b>	<b>Recreational Use Immunity Discussion/Resolution</b>			
	Recreation (trails, parks, forest lands and identifying other areas			
	Signage <u>and</u> receipts as a result of ORS & Recreational Use Resolution--will review and send			
	- Risk versus Reward Analysis of accepting fees for usage			
	Need complete listing of all Parks and other locations that would require the Rec Immunity (10+)			
	Park field usage, park usage, rental usage, tournaments.			
<b>HIGH</b>	<b>Public Safety Reviews of Parks</b>			
	Implement the 44 page Playground Handbook which is fully comprehensive and defensible--Send			
	Have the Safety Committee adopt the policies and checklists for all the City Park			
	Maintain a log to show all inspections, repairs, maintenance, dates and times in conformance with the policy			
	Potential to identify a committee member to be Certified as a Playground Inspector--will confirm			
<b>HIGH</b>	<b>Facility Use Agreements and Insurance Requirements including Leases</b>			
	Vendors/Leasors--will review new contract			
	Senior Center			
	- Confirm UL300 shut off has been completed at the Senior Center--potential lease violation			
	Streets			
	Athletic Fields including participant accident			

## Sample STEWARDSHIP REPORT

The following activities summarize the majority of the services provided to a City over the past 12 months as agent of record.


- Marketing and placement of coverage for entire insurance program.
- Review of property values including a variance report and analysis of outside appraisals. Confirming values of Art in the Open, Library Renovations, WTP increase in values and maintained Guaranteed Replacement Cost valuation methods.
- Coordination of claims activity and claims consultation.
- Processing of Certificates of Insurance and guidance in this regard.
- Contract review & recommendations for many projects, including the new parking structure, the right of way, changes to your General Contractors insurance requirements and ODOT changes.
- Agility Seminar, whereas, the City hosted both Agility and CIS and 10 other nearby Cities to learn about Emergency Preparedness.
- Cyber liability assessment to conform with Homeland Security's Requirements. The City favorably passed the 29 questions with minimal areas for improvement.
- Specifically, responded to questions concerning confined space entry and what is required from a OR-OSHA standard when pulling manholes to do locates for cleaning, televising and customer service requests.
- Workers' Compensation Program Analysis, reviewed 2017 Audit for Accuracy
- Coordination of meetings held for SAIF's Learning Management System and initial implementation.
- Industrial Hygiene done at the water treatment facility specifically for potential exposure to silica. This was requested by Administration and conducted by the industrial Hygienist at SAIF. The purpose of the study was to determine if any additional PPE was required or medical monitoring for the employee that performed this operation. Results came back with no exposures below the standards. Original sampling done in November 2017, but those test results were misplaced so additional sampling was required.
- Provided OSHA update on new standard for walking working surfaces. Provided OR-OSHA fact sheet on this controversial change
- Annual Workers' Compensation claims review and review of claims prior to unit statistical reports. The filing of the unit statistical reports by the carrier is a critical deadline to adjust reserves that will affect the next years' experience modification. Our goal is to make sure the reserves have been reduced or the claim closed prior to this deadline.
- Monthly review of claims and tracking also performed on complicated claims.
- Workers' Compensation cost benefit analysis concerning reimbursement of non-disabling claims.
- Attendance of safety committee meetings as requested.
- Provided City Administrator with updated NIOSH information regarding safe work practices for first responders who come into contact with fentanyl.
- Consideration of Executive Risk Management Oversight Committee. The purpose of the committee is to address a wide variety of issues that are critical to the entity and the community it serves.

- Risk Management Consultation: Risk management programs must be continually updated to keep pace with growth within the entity and external influences. These programs need to address new exposures and threats that may not have even been considered in the past. There needs to be a continued focus on controlling the cost of claims (medical cost management, claims administration, and the cost of litigation) and on creating a loss-free environment.

WSC Insurance provides on-going guidance and support in the development and implementation of effective risk management programs and workshops. Some areas of specific focus include:

- 3<sup>rd</sup> Party Use of Facilities/Parks Program
- Recreational Immunity Issues
- Discretionary Immunity Issues
- Review of Key City Ordinances

## Retention Analysis Reports

  
 Wiltz Sheridan Crawford, Inc. - A Tradition Continues  
**City/County**  
 Liability Aggregate Deductible Analysis

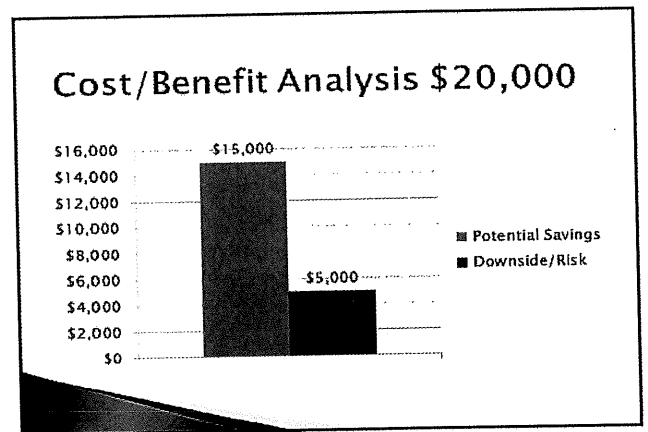
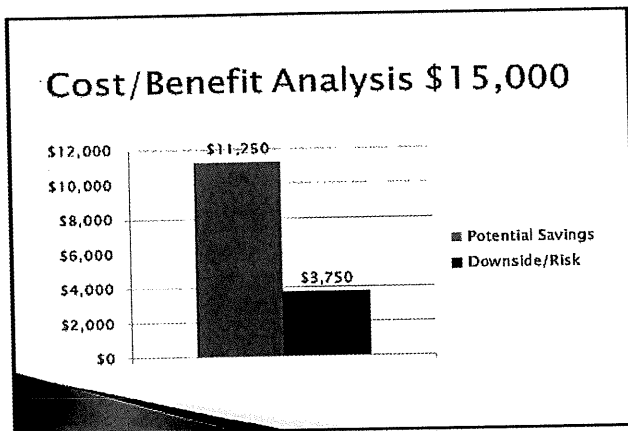
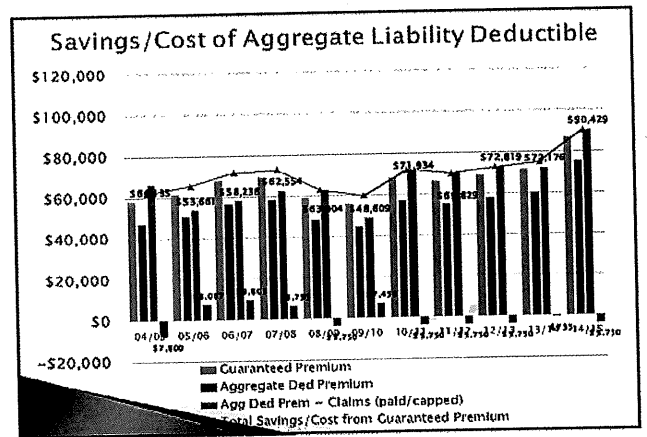
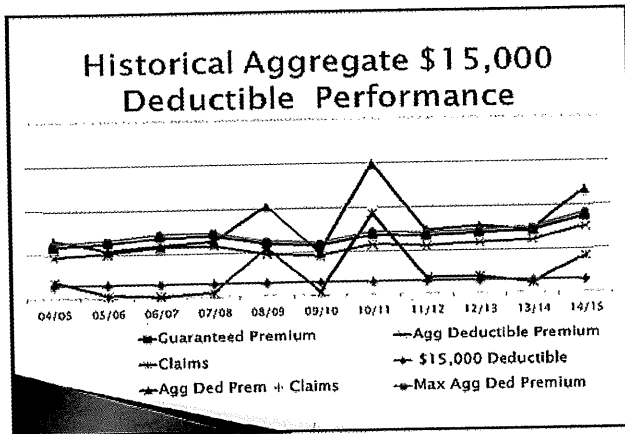
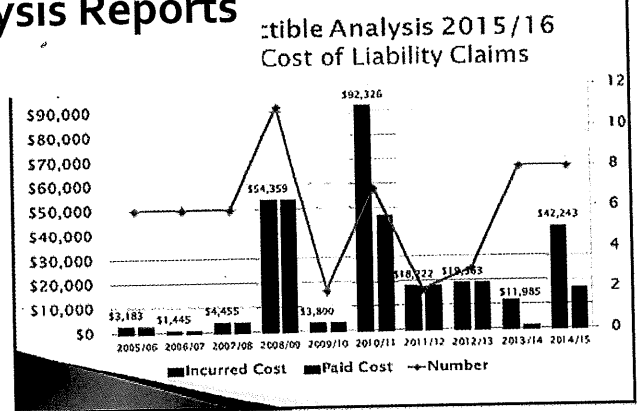


Exhibit B

Taking the  
**Management**  
out of  
your  
**Risk!**

The Risk Management Center (RMC)

The RMC is a secure, web-based risk management and safety platform designed to ease compliance, improve risk **prevention** efforts and results, and relieve regulatory pain points for any industry.

The programs are simple to set up and easily create a comprehensive and cost-effective risk management and safety program that can be utilized by all departments.

The RMC is designed to allow for the oversight and management of multiple locations and departments, making it a perfect resource for the safety-conscious organization.

**WSC** INSURANCE



## Efficiency & Compliance Tools



### Bilingual Risk Management Library

Saves time and money by delivering an easy to use resource filled with quality safety and risk management documents!

- PowerPoint Training Programs
- Posters
- Policies and Procedures
- Toolbox Talks



### Job Hazard Analysis (JHA) Library

Build behavior-based safety programs easily. These programs are essential for HR departments and assist with new hire training.

- Pre-loaded with a complete library of JHAs
- Automatically create training programs from your JHAs



### HR and Benefits Platform

Provides an accurate source of information on Human Resource and Benefit issues, including forms and sample policies and procedures.

- Information on all 50 states!
- Employee Handbooks
- HR Hotline Service available



### Job Description Builder

Create Job Descriptions and Return to Work Programs. Adopt HR Best Practices and align with ISO Standards.

- Pre-loaded with a comprehensive library of Job Descriptions



### Incident Tracking/Trending and Claims Reporting

Creates efficiencies through online recording, management and analysis of incidents and even near misses!

