

*"Making a difference through excellence of service"*



## **CITY OF WARRENTON**

### **AGENDA**

CITY COMMISSION OF THE CITY OF WARRENTON  
REGULAR MEETING  
July 26, 2016 – 6:00 P.M.  
Warrenton City Commission Chambers – 225 South Main Avenue  
Warrenton, Or 97146

---

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **COMMISSIONER COMMENTS/COMMUNICATIONS/AGENDA ADDITIONS**
5. **CONSENT CALENDAR**

- A. Commission Regular Meeting Minutes – 7.12.16
- B. Commission Work Session Minutes – 7.12.16
- C. Police Dept. Monthly Statistics Report – June
- D. Fire Dept. Monthly Activity Report - June

Items on the Consent Calendar have previously been discussed and/or are considered routine. Approval of the Consent Calendar requires a motion, a second, and no discussion, unless requested by a member of the City Commission.

6. **BUSINESS ITEMS**
  - A. Public Hearing – Consideration of Street Vacation – Leonard Mossman, Petitioner, A portion of NW Gardenia Avenue
  - B. Consideration of Non Profit Business License Exemption
  - C. Consideration of Fire Dispatch Services Agreement

- D. Consideration of 2016-2017 Police Dispatch Services Agreement
- E. Award of Contracts for Street Overlay Project 2016, Delaura Beach Lane Bike Path, and SW 3<sup>rd</sup> Street Improvement Project
- F. Consideration of 2<sup>nd</sup> Reading and Adoption of Ordinance No. 1204-A, Amending the City of Warrenton Zoning Map
- G. Consideration of 2<sup>nd</sup> Reading and Adoption of Ordinance No. 1205-A, providing for a Code Amendment

7. **PUBLIC COMMENT**

At this time, anyone wishing to address the City Commission concerning items of interest not already on the Agenda may do so. The person addressing the Commission will, when recognized, give his or her name and address for the record. All remarks will be addressed to the whole City Commission and limited to 3 minutes per person. The Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

8. **ADJOURNMENT**

**CITY HALL IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630, BY CONTACTING LINDA ENGBRETSON AT LEAST 48 HOURS IN ADVANCE OF THE MEETING**

5-A

MINUTES  
Warrenton City Commission  
Regular Meeting – July 12, 2016  
6:00 p.m.  
Warrenton City Hall - Commission Chambers  
225 S. Main  
Warrenton, Or 97146

Mayor Kujala called the meeting to order at 6:13 p.m.

Commissioners Present: Tom Dyer, Pam Ackley, Mayor Mark Kujala, Henry Balensifer, Rick Newton

Staff Present: City Manager Pro tem Linda Engbretson, City Attorney Harold Snow, Police Chief Mathew Workman, Public Works Director James Dunn, Fire Chief Tim Demers, Accountant April Clark, Community Development Director Skip Urling, Wastewater Treatment Superintendent Kyle Sharpsteen, Harbor Master Keith Pinkstaff, Assistant Harbor Master Jane Sweet, Public Works Foreman Craig Walter, Library Site Manager Nettie-Lee Calog and Administrative Assistant Dawne Shaw

COMMISSIONER COMMENTS

Commissioner Newton – Commented on the large crowd and was glad to see everyone here.

Commissioner Dyer – Welcomed everyone and asked that everyone keep Police Officers in their prayers in light of the Dallas shooting and other recent events.

Commissioner Balensifer – Welcomed everyone and also would like the Commission to review, business licensing fees in regards to nonprofits and churches.

Commissioner Ackley – Welcomed everyone and gave an update on the Way to Wellville program.

Mayor Kujala – Introduced City Manager Pro tem Linda Engbretson, noting the resignation of Kurt Fritsch and the progress that was made under his 5 year tenure.

City Manager Pro tem Engbretson – asked to remove Agenda Item D; after speaking with the Public Works Director, the State has informed us of the need to an prepare in-house policy; Adopting the OAR is not necessary.

**Commissioner Balensifer made the motion to remove Agenda Item D. Motion was seconded and passed unanimously.**

**Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala – aye**

Mayor Kujala asked Police Chief Workman to come up and talk about the Dallas shooting and the NC suspect arrest. Police Chief Workman noted a murder suspect from North Carolina turned himself in to the WPD. He also talked about the Dallas police shooting as well as the shooting in a Michigan court room. He discussed his perspective, especially when police are targeted and how important it is for officers to treat people with respect. He stated that his daughter was just sworn in as an officer in Seaside so these events bring it closer to home. He noted the Fire Department is also out there with a target on their backs, so we are all in this together. These events bring out a lot of support from the community and it means a lot.

Mayor Kujala expressed appreciation for our Police and Fire Departments.

#### CONSENT CALENDAR

- A. Commission Regular Meeting Minutes - 6.28.16
- B. Commission Special Meeting Minutes – 6.30.16
- C. Commission Work Session Minutes – 6.14.16
- D. Police Dept. Monthly Finance Report - May 2016

**Commissioner Balensifer made the motion to accept the consent calendar as presented. Motion was seconded and passed unanimously.**

**Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye**

#### BUSINESS

Mayor Kujala opened the public hearing on the consideration of a code amendment to make food and/or beverage trucks and carts permitted uses in the I-1 General Industrial Zone. Formalities followed and no ex-parte or conflicts of interest were reported.

Community Development Director Skip Urling reviewed his written staff report as included in the meeting packets, the Planning Commission discussion and concerns. Staff's recommendation is to move forward with the first reading by title only of Ordinance No. 1205-A.

Proponents: Gary Kobes, Airport Manager for the Port of Astoria, reviewed a hand out of a list of airports in WA/OR/ID with food on the airfield and proceeded to discuss the convenience and benefits of having food on the field. Paul Davis Director of Operations for Lektro reiterated the

benefit as Lektro employees only have 30 mins for lunch so it is a big convenience, for breakfast and lunch. It is also a benefit for our fly-in customers to have food available and boxed lunches that they can purchase for their flights back out. He also noted that there is not enough demand to support a full sized restaurant and the cart is the perfect size to support the need. Steve Fulton, Port of Astoria Commissioner, spoke in support of the food carts and noted their significant benefit to the airport facility. Dan Travers, retired Coast Guard Captain, currently working for Life Flight, spoke in favor of the food carts stating that the crew wanted a galley but that was not an option. The cart also serves Coast Guard personnel who cannot leave the base to get food if they are on 24 hour duty. Carl Keyes, Command Master Chief for the Coast Guard base spoke in favor and noted that the food cart has had a positive impact on morale. No one spoke in opposition.

There being no further comments, Mayor Kujala closed the hearing.

**Commissioner Balensifer made the motion to conduct the first reading by title only of Ordinance No. 1205-A, Providing for food and drink trucks or carts to be permitted uses on the I-1 General Commercial Zoning district. Motion was seconded and passed unanimously.**

**Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye**

**Mayor Kujala conducted the first reading by title of Ordinance No. 1205-A; “*Amending Warrenton Municipal Code Section 16.60.020 to include Food and/or Beverage Trucks or Carts as permitted uses in the I-1 General Industrial Zoning District.*”**

Mayor Kujala opened the public hearing on the Amber Morgan Appeal of the Planning Commission’s decision to return a commercially used structure back to a residence. Formalities followed and no ex-parte or conflicts of interest were reported.

Community Development Director Skip Urling presented his written staff report on the appeal, as included in the meeting packets. The property was converted for use as salon a few years ago; the owners wish to convert it back to a residence, which the Planning Commission has approved. Staff recommendation is to uphold the Planning Commission decision to allow the Mossman property at 325 S. Main to be reconverted from a commercial use back to a residential use.

Proponents: Janet Mossman the property co-owner noted that the person who filed the appeal is not present. The Mossman’s wish to have it returned back to residential for real estate/resale reasons.

No one spoke in opposition. There being no further comments, Mayor Kujala closed the hearing.

City Attorney Snow asked that the record note that the appellant did not appear.

**Commissioner Ackley made the motion to uphold the Planning Commission's decision to allow the Mossman property at 325 S. Main Avenue to be reconvered from a commercial use back to a residential use. Motion was seconded and passed unanimously.**

**Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye**

Mayor Kujala opened the public hearing on the Gronmark Rezone Application RZ 16-01. Formalities followed and no ex-parte or conflicts of interest were reported.

Community Development Director Skip Urling reviewed his written staff report as included in the meeting packets. Jim Gronmark applied to rezone the abutting properties on the north side of Highway 104 Spur from the Skipanon River to S. Main Ave. The Planning Commission held a public hearing on June 9, 2016 on this matter, and voted to forward a recommendation to the City Commission to approve the application and adopt Ordinance No. 1204-A.

Proponents: Mike Morgan of Cannon Beach spoke in support of the rezone and stated that Mr. Gronmark is interested in building an apartment complex to meet the tremendous demand for housing.

Opponents: While not necessarily an opponent Alisa Jimenez lives adjacent to the area proposed for rezoning. She stated concerns about what this will do to the tax base and property values; also voiced concerns about the condition of property, and the possibility of it being marshlands. She submitted pictures of flood problems they have had in the past and is concerned with flooding and erosion. The condo owners would like further investigations and concerns addressed regarding environmental impact. Mike Morgan responded to Alisa Jimenez's concerns; there is a small amount of wetlands on site and there has been a wetlands delineation done and any construction would have to take that into account. It is most likely that the building would be closer to SE Anchor than the condos. The developer would try to avoid the wet area and build as far away from the river as possible. All the details would be worked out through the site development plan and review process. Mindy Little of 106 SW 14<sup>th</sup> street, voiced concerns about the amount of traffic apartments would bring in to an area that currently has a lot of kids; also concerned about where the cars will enter the complex and concerns about the road.

There being no further comments, Mayor Kujala closed the hearing.

**Commissioner Balensifer made the motion to conduct the first reading by title only of Ordinance No. 1204-A, Approving Application RZ-16-1 to rezone the properties abutting the north side of Highway 104 Spur between the Skipanon River and South Main Avenue from C-1 General Commercial to RH High Density Residential, based on the findings and**

**conclusions of the June 3, 2016 Gronmark remark rezone staff report and Planning Commission recommendation. Motion was seconded and passed unanimously.**

**Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye**

**Mayor Kujala conducted the first reading by title of Ordinance No. 1204-A; *“An ordinance amending the City of Warrenton Zoning map to reflect the rezoning of all tax lots fronting on the north side of Highway 104 Spur in the C-1 General Commercial zoning district in the SE of the ¼ of Section 28, Township 8 North, Range 10 West, WM, to RH High Density Residential, as illustrated on Application RZ 16-1 drawings, and adopting the findings and conclusions of the June 3, 2016 staff report.”***

Public Works Director Jim Dunn explained the Managing Oregon Resources Efficiently (MORE) Intergovernmental Agreement contract; a multi-agency IGA that allows Oregon’s public agencies to exchange services and resources. There are over 50 agencies involved in this IGA including Clatsop County as well Astoria.

City Attorney Snow noted concerns on paragraph 9 of the contract and has asked the City’s insurer to comment on it. He also noted the IGA includes loaning equipment.

**Commissioner Balensifer made the motion to approve the addition of the Managing Oregon Resources Efficiently (MORE) Intergovernmental Agreement contract to the City’s list of approved procurement agencies, pending insurance input. Motion was seconded and approved unanimously.**

**Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye**

Mayor Kujala opened the discussion on the consideration of engaging independent counsel for legal review of 8<sup>th</sup> Street dam matters. He noted for the record that his family owns property upstream from the dam. He stated there is no project at this time before the City Commission, this is simply a look at what the City’s legal rights and responsibilities are moving forward and also to engage counsel to assist in constructing a timeline. Commissioner Ackley noted for the record that she also has property in the affected area.

Discussion followed on the scope of work presented to the commission from Mr. Akin Blitz of Bullard Law. Also discussed was budgeting, where to pull the funds from and which steps to take first.

Commissioner Balensifer stated he supports compiling information to see where we are going, and there seems to be a lot of questions about who owns it. He also asked for clarification that consideration is on compiling the record, receive a budget, and have a separate vote on it.

Discussion continued on the cost, staff time and funding for the item. City Manager Pro tem

MINUTES

Warrenton City Commission

Regular Meeting - 7-12-16

Page: 5

Engbretson also voiced her concerns over the budget for this issue and discussion continued on how/where to budget for this. Discussion followed on the scope of work and the need for discovery/clarification on the easement. Mayor Kujala suggested that they engage Akin Blitz and bring back the budget discussion at the next meeting.

**Commissioner Ackley made the motion to authorize engagement of Akin Blitz, Bullard Law, to oversee the compilation of factual documentation related to the 8<sup>th</sup> Street Dam as outlined in the Scope of Work presented. Motion was seconded and approved unanimously.**

**Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye**

City Manager Pro tem Engbretson reviewed the City of Warrenton Charter that requires the City Commission to adopt a resolution of its intent to appoint a new City Manager.

Mayor Kujala noted that the Commission also needs to give the City Manager Pro tem authority to move forward on upcoming personnel matters.

**Commissioner Balensifer made the motion to adopt Resolution No. 2467; “A Resolution of Intent to Appoint a Manager for the City of Warrenton.” Motion was seconded and approved unanimously.**

**Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye**

**Commissioner Balensifer made the motion to authorize the City Manager Pro tem authority to preside over personnel matters. Motion was seconded and approved unanimously.**

**Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye**

Mayor Kujala stated he had a discussion with City Manager Pro tem Engbretson regarding her salary, retroactively to July 1<sup>st</sup>, making it the same as the previous City Manager’s starting salary from July 2011.

**Commissioner Ackley made the motion to approve the adjustment to the City Manager Pro tem’s salary to be the same as the previous City Manager’s salary from July 2011. Motion was seconded and approved unanimously.**

**Dyer – aye; Newton – aye; Ackley – aye; Balensifer – aye; Kujala - aye**



PUBLIC COMMENT

Bert Little stated his concerns about the 8th Street dam, citing erosion problems along the bank of the Skipanon River since the tide gates were removed several years ago.

Mindy Little voiced her concerns regarding the handling of the 8<sup>th</sup> Street dam and the impact to properties if it is removed.

Pat O'Grady stated concerns regarding the handling of the 8<sup>th</sup> Street dam.

There being no further business Mayor Kujala adjourned the meeting at 7:40p.m.

APPROVED:

---

Mark Kujala, Mayor

ATTEST:

---

Dawne Shaw, Administrative Assistant

5-B

MINUTES  
WARRENTON CITY COMMISSION  
WORK SESSION – July 12, 2016

5:15 p.m.

Warrenton City Hall - Commission Chambers  
225 S. Main  
Warrenton, OR 97146

Mayor Mark Kujala convened the work session at 5:15 p.m.

Commissioners Present: Pam Ackley, Mayor Mark Kujala, Henry Balensifer, Tom Dyer, Rick Newton

Staff Present: City Manager Pro tem Linda Engbretson, City Attorney Harold Snow, Police Chief Mathew Workman, Public Works Director James Dunn, Fire Chief Tim Demers, Finance Director April Clark, Community Development Director Skip Urling, Wastewater Treatment Superintendent Kyle Sharpsteen, Harbor Master Keith Pinkstaff, Assistant Harbor Master Jane Sweet, Public Works Foreman Craig Walter, Library Site Manager Nettie-Lee Calog and Administrative Assistant Dawne Shaw

**Purpose of Work Session – Dept. Head Updates on Projects**

Harbor Master Keith Pinkstaff gave an update on the marina projects which include the F dock and inner basin work, and also a job with Sandridge Construction to level off the peninsula; he noted the derelict vessel program, of which Jane Sweet is part of the task force; there are currently between 8 -12 derelict vessels at this time. At the Hammond Marina the Corps lease acquisition is in progress and there is a required survey that needs to be completed. Harbor Master Pinkstaff stated that he will also be working on updating the dredge permit, so more dredging can be done; he said that the new floats will be assembled sometime next year and also noted that Buoy 10 is coming up. He also mentioned that we need to keep Hammond task force up to date. The Urban Renewal marina improvement project bid will be presented this evening during the URA meeting.