- Immediate reporting of all claims to reduce lag time
- Easy access to group loss history to develop training programs
- Print OSHA logs anytime - 300, 300A and 301
- Files the First Report of Injury



### Certificate of Insurance Management

Allows for the effective management of inbound Certificates of Insurance. Red-flag renewing Certificates and deficient levels of coverage.

- Manage your Certificates before a problem occurs!
- Prevents significant liabilities



### MSDS Management

Online management of your Material Safety Data Sheets helps prevent the most common OSHA citations.

- Be compliant with the Hazardous Communication requirements ("Right-to-know" standard)
- Be compliant with the "Right-to-know" standards
- Organize and categorize your MSDSs



### Employee Training Program Management

Automate the scheduling and reporting of completed and assigned training. Utilize our online training programs to save on training costs!

- Assign employees required training
- Don't miss critical training dates!
- Online trainings allow for easy completion
- Easily oversee the completion of training programs

*"Making a difference through excellence of service"*



**CITY OF WARRENTON**

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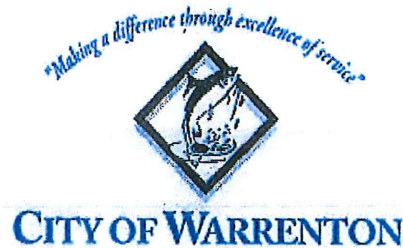
**REQUEST FOR PROPOSAL  
for  
Insurance Agent of Record Services**

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**City of Warrenton  
Finance Department  
225 S Main  
P. O. Box 250  
Warrenton, OR 97146  
(503) 861-2233**

PROPOSAL DUE DATE AND TIME: November 21, 2018



## REQUEST FOR PROPOSALS

### INSURANCE AGENT OF RECORD

The City of Warrenton is soliciting Requests for Proposals for Insurance Agent of Record services for the City's risk management program; property, casualty, liability, and auto insurance, workers' compensation, employee benefits, claim services and other risk management services.

#### BACKGROUND

The City of Warrenton is located in the Northwest most corner of Oregon, and has a population of approximately 5,285. The City was incorporated in 1899 and provides a full range of municipal services to its residents which include police, municipal court, fire, planning, building, library, two marinas, and all phases of public works which oversees the park system, water, sewer, storm sewer, and sanitation utilities and street maintenance, with administration and finance department support.

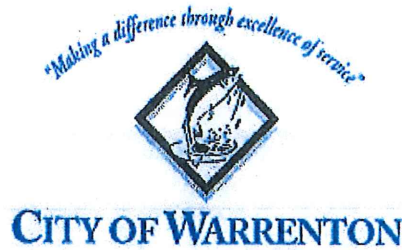
The governing body for the City of Warrenton is the City Commission. The Commission is composed of a Mayor and four Commissioners elected at-large. The City Commission appoints a city manager, who is assigned responsibility of day-to-day operation of the city with approximately 55 full time equivalent employees.

#### ISSUING OFFICE/TO OBTAIN AN RFP:

The Finance Director is the issuing officer for this Request for Proposal (RFP) and the point of contact for all process, technical and contract questions as well as protests. April Clark at (503) 861-2233 or email [aclark@ci.warrenton.or.us](mailto:aclark@ci.warrenton.or.us).

#### SUBMISSION DATE AND LOCATION

Each proposer must provide four copies of the proposal; one copy should be marked "Original". The outside of the sealed envelope or box should be marked "**Insurance Agent of Record**" and delivered to the address listed below. The proposals must be physically **received by 4:00 p.m. on Wednesday, November 21, 2018.** Proposers



submitting proposals are solely responsible for the means and manner of delivery, and are encouraged to confirm delivery prior to the deadline.

City of Warrenton  
225 S Main Ave  
PO Box 250  
Warrenton, Oregon 97146

Telephone, facsimile, or electronically transmitted proposals **will not be accepted**. Proposals received after the specified date and time will not be given further consideration.

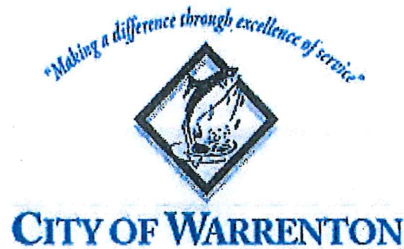
#### **ANTICIPATED RFP SCHEDULE**

The City anticipates the following general timeline for this RFP. The anticipated schedule may be changed if it is the City's best interest to do so.

- RFP Distributed and posted on website                      October 31, 2018
- Proposal Due Date    November 21, 2018
- Evaluate Proposals    Week of November 26, 2018
- Proposer Interviews (optional)                                      Week of December 3, 2018
- Commission award (tentative)                                      December 11, 2018

#### **SOLICITATION OF DOCUMENTS AND CHANGES**

The RFP can be downloaded from the City of Warrenton's website at <http://www.ci.warrenton.or.us>. It is imperative that those who download the solicitation documents check the website regularly for addenda, clarifications, and other notifications that may be pertinent. In addition, addenda will be emailed, mailed or delivered to all who are known by the City of Warrenton to have received a complete set of Proposal Documents. Please call (503) 861-2233 or email to be added to the Interested Proposer's list.



## **PROPOSAL TERM**

It is anticipated that the City of Warrenton, will enter into a three year (3-year) agreement, which may be extended upon written consent of both parties for an additional three (3) years.

## **DURATION OF PROPOSAL**

Unless otherwise specified proposals must remain valid for at least 90 days. An official authorized to bind the proposer must sign proposals.

## **PUBLIC RECORD**

All proposals submitted are the property of the City of Warrenton and are public records. Except for information marked "Proprietary," all documents received by the City are subject to public disclosure after the City selects an agent. The City will attempt to maintain the confidentiality of materials marked "Proprietary" to the extent possible under Oregon public records law.

## **INCURRING COSTS**

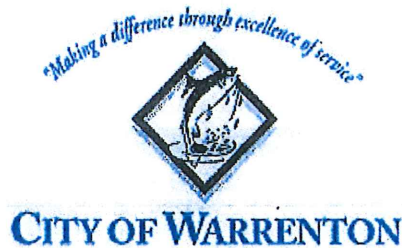
The City is not liable for any cost incurred by proposer prior to issuance of a contract.

## **SELECTION PROCESS**

The City reserves the right to select the consultant on the basis of proposals or to conduct interviews with the highest qualified proposers following evaluation and scoring of the proposals, whichever is determined to best serve the needs of the City. The City reserves the right to seek clarifications of any or all proposals.

### Selection Review Committee

The Selection Review Committee will be comprised of at least three members. The role of the Selection Review Committee is to evaluate the proposals submitted, review results with the City Manager and make a recommendation of the award to the City Commission.

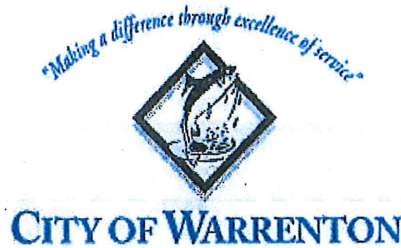


Upon completion of the evaluations, the City intends to negotiate a contract with the Proposer whose proposal is deemed to be in the best interest of the City of Warrenton.

### **PROPOSAL FORM AND CONTENT**

Proposals should be prepared in generally the following format for the ease of the selection committee in reviewing multiple proposals:

1. **Letter of Transmittal:** All Proposals must include a cover letter signed by a person legally authorized to bind the applicant to its Proposal, see Exhibit B.
2. **Experience and Qualifications:** List the key personnel and qualifications relative to the scope of work (Exhibit A) of this RFP; including but not limited to a description of education, certificates or licenses, professional background, experience, skills, expertise and training. Explain your firm's understanding of the benefit of having an Agent of record as an integral part of the City's Risk Management Program.
3. **Response to Scope of Work:** A statement of how the Agent will provide services and address the scope of work (Exhibit A) of this RFP.
4. **Compensation:** Please provide a clear understanding of what services you or your firm would provide by virtue of the commission received from the carrier. If any services are discussed in this proposal that would not be covered by the commission, then please be specific as to what those services are and what would be the cost to the city to access those services.
5. **References:** Provide a representative listing of municipal governments for whom the Proposer is currently or has previously provided Risk Management and Insurance Broker Consulting Services, within the last three (3) years. Provide government contact name, phone number, and email address. Oregon references are preferred. The City reserves the right to explore the background, previous experience, training, financial affairs or related matters of any firm of individual under consideration for this contract.
6. **Proposer's Warranty:** Exhibit B



**7. Other:**

- A statement disclosing whether the Agent or any of its staff who would work on this contract have ever been sued or been subject to professional discipline in connection with acting as Insurance Agent of Record for any client or related services. If such lawsuits or disciplinary actions have occurred, please summarize the allegations, when they occurred, and indicate the outcome of the proceedings.
  
- Indicate the Agent's approximate annual property/casualty premium volume from public entities.

**EVALUATION CRITERIA AND SCORING**

**Proposal Minimum Qualifications**

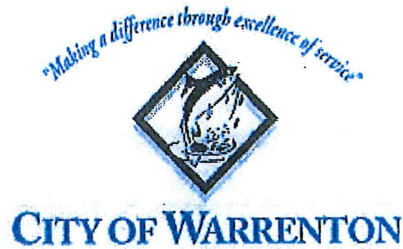
The City's Insurance Agent of Record shall meet the following minimum qualifications:

1. Be licensed by the Insurance Commissioner of the State of Oregon;
2. Have relevant experience with public sector accounts of similar size and scope of services;
3. The Agent assigned to the City must have a minimum of five years of active experience in the public sector in insurance and risk management fields.

**Evaluation Criteria and Scoring**

Each proposal will be judged on its completeness and quality of its content. The evaluation process will begin with an analysis of each proposal using the evaluation criteria and weighting identified below.

- |                                 |     |
|---------------------------------|-----|
| • Experience and Qualifications | 35% |
| • Public Sector Pool Experience | 30% |
| • References                    | 25% |
| • Compensation                  | 10% |



## **PROTESTS**

Any complaints or perceived inequities related to this RFP shall be in writing and directed to the Issuing Office at the address listed in the RFP. Protests related to the solicitation shall be received no later than five working days after issuance of RFP. Protests of the award must be made within five days of notification of the selected proposer.

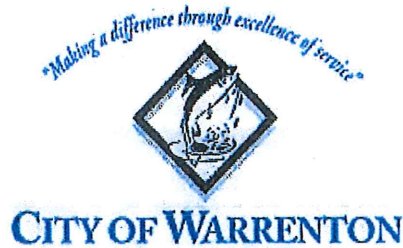
## **REJECTION OF PROPOSALS**

The City of Warrenton may reject any proposal not in compliance with all the prescribed public proposal procedures and requirements, and may reject for good cause any or all proposals in accordance with ORS 279B.100.

## **MODIFICATION / WITHDRAWAL**

Unless otherwise specified, modification of the proposal will not be permitted; however a proposer may withdraw his or her Proposal at any time prior to the scheduled closing time for receipt of Proposals; any proposer may withdraw his or her Proposal, either personally or by written request to the Issuing Office. Withdrawal of Proposal shall not disqualify the proposer from submitting another Proposal provided the time of receipt of Proposals has not expired.





## EXHIBIT A

### SCOPE OF WORK

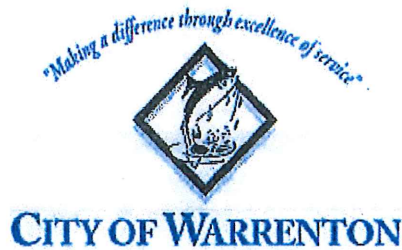
The City's objective is to identify the best available Insurance Agent of Record. The Insurance Agent of Record shall:

- a. Be knowledgeable with all federal and state of Oregon laws, and must comply with all Oregon laws and practices, as well as ordinances, resolutions, and policies of the City of Warrenton;
- b. Have experience providing Risk Management and Insurance Brokerage Consulting Services to Oregon municipalities; and
- c. Attend City County Insurance Services (CIS) agent training within the last twelve months.
- d. Be knowledgeable with all CIS services, best practices, programs and policies that could reduce our annual premiums.

The following is the scope of services Insurance Agent of Record is required to provide to the City of Warrenton as components of Risk Management Program.

#### I. Risk Analysis

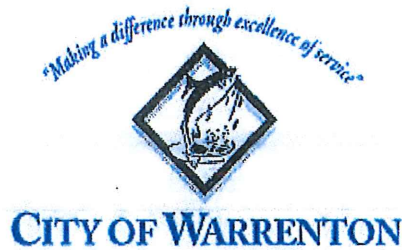
- i Knowledge on CIS annual reports to the City that provides a complete insurance schedule, annual and cumulative loss histories.
- ii Assist City staff in updating and maintaining the City's Risk Management policy.
- iii Assist City staff in preparing the Risk Management Annual report each fiscal year.



- iv Review the City's property, auto, and mobile equipment schedule to assure all facilities and equipment are listed and appropriately insured. Provide replacement valuation for facilities, building, and equipment based upon original costs or professional appraisals.
- v Monitor claims trends and identify the City's risk exposure and develop solutions.
- vi Assist with the implementation of risk elimination and transfer alternatives approved by the City. This includes, but is not limited to, citywide safety committee meetings.
- vii Respond to audit findings, if any, offering recommendations for either compliance or alternatives.

## **II. Insurance Administration**

- i Assist the City staff with all claims and losses, including expediting settlements of first party losses covered by insurance; review procedures, reserves, and settlements of third party claims.
- ii Assist City staff in updating and reporting to the insurance carrier any changes in their Property, Scheduled Equipment and Automobile insurance schedules.
- iii Assisting all areas of accounting for risk management costs, which includes:
  - a. Allocating costs by departments and funds, and
  - b. Checking and reviewing all rates.
- iv Annually review contract language relative to risk management, including insurance policies, personal service agreements, and 'Hold



Harmless" clauses in leases or other contracts; this would include the custom design of insurance policies when appropriate.

### **III. Financial Analysis**

- i Provide budget-planning estimates for insurance premiums.
- ii Provide cost-benefit analysis for any changes in insurance coverage or reallocation of risk management funds.
- iii Assist with premium allocation of City insurance premiums each year for annual budget planning and preparation.

### **IV. General Risk Management Services**

- i Advise the City of developments in the insurance market; rate, value, and other cost trends; indications of any problems emerging in the account; and other facts, which might affect the City's risk management program.
- ii Review with City staff and Legal Counsel the appropriate property, liability, automobile, and workers' compensation claim reporting procedures.
- iii Schedule quarterly meetings with City staff to review claim history and make risk management recommendations based on loss trends.

### **V. Other General Services**

- i Establish and maintain an effective and professional working relationship with City staff.

*Making a difference through excellence of service*



## CITY OF WARRENTON

- ii Meet with City staff to explain insurance procedures and coverage. Be a risk management training resource for staff and elected officials.
- iii Attend City Council and Budget Committee meetings when requested.
- iv Review legislative activities, and advise City staff concerning the effects of legislative changes on insurance coverage and costs.
- v Advise the City of other services available from agencies or insurance companies.
- vi Provide professional advice on a specific project basis, and general consultation on public property and contracting matters, as needed.
- vii Attend the CIS annual conference and advise staff of upcoming changes in property, liability, health care insurance changes, trends in the short and long term insurance developments, and other risk management trends.

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## CITY OF WARRENTON

### EXHIBIT B

#### PROPOSER'S WARRANTY

TO: City of Warrenton, Oregon

PROPOSAL OF: \_\_\_\_\_

( ) an individual ( ) a partnership ( ) a corporation (please mark the appropriate box) organized under the laws of the State of \_\_\_\_\_.

The undersigned, having carefully read and considered the Request for Proposal to provide Insurance Agent of Record services for the City of Warrenton, Oregon does hereby offer to perform such services on behalf of the City, in the manner described and subject to the terms and conditions set forth in the attached proposal. Services will be performed at the rates set forth in the Proposal.

#### OFFEROR

\_\_\_\_\_  
Company Name

BY \_\_\_\_\_  
Signature of Authorized Representative Please print name

#### PRINCIPAL OFFICE ADDRESS

Federal tax ID \_\_\_\_\_ State ID \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_

State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_ Facsimile \_\_\_\_\_

E-Mail Address \_\_\_\_\_

**THIS FORM MUST ACCOMPANY ALL PROPOSALS**

7-6

*"Making a difference through excellence of service"*



**CITY OF WARRENTON**

## **AGENDA MEMORANDUM**

TO: The Warrenton City Commission  
FROM: Linda Engbretson, City Manager *LE*  
DATE: November 13, 2018  
SUBJ: Fisherman's Benefit Fund

### **SUMMARY**

The City has received a request for waiver of fees for use of the Community Center for one of the two nights for the annual Fisherman's Benefit Fund Crab Dinner. The event will be held on February 1 and 2.

The Community Center is operated on user fees only and does not receive other funding except through donations and fund raising efforts, i.e., Breakfast with the Easter Bunny and Breakfast with Santa. The operating budget for the center is small and utilities and cleaning still need to be covered; as in the past, it is my recommendation the City pay for the event from the General Fund.

### **RECOMMENDATION/SUGGESTED MOTION**

"I move the City cover the cost of use of the Community Center in the amount of \$ 422.00 for the annual Fisherman's Benefit Fund Crab Dinner.

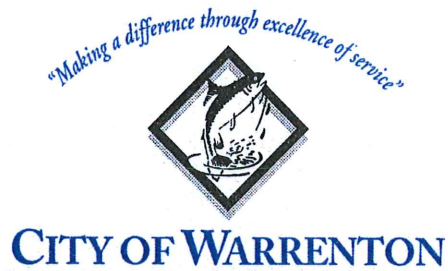
### **ALTERNATIVE**

Other action as deemed appropriate by the City Commission.

**FISCAL IMPACT**

The City anticipates this request during the budget process and budgets accordingly. The expense is paid from the City's General Fund, Miscellaneous.

7-H



## AGENDA MEMORANDUM

TO: The Warrenton City Commission  
FROM: Linda Engbretson, City Manager *LE*  
DATE: January 22, 2019  
SUBJ: Consideration of Charter Franchise Agreement

### SUMMARY

The City has been working with Falcon Community Ventures I, LP, dba Charter Communications on renewing its Franchise Agreement with the City. While other utilities that had franchise agreements are transferred to requirements under the city's right-of-way ordinance (Chapter 12.32 of the Municipal Code) as they expire, cable companies must have a franchise agreement (required under the cable act of 1984). This is a complicated process but legal counsel has managed negotiations on behalf of the City. The City Commission held the first reading of Ordinance No. 1227 at the January 8, 2019 meeting.

### RECOMMENDATION/SUGGESTED MOTION

*I move to conduct the second reading, by title only, of Ordinance No. 1227;  
"An Ordinance Granting a Non-Exclusive Cable Television Franchise to Falcon  
Community Ventures I, LP, dba Charter Communications."*

*I move to adopt Ordinance No. 1227.*



## **ALTERNATIVE**

None recommended.

## **FISCAL IMPACT**

The City receives approximately \$30,000 in franchise payments annually from Charter.

**ORDINANCE NO. 1227**

**AN ORDINANCE GRANTING A NON-EXCLUSIVE CABLE TELEVISION  
FRANCHISE TO FALCON COMMUNITY VENTURES I, LP, dba CHARTER  
COMMUNICATIONS**

**WHEREAS**, the City of Warrenton has the authority to regulate and franchise cable television services; and

**WHEREAS**, under federal law, a cable operator must have a franchise to provide cable services within the City; and

**WHEREAS**, Falcon Community Ventures I, LP dba Charter Communications (“Charter”) has requested a renewal of a cable franchise agreement from the City to provide cable services within the City; and

**WHEREAS**, the City finds that the terms and conditions in the proposed franchise are reasonable to meet the future cable-related community needs and interest and are in the best interest of the City.

**NOW, THEREFORE**, the City of Warrenton ordains as follows:

Section 1. The City hereby grants Falcon Community Ventures I, LP dba Charter Communications a non-exclusive franchise substantially in the form attached as Exhibit A.