Public Works Director Jim Dunn gave an update on the public works activities, stating that the department has been very busy this summer; he has extended their seasonal employee and he will be interviewing for the GIS position this week; he also noted the number of water service installs and repairs to water lines; the sewer crew is working to add backup power to lift stations; staff mows 110 miles of dikes, right of ways and trails each summer. Upcoming projects include 3 recent bid openings for streets - Delaura Beach Trail, SW 3<sup>rd</sup> and overlay projects; they have also been working on tide gates/repairs. Challenges are a leaky system, with a 30% water loss and 50% I&I on the sewer side, which are problems that have been going on for a long time and are costing lots of money; the recently approved rate increases will help improve the system over time; the Department of Health completed a Capacity Assessment and has identified our water loss. We will have to install meters and repair some leaks on our raw water line at WWTP and also will need to update water system plan, which is due by end of 2017; he stated that he is doing an in-house vulnerability assessment, which is required due to the Capacity Assessment.

He continued to discuss the effects of the treatment plant I&I issue and the need to upgrade capacity in the future. Discussion continued on the effects of industry growth on the treatment plant capacity. Mayor Kujala also mentioned an ongoing discussion with the Lower Columbia Youth Association about possible expansions out at the soccer fields.

Community Development Director Skip Urling presented his department update – FEMA issued draft updates to the flood maps and discussed some of the changes; he also noted there is a meeting with FEMA on Aug. 15 in Seaside to talk about these changes; He stated that he will begin to work on the Building/Planning web page. Also discussed was that Walmart submitted a request for an extension on land use entitlements, with a building permit extension expected shortly; he has started working on the assessments for the housing authority; Lifeflight wants to build another hangar; he will be putting together an RFP for design and installation of the bulb outs on Main Ave and is also looking at landscaping possibilities for the SE corner of Hwy 104 & Main; he is currently working on the Quincy property/ wetlands area to get it ready for the real estate market; Pacific Seafoods should be acquiring their Corps permits soon and should be moving forward. He also anticipates a subdivision application (“Roosevelt”) that will be going in to the East of the Sheriff’s office; there is a meeting scheduled for this Thursday with Mr. Olstedt and Mr. Nygaard regarding the emergency access for Forest Ridge. Also noted was the temporary access to Chokeberry. The Planning Commission will make a decision on the duplexes on Kalmia at this Thursday’s meeting. Other ongoing projects noted were the North Coast Business Park, Larsen’s tiny homes and Sturgeon Paul’s mini storage. He also stated that he received a phone call from a facilities manager at Fort Stevens regarding adding 150 new camping spaces and the discussion continued on their water/sewer rate and possible SDC’s for the new spaces.

Fire Chief Tim Demers gave an update and noted they average 95 – 100 calls per month. They have 11 new volunteers, which brings them up to 38 at this point. They have started plans for the Christmas food boxes; they are preparing for wildfire season and preparing for the possibility of sending someone out to fight those fires and working with other area departments to back each other up. The aerial truck is expected to be here mid-December. They are trying to trim calls down and compact response which includes working with Medix and the care facilities to help trim calls down and tier their response. He stated they have been talking about students and currently have one intern through the GI Bill and he will be back in August. Also noted was the rehab/repair the roof in the Hammond station. They are currently working on equipment maintenance/testing. They spend about \$32,000 a year on equipment maintenance. Discussion continued on talks with Camp Rilea on the ability to train out there without cost.

Library Site Manager Nettie-Lee Calog discussed the summer reading program which has 80 kids signed up. Brief discussion continued on the lunch program. There is a competition with Astoria and Seaside to see which community reads the most and Warrenton is way ahead. She also noted that due to the current condition of the library building they are searching for a temporary building, noting that it may be possible to use the empty office space in the KAST building. Discussion continued on the cost to finish the space and the rent/lease cost. She stated she would like to see a public meeting to get input on a new building. She also noted that the library levy is up next year; and she is working on the library web page.

Finance Director April Clark noted that they have been busy with audit preparation; also working on Urban Renewal funding for the projects that are going on; they have been cross training due to upcoming maternity leave of a staff member and there is a lot of training and learning throughout the department. Brief discussion continued on the contract for the auditors.

Police Chief Mathew Workman stated there are no current projects and they are back to status quo with replacing vehicles; he hopes to hire a Sergeant in the near future. He went into further detail about the new vehicle they will be getting; they are also preparing for Buoy 10 season; he noted that the 4<sup>th</sup> of July went well and there is a WBA/Regatta concert coming up.

Mayor Kujala thanked the Department Heads for giving updates to the Commission, noting that it is very helpful.

There being no further business, Mayor Kujala adjourned the work session at 6:05 p.m.

APPROVED

ATTEST

\_\_\_\_\_  
Mark Kujala, Mayor

\_\_\_\_\_  
Dawne Shaw, Administrative Assistant

5-C



**WARRENTON POLICE DEPARTMENT**  
**JUNE 2016 STATISTICS**  
 JULY 26, 2016



**News & Events:**

- On June 30<sup>th</sup> Chief Workman and Chief Demers met with members of the WBA to discuss the upcoming Concert in the Park on August 12<sup>th</sup>. Several issues were discussed as well as various solutions or ways to address them. Both of the Chiefs are satisfied with the solutions and will continue to prepare for the event.
- A cut fiber-optic line here in Clatsop County and a vandalized line in Long View caused the outage of all 9-1-1 service for the county as well as phone line and internet service for many people. The 9-1-1 outage created a very bad situation and called for some creative solutions. Two Verizon cell phones were taken to Astoria Dispatch to allow them to take calls for service, including emergencies. WPD officers then took flyers around the various Warrenton businesses and facilities advising them what numbers to call until 9-1-1 service was restored. 9-1-1 service was restored later in the afternoon/evening.
- The 4<sup>th</sup> of July holiday was busy but had no major events for the police. Officer Pierce went to Seaside at 6:00pm and helped them until around 2:00pm with their extremely large event they have each year. SPD continues to be very short-handed but is slowly adding more officers.
- On July 12<sup>th</sup> Chief Workman met with Warrenton Elementary School Nurse to discuss their special-needs students and working more with the department to help these students and their families with police interactions, school responses, etc.
- On July 20<sup>th</sup> Chief Workman met with the new director of Clatsop Behavior Health Amy Barker to be introduced.

<b>June Statistics</b> (% changes are compared to 2016)							
<b>Category</b>	<b>2016</b>	<b>2015</b>	<b>% Chg</b>	<b>2014</b>	<b>% Chg</b>	<b>2013</b>	<b>% Chg</b>
Calls for Service	696	706	-1%	755	-8%	632	10%
Incident Reports	166	131	27%	139	19%	118	41%
Arrests/Citations	83	77	8%	114	-27%	17	388%
Traffic Events	179	114	57%	235	-24%	217	-18%
DUII Calls	3	2	50%	0	300%	1	200%
Traffic Accidents	14	35	-60%	20	-30%	42	-67%
Property Crimes	92	71	30%	127	-28%	68	35%
Disturbances	62	56	11%	188	-67%	131	-53%
Drug/Narcotics Calls	4	5	-20%	10	-60%	10	-60%
Animal Complaints	29	34	-15%	32	-9%	58	-50%
Officer O.T.	57	183.5	-69%	73.25	-22%	104	-45%
Reserve Hours	55.5	78	-29%	53.75	3%	153.5	-64%

Category	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Calls for Service	637	647	716	685	737	696			
Incident Reports	124	125	143	132	160	166			
Arrests/Citations	64	69	111	88	113	83			
Traffic Events	254	231	260	279	249	179			
DUII Calls	2	3	5	2	7	3			
Traffic Accidents	16	15	13	24	21	14			
Property Crimes	46	68	92	39	58	92			
Disturbances	66	58	73	62	76	62			
Drug/Narcotics Calls	8	4	6	3	8	4			
Animal Complaints	19	18	27	30	29	29			
Officer O.T.	148.25	236.75	107.5	45	55.75	57			
Reserve Hours	30	82	57	125	65	55.5			

Oct	Nov	Dec	2016 YTD	2016 Estimate	2015	2016 v 2015	2014	2016 v. 2014	2013	2016 v. 2013
			4118	8236	8239	0%	8317	-1%	7132	15%
			850	1700	1749	-3%	1515	12%	1364	25%
			528	1056	925	14%	994	6%	841	26%
			1452	2904	2353	23%	2220	31%	2075	40%
			22	44	15	193%	14	214%	33	33%
			103	206	291	-29%	408	-50%	498	-59%
			395	790	805	-2%	1374	-43%	1312	-40%
			397	794	781	2%	1359	-42%	1372	-42%
			33	66	42	57%	80	-18%	69	-4%
			152	304	311	-2%	318	-4%	329	-8%
			650.25	1300.5	1249	4%	997.5	30%	999	30%
			414.5	829	901.75	-8%	804.75	3%	1016	-18%

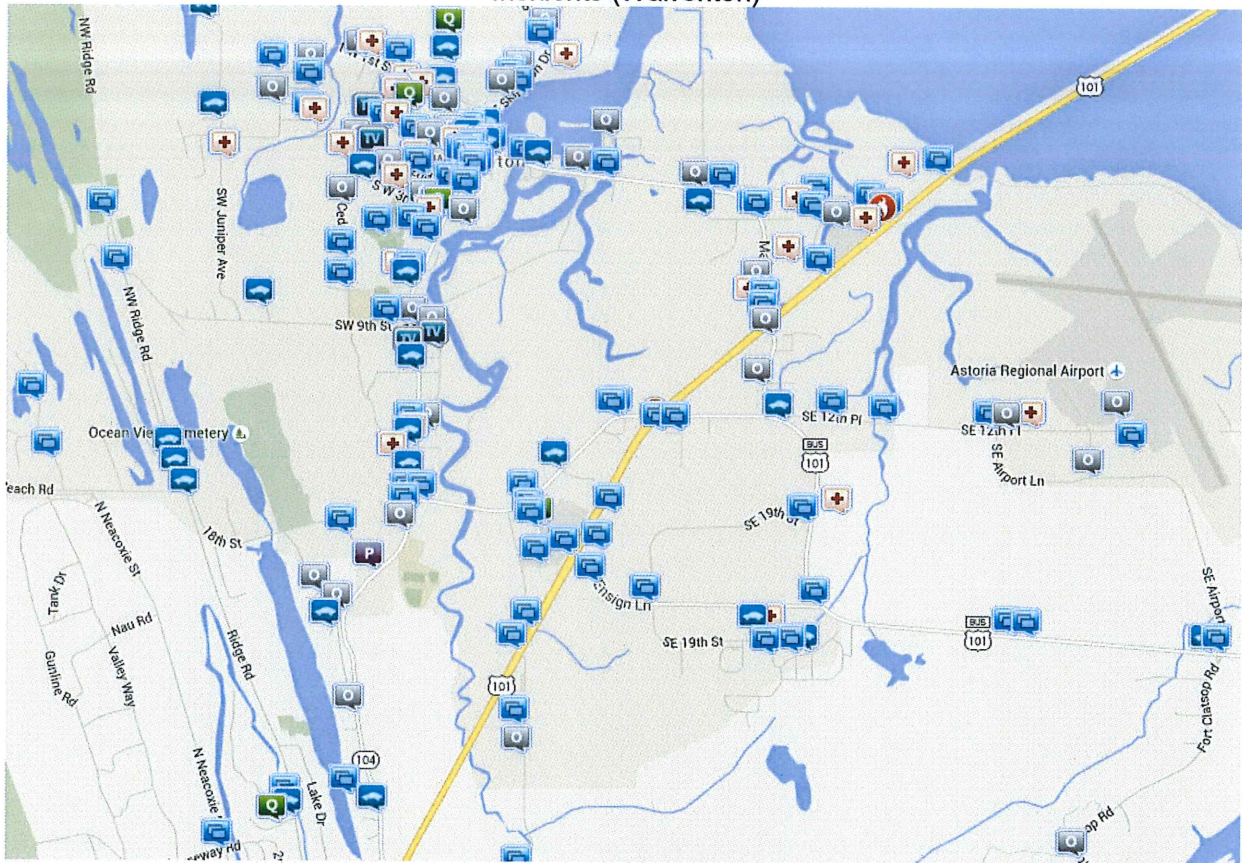
The following is a graphic representation of statistics for June 2016 using our CrimeReports.com membership.

Incident Layers

Choose incident types to view:  SELECT ALL |  DESELECT ALL

- Breaking & Entering
- Homicide
- Robbery
- Theft
- Theft of Vehicle
- Theft from Vehicle
- Vehicle Recovery
- Sexual Offense
  - Other Sexual Offense
  - Sexual Assault
- Assault
  - Assault
  - Assault with Deadly Weapon
- Property Crime
  - Property Crime Commercial
  - Property Crime Residential
- Other
  - Alarm
  - Arson
  - Death
  - Family Offense
  - Kidnapping
  - Missing Person
  - Other
  - Weapons Offense
- Quality of Life
  - Disorder
  - Drugs
  - Liquor
- Traffic
  - Fire
  - Emergency
  - Proactive Policing
    - Community Policing
    - Pedestrian Stop
    - Vehicle Stop
- Sex Offenders

Incidents (Warrenton)



Incidents (Hammond)





# Warrenton Fire Department

P.O. Box 250 Warrenton, OR 97146-0250 503/861-2494 Fax 503/861-2351

5-D

## STAFF REPORT

**Date:** July 26, 2016  
**To:** The Members of the Warrenton City Commission  
Linda Engbretson, City Manager Pro-tem  
**From:** Tim Demers, Fire Chief  
**Re:** Fire Department Activity Report for **June, 2016**

---

### **June, 2016 Emergency Response Activity -**

The Warrenton Fire Department responded to 95 emergency calls during the month of June, 2016. The department responded to 73 EMS (emergency medical service) calls, 11 motor vehicle crashes, and 5 service calls. There were Six (6) reportable fires during the month. Service calls include alarm activations with no fire, false alarms, hazardous conditions, good intent calls, public assists, etc. An average of 5 volunteers responded per call throughout the month. During the month of June, 2016, 62.1%, or 59 of the calls were during daytime hours between 6:00 a.m. and 6:00 p.m. The other 36 calls, or 37.9%, were during the night, between the hours of 6:00 p.m. and 6:00 a.m.

### **June, 2016 Training –**

The department held 4 regularly scheduled Wednesday evening training sessions during the month of June, with an average attendance of 15 volunteers per drill. The department offered 5 additional training sessions during the month of June.

### **1<sup>st</sup> Live-fire training, “Burn-to-Learn” 66 SE 13<sup>th</sup> St.**

**Instructors: Capt. Shepherd, Chief Demers**

### **8<sup>th</sup> EMS – Annual CPR renewal training**

**Instructors: Capt. Shepherd, Chief Demers, Lt. Daughtery**

***Firefighter’s Association Business Meeting***

### **15<sup>th</sup> Wildland fire skills training, Camp Kiwanilong**

**Instructors: Capt. Penno, FF Watson**



**Recruit firefighter training – Orientation, PPE**

**Instructor: Capt. Shepherd**

**22<sup>nd</sup> Wildland fire skills training, Ft. Stevens**

**Instructors: Capt. Penno, FF Watson**

**Recruit firefighter training –Apparatus, SCBA**

**Instructor: Capt. Shepherd**

**29<sup>th</sup> Boat fire operations, Warrenton Marina**

**Instructors: Capt. Shepherd, Capt. Penno, FF Watson**

“Making a difference through excellence of service”



CITY OF WARRENTON

6 -A

# AGENDA MEMORANDUM

TO: The Honorable Mayor and Warrenton City Commissioners

FROM: Linda Engbretson, CMC, City Manager Pro Tem

DATE: July 26, 2016

RE: STREET VACATION PETITION NO. 148 - Leonard A. Mossman - A Portion of  
NW Gardenia Avenue

## SUMMARY/STAFF REPORT

The City Commission set this public hearing on the proposed vacation of a portion of NW Gardenia Avenue in the City of Warrenton.