Section 2. In accordance with the terms of Section 15 of the proposed franchise, this Ordinance shall be void and of no effect in the event Charter fails to file with the city recorder its unconditional written acceptance of the franchise within sixty days after the effective date of this Ordinance.

Section 3. This Ordinance supersedes and replaces in its entirety existing Ordinance 595-A, Ordinance 791-A, and any other conflicting ordinance.

Section 4. This Ordinance will take effect 30 days after its adoption by the Warrenton City Commission.

ADOPTED by the City Commission of the City of Warrenton this \_\_\_\_ day of \_\_\_\_\_ 2019.

First Reading: January 8, 2019  
Second Reading: January 22, 2019

\_\_\_\_\_  
Henry Balensifer, Mayor

Attest: \_\_\_\_\_  
Dawne Shaw, City Recorder

**FRANCHISE AGREEMENT  
WARRENTON, OREGON**

**This Franchise Agreement** (“Franchise”) is between the City of Warrenton, Oregon, hereinafter referred to as the “Grantor” and Falcon Community Ventures I, Limited Partnership, locally known as CHARTER COMMUNICATIONS, hereinafter referred to as the “Grantee.”

**1. Definitions:**

- a. “Cable Act” means the Cable Communications Policy Act of 1984, P.L. 98-549, 47 U.S.C. §521 Supp., as it may be amended or superseded.
- b. “Cable System,” “Cable Service,” and “Basic Cable Service” shall be defined as set forth in the Cable Act.
- c. “Franchise” means the authorization granted hereunder of a privilege, to construct, operate and maintain a Cable System to provide Cable Service within the Service Area.
- d. “Gross Revenue” means any revenue, as determined in accordance with generally accepted accounting principles, derived by the Grantee from the operation of the Cable System to provide Cable Services in the Service Area, provided, however, that such phrase shall not include: (1) any taxes, fees or assessments collected by the Grantee from Subscribers for pass-through to a government agency, including the FCC user fee, but not including franchise fees, which shall be included in “Gross Revenue”; (2) bad debt; and (3) credits, refunds and deposits paid to Subscribers.
- e. “Service Area” shall mean the geographic boundaries of the Grantor.
- f. “Streets” shall mean and include, but is not limited to, the space in, upon, above, along, across, over or under the public streets, roads, highways, lanes, courts, ways, alleys, boulevards, bridges, trails, paths, sidewalks, bicycle lanes, public utility easements and all other public ways or areas, including the subsurface under and air space over these areas, but does not include parks, parkland, or other Grantor property not generally open to the public for travel. This definition applies only to the extent of the Grantor’s right, title, interest and authority to grant a franchise to occupy and use such areas for a Cable System.
- g. “Subscriber” means any person lawfully receiving any Cable Service from the Grantee.

- 2. Granting of Franchise.** The Grantor hereby grants to Grantee a non-exclusive Franchise for the use of the Streets within the Service Area for the construction, operation and maintenance of the Cable System to provide Cable Service in the Service Area, upon the terms and conditions set forth herein. Nothing in this Franchise shall be construed to prohibit the Grantee from offering any service over its Cable System that is not prohibited by federal or state law, nor does this Franchise authorize the Grantee to offer

such services, and Grantor reserves the right to exercise its lawful authority with respect to Grantee's offering of such services. This Franchise is subject to the laws of the United States and the State of Oregon, and to the lawful, generally applicable ordinances, adopted pursuant to the Grantor's police powers, of the Grantor whether now existing or hereinafter enacted. Grantee agrees that, unless otherwise expressly set forth herein, it will comply with generally applicable requirements of WMC Chapter 12.32, "Public Rights-of-Way," as amended from time to time, as if fully set forth herein. Nothing herein shall be interpreted to prevent Grantee from challenging the lawfulness or enforceability of any provisions of applicable law.

3. **Term.** The Franchise shall be for a term of ten (10) years, commencing on the Effective Date of this Franchise as set forth in Section 15.

4. **Use of the Streets.**

Grantee is authorized to use the Streets of the Grantor for the construction, operation and maintenance of the Cable System to provide Cable Service in the Service Area, including the right to repair, replace and enlarge and extend the Cable System, subject to Section 2, above.

5. **Maintenance of the System.**

a. Grantee shall design, construct and operate the Cable System so as to meet those technical standards adopted by the FCC relating to Cable Systems contained in part 76 of the FCC's rules and regulations as they may, from time to time, be amended, regardless of the transmission technology utilized.

6. **Service.**

a. The Grantee shall continue to provide Cable Service to all residences within the Service Area where Grantee currently provides Cable Service. Grantee shall have the right, but not the obligation, to extend the Cable System into any other portion of the Service Area, including annexed areas. Cable Service offered to Subscribers pursuant to this Franchise shall be conditioned upon Grantee having legal access to any such Subscriber's dwelling unit or other units wherein such Cable Service is provided.

b. The Grantor shall promptly provide written notice to the Grantee of its annexation of any territory which is being provided Cable Service by the Grantee. Such annexed area will be subject to the provisions of this Franchise upon sixty (60) days' written notice from the Grantor, subject to the conditions set forth below and subsection (a) above. Grantee shall within ninety (90) days after receipt of the annexation notice, pay the Grantor franchise fees on revenue received from the operation of the Cable System to provide Cable Services in any area annexed by the Grantor if the Grantor has provided a written annexation notice that includes the addresses that will be moved into the Service Area. If the annexation notice does not include the addresses that will be moved into the Service Area, Grantee shall pay franchise fees within ninety (90) days after it receives the annexed addresses as

set forth above. All notices due under this section shall be sent by certified mail, return receipt requested to the addresses set forth in Section 12 with a copy to the Director of Government Relations. In any audit of franchise fees due under this Agreement, Grantee shall not be liable for franchise fees on annexed areas unless and until Grantee has received notification and information that meets the standards set forth in this section.

- c. The Grantor hereby adopts, and reserves the right to enforce, the customer service standards set forth in Part 76, §76.309 of the FCC's rules and regulations, as amended from time to time by the FCC, and the notice requirements set forth in Part 76, Subpart T (Notices) of the FCC's rules and regulations, as amended from time to time by the FCC. Grantee shall comply with the customer service and notice requirements.
- d. Grantee shall not deny service, deny access, or otherwise unlawfully discriminate against subscribers, or persons on the basis of race, color, religion, national origin, sex, age, disability, or, except as otherwise provided herein, the area in which such person lives. Charter shall not deny access to Cable Service to any group of potential residential cable subscribers because of the income of the residents of the local area in which the group resides.
- e. Grantor shall have the right to exercise rate regulation to the extent authorized by law, or to refrain from exercising such regulation for any period of time, at the sole discretion of the Grantor. If and when exercising rate regulation, the Grantor shall abide by the terms and conditions set forth by the FCC.
- f. The Grantee shall be subject to 47 U.S.C §551 (Section 631 of the Cable Act), as amended from time to time, regarding subscriber privacy.
- g. Grantee agrees at all times to comply with federal and state EAS rules as required in 47 C.F.R. Part 11 or as amended. Grantor shall hold the Grantee harmless from any third party claims for injury, damage, loss, liability, cost or expense arising as a result of use of the EAS by the Grantor, its employees or officers, including, but not limited to, reasonable attorneys' fees and costs.

**7. Insurance/Indemnity.**

- a. The Grantee shall maintain throughout the term of the Franchise insurance as required in WMC 12.32.140 in amounts at least as follows:
  - (1) Comprehensive general liability insurance with limits not less than:
    - i. \$3,000,000.00 for bodily injury or death to each person;
    - ii. \$3,000,000.00 for property damage resulting from any one accident; and
    - iii. \$3,000,000.00 for all other types of liability.
  - (2) Motor vehicle liability insurance for owned, non-owned and hired vehicles with a limit of \$1,000,000.00 for each person and \$3,000,000.00 for each accident.

- (3) Worker's compensation within statutory limits and employer's liability with limits of not less than \$1,000,000.00.
  - (4) Comprehensive form premises-operations, explosions and collapse hazard, underground hazard and products completed hazard with limits of not less than \$3,000,000.00.
  - (5) Grantee may comply with the limits above using a combination of primary and umbrella limits.
- b. The Grantor, including its officers, agents, employees, shall be added as additional insureds, to the coverage set forth herein. The coverage must apply as to claims between insureds on the policy. The policy shall provide that the insurance shall not be canceled without 30 days prior written notice first being given to the City. If the insurance is canceled or materially altered, the Grantee shall obtain a replacement policy that complies with the terms of this section and provide the City with a replacement certificate of insurance. The Grantee shall maintain continuous uninterrupted coverage, in the terms and amounts required. The Grantee may self-insure, or keep in force a self-insured retention plus insurance, for any or all of the above coverage.
  - c. The Grantee shall maintain on file with the Grantor a certificate of insurance, or proof of self-insurance acceptable to the Grantor, certifying the coverage required above.
  - d. Grantee hereby agrees to defend, indemnify and hold the Grantor and its officers, employees, agents and representatives harmless from and against any and all liability, causes of action, claims, damages, losses, judgments and other costs and expenses, including attorney fees and costs of suit or defense (at both the trial and appeal level, whether or not a trial or appeal ever takes place) that may be asserted by any person or entity in any way arising out of, resulting from, during or in connection with, or alleged to arise out of or result from the negligent, careless, or wrongful acts, omissions, failure to act, or other misconduct of the Grantee or its affiliates, officers, employees, agents, contractors, subcontractors, or lessees in the construction, operation, maintenance, repair, or removal of its facilities, and in providing or offering services over the Cable System, whether such acts or omissions are authorized, allowed, or prohibited by the Warrenton Municipal Code or this franchise agreement. Grantor shall give Grantee notice of its obligation to indemnify the City after receipt of a complaint or written demand pursuant to this section no later than ten (10) days before any response by Grantee is due, if the Grantee's duty to indemnify is readily apparent from the allegations of the complaint or written demand, and in all other cases, within sufficient time for Grantee to preserve its rights. Grantee shall also indemnify the Grantor for any damages, claims, additional costs or expenses assessed against or payable by the Grantor arising out of or resulting, directly or indirectly, from the Grantee's failure to remove or relocate any of its facilities in the rights-of-way or easements in a timely manner, unless the Grantee's failure arises directly from the Grantor's negligence or willful misconduct.