I have reviewed the application, and as noted when initially presented to you, the petition is complete. All abutting and the required affected area property owners have supplied *Affidavits of Consent*. A copy of the full petition and staff (Fire, Public Works, and Planning) remarks are attached. Public Notice and posting was done according to Oregon State Statutes.

## RECOMMENDATION

After taking public testimony, if there is no reason why this vacation should not proceed and the Commission chooses to approve the vacation, staff recommends you conduct the first reading of Ordinance No. 1207, by title; *Ordinance No. 1207A, Vacating a Portion of NW Gardenia Avenue in Warrenton, Oregon*.

## ALTERNATIVE

To deny the petition in whole or in part.

## FISCAL IMPACT

The Street Vacation Application Fee of \$600.00 has been paid by the petitioners to cover publishing and recording costs. The property is placed on the tax rolls.

## LEGISLATIVE PUBLIC HEARING PROCEDURE

This is the time set for a public hearing on consideration of Street Vacation Petition No. 148, petitioner Leonard A Mossman, for vacation of a portion of NW Gardenia Avenue.

1. **OPEN PUBLIC HEARING**

2. **DECLARATION OF CONFLICTS OF INTEREST**

Mayor calls for any conflict of interest from Commission members.

3. **STAFF REPORTS**

Mayor asks the City Manager or appropriate staff to make presentation or report.

4. **PUBLIC TESTIMONY**

Mayor requests speaker come to microphone and state name for the record.

Proponents

Opponents

5. **CLOSE PUBLIC HEARING**

6. **RECOMMENDATIONS FROM STAFF**

Mayor asks for any additional comments or presentation from the City Manager or Staff.

7. **COMMISSION DELIBERATES**

Commission deliberates towards decision.

8. **DECISION**

Motion required.

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

Fee: \$600.00

<u>Petitioner</u>	<u>Petitioner's Representative</u>
Name: <b>LEONARD A. MOSSMAN</b>	Name:
Mailing Address: <b>683 NW 9<sup>TH</sup> ST. WARRENTON, OR 97146</b>	Mailing Address:
Phone Number: <b>503-791-0304</b>	Phone Number:
Email Address: <b>MOSSMANS@MSN.COM</b>	Email Address:
<p>1. A description of the right-of-way area to be vacated. (Don't forget to include a map highlighting the area. A survey or professionally developed legal description is required).</p> <p><b>THAT PORTION OF NW GARDENIA AVE, NORTH OF NW 9<sup>TH</sup> ST. BETWEEN THE RESIDENCES OF THE MOSSMAN FAMILY (683 NW 9<sup>TH</sup>) AND THE BUSSETT FAMILY (915 NW GARDENIA). "THE PROPERTY THAT FALLS BETWEEN PARCEL 1 + PARCEL 2 OF P.P. 1998-034 WHICH IS A PORTION, TO BECOME A FURTHER PORTION OF NW GARDENIA</b></p>	
<p>2. Reason for the Vacation Request. (Advise if any buildings/structures will be in the area to be vacated).</p> <p><b>I WISH TO USE THE VACATED STREET, PORTION ON MY SIDE, TO BUILD A GARAGE NEXT TO MY RESIDENCE. THE CONSTRUCTION TO BE DONE AT A LATER DATE, (1 YEAR APPROX)</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. 100% of abutting property owners.</li><li>b. Two-thirds in area of real property affected by proposal. Refer to ORS Chapter 271 (attached).</li><li>c. List of all abutting and affected property owners, mailing addresses, and corresponding square footage of property owned.</li></ul>	

CONT  
BELOW  
↓

1.-CONT: "AVENUE, IMMEDIATELY NORTH OF NW 9<sup>TH</sup> STREET," AS FOUND ON CLATSOP COUNTY OREGON MAP 30-04. MAP 30-04 INCLUDED WITH AFFECTED/PROPOSED VACATION HIGHLIGHTED.

  
Petitioner

05/20/2016  
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: [cityrecorder@ci.warrenton.or.us](mailto:cityrecorder@ci.warrenton.or.us)

AFFIDAVIT

STATE OF OREGON )  
COUNTY OF CLATSOP )

R, Elizabeth M. Tagg

being the owners of the following real property: 710 NW 9th Street Farm

as a basis of the petition from LEONARDO MOSSMAN

do hereby consent to the vacation of a portion of GARDENIA STREET  
NORTH OF NW 9TH STREET BETWEEN THE RESIDENCES

as described: OF THE BUSSETT FAMILY (915 NW 9TH) AND  
THE MOSSMANS (683 NW 9TH) IN WARRENTON,  
CLATSOP COUNTY, OREGON.

Signature: E. Elizabeth M. Tagg Date: 4/29/16

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

On this 29<sup>th</sup> day of April, 2016, personally appeared before me, a  
notary public in and for the State of Oregon, the within named \_\_\_\_\_

Elizabeth Tagg acknowledged the following instrument to be \_\_\_\_\_  
voluntary act and deed.

Linda Mary Engbretson  
Notary Public for Oregon

My commission expires: 2/20/2017



AFFIDAVIT

STATE OF OREGON )  
COUNTY OF CLATSOP )

Cliff and Kenna Kay Bussert

being the owners of the following real property: 915 NW Gardenia St, Warrenton, OR 97146

as a basis of the petition from Leonard Mossman

do hereby consent to the vacation of a portion of Gardenia Street  
between the Busserts & the Mossmans  
as described: just north of NW 9th street.

Signature: Cliff Bussert Date: 4/19/16

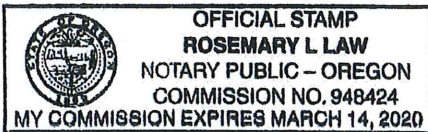
Signature: Kenna Kay Bussert Date: 4/19/16

On this 19 day of April, 2016, personally appeared before me, a notary public in and for the State of Oregon, the within named Cliff Bussert & Kenna Kay Bussert acknowledged the following instrument to be voluntary act and deed.

Rosemary L Law

Notary Public for Oregon

My commission expires: 3/14/2020





AFFIDAVIT

STATE OF OREGON )  
COUNTY OF CLATSOP )

George Martin Williams

being the owners of the following real property: 681 NW 9th  
St. Warrenton, OR 97146

as a basis of the petition from Leonard Mossman

do hereby consent to the vacation of a portion of Gardenia Street,  
North of 9th Street NW between  
as described: the Busserts + the Mossmans.

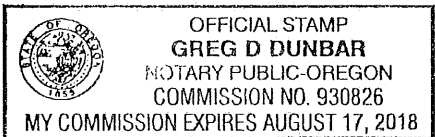
Signature: George Martin Williams Date: 04/12/2016

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

On this 12 day of April, 2016, personally appeared before me, a  
notary public in and for the State of Oregon, the within named real property owners  
George M. Williams acknowledged the following instrument to be a  
voluntary act and deed.

[Signature]  
Notary Public for Oregon

My commission expires: August 17, 2018



AFFIDAVIT

STATE OF OREGON )  
COUNTY OF CLATSOP )

Elizabeth Ann Williams

being the owners of the following real property: 681 NW 9th  
St, Warrenton, OR 97146

as a basis of the petition from Leonard Mossman

do hereby consent to the vacation of a portion of Gardenia Street,  
north of NW 9th Street between  
as described: the Busserts & the Mossmans.

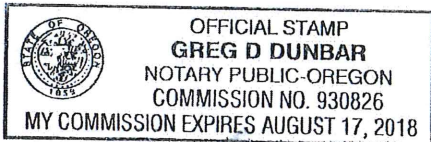
Signature: Elm Williams Date: 4-12-16

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

On this 12<sup>th</sup> day of April, 2016, personally appeared before me, a  
notary public in and for the State of Oregon, the within named real property owners  
Elizabeth A. Williams acknowledged the following instrument to be a  
voluntary act and deed.

Greg D Dunbar  
Notary Public for Oregon

My commission expires: August 17, 2018



## VACATION

ORS 271.080 – 271.230

**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 therefore 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.

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

**271.090 Filing of petition; notice.** The petition shall be presented to the city recorder or other recording officer of the city. If found by the recorder to be sufficient, the recorder shall file it and inform at least one of the petitioners when the petition will come before the city governing body. A failure to give such information shall not be in any respect a lack of jurisdiction for the governing body to proceed on the petition.

**271.100 Action by council.** The city governing body may deny the petition after notice to the petitioners of such proposed action, but if there appears to be no reason why the petition should not be allowed in whole or in part, the governing body shall fix a time for a formal hearing upon the petition.

**271.110 Notice of hearing.** (1) The city recorder or other recording officer of the city shall give notice of the petition and hearing by publishing a notice in the city official newspaper once each week for two consecutive weeks prior to the hearing. If no newspaper is published in such city, written notice of the petition and hearing shall be posted in three of the most public places in the city. The notices shall describe the ground covered by the petition, give the date it was filed, the name of at least one of the petitioners and the date when the petition, and any objection or remonstrance, which may be made in writing and filed with the recording officer of the city prior to the time of hearing, will be heard and considered.

(2) Within five days after the first day of publication of the notice the city recording officer shall cause to be posted at or near each end of the proposed vacation a copy of the notice which shall be headed, "Notice of Street Vacation," "Notice of Plat Vacation" or "Notice of Plat and Street Vacation," as the case may be; the notice shall be posted in at least two conspicuous places in the proposed vacation area. The posting and first day of publication of such notice shall be not less than 14 days before the hearing.

(3) The city recording officer shall, before publishing such notice, obtain from the petitioners a sum sufficient to cover the cost of publication, posting and other anticipated expenses. The city

recording officer shall hold the sum so obtained until the actual cost has been ascertained, when the amount of the cost shall be paid into the city treasury and any surplus refunded to the depositor. [Amended by 1991 c.629 s.1]

**271.120 Hearing; determination.** At the time fixed by the governing body for hearing the petition and any objections filed thereto or at any postponement or continuance of such matter, the governing body shall hear the petition and objections and shall determine whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and whether the public interest will be prejudiced by the vacation of such plat or street or parts thereof. If such matters are determined in favor of the petition the governing body shall by ordinance make such determination a matter of record and vacate such plat or street; otherwise it shall deny the petition. The governing body may, upon hearing, grant the petition in part and deny it in part, and make such reservations, or either, as appear to be for the public interest.

**271.130 Vacation on council's own motion; appeal.** (1) The city governing body may initiate vacation proceedings authorized by ORS 271.080 and make such vacation without a petition or consent of property owners. Notice shall be given as provided by ORS 271.110, but such vacation shall not be made before the date set for hearing, nor if the owners of a majority of the area affected, computed on the basis provided in ORS 271.080, object in writing thereto, nor shall any street area be vacated without the consent of the owners of the abutting property if the vacation will substantially affect the market value of such property, unless the city governing body provides for paying damages. Provision for paying such damages may be made by a local assessment, or in such other manner as the city charter may provide.

(2) Two or more streets, alleys, avenues and boulevards, or parts thereof, may be joined in one proceeding, provided they intersect or are adjacent and parallel to each other.

(3) No ordinance for the vacation of all or part of a plat shall be passed by the governing body until the city recording officer has filed in the office of the city recording officer or indorsed on the petition for such vacation a certificate showing that all city liens and all taxes have been paid on the lands covered by the plat or portion thereof to be vacated.

(4) Any property owner affected by the order of vacation or the order awarding damages or benefits in such vacation proceedings may appeal to the circuit court of the county where such city is situated in the manner provided by the city charter. If the charter does not provide for such appeal, the appeal shall be taken within the time and in substantially the manner provided for taking an appeal from justice court in civil cases. [Amended by 1995 c.658 s.101]

**271.140 Title to vacated areas.** The title to the street or other public area vacated shall attach to the lands bordering on such area in equal portions; except that where the area has been originally dedicated by different persons and the fee title to such area has not been otherwise disposed of, original boundary lines shall be adhered to and the street area which lies on each side of such boundary line shall attach to the abutting property on such side. If a public square is vacated the title thereto shall vest in the city. [Amended by 1981 c.153 s.58]

**271.150 Vacation records to be filed; costs.** A certified copy of the ordinance vacating any street or plat area and any map, plat or other record in regard thereto which may be required or provided for by law, shall be filed for record with the county clerk. The petitioner for such vacation shall bear the recording cost and the cost of preparing and filing the certified copy of the ordinance and map. A certified copy of any such ordinance shall be filed with the county assessor and county surveyor.

**271.160 Vacations for purposes of rededication.** No street shall be vacated upon the petition of any person when it is proposed to replat or rededicate all or part of any street in lieu of the original unless such petition is accompanied by a plat showing the proposed manner of replatting or rededicating. If the proposed manner of replatting or rededicating or any modification thereof which may subsequently be made meets with the approval of the city governing body, it shall require a suitable guarantee to be given for the carrying out of such replatting or rededication or may make any vacation conditional or to take effect only upon the consummation of such replatting or rededication.

**271.170 Nature and operation of statutes.** The provisions of ORS 271.080 to 271.160 are alternative to the provisions of the charter of any incorporated city and nothing contained in those statutes shall in anywise affect or impair the charter or other provisions of such cities for the preservation of public access to and from transportation terminals and navigable waters.

**271.180 Vacations in municipalities included in port districts; petition; power of common council; vacating street along railroad easement.** To the end that adequate facilities for terminal trackage, structures and the instrumentalities of commerce and transportation may be provided in cities and towns located within or forming a part of any port district organized as a municipal corporation in this state, the governing body of such cities and towns, upon the petition of any such port, or corporation empowered to own or operate a railroad, steamship or other transportation terminal, or railroad company entering or operating within such city or town, or owner of property abutting any such terminal, may:

- (1) Authorize any port commission, dock commission, common carrier, railroad company or terminal company to occupy, by any structure, trackage or machinery facilitating or necessary to travel, transportation or distribution, any street or public property, or parts thereof, within such city or town, upon such reasonable terms and conditions as the city or town may impose.
- (2) Vacate the whole or any part of any street, alley, common or public place, with such restrictions and upon such conditions as the city governing body may deem reasonable and for the public good.
- (3) If any railroad company owns or has an exclusive easement upon a definite strip within or along any public street, alley, common or public place, and if the city governing body determines such action to be to the advantage of the public, vacate the street area between the strip so occupied by the railroad company and one property line opposite thereto, condition that the railroad company dedicates for street purposes such portion of such exclusive strip occupied by it as the city governing body may determine upon, and moves its tracks and facilities therefrom onto the street area so vacated. The right and title of the railroad company in the vacated area shall be of the same character as previously owned by it in the exclusive strip which it is required by the city governing body to surrender and dedicate to street purposes.

**271.190 Consent of owners of adjoining property; other required approval.** No vacation of all or part of a street, alley, common or public place shall take place under ORS 271.180 unless the consent of the persons owning the property immediately adjoining that part of the street or alley to be vacated is obtained thereto in writing and filed with the auditor or clerk of the city or town. No vacation shall be made of any street, alley, public place or part thereof, if within 5,000 feet of the harbor or pierhead line of the port, unless the port commission, or other bodies having jurisdiction over docks and wharves in the port district involved, approves the proposed vacation in writing.

**271.200 Petition; notice.** (1) Before any street, alley, common or public place or any part thereof is vacated, or other right granted by any city governing body under ORS 271.180 to

271.210 the applicant must petition the governing body of the city or town involved, setting forth the particular circumstances of the case, giving a definite description of the property sought to be vacated, or of the right, use or occupancy sought to be obtained, and the names of the persons to be particularly affected thereby. The petition shall be filed with the auditor or clerk of the city or town involved 30 days previous to the taking of any action thereon by the city governing body.

(2) Notice of the pendency of the petition, containing a description of the area sought to be vacated or right, use or occupancy sought to be obtained, shall be published at least once each week for three successive weeks prior to expiration of such 30-day period in a newspaper of general circulation in the county wherein the city or town is located.

**271.210 Hearing; grant of petition.** Hearing upon the petition shall be had by the city governing body at its next regular meeting following the expiration of 30 days from the filing of the petition. At that time objections to the granting of the whole or any part of the petition shall be duly heard and considered by the governing body, which shall thereupon, or at any later time to which the hearing is postponed or adjourned, pass by a majority vote an ordinance setting forth the property to be vacated, or other rights, occupancy or use to be thereby granted. Upon the expiration of 30 days from the passage of the ordinance and the approval thereof by the mayor of the city or town, the ordinance shall be in full force and effect.


**271.220 Filing of objections; waiver.** All objections to the petition shall be filed with the clerk or auditor of the city or town within 30 days from the filing of the petition, and if not so filed shall be conclusively presumed to have been waived. The regularity, validity and correctness of the proceedings of the city governing body pursuant to ORS 271.180 to 271.210, shall be conclusive in all things on all parties, and cannot in any manner be contested in any proceeding whatsoever by any person not filing written objections within the time provided in this section.

**271.230 Records of vacations; fees.** (1) If any town or plat of any city or town is vacated by a county court or municipal authority of any city or town, the vacation order or ordinance shall be recorded in the deed records of the county. Whenever a vacation order or ordinance is so recorded, the county surveyor of such county shall, upon a copy of the plat that is certified by the county clerk, trace or shade with permanent ink in such manner as to denote that portion so vacated, and shall make the notation "Vacated" upon such copy of the plat, giving the book and page of the deed record in which the order or ordinance is recorded. Corrections or changes shall not be allowed on the original plat once it is recorded with the county clerk.

(2) For recording in the county deed records, the county clerk shall collect the same fee as for recording a deed. For the services of the county surveyor for marking the record upon the original plat, the county clerk shall collect a fee as set by ordinance of the county governing body to be paid by the county clerk to the county surveyor. [Amended by 1971 c.621 s.31; 1975 c.607 s.31; 1977 c.488 s.2; 1979 c.833 s.30; 1999 c.710 s.12]

- [MapHome](#)
- [City Taxlots](#)
- [City Zoning Districts](#)
- [FEMA Flood Zones](#)
- [City Wetland Inventory](#)
- [LiDAR Contours](#)
- [Warrenton Water](#)
- [Sewer and Storm](#)
- [Wa W: Dis](#)



 [Advanced search](#) [Overview map](#) [Legend](#) [Lists](#) [Print](#) [Helpful Tips](#)

→FIRE DEPARTMENT:

Describe any access issues affected by proposed vacation.

Other:

---

Fire Department

Date

→PLANNING DEPARTMENT:

Possible future needs of this right-of way. *Tagg owns TL 100 which straddles the Gardena ROW. She would continue to have access from the 10th St ROW and from the County owned 9th St west of Gardena.*

Will the vacation of this right-of way landlock any tax lots?

*It appears not.*

Other:

*S.P.*  
Planning Department

*6/10/14*  
Date





# Warrenton Fire Department

P.O. Box 250 Warrenton, OR 97146-0250 503/861-2494 Fax 503/861-2351

## MEMORANDUM

**Date:** June 09, 2016

**To:** Linda Engbretson, City Recorder

**From:** Tim Demers, Fire Chief TD

**Re:** Mossman request for street vacation NW Gardenia Avenue

---

The Fire Department would not be in favor of vacating a portion of NW Gardenia Avenue. Even though it is undeveloped it would narrow the possibility to put a full size street in later. It would also invite the creation of flag lots. These lots use common driveways that most often will not allow Fire Apparatus access and are therefore unacceptable to us. As you know many of the streets in Warrenton are already narrow and don't give our Fire Apparatus a lot of room to work.

*Jim*

DEPARTMENT REPORT

Street Vacation Petition No: 148

Leonard Mossman (Applicant)  
NAME

Vacation of Portion of NW Gardenia Ave.

is hereby requested.

Please note below any issues related to this proposed street vacation -

→PUBLIC WORKS:

Are there any utilities located in this right-of-way?

Utilities locate 6/14/2016  
DATE

✓ YES             NO

*phone and Gas  
No City Utilities*

Is the right-of-way used for drainage?

Other: *We are aware of one development that has discussed using ROW for future utilities and access.*

*J D* 6/13/2016  
Public Works      Date

ORDINANCE NO. 1207

INTRODUCED BY COMMISSIONER: \_\_\_\_\_

VACATING A PORTION OF NW GARDENIA AVENUE  
IN WARRENTON, OREGON

WHEREAS, The Warrenton City Commission deems it to be in the best interest of the City to vacate A portion of NW Gardenia Avenue in the City of Warrenton, County of Clatsop, State of Oregon; and

WHEREAS, the applicant, Leonard A. Mossman, has petitioned the Warrenton City Commission for vacation of this portion of NW Gardenia; and

WHEREAS, the Warrenton City Commission determined there is no reason why said petition should not be granted and, therefore, a public hearing on the petition was held at the hour of 6:00 p.m. on July 26, 2016, 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, and the Warrenton City Commission examined and determined that the abutting property owner of that portion to be vacated was the property owner and that the owners of a majority of the area affected made no objections; and that the public interest would not be prejudiced by vacation of that portion of the street right-of-way described above, which the petitioner requested be vacated; and that matters having been determined in favor of the petition by the Warrenton City Commission,

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

**Section 1.** That portion of public right-of-way known as NW Gardenia Avenue in the City of Warrenton, Clatsop County, State of Oregon, described as:

The property that falls between Parcel 1 and Parcel 2 of P.P. 1998-034 which is a portion, to become a former portion, of NW Gardenia Avenue, immediately north of NW 9<sup>th</sup> Street as found on Clatsop County Oregon Map 8 10 16BD

is 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 August, 2016.

First Reading: July 26, 2016  
Second Reading: August 9, 2016

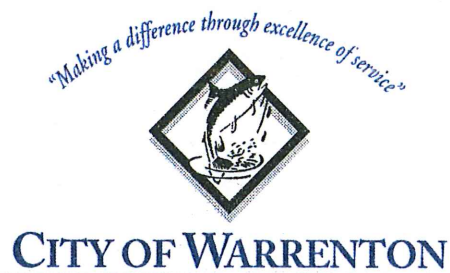
APPROVED:

\_\_\_\_\_  
Mark Kujala, Mayor

ATTEST:

\_\_\_\_\_  
Linda Engbretson, CMC  
City Recorder

L-B



## AGENDA MEMORANDUM

TO: The Mayor and Warrenton City Commission  
FROM: Linda Engbretson, CMC, City Manager Pro Tem  
DATE: July 26, 2016  
SUBJ: Non Profit Business License Exemption

### SUMMARY

The City received a request from Warrenton High Fisheries, Inc., (WarHF) for waiver/exemption from the City's Business License fee. City of Warrenton Municipal Code, Title 5, Business Licenses and Regulations, Chapter 5.04.020 C allows a refund of the license fee following the filing of an exemption, which is approved by the Warrenton City Commission. Warrenton High Fisheries, Inc., is a qualified nonprofit organization. Warrenton High Fisheries paid the Business License fee in February of this year, and the City has sent out renewal letters. The code states that once an exemption is granted, such organizations are not required to pay the license in subsequent years.

It is my recommendation the City refund Warrenton High Fisheries, Inc., the business license fee they paid for Fiscal Year 2015-2016 and that they are granted the exemption going forward.

Commissioner Balensifer suggested the City look at changing the requirement for organizations such as this to file for a business license. It is my understanding the requirement to file was to ensure these businesses are recognized as members of the Warrenton Business Association; however, the policy could be improved and staff has identified a number of other updates that may be appropriate to our business license regulations which we plan to bring to you at a later date.

**RECOMMENDATION/SUGGESTED MOTION**

*“ I move to refund the FY 2015-2016 business license fee paid by Warrenton High Fisheries, Inc., and grant them an exemption from the annual fee in subsequent years as long as WarHF continues as a qualified nonprofit.”*

**ALTERNATIVE**

Other action as deemed appropriate by the City Commission

**FISCAL IMPACT**

Refund of \$60.

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

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

## April Clark

---

**From:** Mike Balensifer <nonfinn@gmail.com>  
**Sent:** Tuesday, July 12, 2016 8:33 PM  
**To:** April Clark  
**Subject:** Business License Renewal

Hello,

I am the Secretary/Treasurer of WarHF, Inc., which is short for Warrenton High Fisheries, Inc. We are the nonprofit that maintains the Warrenton High School Fisheries Program. We have no paid staff, and have a very small budget that goes towards improving the facilities and ensuring the continuation of the Warrenton High School Fisheries Program. In February, we submitted payment and a business license application after becoming aware that non-profit's must register with the City of Warrenton as a business, with that we also sent in a letter addressed to the City Manager requesting an exemption under city code from having to pay a business license fee. We have not heard back from the City in regards to that matter and wish to receive clarification if our request would be honored before renewing the current request received in the mail and due July 15. We understand most nonprofits do not register, but we wish to ensure a positive working relationship with the City.

Thank you in advance.

Sincerely,

Michael Balensifer  
Secretary/Treasurer  
WarHF, Inc.

## Warrenton Municipal Code

Warrenton,  
Oregon



Current through Ordinance 1200-A and the April 2016 code supplement. For more recent amendments to this code, refer to the [CodeAlert](#) page.

This document is provided for informational purposes only. Please read the full [disclaimer](#).

- [Main Table of Contents](#)
- [Search](#)
- [Ordinance List](#)
- [Statutory References](#)
- [CodeAlert - Recently Passed Ordinances](#)

### Links:

- [Warrenton, Oregon - Home Page](#)

Contact:

## Warrenton Municipal Code

[Up](#) [Previous](#) [Next](#) [Main](#) [Search](#) [Print](#) [No Frames](#)

[Title 5 BUSINESS LICENSES AND REGULATIONS](#)

[Chapter 5.04 BUSINESS LICENSE FEE](#)

### 5.04.020 Exclusions.

A. No person whose income is based solely on an hourly, daily, weekly, monthly or annual wages or salary shall, for the purpose of this chapter, be deemed a person transacting or carrying on any business in said City. It is the intention that all license fees herein shall be borne by the employer of the person for the privilege of doing business in the City of Warrenton.

B. Nothing in this chapter shall be construed to apply to any person transacting and carrying on any business within the City which is exempt from such license fee or regulation of the City by virtue of either the Constitution or laws of either the United States of America or State of Oregon.

C. Any religious, fraternal, or charitable organization may receive a refund of the license fee under this chapter following the filing of an exemption which must be approved by the City Commission. Such organizations which have once been granted an exemption are not required to pay the license fee in subsequent years, if a certification has been filed that the character or nature of the activity has not changed. (Ord. 857-A § 2, 1989)

View the [mobile version](#).





# Warrenton Fire Department

P.O. Box 250 Warrenton, OR 97146-0250 503/861-2494 Fax 503/861-2351

6-C

## AGENDA MEMORANDUM

**To:** The Honorable Mayor and Members of the Warrenton City Commission

**Copy:** Linda Engbretson, City Manager Pro-tem

**From:** Tim Demers, Fire Chief

**Date:** July 26, 2016

**Regarding:** 2016 - 2017 Fire Dispatch Services Agreement

---

### **Summary**

The Warrenton Fire Department contracts with the Astoria Police Department for Fire dispatch services. Each year the City must sign a "Subscriber Agreement" with the City of Astoria to set the terms and conditions to provide these services. Historically the agreement is signed by the respective City Mayor and City Manager.

### **Recommendation / Suggested Motion**

Approve the 2016 – 2017 Fire Dispatch Services Agreement and have it signed by the Mayor and City Manager.

*I move to approve the Fire Dispatch Services Agreement with the City of Astoria for Fiscal Year 2016 – 2017 and to have the Mayor and City Manager sign the agreement.*

### **Alternative**

None.

### **Fiscal Impact**

The fiscal year 2016 – 2017 Dispatch Services Agreement will cost the City \$ 25,150. This is an increase of \$ 5,291 (~21.1%) from \$19,859 in fiscal year 2015 – 2016.

### **Attachments**

Two (2) copies of the 2016 – 2017 Fire Dispatch Services Agreement.

A G R E E M E N T

FIRE DISPATCH SERVICES

THIS AGREEMENT is entered into on the 1st day of July, 2016 by and between the City of WARRENTON, hereinafter called "WARRENTON", and the CITY OF ASTORIA, a municipal corporation and hereinafter called "Astoria," both of Clatsop County, Oregon.

WARRENTON and Astoria enter into this agreement because the Astoria Police Radio Communications Center, hereinafter called "Dispatch Center", has the staff and facilities to provide emergency radio dispatch service to WARRENTON, and WARRENTON has the necessary funds to pay Astoria for services performed under this agreement.

Nothing in this agreement shall be interpreted to cause the City of Astoria to violate any rules and regulations set forth by the United States of America Federal Communications Commission.

I.

SERVICES TO BE PROVIDED BY ASTORIA

A. Basic Services

Astoria shall provide WARRENTON with twenty-four (24) hour emergency dispatch service. This will include:

1. Answering service for WARRENTON emergency incoming telephone lines;
2. Advising appropriate agency by means of radio of services requested by the public;
3. Answering radio calls for service and provide appropriate information to authorized personnel;
4. Maintaining a log of citizen-called-for services;
5. Providing teletype service to authorized personnel;
6. Provide communications equipment infrastructure maintenance for all equipment licensed by the FCC to Astoria 911 not including end user equipment.

Astoria shall retain control of its Dispatch Center Personnel and their performance of services under this agreement. All such personnel performing services for the City of Astoria pursuant to this agreement shall be Astoria employees.

II.

CONSIDERATION

- A. For the service provided by Astoria, WARRENTON agrees to a cost of \$25,150 for the period of July 1, 2016 to June 30, 2017.

The sum \$25,150 payment due on September 30, 2016

OR

1. For the period from the 1st day of July, 2016 to the 30th day of September, 2016, the sum of \$6,288; payment due on September 30, 2016;
2. For the period from the 1st day of October, 2016 to the 31st day of December, 2016, the sum of \$6,288; payment due on December 31, 2016;
3. For the period from the 1st day of January, 2017 to the 31st day of March, 2017, the sum of \$6,287; payment due on March 31, 2017;
4. For the period from the 1st day of April, 2017 to the 30th day of June, 2017, the sum of \$6,287; payment due on June 30, 2017.

III.

LIABILITY INSURANCE

Each party to this agreement represents to the other that it will have in effect at all times during this agreement liability insurance coverage which covers all sums that each shall be legally obligated to pay as damages for liability under the Oregon Revised Statutes 30.260 to 30.300, the Oregon Tort Claims Act.

IV.

TELEPHONE LINES

WARRENTON shall assume all costs for installation, maintenance, repair or rental for all emergency telephone lines originating from WARRENTON.

V.