**8. Revocation.**

M. The following procedures shall be in lieu of and supersede the WMC 12.32.060 Section

- a. Revocation or Termination of Franchise. The Grantor may terminate or revoke this franchise for any of the following reasons:
  - (1) Violation of any of the provisions of WMC 12.32;
  - (2) Violation of any provision of this franchise;
  - (3) Misrepresentation in a franchise application;
  - (4) Failure to pay taxes, compensation, fees or costs due the Grantor after final determination of the taxes, compensation, fees or costs;
  - (5) Failure to restore the rights-of-way after construction as required by WMC 12.32, this franchise, or other applicable State and local laws, ordinances, rules and regulations;
  - (6) Failure to comply with technical, safety and engineering standards related to work in the rights-of-way; or
  - (7) Failure to obtain or maintain any and all licenses, permits, certifications and other authorizations required by State or Federal law for the placement, maintenance and/or operation of the Cable System.
- b. Standards for Revocation or Termination. In determining whether termination, revocation or some other sanction is appropriate, the following factors shall be considered:
  - (1) The egregiousness of the misconduct;
  - (2) The harm that resulted;
  - (3) Whether the violation was intentional;
  - (4) The Grantee's history of compliance; and/or
  - (5) The Grantee's cooperation in discovering, admitting and/or curing the violation.
- c. Notice and Cure. The Grantor shall give the Grantee written notice of any apparent violations before terminating the franchise. The notice shall include a short and concise statement of the nature and general facts of the violation or noncompliance and provide a reasonable time (no less than 20 and no more than 40 days) for the Grantee to respond. Grantee's response shall be in writing and may demonstrate that Grantee has remained in compliance, that it has cured or is in the process of curing any violation or noncompliance, that it is excused from compliance, or that it would not be in the public interest to revoke the franchise. If the Grantee is in the

process of curing a violation or noncompliance, the Grantee must demonstrate that it acted promptly and continues to actively work on compliance. If the Grantee does not respond or if the City Manager or designee determines that the Grantee's response is inadequate, the City Manager or designee shall refer the matter to the City Commission, which shall provide a duly noticed public hearing to determine whether the license shall be terminated or revoked. Such hearing shall be on the record and shall provide Grantee with an opportunity to present evidence and examine witnesses. The decision of the Grantor shall be made in writing and shall be delivered to the Grantee.

9. **Additional Franchises.** If any other provider of Cable Services or video services (without regard to the technology used to deliver such services) is lawfully and expressly authorized by the Grantor to use the Streets to provide such services, the Grantor shall, to the extent permitted by applicable law, within sixty (60) days of a written request from Grantee, (i) modify this Franchise to insure that the material obligations applicable to Grantee are no more burdensome than those imposed on the new competing provider, or (ii) dispute that the requested modification is required by this Section. "Material obligations" are limited to: franchise fees; insurance; indemnification; security instruments; public, education and government access channels and support; customer service standards; required reports and related record keeping; enforcement or revocation provisions; and notice and opportunity to cure breaches. In the event the Grantor disputes that the requested modification is required by this Section, Grantee may bring an action in federal or state court for a determination as to whether the requested modification is required by this Section. If the parties cannot agree on modifications to the Franchise, to the extent permitted by the Cable Act and related FCC rules and regulations, the Grantee may choose to have this Franchise with the Grantor be deemed expired thirty (30) days after written notice to the Grantor and take in its place the same franchise of the competing provider of Cable Services or video services authorized by Grantor. Notwithstanding the foregoing, the remedies provided in this Section may be invoked by Grantee only by providing written notice to the Grantor within the ninety (90) day period commencing upon the effective date of the Grantor's grant of authority to the other provider of cable services or video service as described in this Section, provided that Grantor provides written notice to Grantee within ten (10) days after Grantor's grant of such authority. In the event Grantor fails to provide such notice, the ninety (90) day period shall commence upon Grantee's actual notice of Grantor's grant of authority.
10. **Confidentiality.** To the extent permitted by law, the Grantor agrees to treat as confidential any books, records or maps that constitute proprietary or confidential information to the extent Grantee marks such books, records or maps as "confidential" or "proprietary" prior to providing them to the Grantor. If the Grantor believes it must release any such confidential books or records in the course of enforcing this Franchise, or for any other reason including compliance with the Oregon Public Records Law, it shall advise Grantee in advance so that Grantee may take appropriate steps to protect its interests. Until otherwise ordered by a court or agency of competent jurisdiction, the Grantor agrees that, to the extent permitted by State and Federal law, it shall deny access to any of Grantee's books and records marked confidential, as set forth above, to any Person; provided, however, that the Grantor shall not be required to incur any costs to



protect such books and records or maps, other than the Grantor's routine internal procedures for complying with the Oregon Public Records Law. The provisions of this Section 10 shall apply in addition to all requirements of WMC 12.32.160.

11. **Service to Public Schools and Libraries.** Grantee may, on a voluntary basis, provide one outlet of free Basic and Expanded Basic Cable Service to public school classroom buildings and to public libraries within the Service Area.

12. **Notices, Miscellaneous.**

- a. Unless otherwise provided by federal, state or local law, all notices, reports or demands pursuant to this Franchise shall be in writing and shall be deemed to be sufficiently given upon delivery to a Person at the address set forth below, or by U.S. certified mail, return receipt requested, nationally or internationally recognized courier service such as Federal Express or electronic mail communication to the designated electronic mail address provided below. Grantee shall provide thirty (30) days written notice of any changes in rates, programming services or channel positions using any reasonable written means.

As set forth above, notice served upon the Grantor shall be delivered or sent to:

City of Warrenton  
222 S. Main Street  
PO Box 250  
Warrenton, OR 97146

And every notice served upon Grantee shall be delivered or sent to:

Attn: Director, Government Relations  
Charter Communications  
222 NE Park Plaza Drive, #231  
Vancouver, WA 98684

With a copy to:

Attn: Vice President, Government Relations  
Charter Communications  
12405 Powerscourt Drive  
St. Louis, MO 63131

- b. All provisions of this Franchise shall apply to the respective parties, their lawful successors, transferees and assigns. Transfer of this Franchise shall be governed by the provisions for transfer of licenses in WMC 12.32.060.K, as in effect on the Effective Date, and applicable provisions of the Cable Act and FCC rules and regulations. No such consent shall be required, however, for a transfer in trust, by mortgage, by other hypothecation, or by assignment of any rights, title, or interest

of the Grantee in the Franchise or Cable System to secure indebtedness. In addition, no such consent shall be required for a transfer to an entity controlling, controlled by, or under common control with the Grantee, however notice of such transfer must be provided to the Grantor within 60 days of such transfer.

- c. If any particular section of this Franchise shall be held invalid, the remaining provisions and their application shall not be affected thereby.
- d. In the event of any conflict between this Franchise and any Grantor ordinance or regulation, this Franchise will prevail.

13. **Force Majeure.** The Grantee shall not be held in default under, or in noncompliance with the provisions of the Franchise, nor suffer any enforcement or penalty relating to noncompliance or default, where such noncompliance or alleged defaults occurred or were caused by circumstances reasonably beyond the ability of the Grantee to anticipate and control. This provision includes, but is not limited to, severe or unusual weather conditions, fire, flood, or other acts of God, strikes, work delays caused by failure of utility providers to service, maintain or monitor their utility poles to which Grantee's Cable System is attached, as well as documented unavailability of materials and/or qualified labor to perform the work necessary.

14. **Franchise Fee.**

- a. Grantee shall pay to the Grantor an annual amount equal to five percent (5%) of Gross Revenues for such calendar year.
- b. The franchise fee shall be paid quarterly, in arrears, for each quarter during the term of the Franchise, within forty-five (45) days after the end of each calendar quarter, and shall be accompanied or followed by an accounting of Gross Revenues and a calculation of the amount payable. Grantee shall pay interest at the rate of nine percent (9%) per year for any payment made after the due date. Payment shall be subject to audit or review pursuant to WMC 12.32.130, as of the Effective Date of this Franchise.

15. **Effective Date.** The Franchise granted herein will take effect and be in full force from such date of acceptance by Grantee recorded on the signature page of this Franchise, provided that such acceptance is delivered to Grantor within sixty (60) days of the date the Franchise is considered and approved by the Grantor. If acceptance is not delivered as required in this Section, this Franchise shall be null, void and of no force or effect. This Franchise shall expire ten (10) years from the Effective Date unless extended by the mutual agreement of the parties.

16. **Acceptance and Entire Agreement.** The Grantor and the Grantee, by virtue of the signatures set forth below, agree to be legally bound by all provisions and conditions set forth in this Franchise. The Franchise constitutes the entire agreement between the Grantor and the Grantee. No modifications to this Franchise may be made without an appropriate written amendment signed by both parties. If any fee or grant that is passed through to Subscribers is required by this Franchise, other than the franchise fee, such fee or grant shall go into effect sixty (60) days after the Effective Date of this Franchise.

Considered and approved this \_\_\_ day of \_\_\_\_\_, 2018

City of Warrenton

Signature: \_\_\_\_\_

Name/Title \_\_\_\_\_

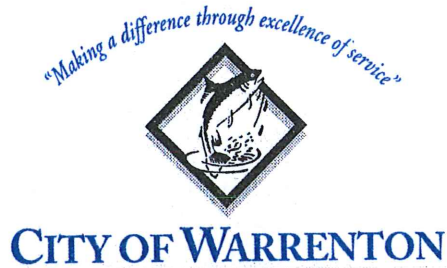
Accepted this \_\_\_ day of \_\_\_\_, 2018, subject to applicable Federal, State and Local law.

Falcon Community Ventures I, Limited Partnership, I/k/a Charter Communications

Signature: \_\_\_\_\_

Paul D. Abbott  
Vice President, Local Government Affairs and Franchising  
Charter Communications

7-I



## AGENDA MEMORANDUM

TO: The Warrenton City Commission  
FROM: Linda Engbretson, City Manager  
DATE: January 22, 2019  
SUBJ: Scarborough Lease at 846 NE 1<sup>st</sup> Ct.

### SUMMARY

A fire destroyed the warehouse owned by Jim Scarborough, located at 846 NE 1<sup>st</sup> Ct. in November 2018. The real property is owned by the city of Warrenton, currently under lease to Mr. Scarborough until October 2021. Mr. Scarborough does not intend to rebuild and has requested to cancel the remainder of his lease with the City. Pacific Future is requesting the lease be transferred. They would like to rebuild a warehouse facility for gear and equipment storage.

Staff is looking for direction regarding cancellation, transfer or negotiation of a new lease.

### RECOMMENDATION/SUGGESTED MOTION

"I move to provide written notice to Mr. Scarborough of cancellation of the remainder of his lease."

"I move to authorize staff and legal counsel to negotiate a new lease with Pacific Future for the property located at 846 NE 1<sup>st</sup> Ct."

## **ALTERNATIVE**

Other action as deemed appropriate by the City Commission.

## **FISCAL IMPACT**

Lease payments are currently \$ 143.59 per month with a 2% increase annually on November 1<sup>st</sup>, until October 2020. Lease Payments are allocated to the Warrenton Marina, as a related activity. I will add this property to our list of appraisal requests.

Law Office of  
**Michael A. Autio, LLC**  
A Professional Limited Liability Company

CORRESPONDENCE ADDRESS:  
93750 AUTIO LOOP  
ASTORIA, OREGON 97103

PHONE: (503) 325-9155  
FAX: (503) 210-0236  
E-MAIL: MIKE@AUTIOLAW.COM

MASTER OF BUSINESS ADMINISTRATION (M.B.A.)  
MASTER OF LAWS (LL.M.) IN TAXATION

MEMBER OF OREGON & WASHINGTON BARS

January 7, 2019

Linda Engbretson, City Manager  
City of Warrenton  
225 S Main Ave  
Warrenton, OR 97146

RE: Scarborough Lease at 846 NE 1st Ct, Warrenton, OR 97146

Dear Linda:

I spoke with you in December regarding my client Jim Scarborough's lease of City property at 846 NE 1st Ct, Warrenton, OR 97146. My understanding is that he has leased this property from the City since 1991.

As you are aware, Mr. Scarborough's building on the leased premises was completely destroyed by fire on November 3, 2018. Mr. Scarborough does not intend to rebuild.

Mr. Scarborough has leased the building at that location for many years to the F/V Pacific Future for gear and equipment storage, etc. He has recently spoken with Jerry Hampel at Pacific Future and I understand that Pacific Future is interested in taking over the lease with the City.

Mr. Scarborough's current lease term runs through October 31, 2021. Since the lease is a total pass-through with Pacific Future and the City, Mr. Scarborough would prefer to cancel the remainder of his lease so that he no longer needs to be involved and then City can enter a new lease directly with Pacific.

Can you please advise what steps are necessary with the City move the lease to Pacific Future?

Thank you for your courtesies.

Very truly yours,



Michael A. Autio

cc: Jim Scarborough  
Jerry Hampel, Pacific Future

## LEASE

The parties to this lease are CITY OF WARRENTON, a municipal corporation of the State of Oregon, hereinafter called "CITY", and JAMES D. SCARBOROUGH, hereinafter called "LESSEE".

CITY leases to LESSEE that certain real property described as Lot 5, Block 31, EAST WARRENTON, in the City of Warrenton, County of Clatsop and State of Oregon. The property is located 150 feet east of the intersection of NE 1<sup>st</sup> Street and NE Heron Avenue, on the south side of the road, adjacent to the Warrenton Mooring Basin, in Warrenton, Clatsop County, Oregon.

(1) TERM:

The original term of this lease commenced on the 1<sup>st</sup> day of November, 1991, and will continue through the 31<sup>st</sup> day of October, 2011. Since the lease is not in default, LESSEE has exercised his option to renew this lease for a period of ten (10) additional years at the rental in accordance with paragraph (2) hereunder. The second term of this lease shall commence on the 1st day of November 2011, and continue through the 31<sup>st</sup> day of October 2021.

(2) RENT:

The basic rent for this lease shall be the sum of ONE HUNDRED AND TWENTY FIVE DOLLARS AND NO/100 DOLLARS (125.00) per month due and payable on the 1<sup>st</sup> day of the month commencing November 1, 2011, at Warrenton City Hall, Warrenton, Oregon. A 2% increase in rent shall commence on November 1st of each successive year through October 31, 2020.

(3) LATE PAYMENT PENALTY:

A late payment penalty of TWENTY DOLLARS (\$20.00) will be assessed for each month payment is delinquent.

(4) USE OF THE PREMISES:

LESSEE has completed construction of improvements to the leased premises conforming to the Marine Commercial zone requirements of the City of Warrenton. The premises shall be used for operations permitted by the Land Use Regulations of the City of Warrenton, and for no other purpose. In addition, LESSEE'S uses shall be consistent with all other lawful regulatory or land use agencies of the State of Oregon and its subdivisions.

(5) CITY'S RIGHT OF ENTRY:

It shall be lawful for the CITY, its agents and representatives, at any reasonable time, to enter into or upon said demised premises for the purpose of examining the condition thereof, or any other lawful purpose.

(6) LIENS:

LESSEE will not permit any lien of any kind, type or description to be placed or imposed upon the property or any part thereof.

FIN.  
Brent  
5/20/11

- (b) The reasonable costs of re-retry and reletting including without limitation the cost of any clean-up, removal of LESSEE's property and fixtures, or any other expenses occasioned by LESSEE's failure to quit the premises upon termination and to leave them in the required condition, together with any restoration costs, attorney fees, court costs, etc.

(11) DELIVERING UP PREMISES ON TERMINATION:

At the expiration of said term or upon any sooner termination thereof, LESSEE will quit and deliver up said leased premises, peaceably, quietly, and in good order and condition and at City's demand will remove any and all property or structures on the property. Any improvements remaining on the property at termination shall become the property of CITY, at CITY'S option.

(12) NONWAIVER:

Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

(13) ATTORNEY FEES:

In the event suit or action is instituted to enforce any of the terms of this lease the prevailing party shall be entitled to recover from the other party such sum as the court may adjudge reasonable as attorney's fees at trial or on appeal of such suit or action, in addition to all other sums provided by law.

If any party to this lease places it in the hands of an attorney for collection or enforcement of the covenants contained herein, as a consequence of a default, as defined herein, the party in default agrees to pay the reasonable fees and expenses of such attorney even through no suit or action is instituted, as a consequence of default.

(14) NOTICES:

Any notice required or permitted under this lease shall be given when actually delivered or forty-eight (48) hours after deposited in United States mail as certified mail addressed to the following addresses or to such other address as may be specified from time to time by either of the parties in writing.

CITY: CITY OF WARRENTON  
P.O. Box 250  
WARRENTON, OR 97146

LESSEE: JAMES D. SCARBOROUGH  
394 Simonsen Loop  
ASTORIA, OR 97103  
503/ 458-6453

(15) SUCCESSION:

Subject to the hereinafter stated limitations on transfer of LESSEE's interest, this lease shall be binding upon and inure to the benefit of the parties, there respective successors and assigns.



(16) ASSIGNMENT:

LESSEE shall not assign, transfer, pledge, hypothecate, surrender or dispose of this lease or any interest, or permit any other person or persons whomsoever to occupy the leased premises without the written consent of CITY being first obtained in writing, (which consent will not be unreasonably withheld). This lease is personal to LESSEE and is executed in material consideration of LESSEE's ability to complete the improvements to the property as promised.

LESSEE's interest in whole or in part cannot be sold, assigned, transferred, seized or taken by operation of law, or under or by virtue of any execution or legal process, attachment or proceedings instituted against LESSEE, or under or by virtue of any bankruptcy or insolvency proceedings had in regard to LESSEE, or in any other manner, except as herein specifically mentioned.

(17) TAXES:

In addition, LESSEE shall pay all real property and personal property taxes levied on the property when payable.

IN WITNESS WHEREOF, the parties have executed this lease in triplicate the 23<sup>rd</sup> day of May, 2011; the signature of the CITY OF WARRENTON being by authority of its City Commissioners.

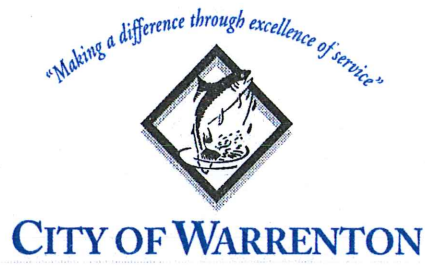
CITY OF WARRENTON,  
An Oregon municipal corporation

By: Mark Kujala  
Mark Kujala, Mayor

Attest: Linda Engbretson  
Linda Engbretson, City Recorder

James D. Scarborough  
JAMES D. SCARBOROUGH

7-5



## AGENDA MEMORANDUM

TO: The Honorable Mayor and Warrenton City Commission  
FROM: Dawne Shaw, City Recorder  
DATE: January 22, 2019  
SUBJ: Resolution No. 2531 – Updating Public Records Requests Policy & Fees

### SUMMARY

The City Commission held the first reading of Resolution No. 2531 at its January 8, 2019 meeting. In order to provide the public an opportunity to comment, rate increases are considered over two meetings.

### RECOMMENDATION/SUGGESTED MOTION

“I move to conduct the second reading, by title only, of Resolution No. 2531; Policy, Procedures and Fees for Public Records and Information Requests, and Repealing Resolution No. 2301.”

“I move to adopt Resolution No. 2531.”

### ALTERNATIVE

None recommended

**FISCAL IMPACT**

Public Records Requests are infrequent; therefore the fee increase will have minimal impact. The collected fees are typically applied to the Miscellaneous - General Fund.