TERM OF CONTRACT

This contract shall be effective from July 1, 2016 to June 30, 2017 and may be modified or renewed upon the consent of both parties. This contract may be terminated at any time by either party provided that the terminating party gives the other party at least ninety (90) days written notice.

VI.

ATTORNEY 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.

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

CITY OF ASTORIA

CITY OF WARRENTON


By \_\_\_\_\_  
Arline LaMear, Mayor

By \_\_\_\_\_

By \_\_\_\_\_  
Brett Estes, City Manager

By \_\_\_\_\_

APPROVED AS TO FORM

  
Astoria City Attorney

"Making a difference through excellence of service"



CITY OF WARRENTON

6-D

## AGENDA MEMORANDUM

TO: The Warrenton City Commission  
FROM: Mathew J. Workman, Chief of Police  
DATE: July 26, 2016  
SUBJ: 2016-2017 Police Dispatch Services Agreement

### SUMMARY

The Warrenton Police Department contracts with the Astoria Police Department for police dispatch services. Each year the City must sign a "Subscriber Agreement" with the City of Astoria to set the terms and conditions to provide these services. These services are budgeted in the FY 2016-2017 City Budget. Historically the agreement is signed by the respective City Mayor and City Manager from each City.

### RECOMMENDATION/SUGGESTED MOTION

Approve the 2016-2017 Police Dispatch Services Agreement and have it signed by the Mayor and City Manager.

*"I move to approve the Police Dispatch Services Agreement with the City of Astoria for Fiscal Year 2016 – 2017 and to have the Mayor and the City Manager sign the agreement."*

### ALTERNATIVE

None.

### FISCAL IMPACT

The FY 2016-2017 dispatch services will cost the City \$187,096, an increase of \$13,226 (7.5%) from \$173,870 in FY 2015-2016.

### ATTACHMENTS:

Two (2) copies of the 2016 – 2017 Police Dispatch Services Agreement.

Approved by City Manager:

*Linda Engelsen*  
*Pro tem*

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

A G R E E M E N T

POLICE DISPATCH SERVICES

THIS AGREEMENT is entered into on the 1st day of July, 2016 by and between the City of WARRENTON, hereinafter called "Warrenton", and the CITY OF ASTORIA, a municipal corporation and hereinafter called "Astoria," both of Clatsop County, Oregon.

Warrenton and Astoria enter this agreement because the Astoria Police Radio Communications Center, hereinafter called "Dispatch Center", has the staff and facilities to provide emergency radio dispatch service to Warrenton, and Warrenton has the necessary funds to pay Astoria for services performed under this agreement.

Nothing in this agreement shall be interpreted to cause the City of Astoria to violate any rules and regulations set forth by the United States of America Federal Communications Commission.

I.

SERVICES TO BE PROVIDED BY ASTORIA

A. Basic Services

Astoria shall provide Warrenton with twenty-four (24) hour emergency dispatch service. This will include:

1. Answering service for Warrenton police emergency incoming telephone lines;
2. Advising appropriate police agency by means of radio of services requested by the public;
3. Answering police radio calls for service and provide appropriate information to authorized personnel;
4. Maintaining a log of citizen-called-for services;
5. Providing teletype service to authorized personnel,
6. Provide communications infrastructure maintenance for all equipment licensed by the FCC to Astoria 911 not including end user equipment.

Astoria shall retain control of its Dispatch Center Personnel and their performance of services under this agreement. All such personnel performing services for the City of Astoria pursuant to this agreement shall be Astoria employees.

II.

CONSIDERATION

A. For the service provided by Astoria, Warrenton agrees to a cost of \$187,096 for the period of July 1, 2016 to June 30, 2017.

B. Warrenton shall pay Astoria as follows:

The sum \$187,096, payment due on September 30, 2016

OR

1. For the period from the 1st day of July, 2016 to the 30th day of September, 2016, the sum of \$46,774; payment due on September 30, 2016;
2. For the period from the 1st day of October, 2016 to the 31st day of December, 2016, the sum of \$46,774; payment due on December 31, 2016;
3. For the period from the 1st day of January, 2017 to the 31st day of March, 2017, the sum of \$46,774; payment due on March 31, 2017;

4. For the period from the 1st day of April, 2017 to the 30th day of June, 2017, the sum of \$46,774; payment due on June 30, 2017.

III.

LIABILITY INSURANCE

Each party to this agreement represents to the other that it will have in effect at all times during this agreement liability insurance coverage which covers all sums that each shall be legally obligated to pay as damages for liability under the Oregon Revised Statutes 30.260 to 30.300, the Oregon Tort Claims Act.

IV.

TELEPHONE LINES

Warrenton shall assume all costs for installation, maintenance, repair or rental for all emergency telephone lines originating from Warrenton.

V.

TERM OF CONTRACT

This contract shall be effective from July 1, 2016 to June 30, 2017 and may be modified or renewed upon the consent of both parties. This contract may be terminated at any time by either party provided that the terminating party gives the other party at least ninety (90) days written notice.

VI.

ATTORNEY 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.

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

CITY OF ASTORIA


CITY OF WARRENTON

By \_\_\_\_\_  
Arline LaMear, Mayor

By \_\_\_\_\_

By \_\_\_\_\_  
Brett Estes, City Manager

By \_\_\_\_\_

  
\_\_\_\_\_  
Astoria City Attorney

APPROVED AS TO FORM

A G R E E M E N T  
POLICE DISPATCH SERVICES

THIS AGREEMENT is entered into on the 1st day of July, 2016 by and between the City of WARRENTON, hereinafter called "Warrenton", and the CITY OF ASTORIA, a municipal corporation and hereinafter called "Astoria," both of Clatsop County, Oregon.

Warrenton and Astoria enter this agreement because the Astoria Police Radio Communications Center, hereinafter called "Dispatch Center", has the staff and facilities to provide emergency radio dispatch service to Warrenton, and Warrenton has the necessary funds to pay Astoria for services performed under this agreement.

Nothing in this agreement shall be interpreted to cause the City of Astoria to violate any rules and regulations set forth by the United States of America Federal Communications Commission.

I.

SERVICES TO BE PROVIDED BY ASTORIA

A. Basic Services

Astoria shall provide Warrenton with twenty-four (24) hour emergency dispatch service. This will include:

1. Answering service for Warrenton police emergency incoming telephone lines;
2. Advising appropriate police agency by means of radio of services requested by the public;
3. Answering police radio calls for service and provide appropriate information to authorized personnel;
4. Maintaining a log of citizen-called-for services;
5. Providing teletype service to authorized personnel,
6. Provide communications infrastructure maintenance for all equipment licensed by the FCC to Astoria 911 not including end user equipment.

Astoria shall retain control of its Dispatch Center Personnel and their performance of services under this agreement. All such personnel performing services for the City of Astoria pursuant to this agreement shall be Astoria employees.

II.

CONSIDERATION

A. For the service provided by Astoria, Warrenton agrees to a cost of \$187,096 for the period of July 1, 2016 to June 30, 2017.

B. Warrenton shall pay Astoria as follows:

The sum \$187,096, payment due on September 30, 2016

OR

1. For the period from the 1st day of July, 2016 to the 30th day of September, 2016, the sum of \$46,774; payment due on September 30, 2016;
2. For the period from the 1st day of October, 2016 to the 31st day of December, 2016, the sum of \$46,774; payment due on December 31, 2016;
3. For the period from the 1st day of January, 2017 to the 31st day of March, 2017, the sum of \$46,774; payment due on March 31, 2017;

4. For the period from the 1st day of April, 2017 to the 30th day of June, 2017, the sum of \$46,774; payment due on June 30, 2017.

III.

LIABILITY INSURANCE

Each party to this agreement represents to the other that it will have in effect at all times during this agreement liability insurance coverage which covers all sums that each shall be legally obligated to pay as damages for liability under the Oregon Revised Statutes 30.260 to 30.300, the Oregon Tort Claims Act.

IV.

TELEPHONE LINES

Warrenton shall assume all costs for installation, maintenance, repair or rental for all emergency telephone lines originating from Warrenton.

V.

TERM OF CONTRACT

This contract shall be effective from July 1, 2016 to June 30, 2017 and may be modified or renewed upon the consent of both parties. This contract may be terminated at any time by either party provided that the terminating party gives the other party at least ninety (90) days written notice.

VI.

ATTORNEY 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.

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

CITY OF ASTORIA

CITY OF WARRENTON


By \_\_\_\_\_  
Arline LaMear, Mayor

By \_\_\_\_\_

By \_\_\_\_\_  
Brett Estes, City Manager

By \_\_\_\_\_

APPROVED AS TO FORM

  
Astoria City Attorney





**Agenda Item Memorandum**

**TO:** The Honorable Mayor and Members of the Warrenton City Commission  
Linda Engbretson, City Manager

**From:** James Dunn, Public Works Director

**Date:** July 26, 2016

**Subj:** Award of Contracts for: Street Overlay Project 2016, Delaura Beach Lane – Bike Path, and SW 3rd Street Improvement Project

---

**Summary:**

On June 21<sup>st</sup> and June 28<sup>th</sup>, bid openings were held for the following project: Street Overlay Project 2016, Delaura Beach Lane Project, and the SW 3rd Street Improvement Project. Three contractors bid on these three projects and each contractor was the lowest responsive bidder on one of the three projects.

Attached to this Commission Memo are the bid summaries for each project.

**Recommendation**

Staff recommends the following motions;

“I move to approve awarding contracts to

Bayview Transit

for the amount of \$257,885.00 for the Street Overlay Project 2016, and

Pacific Excavation

for the amount of \$125,840.85 for the Delaura Beach Lane – Bike Path, and

Big River Excavation

for the amount of \$119,989.00 for the SW 3rd Street Improvement Project”

**Alternative**

- 1) Other action as deemed appropriate by the City Commission
- 2) None recommended

**Fiscal Impact**

Funds for these projects are budgeted in the current fiscal year’s Fund under the Storm Sewer Fund, State Tax Streets Fund.

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

**City of Warrenton**  
**City of Warrenton Street Overlay Project 2016**  
**Bid Tabulations**

by: **Otak, Inc.**

1

		<b>Bayview Transit</b>			
Item	Description	Quantity	Units	Unit Cost	Total for Items
1	Mobilization, Traffic Control & Flagging (5%)	1	LS	\$5,500.00	\$5,500.00
2	Demolition, Asphalt Sawcutting	136	LF	\$6.00	\$816.00
3	Phase 1-Asphalt Pavement Grinding, (Mill and Broom, including waste haul)	7,410	SY	\$2.10	\$15,561.00
4	Phase 1-Asphalt Concrete Pavement, Overlay-(2" thickness)	1796	Ton	\$86.45	\$155,264.20
5	Earthwork, General Excavation	55	CY	\$45.70	\$2,513.50
6	Aggregate Bases, Over-Ex & Base Stabilization, Including Excavation, Haul-Off, Fabric, and Base Rock (as-directed - in place, compacted quantities)	12	CY	\$113.00	\$1,356.00
7	Aggregate Bases, Base Aggregate- (4"-0", 12" thickness)	32	CY	\$56.90	\$1,820.80
8	Aggregate Bases, Leveling Course Aggregate (3/4"-0", 6" thickness)	20	CY	\$60.00	\$1,200.00
9	Phase 1-Adjustment of Existing Manholes, Cleanouts, Catch Basins and Water Valves	1	LS	\$1,200.00	\$1,200.00
10	Storm Drainage Manhole, Complete with connection to existing line	1	EA	\$4,035.00	\$4,035.00
11	Erosion and Sedimentation Control, Stormwater Management and Protection	1	LS	\$475.00	\$475.00
<b>Total for Base Bid Items</b>					<b>\$189,741.50</b>
<b>Additive Bid Items</b>					
Item	Description	Quantity	Units	Unit Cost	Total for Items
A1	Phase 2-Asphalt Pavement Grinding, (Mill and Broom, including waste haul)	2970	SY	\$2.10	\$6,237.00
A2	Phase 2-Asphalt Concrete Pavement, Overlay-(2" thickness)	708	Ton	\$86.45	\$61,206.60
A3	Phase 2-Adjustment of Existing Manholes, Cleanouts, Catch Basins and Water Valves	1	LS	\$700.00	\$700.00
<b>Total for Additive Bid Items</b>					<b>\$68,143.60</b>
<b>Total for Base Bid and Additive Bid Items</b>					<b>\$257,885.10</b>

**City of Warrenton**  
**City of Warrenton Delaura Beach Lane - Bike Path**  
**Bid Tabulations**

by: **Otak, Inc.**

Item	Description	Quantity	Units	1 North Pacific		2 Big River	
				Unit Cost	Total for Items	Unit Cost	Total for Items
1	Mobilization, Traffic Control & Flagging	1	LS	\$5,265.00	\$5,265.00	\$14,500.00	\$14,500.00
2	Clearing and Grubbing	1	LS	\$2,280.00	\$2,280.00	\$7,500.00	\$7,500.00
3	Erosion and Sedimentation Control - Stormwater Management, Grass Seed Surface Restoration & Protection	1	LS	\$2,400.00	\$2,400.00	\$3,500.00	\$3,500.00
4	Demolition - Asphalt Sawcutting	100	LF	\$3.00	\$300.00	\$5.00	\$500.00
5	Demolition - Pavement Demolition, Haul & Disposal	40	SY	\$10.13	\$405.20	\$18.00	\$720.00
6	Earthwork - Subgrade or General Excavation (in-place quantities)	619	CY	\$31.19	\$19,306.61	\$30.00	\$18,570.00
7	Aggregate Bases - Stone Embankment Slope Armor (in-place quantities)	175	CY	\$61.30	\$10,727.50	\$62.00	\$10,850.00
8	Aggregate Bases - Over Excavation (in-place quantities)	100	CY	\$79.80	\$7,980.00	\$75.00	\$7,500.00
9	Aggregate Bases - 3/4"-0" Aggregate Leveling Course (3" Thickness)	495	CY	\$62.01	\$30,694.95	\$62.00	\$30,690.00
10	Asphalt Concrete Pavement - Asphalt Paving (3" Thickness, 2 Lifts)	330	Ton	\$94.97	\$31,340.10	\$97.00	\$32,010.00
11	Construction Fabric	1667	SY	\$0.83	\$1,383.61	\$1.00	\$1,667.00
12	Pavement Markings - 4" Wide Thermoplastic Striping	2882	LF	\$1.49	\$4,294.18	\$2.00	\$5,764.00
13	Adjustment of Existing Utilities, Manholes, Cleanouts, Catch Basins, and Water Valves to Asphalt Surface Grade	1	LS	\$200.00	\$200.00	\$375.00	\$375.00
14	Sign Removal and Reinstallation - Remove and Replace Existing Signs and Mailboxes	1	LS	\$150.00	\$150.00	\$900.00	\$900.00
15	Storm Drainage Pipe and Fittings - Connect to and Extend Culvert - Sta: 7+66	1	EA	\$600.00	\$600.00	\$2,675.00	\$2,675.00
16	Riprap - Construct Riprap Wall Stabilization - Sta: 7+50 to 7+85 (in-place quantities)	28	CY	\$130.98	\$3,667.44	\$115.00	\$3,220.00
17	Riprap - Construct Riprap Wall Stabilization - Sta: 14+50 to 15+50 (in-place quantities)	37	CY	\$130.98	\$4,846.26	\$115.00	\$4,255.00
<b>Total for Base Bid Items</b>					<b>\$125,840.85</b>		<b>\$145,196.00</b>

**City of Warrenton**  
**City of Warrenton SW 3rd St. Improvement Project**  
**Bid Tabulations**

by: Otak, Inc.