Approved by City Manager:

*Linda Engelson*

RESOLUTION NO. 2531

INTRODUCED BY ALL COMMISSIONERS

POLICY, PROCEDURES AND FEES FOR PUBLIC RECORDS AND INFORMATION REQUESTS,  
AND REPEALING RESOLUTION NO. 2301

This resolution provides amendments to record request procedures and response timelines, pursuant to ORS 192.410 – 192.440, and sets fees for requests, inspection, and copying of City Records.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WARRENTON, OREGON that the following is the City of Warrenton's Public Record Request Policy:

**Section 1. Procedure.**

- 2.1. Unless otherwise provided by these rules, a request for inspection and/or copies of public records shall be in writing on a form prescribed by the City of Warrenton (Attachment A); for Police Department requests, please see Attachment D.
- 2.2. Upon receipt, the department receiving the request shall post the date and time that the request is received and shall forward the request to the City Recorder.
- 2.3. The City Recorder or his/her designee shall keep on file a list of fees (Attachment B) and shall respond to all Public Record Requests as prescribed by these policies.
- 2.4. The City Recorder or his/her designee shall provide a written response to requests within at least 5 business days with at least one of the following responses:
  - a) Confirm that the public body is the custodian of the requested record;
  - b) Inform the requester that the public body is not the custodian of the requested record; or
  - c) Notify the requester that the public body is uncertain whether the public body is the custodian of the requested record.
- 2.5. As soon as reasonably possible, but no later than 10 business days after the date by which a public body is required to acknowledge receipt of the request, a public body shall:
  - a) Provide a written estimate of the cost to produce and/or provide the requested records on the City's prescribed form (Attachment C);
  - b) Complete its response to the public records request; or
  - c) Provide a written statement that the public body is still processing the request and a reasonable estimated date by which the public body expects to complete its response based on the current information available.

**Section 3. Fees to Reflect Costs** Fees charged to the requesting party for meeting public information requests shall be based on costs the City incurs for processing the request. These costs shall include, but not be limited to, personnel costs, attorney fees, and costs associated with materials used in processing the request.

- 3.1. Personnel costs shall include, but are not limited to, employee time spent while

locating, reviewing, and copying records and supervising public inspection of records. Costs shall be at an hourly rate equivalent to the salary plus benefits (computed at an hourly rate) of each employee involved in processing the request.

3.2. Attorney fees will be the fee charged by the attorney to the City for time spent in reviewing the public records, and redacting or segregating exempt and nonexempt records therefrom.

**Section 4. Payment of Fees** Except as otherwise provided by these rules, public records shall not be released for inspection or as copies to members of the public unless the City has received in advance payment of the established fee for providing the records.

4.1. The City Recorder, or his/her designee shall provide a written estimate of the cost to produce and/or provide the requested records on the City's prescribed form (Attachment C).

4.2. Depending on volume or difficulty in retrieving the requested record(s), the written notice shall notify the requestor if a deposit is required prior to the commencement of research/retrieval/copying.

**Section 5. Records Requested for Court Proceedings.** The City shall not charge fees for costs incurred by the City when an employee of the City, in the employee's role as custodian of the records, is a witness in a trial or other court proceeding. When the City is a party to a court proceeding and a request for copies of public records is made by a party or representative of a party to such proceeding in the course of discovery, then the cost to be charged for providing such copies shall be as outlined in the City's Public Record Request Fee Schedule.

**Section 6. City Recorder Authority** The City Recorder is the designated custodian of the City of Warrenton's records. The City Recorder or his/her designee shall have the authority to:

- a) waive the requirement that the request must be in writing;
- b) waive fees if the request requires copying three or less pages and involves less than one-half hour of staff time to process;
- c) waive required compliance with this resolution in special cases where the public interest in supplying a public record free of charge outweighs the cost of furnishing the record;
- d) establish a particular charge or fee for routinely requested documents where the charge is a reasonable approximation of the city's cost;
- e) periodically adjust fees to cover increased costs of providing public records and information;
- f) waive the requirement for any person requesting public records pertaining to a matter which specifically affects the person and is pending before the City Commission or a board or Commission of the City;
- g) waive the fees for any member of the City Commission or a Board or Commission, other government agencies or the media;
- h) waive the fee for any crime victim requesting a copy of a police report pertaining to the crime in which they have been made a victim (applies to first copy only).

**Section 7.** **Effect.** This Resolution shall take effect immediately upon its passage.

First Reading: January 8, 2019

Second Reading: January 22, 2019

ADOPTED by the Warrenton City Commission this 22<sup>nd</sup> day of January, 2019.

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

ATTEST

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

**Attachment A  
Resolution No. 2351**

**CITY OF WARRENTON  
PUBLIC RECORDS REQUEST FORM**

**REQUESTOR INFORMATION**

Date of Request: \_\_\_\_\_

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

Preferred method of contact:  Mail  Phone  Email  Fax

Is this request related to a lawsuit in which the City of Warrenton is a party, or a tort claims notice filed with the City of Warrenton? \_\_\_\_\_ Yes \_\_\_\_\_ No

**REQUESTED INFORMATION/RECORD(S)**

Please describe the materials you are requesting in as much detail as possible: type of document, date, author, title, etc. If you need more room, please attach additional sheets. \_\_\_\_\_

**The City shall follow timelines as required under ORS 192.**

- A. Within five (5) business days the City will acknowledge all record requests.
- B. As soon as reasonably possible, but no later than 10 business days after the date by which a public body is required to acknowledge receipt of the request under ORS 192.440, the City shall:
  - i. Complete its response to the public records request: or
  - ii. Provide a written statement that the City is still processing the request and a reasonable estimated date by which City staff expects to complete its response based on the information currently available.
  - iii. If the estimated costs involved in fulfilling your request exceed \$25.00, the City will advise you of the estimated costs and require your approval before beginning the work.
  - iv. If the fee estimate exceeds \$25.00, a deposit may be required to begin the work.
  - v. Full payment of the total amount of costs incurred is required before the public records are inspected or copies are released.

I HAVE READ AND AGREE TO COMPLY WITH THE ABOVE CONDITIONS, and further agree to pay the cost of fulfilling this Public records Request according to the conditions set forth above. I understand these costs may include the cost of searching for records, reviewing records to redact exempt material, supervising the inspection of records, copying records, certifying records and mailing records. I agree to pay a deposit of the estimated costs, if required. I also understand that the documents or records requested may not be immediately available for my review, and that I may need to make an appointment to review the documents or records. I acknowledge that any documents or records made available to review must not be disassembled and must be left intact.

\_\_\_\_\_  
Signature of Requestor

Attachment B  
Resolution No. 2351

CITY OF WARRENTON  
PUBLIC RECORDS FEE SCHEDULE

(Some of these records may be available on the city's website - [www.ci.warrenton.or.us](http://www.ci.warrenton.or.us))

COPIES OF STANDARD PUBLIC RECORDS

8.5 x 11 per page	\$1.00 + .....	\$ .25
8.5 x 14 per page	\$1.00 + .....	\$ .25
11 x 17 per page	\$1.00 + .....	\$ .50
Color Copies per page	\$1.00 + .....	\$ 1.50
Audio Recordings.....	\$15.00 per CD/DVD/ USB Thumb Drive	
Emailed Records (readily available).....	\$10.00	
Emailed Records (requiring scanning).....	\$15.00 up to first ½ hr time; Over ½ hr: Actual staff time (includes benefits and overhead)	
Electronic Records (readily available)		
CD/DVD.....	\$10.00 up to first ½ hr download time; Over ½ hr: Actual staff time (includes benefits and overhead)	
USB Thumb Drive.....	\$15.00 up to first ½ hr download time; Over ½ hr: Actual staff time (includes benefits and overhead)	
Digital Photographs.....	\$ 5.00 per printed side <b>OR</b> \$15.00 per CD/DVD/ USB Thumb Drive	

COPIES OF POLICE /COURT RECORDS - See "Attachment D" for Police Department Body Cam Video Requests

Misc. Paperwork (see costs for standard public records above)	
Police Reports.....	\$10.00 (up to 30 pgs) \$ .25 per page (over 30)
Accident Reports.....	\$10.00
Add Digital Photos.....	\$5.00 per page <b>OR</b> \$10.00 per CD
Audio/Video.....	\$15.00 per CD/DVD or USB Thumb Drive



SPECIAL PUBLICATIONS

**Administration**

City of Warrenton Code (General Ordinances)..... As charged for standard copying  
City Charter.....\$15.00

**Finance**

City Budget

Printed.....\$30.00

CD/USB Thumb Drive.....\$15.00

City Audit

Printed.....\$30.00

CD/USB Thumb Drive.....\$15.00

Business License List.....\$10.00

**Planning/Building**

Comprehensive Plan

Printed.....\$30.00

CD/USB Thumb Drive.....\$15.00

Development Code

Printed.....\$30.00

CD/USB Thumb Drive.....\$15.00

Wetland Conservation Plan

Printed.....\$30.00

CD/USB Thumb Drive.....\$15.00

Maps and other large documents are taken to a commercial copy business for reproduction. For documents reproduced at a commercial copy business the fee will be actual cost plus staff time (includes benefits and overhead).

**Public Works**

Large Format Printing (17x22, 22x34, 34x44)..... B&W \$15.00/per each  
Color \$25.00/per each

Electronic Records (readily available)

CD/DVD.....\$ 10.00 up to first ½ hr download time; Over ½ hr: Actual staff time (includes benefits and overhead)

USB Thumb Drive.....\$15.00 up to first ½ hr download time; Over ½ hr: Actual staff time (includes benefits and overhead)

Scanning Large Format Documents.....\$15.00 up to first ½ hr;  
Over ½ hr: Actual staff time (includes benefits and overhead)

Printing Large Format Documents..... \$5.00 + Standard Public Record Copying Fees

Maps and other large documents that are taken to a commercial copy business for reproduction; the fee will be actual cost plus staff time (includes benefits and overhead).

Other documents charged at Standard Public Record Copying Fees

**Fire Department**

All reports.....\$10.00

**RESEARCH FEES; SUPPLEMENTAL LABOR FEES**

If a request requires additional staff time to locate, retrieve, research, or attorney review, additional labor fees may be charged based on the actual cost of the employee performing the work. Actual cost includes hourly payroll rate, benefits, and overhead.