Item	Description	Quantity	Units	1 Big River		2 North Pacific	
				Unit Cost	Total for Items	Unit Cost	Total for Items
1	Mobilization, Traffic Control & Flagging (10% Maximum)	1	LS	\$11,900.00	\$11,900.00	\$5,200.00	\$5,200.00
2	Demolition - Asphalt & Concrete Sawcutting	554	LF	\$3.00	\$1,662.00	\$3.75	\$2,077.50
3	Demolition - Concrete/Pavement Haul & Disposal (In-Place Quantities)	938	SY	\$2.00	\$1,876.00	\$9.11	\$8,545.18
4	Demolition - Concrete Sidewalks & Driveway Demolition, Haul & Disposal (In-Place Quantities)	53	SY	\$10.00	\$530.00	\$24.41	\$1,293.73
5	Earthwork - Subgrade, Concrete, Rock, Sand Excavation (In-Place Quantities)	459	CY	\$16.00	\$7,344.00	\$44.13	\$20,255.67
6	Aggregate Bases - Over-Ex & Base Stabilization, Including Excavation, Haul-Off, Fabric and Base Course Aggregate (As Directed - In Place, Compacted Quantities)	10	CY	\$68.00	\$680.00	\$132.00	\$1,320.00
7	Erosion and Sedimentation Control, Stormwater Management & Protection	1	LS	\$1,200.00	\$1,200.00	\$440.00	\$440.00
8	Aggregate Bases - 3/4"-0" Aggregate Leveling Course, Roadway (In-Place Quantities)	109	CY	\$80.00	\$8,720.00	\$58.50	\$6,376.50
9	Aggregate Bases - 4" Aggregate Base Course, Roadway (In-Place Quantities)	328	CY	\$56.00	\$18,368.00	\$63.69	\$20,890.32
10	Asphalt Concrete Pavement (4" Compacted Thickness, 2 Lifts)	237	Ton	\$95.00	\$22,515.00	\$108.52	\$25,719.24
11	Concrete Driveways & Walks - Install 2" of Leveling Course and 6" thick Cast-in-Place Reinforced Concrete Driveway	15	SY	\$110.00	\$1,650.00	\$138.23	\$2,073.45
12	Concrete Driveways & Walks - Install 2" Leveling Course and 4" thick Cast-in-Place Un-Reinforced Concrete Sidewalk	8	SY	\$110.00	\$880.00	\$142.73	\$1,141.84
13	Concrete Driveways & Walks - ADA Ramp Assembly at Curb Return, Include 2" of Leveling Course and 4" thick Cast-in-Place Concrete w/ 2'x4' ADA Surfacing Truncated Domes	2	EA	\$2,500.00	\$5,000.00	\$1,551.00	\$3,102.00
14	Concrete Driveways & Walks - ADA Ramp Assembly, Include 2" of Leveling Course and 4" thick Cast-in-Place Concrete w/ 2'x4' ADA Surfacing Truncated Domes	1	EA	\$2,000.00	\$2,000.00	\$1,551.00	\$1,551.00
15	Concrete Curbs & Gutters - Type "C" Concrete Curb	16	LF	\$50.00	\$800.00	\$25.78	\$412.48
16	Concrete Curbs & Gutters - 24" Reinforced Valley Gutter	211	LF	\$50.00	\$10,550.00	\$34.03	\$7,180.33
17	Aggregate Bases - RipRap Stabilization, (Class 50)	2	CY	\$175.00	\$350.00	\$110.00	\$220.00
18	Storm Drainage Pipe & Fittings - 12-inch HDPE Pipe Including Trench Excavation, Potholing, Select Bedding and Select Backfill	198	LF	\$70.00	\$13,860.00	\$35.61	\$7,050.78
19	Trench Excavation, Bedding and Backfill - Select Trench Foundation Material Including Additional Excavation and Disposal (In-Place Quantities)	10	CY	\$65.00	\$650.00	\$73.70	\$737.00
20	Catch Basins w/ Frame and Grate, ODOT CG-1	2	EA	\$2,100.00	\$4,200.00	\$2,024.00	\$4,048.00
21	Catch Basin - Type 24 w/ Frame and Grate	2	EA	\$2,000.00	\$4,000.00	\$1,848.55	\$3,697.10
22	Pavement Markings - 4" Thermoplastic Striping (White)	17	LF	\$22.00	\$374.00	\$23.75	\$403.75
23	Pavement Markings - 12" Thermoplastic Stop Bar Striping (White)	16	LF	\$55.00	\$880.00	\$50.39	\$806.24
<b>Total for Base Bid Items</b>					<b>\$119,989.00</b>		<b>\$124,542.11</b>


6-F

*"Making a difference through excellence of service"*



**CITY OF WARRENTON**

# AGENDA MEMORANDUM

**TO:** The Warrenton City Commission  
**FROM:** Skip Urling, Community Development Director   
**DATE:** For the Agenda of July 26, 2016  
**SUBJ:** Gronmark Rezone

## SUMMARY

After a public hearing this past July 12th, the City Commission conducted the first reading of Ordinance No. 1204-A to amend the zoning designations for those properties abutting the north side of Highway 104 Spur between the Skipanon River and South Main Avenue from C-1 General Commercial to RH High Density Residential. Staff recommends the Commission conduct the second reading and adopt the ordinance, making the amendment effective 30 days hence.

## RECOMMENDATION/SUGGESTED MOTION

I move to conduct the second reading by title only of Ordinance No. 1204-A approving Application RZ 16-1 to rezone the properties abutting the north side of Highway 104 Spur between the Skipanon River and South Main Avenue from C-1 General Commercial to RH High Density Residential, based on the findings and conclusions of the June 3, 2016 Gronmark rezone staff report and Planning Commission recommendation.

After the reading:

I move to adopt Ordinance No. 1204-A.

Warrenton City Commission  
Gronmark Rezone  
For the Agenda of July 26, 2016  
Page 2

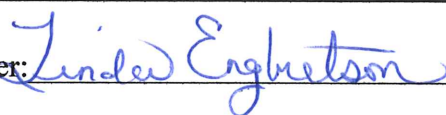
**ALTERNATIVE**

None recommended

**FISCAL IMPACT**

None.

Approved by City Manager:

A handwritten signature in blue ink, reading "Linda Engstrom", is written over a horizontal line.

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

ORDINANCE No. 1204-A

Introduced by All Commissioners

An ordinance amending the City of Warrenton Zoning map to reflect the rezoning of all tax lots fronting on the north side of Highway 104 Spur in the of the C-1, General Commercial zoning district in the SE of the SW ¼ of Section 28, Township 8 North, Range 10 West, WM, to RH High Density Residential, as illustrated on Application RZ 16-1 drawings, and adopting the Findings and Conclusions as of the June 3, 2016 staff report.

WHEREAS, application RZ 16-1 was submitted by Jim Gronmark to reclassify the commercial zoning along the subject strip of state highway to better reflect the existing and future land uses in the area; and

WHEREAS, after the Planning Commission conducted a public hearing on the proposal on June 9, 2016 and, based on the findings and conclusions of the June 3, 2016 staff report, forwarded a recommendation of approval to the City Commission; and

WHEREAS, after the City Commission conducted a public hearing on July 12, 2016, it has determined to adopt the findings and conclusions established by the Planning Commission and approve the rezone application.

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

Section 1. The City Zoning Designation Map is amended as to reflect the rezone request as illustrated on the application drawing, based on the findings and conclusions referenced above.

Section 2. This ordinance shall become final 30 days after its second reading and adoption.

First Reading: July 12, 2016

Second Reading:

ADOPTED by the City Commission of the City of Warrenton, Oregon this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

APPROVED

\_\_\_\_\_  
Mark Kujala, Mayor

ATTEST:

\_\_\_\_\_  
Linda Engbretson, City Recorder

"Making a difference through excellence of service"



## CITY OF WARRENTON

June 3, 2016

To: Warrenton Planning Commission

From: Skip Urling, Community Development Director

A handwritten signature in blue ink, appearing to read "Skip", positioned to the right of the "From:" line.

Re: File No. RZ-16-1—Gronmark

### BACKGROUND

Jim Gronmark applied to rezone the abutting properties on the north side of Highway 104 Spur from the Skipanon River to S Main Avenue from C-1 General Commercial to RH High Density Residential. Specifically, the subject property is the SW1/4 NE1/4 of Section 28, T8N, R10W, and includes Tax lots 200, 500, 501, 80101, 80102, 80103, 90101, 900102, 90103, 800, 1102, 1103, 1104, and 1105.

The application package was submitted April 19 and is attached. Measure 56 notice was sent to affected property owners May 13, adjacent property owners were mailed notice of this public hearing May 20 and notice was published in the Columbia Press May 27, 2016.

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.

### FINDINGS

Presented below are the criteria for granting a rezone, and the applicant's response followed by staff findings.

#### 1. Existing Land Use.

*Applicant Response: The Gronmark property consists of a small vacant parcel approximately 60 feet by 100 feet at the northeast corner of SE Anchor and Highway 101 Alternate (aka Spur Road or Highway 104). Mr. Gronmark also owns parcel 700 immediately north of 500. The site is vacant, covered by a stand of Alders trees and other vegetation. There is a condominium complex to the east, single family residences to the north along SE Anchor, and apartments to the west across SE Anchor. The area to the south across the highway is open space/wetlands associated with the Warrenton High School.*



Staff Finding: Staff concurs.

2. Current zoning:

Subject property: C-1 General Commercial

Adjacent property:

North: RH High Density Residential

East: R-10 Intermediate Density Residential

South: OSI Open Space Institutional

West: C-1 General Commercial

3. Does the proposal conform to the Oregon State Statutes?

Applicant Response: *Yes. The proposal to amend the zoning map from C-1 to RH is consistent with State statutes for the following reasons:*

*The property is within the city limits and urban growth boundary, and the land in the vicinity is committed to development except for the OSI zone south across Highway 104, which is not affected by this proposal. The property is located on a major arterial road, a short distance from essential services including schools, shopping and government services. It is not in a flood zone. The rezoning would allow for the development of apartments, which are in short supply in the area. The rezoning would be consistent with the zoning of the area to the north.*

Staff Findings: Staff finds the applicant's response plausible and agrees with them.

4. DOES THE PROPOSAL CONFORM TO THE STATEWIDE PLANNING GOALS?

**Statewide planning goal 1: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.**

**Statewide planning goal 2: 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 base for such decisions and actions.**

Applicant Response: *Yes. The request is consistent with Citizen Involvement and Land Use Planning in that the application has been made as directed by City code, and will be evaluated by the planning commission and city commission.*

Staff Findings: Part 1 of goal 2, quoted above, is met by applying relevant policies from the City's comprehensive plan to the proposed map amendment. Applicable plan policies are

addressed above. These findings are sufficient to provide an adequate factual basis for the City's decision on this proposal. Part 2 of goal 2, dealing with exceptions to statewide planning goals, does not apply to the proposal.

**Goal 3 To preserve and maintain agricultural lands.**

**Goal 4 To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.**

*Applicant response: The property is not in an agricultural or forestry zone.*

Staff finding: Staff concurs.

**Goal 5 To protect natural resources and conserve scenic and historic areas and open spaces.**

*Applicant response: There is a small area of freshwater wetlands on the adjacent or northern property. There are no known historic or archeological resources present on the site or in the vicinity. A large area of open space is south across the highway which will not be affected.*

Staff Finding: Staff concurs with the applicant. The wetland and adjacent riparian area associated with the Skipanon River will be addressed as development is proposed through existing regulations.

**Goal 6 To maintain and improve the quality of the air, water and land resources of the state.**

*Applicant Response: The proposal will not negatively impact air, water and land quality. The rezoning is in a developed area and committed to development. All local and state requirements during and after the construction of the apartments will be met.*

Staff Finding: Staff concurs.

**Goal 7 To protect people and property from natural hazards.**

*Applicant Response: The property is in Flood Zone X, which is not subject to 100-year flooding.*

**Staff finding:** Staff concurs with the applicant's statement. We also note that the property is in a tsunami inundation zone, as is the vast majority of the land within the city limits. This area would be inundated regardless of the development.

**Goal 8 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.**

*Applicant response: There are ample recreation facilities within walking or short driving distance from the property, including Warrenton High School, City Parks, and the Senior Center.*

Staff Finding: Staff agrees.

**Goal 9 To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.**

*Applicant Response: The rezoning will allow for the development of ten apartments, which will provide construction jobs as well as needed affordable housing for workers in the area.*

Staff Finding: Staff agrees with the applicant on this statement. We also note that only one tax lot in the subject property is undeveloped and available for commercial activity which would provide for job creation. The remaining tax lots are developed for high density residential uses and the structures are all viable; the potential for conversion to commercial uses is low.

**Goal 10 To provide for the housing needs of citizens of the state.**

*Applicant Response: The rezoning will provide needed housing, particularly modern rental housing, which is in short supply. Employers including the US Coast Guard will be contacted to determine the size of units and price ranges.*

Staff Finding: It is well documented that housing stock is in short supply on the north Oregon coast. This action will contribute to the opportunity for the construction of additional needed housing.

**Goal 11 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.**

Applicant Response: *The property is served by all City and other public services, and is located on a State highway. There is a major pump station on the highway and fire hydrants in the vicinity. Water service is along the Spur Road and is adequate to serve additional development.*

Staff Finding: Staff concurs.

**Goal 12 To provide and encourage a safe, convenient and economic transportation system.**

Applicant Response: *A major highway runs the entire length of the area to be rezoned. The apartment complex will likely utilize SE Anchor and SE 15<sup>th</sup> Streets. The Sunset Empire Bus service serves the area.*

Staff Finding: Staff agrees.

**Goal 13 To conserve energy.**

Applicant Response: *The proposed apartments will be small and energy efficient, and developed at relatively high density, ten units on about one half acre. The other residential uses in the area are higher density as well. The development would be infill, and be close to the city center and commercial services. Schools, churches, and other community activities are nearby.*

Staff Finding: Staff concurs, and notes that future construction will meet the energy code.

**Goal 14 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.**

Applicant Response: *The property to be developed is near the historic center of Warrenton, within the UGB and city limits, and is considered infill located in a largely developed neighborhood. The bulk of the property requested to be rezoned is developed in multifamily structures, including condominiums and rentals.*

Staff Finding: Staff agrees.

**Goal 15 To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway**

Staff Finding: Not applicable.

**Goal 16** 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.

**Goal 17** 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. The management of these shoreland 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

Applicant Response: The property is near the banks of the Skipanon River, and across the highway from a large area of wetlands and open space. There will be no impact on the estuary or the shorelands which are separated by the river's dike. Storm drainage will be on site in an existing wetlands.

Staff Finding: Staff agrees.

**Goal 18 Beaches and Dunes and Goal 19 Ocean Resources**

Staff Finding: These goals do not apply.

**5. Does the proposal conform to the Warrenton Comprehensive Plan and Development code.**

*Applicant's Response:*

*Sec. 2.310(b).The property is located in "Urban Development/Other Shorelands", which are more desirable for other uses, including high density residential development.*

*Sec. 3.200 Buildable lands: Although there is ample vacant land in both the RH and C-1 zones, the conversion of a small amount of C-1 zone to RH is insignificant and does not affect potential for future employment. It may provide for future housing needs and the area is redeveloped.*

*Section 3.310 b. encourages the development of high density development in the areas close to the city center which have suitable streets, utilities or other characteristics.*

*Section 3.310.1. Commits the City to work with the development community to develop housing for future needs. The apartment development proposal is intended to meet future needs.*

*Section 3.320.2 Encourages the “grouping of commercial uses”. The subject property is the only parcel of vacant commercial land along the length of Highway 104 between Main and the Skipanon River, and is more appropriately zoned for residential than commercial uses.*

Staff finding: Staff agrees with the applicant’s analysis. WCP 3.260 – Need for multi-family and single-family attached housing as a potential supply of low and moderate cost housing, and

WCP 3.310(11) - The City will zone adequate land to meet identified future housing needs for a broad range of housing types, including single-family attached and detached homes, manufactured homes, duplexes and multi-family dwellings, also support the proposal.

We note further that only one tax lot among those included in the subject property is presently undeveloped, and the amount of employment land opportunities affected by this proposal is quite small.

**6. WMC 16.232.030 Criteria for Quasi-Judicial Amendments. A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:**

- 1. Demonstration of compliance with all applicable Comprehensive Plan policies and map designations. Where this criterion cannot be met, a Comprehensive Plan amendment shall be a pre-requisite to approval.**

*Applicant Response: The applicable comprehensive plan policies are stated above.*

Staff Finding: Staff concurs with the applicant.

- 2. Demonstration of compliance with all applicable standards and criteria of this Code, and other applicable implementing ordinances.**

*Applicant’s Response: The rezoning of the area from C-1 to RH is more reflective of the character of the neighborhood along the highway, which is primarily multifamily housing, both*

*rental and owner occupied. The redesignation of the Gronmark parcel, as well as the other properties requested, will be consistent with the present uses and remove the existing structures from the nonconforming category.*

Staff Finding: Staff agrees.

- 3. Evidence of change in the neighborhood, or community, or a mistake or inconsistency in the Comprehensive Plan or land use district map regarding the property which is the subject of the application; and the provisions of Section 16.232.060, as applicable.**

*Applicant Response: At some point in the recent past, the C-1 zone was revised to eliminate residential uses, and multifamily dwellings, from the list of allowable uses, even though all of the condominiums and apartments in the area became nonconforming uses. The rezoning to R-H will correct this error.*

*The proposal is in compliance with the comprehensive plan policies, zoning criteria and map designations. It is requested that the rezoning be granted.*

Staff Finding: Staff agrees. The code change took place in 2008 and affected the subject property adversely. The potential for this area to convert to commercial land uses is quite low. This map amendment will correct a mapping error and make the subject property zoning consistent with those properties abutting to the north.

According to the Institute of Transportation Engineers Trip Generation (7<sup>th</sup> Edition), the 10-unit apartment development contemplated by the applicant would generate approximately 66 trip ends on an average weekday, and about 6 trips during the weekday PM peak hour. The existing multiple family dwellings included in the subject property can be expected to generate similar traffic volumes. Even though the existing and potential additional development is high density, conversion of the subject properties to some future commercial land use would be expected to generate high volumes. This action is not expected to have a deleterious effect on Highway 104 Spur or the city's transportation system generally.

## **CONCLUSION AND RECOMMENDATION**

This application meets the various criteria for making a map amendment. It will clear an unintended effect of a code change resulting in several non-conforming uses adjacent to a neighborhood of similar uses. An additional opportunity for multiple family infill will help to

create new housing stock in a time when housing is in short supply. And, the transportation system will not be affected.

Based on these findings and conclusions, staff recommends the Planning Commission forward a recommendation to the City Commission to approve REZ 16-1, amending the zoning map for the properties abutting the north side of Highway 104 Spur between the Skipanon River and S Main Avenue, from C-1 General Commercial to RH High Density Residential.

Recommended Motion:

Based on the findings and conclusions of the June 2, 2016 staff report, I move to recommend the City Commission approve Application REZ 16-1 submitted by Jim Gronmark, to rezone the tax lots abutting the north side of Highway 104 Spur between the Skipanon River and South Main Avenue from C-1 General Commercial to RH High Density Residential, and adopt Ordinance No. 1204-A.

Enclosures

Application  
Correspondence  
Patrick Wingard  
Bill Johnston  
Draft Ordinance 1204-A



**CITY OF WARRENTON  
PLANNING AND BUILDING DEPARTMENT**

- 1. REZONE** (To be accompanied by a map showing the subject property, a copy of property deed and Letter of Authorization, if applicable)
  
- 2. COMPREHENSIVE PLAN TEXT OR MAP AMENDMENT**
  
- 3. DEVELOPMENT CODE TEXT AMENDMENT**

OFFICE USE ONLY
FILE # _____
FEE \$ _____
RECEIPT # _____
DATE RECEIVED _____

Legal Description of the Subject Property (if applicable):

Township	Range	Section	Tax Lot
8	10	28AC	500 (Gronmark)

See attached list of all affected property owners.

Street address of the property **Northeast corner of Highway 101 (Alt) and SE Anchor St.**

**I/WE, THE UNDERSIGNED APPLICANT OR AUTHORIZED AGENT, AFFIRM BY MY/OUR SIGNATURE(S) THAT THE INFORMATION CONTAINED IN THE FOREGOING APPLICATION AND ASSOCIATED SUBMISSIONS IS/ARE TRUE AND CORRECT.**

**APPLICANT:**

Printed Name: Mike Morgan, Planning Consultant

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

Address: PO Box 132 Phone: 503 739 0102

City/State/Zip: Cannon Beach, Oregon 97110 [hminc@pacifier.com](mailto:hminc@pacifier.com)

**PROPERTY OWNER (if different from Applicant)**

Printed Name: Jim Gronmark

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

Address: 1377 SE 11<sup>th</sup> Place \_\_\_\_\_ Phone: 503 738 2369

City/State/Zip: Warrenton, Oregon 97146 Fax: \_\_\_\_\_

\*\*\*\*\*

Place an "x" on applicable request(s):

Rezone  
amendment

Comprehensive Plan Text

Comprehensive Plan Map amendment  Development Code text amendment

\*\*\*\*\*

**REZONE**

\*\*\*\*\*

1. Existing use of site: **Please refer to attached findings.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Existing zoning of the subject property: \_\_\_\_\_

3. Proposed zoning designation of the subject property: \_\_\_\_\_

4. Zoning designation of surrounding properties:  
North: \_\_\_\_\_

\_\_\_\_\_ South: \_\_\_\_\_

\_\_\_\_\_ West: \_\_\_\_\_

\_\_\_\_\_ East: \_\_\_\_\_

5. Does the proposal conform to the applicable Oregon State Statutes? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, please explain \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If no, please describe why the proposal does not or will not conform to the Oregon State Statutes.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Does the proposal conform to Statewide Planning Goals? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please list the applicable Statewide Planning Goals and how the proposal conforms to the goals.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If no, please describe why the proposal does not or will not conform to the Statewide Planning Goals.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. Does the proposal conform to Warrenton Comprehensive Plan, and Development Code? Yes

\_\_\_\_\_

No \_\_\_\_\_

If yes, please explain how this proposal conforms to the Warrenton Comprehensive Plan, and Development Code.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If no, please explain

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. Is there a change of circumstances or further studies justifying the amendment or mistake in the original zoning.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

---

---

\*\*\*\*\*  
COMPREHENSIVE PLAN TEXT AMENDMENT  
\*\*\*\*\*

1. Which chapter and section of the Warrenton Comprehensive Plan is this request for?

---

---

---

---

---

2. Does the proposal conform to the applicable Oregon Revised Statutes? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please  
explain \_\_\_\_\_

---

---

---

---

---

If no, please explain:

---

---

---

---

3. Does the proposal conform to the Statewide Planning Goals? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please list the applicable Statewide Planning Goals and how this proposal conforms to the Goals. \_\_\_\_\_

---

---

---

---

---

---

If no, please describe:

---

---

---

---

---

4. Does the proposal conform to Warrenton Comprehensive Plan and Development Code? Yes

No \_\_\_\_\_

If yes, please explain. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If no, please explain. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Is there a change of circumstances or further studies justifying the amendment or mistake in the original zoning. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*  
COMPREHENSIVE PLAN MAP AMENDMENT  
Please provide a map showing the proposed area to be amended.  
\*\*\*\*\*

Before an amendment to a zone boundary is approved, findings will be made that the following criteria are satisfied.

1. The map amendment is consistent with the Comprehensive Plan.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. The map amendment will:

a. Satisfy land and water use needs; or

\_\_\_\_\_  
\_\_\_\_\_

---

---

---

---

b. Meet transportation demands; or

---

---

---

---

---

c. Provide community facilities and services:

---

---

---

---

---

3. The land is physically suitable for the uses to be allowed, in terms of slope, geological stability, flood hazard and other relevant considerations.

---

---

---

---

---

4. Resource lands, such as wetlands are protected.

---

---

---

---

---

5. The amendment is compatible with the land use development pattern in the vicinity of the request.

---

---

---

---

---

---

\*\*\*\*\*  
DEVELOPMENT CODE TEXT AMENDMENT  
\*\*\*\*\*

1. Which chapter and section of the Warrenton Development Code is this request for?

---

---

---

---

---

2. Does the proposal conform to the applicable Oregon State Statutes? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please  
explain

---

---

---

---

---

If no, please explain.

---

---

---

---

---

3. Does the proposal conform to the Statewide Planning Goals? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please list the applicable Statewide Planning Goals and how this proposal conforms to the goals.

---

---

---

---

---

If no, please describe why the proposal does not or will not conform to the Statewide Planning Goals.

---

---

---

---

---

---

4. Does the proposal conform to the Comprehensive Plan and Development Code? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If no, please explain. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Is there a change of circumstances, or further studies justifying the amendment or mistake in the original zoning.

---

---

---

---

---

---



## PROPOSED FINDINGS OF FACT

### EXISTING USE OF SITE:

The Gronmark property consists of a small vacant parcel approximately 60 feet by 100 feet at the northeast corner of SE Anchor and Highway 101 Alternate (aka Spur Road or Highway 104). Mr. Gronmark also owns parcel 700 immediately north of 500. The site is vacant, covered by a stand of Alders trees and other vegetation. There is a condominium complex to the east, single family residences to the north along SE Anchor, and apartments to the west across SE Anchor. The area to the south across the highway is open space/wetlands associated with the Warrenton High School.

EXISTING ZONING OF THE SUBJECT PROPERTY: C-1 General Commercial

PROPOSED ZONING DESIGNATION: RH High Density Residential

### ZONING DESIGNATION OF SURROUNDING PROPERTIES:

North: RH High Density Residential

South: OSI Open Space Institutional

West: C1 General Commercial

East: C1 General Commercial

### DOES THE PROPOSAL CONFORM TO THE OREGON STATE STATUTES? YES

The proposal to amend the zoning map from C-1 to RH is consistent with State statutes for the following reasons:

The property is within the city limits and urban growth boundary, and the land in the vicinity is committed to development except for the OSI zone south across Highway 104, which is not affected by this proposal. The property is located on a major arterial road, a short distance from essential services including schools, shopping and government services. It is not in a flood zone. The rezoning would allow for the development of apartments, which are in short supply in the area. The rezoning would be consistent with the zoning of the area to the north.

### DOES THE PROPOSAL CONFORM TO THE STATEWIDE PLANNING GOALS? YES

Goals 1&2: The request is consistent with Citizen Involvement and Land Use Planning in that the application has been made as directed by City code, and will be evaluated by the planning commission and city commission.

Goals 3&4: The property is not in an agricultural or forestry zone.

Goal 5: Natural Resources, scenic and historic areas, and open spaces. There is a small area of freshwater wetlands on the adjacent or northern property. There are no known historic or archeological resources present on the site or in the vicinity. A large area of open space is south across the highway which will not be affected.

Goal 6: Air, Water and Land Quality: The proposal will not negatively impact air, water and land quality. The rezoning is in a developed area and committed to development. All local and state requirements during and after the construction of the apartments will be met.

Goal 7: Natural Hazards: The property is in Flood Zone X, which is not subject to 100-year flooding.

Goal 8: Recreational Needs: There are ample recreation facilities within walking or short driving distance from the property, including Warrenton High School, City Parks, and the Senior Center.

Goal 9: Economy: The rezoning will allow for the development of ten apartments, which will provide construction jobs as well as needed affordable housing for workers in the area.

Goal 10: Housing: The rezoning will provide needed housing, particularly modern rental housing, which is in short supply. Employers including the US Coast Guard will be contacted to determine the size of units and price ranges.

Goal 11: Public Facilities and Services: The property is served by all City and other public services, and is located on a State highway. There is a major pump station on the highway and fire hydrants in the vicinity. Water service is along the Spur Road and is adequate to serve additional development.

Goal 12: Transportation: A major highway runs the entire length of the area to be rezoned. The apartment complex will likely utilize SE Anchor and SE 15<sup>th</sup> Streets. The Sunset Empire Bus service serves the area.

Goal 13: Energy Conservation: The proposed apartments will be small and energy efficient, and developed at relatively high density, ten units on about one half acre. The other residential uses in the area are higher density as well. The development would be infill, and be close to the city center and commercial services. Schools, churches, and other community activities are nearby.

Goal 14: Urbanization: The property to be developed is near the historic center of Warrenton, within the UGB and city limits, and is considered infill located in a largely developed neighborhood. The bulk of the property requested to be rezoned is developed in multifamily structures, including condominiums and rentals.

Goals 16 and 17: Estuarine Resources and Coastal Shorelands. The property is near the banks of the Skipanon River, and across the highway from a large area of wetlands and open space. There will be no impact on the estuary or the shorelands which are separated by the river's dike. Storm drainage will be on site in an existing wetlands.

DOES THE PROPOSAL CONFORM TO WARRENTON COMPREHENSIVE PLAN AND DEVELOPMENT CODE? YES

Sec. 2.310(b).The property is located in “Urban Development/Other Shorelands”, which are more desirable for other uses, including high density residential development.

Sec. 3.200 Buildable lands: Although there is ample vacant land in both the RH and C-1 zones, the conversion of a small amount of C-1 zone to RH is insignificant and does not affect potential for future employment. It may provide for future housing needs and the area is redeveloped.

Section 3.310 b. encourages the development of high density development in the areas close to the city center which have suitable streets, utilities or other characteristics.

Section 3.310.1 Commits the City to work with the development community to develop housing for future needs. The apartment development proposal is intended to meet future needs.

Section 3.320.2 Encourages the “grouping of commercial uses”. The subject property is the only parcel of vacant commercial land along the length of Highway 104 between Main and the Skipanon River, and is more appropriately zoned for residential than commercial uses.

Criteria for Quasi-Judicial Amendments. A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:

1. Demonstration of compliance with all applicable Comprehensive Plan policies and map designations. Where this criterion cannot be met, a Comprehensive Plan amendment shall be a pre-requisite to approval.

Finding: The applicable comprehensive plan policies are stated above.

2. Demonstration of compliance with all applicable standards and criteria of this Code, and other applicable implementing ordinances.

Finding: The rezoning of the area from C-1 to RH is more reflective of the character of the neighborhood along the highway, which is primarily multifamily housing, both rental and owner occupied. The redesignation of the Gronmark parcel, as well as the other properties requested, will be consistent with the present uses and remove the existing structures from the nonconforming category.

3. Evidence of change in the neighborhood, or community, or a mistake or inconsistency in the Comprehensive Plan or land use district map regarding the property which is the subject of the application; and the provisions of Section 16.232.060, as applicable.

Finding: At some point in the recent past, the C-1 zone was revised to eliminate residential uses, and multifamily dwellings, from the list of allowable uses, even though all of the condominiums and apartments in the area became nonconforming uses. The rezoning to R-H will correct this error.