Level 1 Request: Inspection of Records Research Fee: Up to 30 minutes to locate files \$15.00  
Over 30 minutes - Actual Employee Cost (including benefits and overhead)

Level 2 Request: Up to 30 minutes of copying/\$15.00 + Copy Cost

Level 3 Request: Over 30 minutes/Copy Cost + Actual Employee/Attorney Cost (including benefits and overhead)

POSTAGE.....Actual Cost

Attachment C  
Resolution No. 2351

**For Office Use Only**

Date Received: \_\_\_\_\_

Time Received: \_\_\_\_\_

**Standard Public Records**

No. of Copies	Description	Amount
	\$1.00 + \$1.50 per page <b>Color Copies</b>	
	\$1.00 + \$ .25 per page (8 ½ x 11 or 8 ½ x14)	
	\$1.00 + \$ .50 per page (11x17)	

**Oversize Copies (Maps/Plans/Construction Drawings): see Public Records Fee Schedule for applicable charges**

No. of Copies	Description	Amount

**Other (see Public Records Fee Schedule for applicable charges)**

No. of Copies	Description	Amount

**Research Fee/Supplemental Labor Fees**

Level 1 Request: Inspection of Records Research Fee: Up to 30 minutes to locate files \$15.00  
Over 30 minutes – Actual Employee Cost (including benefits and overhead)

Level 2 Request: Up to 30 minutes/\$15.00 + Copy Cost

Level 3 Request: Over 30 minutes/Copy Cost + Actual Employee Cost (including benefits and overhead)

Request Level	Describe Work	Hourly Rate	Estimated Hours	Estimated Cost	Actual Hours	Actual Cost

Deposit Required: \_\_\_\_\_ Yes \_\_\_\_\_ No

Deposit Amount: \$ \_\_\_\_\_

**Final Accounting:**

Total Due \$ \_\_\_\_\_ Minus Deposit (if required) \$ \_\_\_\_\_ = Balance Due \$ \_\_\_\_\_

**OR Refund Due \$ \_\_\_\_\_**



## WARRENTON POLICE DEPARTMENT ADDENDUM TO PUBLIC RECORDS REQUEST



### Requests for Police Body Cam Video

A request for police body cam video is regulated and controlled by ORS 192.501. Such recordings are exempt from disclosure *"unless the public interest requires disclosure in the particular instance."* ORS 192.501(40). In other words, the video will not normally be released, unless the requestor first establishes a public interest that requires such disclosure.

All such public record requests must be subjected to an additional process to determine whether the video must be released under the exception to the ORS 192.501 conditional exemption.

If such an exception is established, further guidelines for ORS 192.501(40) must be followed. Subsections (a), (b) and (c) of Section 40 provide the following:

*(a) Recordings that have been sealed in a court's record of a court proceeding or otherwise ordered by a court not to be disclosed may not be disclosed.*

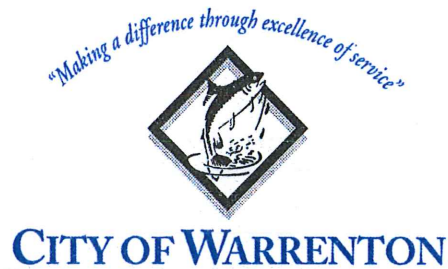
*(b) A request for disclosure under [ORS 192.501(40)] must identify the approximate date and time of an incident for which the recordings are requested and be reasonably tailored to include only that material for which a public interest requires disclosure.*

*(c) A video recording disclosed under this subsection must, prior to disclosure, be edited in a manner as to render the faces of all persons within the recording unidentifiable.*

This means that the request must identify the date and time of an identified incident and be limited only to those materials justified by the identified public interest. Further, prior to releasing the recording, the faces of **ALL** persons in the recording must be blurred or blocked. Personal information must also be redacted (ex: someone reciting their date of birth or social security number).

In order to meet these conditions, it will take additional time to determine whether a body cam video is subject to disclosure and, if it is, additional time to process the video. It will also mean additional processing costs. You will receive an estimate for this cost before any processing is done and you may be required to put a deposit down prior to any processing. Either way, you will be given an estimate and the opportunity to decide if you want to proceed.

7-K



## AGENDA MEMORANDUM

TO: The Warrenton City Commission

FROM: Dawne Shaw, City Recorder

DATE: January 22, 2019

SUBJ: Advisory Boards – Terms of Office

### SUMMARY

The attached resolutions confirm the appointments and set the terms of office for advisory board members that were appointed at the January 8, 2019 City Commission meeting.

### RECOMMENDATION/SUGGESTED MOTION

“I move to adopt Resolution No. 2533; Authorizing Appointments to Fill Positions on the Warrenton Budget Committee and Setting Terms of Office.”

“I move to adopt Resolution No. 2534; Authorizing Appointments to Fill Positions on the Warrenton Community Center Advisory Board and Setting Terms of Office.”

“I move to adopt Resolution No. 2535; Authorizing Appointments to Fill Positions on the Warrenton Parks Advisory Board and Setting Terms of Office.”

“I move to adopt Resolution No. 2536; Authorizing Appointments to Fill Positions on the Warrenton Business Association and Setting Terms of Office.”

“I move to adopt Resolution No. 2537; Authorizing Appointments to Fill Positions on the Warrenton Planning Commission and Setting Terms of Office.”

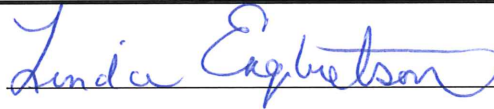
**ALTERNATIVE**

Other action as deemed appropriate by the City Commission

**FISCAL IMPACT**

N/A

Approved by City Manager:

A handwritten signature in blue ink, reading "Linda Egbertson", is written over a horizontal line. The signature is cursive and includes a large loop at the end.

**RESOLUTION NO. 2533**

INTRODUCED BY: All Commissioners

**AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON  
THE WARRENTON BUDGET COMMITTEE  
AND SETTING TERMS OF OFFICE**

**BE IT RESOLVED**, by the City Commission that the Warrenton Budget Committee Members and their terms of office are as follows:

Position No. 1	Rebecca Hoth,	term ending 31, December 2019
Position No. 2	Paul Mitchell,	term ending 31, December 2020
Position No. 3	Gerald Poe,	term ending 31, December 2021
Position No. 4	Flint Carlson,	term ending 31, December 2020
Position No. 5	Dan Jackson,	term ending 31, December 2019

This Resolution shall take effect immediately upon its passage.

**ADOPTED** by the City Commission of the City of Warrenton, Oregon, this \_\_\_\_ day of \_\_\_\_\_, 2019.

**APPROVED:**

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

**ATTEST:**

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

**RESOLUTION NO. 2534**

INTRODUCED BY: All Commissioners

**AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON  
THE WARRENTON COMMUNITY CENTER ADVISORY BOARD  
AND SETTING TERMS OF OFFICE**

**BE IT RESOLVED**, by the City Commission that the Warrenton Community Center Advisory Board Members and their terms of office are as follows:

Position No. 1	Frank Becker,	term ending 31, December 2020
Position No. 2	Ronald LeChurch	term ending 31, December 2021
Position No. 3	Carol Snell,	term ending 31, December 2022
Position No. 4	Lorna Anderson,	term ending 31, December 2020
Position No. 5	Penny Morris,	term ending 31, December 2019
Position No. 6	Debbie Little,	term ending 31, December 2020
Position No. 7	Jerry O'Neill,	term ending 31, December 2020

This Resolution shall take effect immediately upon its passage.

**ADOPTED** by the City Commission of the City of Warrenton, Oregon, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**APPROVED:**

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

**ATTEST:**

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



**RESOLUTION NO. 2535**

INTRODUCED BY: All Commissioners

**AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON  
THE WARRENTON PARKS ADVISORY BOARD AND SETTING TERMS  
OF OFFICE**

**BE IT RESOLVED**, by the City Commission that the Warrenton Parks Advisory Board Members and their terms of office are as follows:

Position No. 1	VACANT	term ending 31, December 2021
Position No. 2	Sara Long,	term ending 31, December 2021
Position No. 3	Jim Dutcher,	term ending 31, December 2019
Position No. 4	Bert Little,	term ending 31, December 2019
Position No. 5	Carol Snell,	term ending 31, December 2020
Position No. 6	Kailee Kobe,	term ending 31, December 2020
Position No. 7	VACANT,	term ending 31, December 2020

This Resolution shall take effect immediately upon its passage.

**ADOPTED** by the City Commission of the City of Warrenton, Oregon, this \_\_\_\_ day of \_\_\_\_\_, 2019.

**APPROVED:**

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

**ATTEST:**

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

**RESOLUTION NO. 2536**

INTRODUCED BY: All Commissioners

**APPOINTING PERSONS TO FILL POSITIONS ON  
THE WARRENTON BUSINESS ASSOCIATION  
AND SETTING TERMS OF OFFICE**

**BE IT RESOLVED**, by the City Commission that the Warrenton Business Association Members and their terms of office are as follows:

Position No. 1	VACANT	term ending 31, December 2021
Position No. 2	Tommy Smith,	term ending 31, December 2021
Position No. 3	Penny Morris,	term ending 31, December 2021
Position No. 4	Darlene Warren,	term ending 31, December 2019
Position No. 5	Charles Dennis,	term ending 31, December 2019
Position No. 6	Paul Mitchell,	term ending 31, December 2019
Position No. 7	Roxanne Williams,	term ending 31, December 2020
Position No. 8	Mike Moha,	term ending 31, December 2020
Position No. 9	Lois Perdue,	term ending 31, December 2020

This Resolution shall take effect immediately upon its passage.

**ADOPTED** by the City Commission of the City of Warrenton, Oregon, this \_\_\_\_ day of \_\_\_\_\_, 2019.

**APPROVED:**

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

**ATTEST:**

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

**RESOLUTION NO. 2537**

INTRODUCED BY: All Commissioners

**AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON  
THE WARRENTON PLANNING COMMISSION  
AND SETTING TERMS OF OFFICE**

**BE IT RESOLVED**, by the City Commission that the Warrenton Planning Commission Members and their terms of office are as follows:

Position No. 1	Vince Williams,	term ending 31, December 2020
Position No. 2	Christine Bridgens,	term ending 31, December 2020
Position No. 3	Chris Hayward,	term ending 31, December 2021
Position No. 4	Michael Moha,	term ending 31, December 2022
Position No. 5	Ken Yuill,	term ending 31, December 2022
Position No. 6	Paul Mitchell,	term ending 31, December 2019
Position No. 7	Ryan Lampi,	term ending 31, December 2019

This Resolution shall take effect immediately upon its passage.

**ADOPTED** by the City Commission of the City of Warrenton, Oregon, this \_\_\_\_ day of \_\_\_\_\_, 2019.

**APPROVED:**

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

**ATTEST:**

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