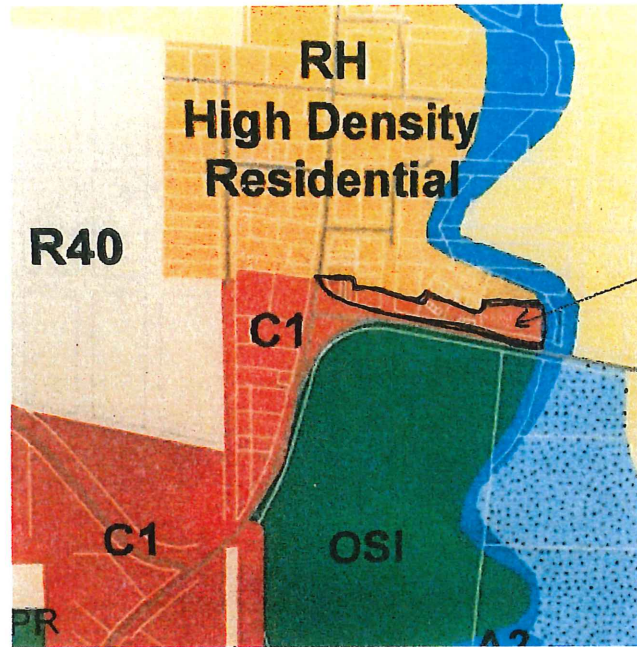
The proposal is in compliance with the comprehensive plan policies, zoning criteria and map designations. It is requested that the rezoning be granted.



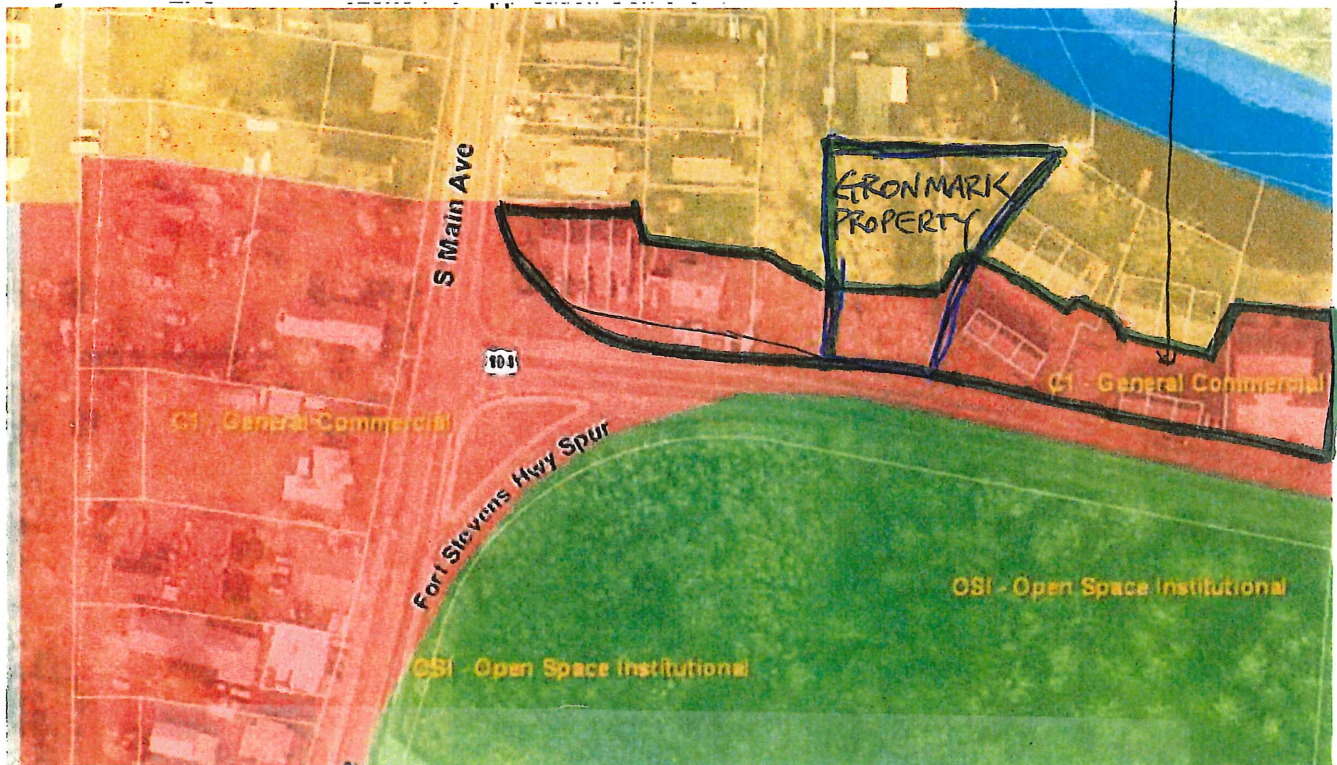
- Advanced search
- Overview map
- Legend
- Lists
- Print
- Helpful Tips
- Disclaimer



# PROPOSED GRONMARK ZONE AMENDMENT



Proposed zoning map change C-1 to R-H



## Skip Urling

---

**From:** JOHNSTON Bill <Bill.W.JOHNSTON@odot.state.or.us>  
**Sent:** Friday, April 08, 2016 9:54 AM  
**To:** Skip Urling  
**Cc:** KEARNS Richard A; WILLIAMS Virginia L  
**Subject:** RE: Gronmark Rezone Pre-Application Conference

**Importance:** High

**Skip** – I was planning on attending this pre-application conference this morning but something came up. Here are some brief comments.

- I assume access will be from Anchor. If it's from 104 the developer will need an access permit from ODOT.
- The City will need to demonstrate compliance with the TPR. A 10-unit apartment will probably not have a significant effect on traffic. You will need to provide findings.

Call if you have questions.

**Bill Johnston**, AICP, Transportation Planner  
**Oregon Department of Transportation** | Northwest Area | 350 W Marine Dr. | Astoria, OR 97103-6236 | 503.325.5281 | [bill.johnston@odot.state.or.us](mailto:bill.johnston@odot.state.or.us)

-----Original Appointment-----

**From:** Skip Urling [<mailto:cityplanner@ci.warrenton.or.us>]  
**Sent:** Thursday, March 31, 2016 10:39 AM  
**To:** Skip Urling; Tim Demers; Ed Wegner; Mathew Workman; Richard Stelzig; ODOT Reg 2 Planning Manager  
**Cc:** WILLIAMS Virginia L; WINGARD Patrick  
**Subject:** Gronmark Rezone Pre-Application Conference  
**When:** Friday, April 08, 2016 10:00 AM-11:00 AM (UTC-08:00) Pacific Time (US & Canada).  
**Where:** Commission Chambers

Mike Morgan, on behalf of Jim Gronmark, submitted an application to discuss a rezone of the property along the north side of 104spur, between S Main and the Skipanon River. See the attached map and application.

All development along the strip is multiple family, some renter occupied, some condos. Gronmark owns the lone vacant tract (two tax lots) mid-block.

Please send me your written comments, if any, prior to the meeting so I may make copies for distribution at the meeting.

<< File: Gronmark PreApp C1 to RH.pdf >>

## Skip Urling

---

**From:** Wingard, Patrick <patrick.wingard@state.or.us>  
**Sent:** Friday, April 01, 2016 11:40 AM  
**To:** Skip Urling  
**Cc:** JOHNSTON Bill (Bill.W.JOHNSTON@odot.state.or.us)  
**Subject:** RE: Gronmark Rezone Pre-Application Conference

Hi Skip,

Thank you for the invitation to the pre-app conference and for the opportunity to comment on the proposed rezone. I plan to attend next Friday's meeting.

I reviewed the attached materials as well as some of the applicable sections of the Warrenton Development Code and Comprehensive Plan. I mainly focused on the C-1 and RH zone districts in the WDC and Article 3, Land and Water Use, of the WCP. My summation of the project is that it lines up very well with several relevant policies found in the Warrenton Comprehensive Plan. As you know, consistency with applicable comp plan policies per WDC 16.232.030.B.1 is a major consideration for a quasi-judicial zone change, such as this one.

When I first received notice of the proposed rezone, my initial thought was, "is this rezone even needed; aren't multi-family housing projects already allowed in Warrenton's C-1 zone?". When I reviewed the city's code online, I quickly learned that I was mistaken – multi-family housing developments are, in fact, not permitted in the C-1 zone. I pulled an old (2003) copy of the WDC that I had in my office and saw that duplexes, triplexes and mfd's were previously allowed in the C-1 zone. So, I put two and two together and realized that the city must have done some text amendments to its C-1 subsequent to my tenure at the city that ended in 2005 to not allow new residential developments in the C-1 zone. This makes sense.

It is worth noting that in my review of the city's comp plan, I found a number of references to mfd's being allowed in the city's C-1 zone despite the fact that the code prohibits this (check out a couple of the bullet points under WCP 3.270, for example). These inconsistencies between the code and plan aren't a huge deal and certainly do not need to be remedied in advance, or concurrent with this proposal, but it is something be aware of. Seeing these inconsistencies in your plan and code reinforces in my mind the need for DLCD to support Warrenton's next run at obtaining a Technical Assistance grant to fund an update of your buildable lands inventory, housing policies, etc.. I'm sorry we weren't able to get this done this year but I look forward to continuing these discussions with you in the near future as we approach the next grant funding cycle.

Here are a couple of policies that I found in your comp plan that support this proposal:

- WCP 3.260 – Need for multi-family and single-family attached housing as a potential supply of low and moderate cost housing.
- WCP 3.310(11) - The City will zone adequate land to meet identified future housing needs for a broad range of housing types, including single-family attached and detached homes, manufactured homes, duplexes and multi-family dwellings.

I'm sure there are more applicable policies but these are just a few that I found to be particularly germane to this proposal.

I see that you have invited ODOT to participate in the pre-app. That's great. I would be interested in learning this agency's take on the potential need for a traffic impact study for this project. A rezone from C-1 to RH wouldn't, in my mind, generate additional traffic to and from the site, but I haven't done any analyses in this regard (nor am I qualified),

and I know there is a curve in the road there. I have to defer to ODOT to work with the city on these particulars. I am curious about what transportation improvements are called for in the Warrenton TSP for this area. I also think about the fact that the existing C-1 zone previously allowed mfd's and how this may affect considerations on transportation analyses for the rezone. Note, I copied Bill Johnston at ODOT on this email to keep communication on transportation considerations at the highest level possible. As you know, this is a growing area and the state highway that abuts the subject property serves as a vital connection between US 101, downtown Warrenton, area schools and other destinations. Ensuring a safe and efficient transportation system is paramount and it's great that you have called for a pre-app on this proposal to provide responsible agencies and the applicant/property owner adequate time to drill down on these important issues early in the planning stage.

Other considerations for this project that don't necessarily apply at the rezone stage but would come into play during the development/design review include:

- Multi-modal considerations (i.e., does the area have or warrant a transit stop); what are the conditions of the sidewalks and bike lanes in the area and could a few gaps be filled or existing sidewalks/lanes extended.
- Floodplain and riparian corridor/wetland considerations associated with the Skipanon River.
- Tsunami evacuation route(s), if applicable.

I hope this information is helpful. My comments are not meant to be all-inclusive; rather, I wanted to let you and your review team, as well as the applicant and partner state agencies, know that DLCD supports this proposal and I am prepared to assist the city in any way possible, to help make this project a success.

If you have questions or would like to further discuss anything in this email, please feel free to contact me anytime.

I look forward to seeing you next Friday. Again, thanks for the invite and I laud you for your proactive approach to this proposal.

Best regards,

Patrick

**Patrick Wingard, AICP** | North Coast Regional Representative  
Ocean/Coastal Services Division  
Oregon Dept. of Land Conservation and Development  
North Coast Regional Solutions Center  
4301 Third Street, Room 206 | Tillamook, OR 97141  
Cell: (503) 812-5448  
[patrick.wingard@state.or.us](mailto:patrick.wingard@state.or.us) | [www.oregon.gov/LCD](http://www.oregon.gov/LCD)

-----Original Appointment-----

**From:** Skip Urling [<mailto:cityplanner@ci.warrenton.or.us>]

**Sent:** Thursday, March 31, 2016 10:39 AM

**To:** Skip Urling; Tim Demers; Ed Wegner; Mathew Workman; Richard Stelzig; ODOT plan review

**Cc:** Virginia Williams ([virginia.l.williams@odot.state.or.us](mailto:virginia.l.williams@odot.state.or.us)); Wingard, Patrick

**Subject:** Gronmark Rezone Pre-Application Conference

**When:** Friday, April 8, 2016 10:00 AM-11:00 AM (UTC-08:00) Pacific Time (US & Canada).

**Where:** Commission Chambers

Mike Morgan, on behalf of Jim Gronmark, submitted an application to discuss a rezone of the property along the north side of 104spur, between S Main and the Skipanon River. See the attached map and application.



6-G


*"Making a difference through excellence of service"*



**CITY OF WARRENTON**

## **AGENDA MEMORANDUM**

**TO:** The Warrenton City Commission

**FROM:** Skip Urling, Community Development Director 

**DATE:** For Agenda of July 26, 2016

**SUBJ:** Code Amendment to Make Food and/or Beverage Trucks and Carts Permitted Uses in the I-1 General Industrial Zoning District

### **SUMMARY**

This past July 12<sup>th</sup> the City Commission held a public hearing to consider an amendment to Warrenton Municipal Code 16.60.020 to permit outright food and/or beverage trucks and carts in the I-1 zoning district. After taking testimony, the Commission approved the first reading of Ordinance No. 1205-A effecting the amendment. Staff recommends the Commission conduct the second reading and adopt the ordinance, making the amendment effective 30 days hence.

### **RECOMMENDATION/SUGGESTED MOTION**

I move to conduct the second reading, by title only of Ordinance No. 1205-A providing for food and/or beverage trucks and carts to be permitted uses in the I-1 General Industrial zoning district.

After the reading:

I move to adopt Ordinance No. 1205-A.

Warrenton City Commission  
I-1 Code Amendment—Food Trucks and Carts  
For Agenda of July 26, 2016  
Page 2

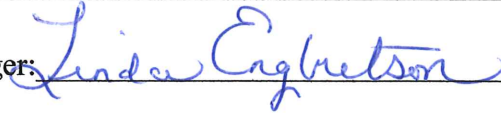
**ALTERNATIVE**

None recommended

**FISCAL IMPACT**

None.

Approved by City Manager:

A handwritten signature in blue ink, reading "Linda Engbretson", is written over a horizontal line. The signature is cursive and extends slightly above and below the line.

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

Ordinance No. 1205-A

Introduced by \_\_\_\_\_

**An Ordinance Amending Warrenton Municipal Code (WMC) Section 16.60.020 to include Food and/or Beverage Trucks or Carts as permitted uses in the I-1 General Industrial Zoning District.**

The City of Warrenton ordains:

**Section 1.** WMC Section 16.60.020 is hereby amended as follows:

16.60.020 Permitted Uses.

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

- A. Production, processing, assembling, packaging or treatment of such products as food products, pharmaceutical, hardware and machine products.
- B. Production, processing, assembling, packaging or treatment of articles and products from previously-prepared or semi-finished materials, such as paper, wood, rubber, plastics, fibers and sheet metal.
- C. Research and development laboratories.
- D. Printing facilities.
- E. Public utility facilities such as power stations, sewage and water treatment plants.
- F. Storage and distribution services and facilities (i.e., truck terminals, warehouses and storage buildings and yards, contractor's establishments, lumber yards and sales) or similar uses.
- G. Vehicle repair (welding, painting and service, and parts facilities).
- H. Airport support structures: hangars, weather stations, fuel terminals storage buildings, etc.
- I. Mini-warehouses or similar storage uses.
- J. Contractor shop or equipment storage yard for storage and rental of equipment commonly used by a contractor.
- K. Cabinet, carpenter, woodworking, sheet metal shops or similar establishments.

- L. Professional, financial or business offices.
- M. Public utilities, including structures, pipelines, cables, and utility crossings.
- N. Government buildings and uses.
- O. Passive restoration.
- P. Government buildings and uses.
- Q. Transportation facilities and improvements subject to the standards of Section 16.20.040.
- R. Dredge material disposal (DMD) subject to Section 16.60.040 (site 20S), and Chapter 16.104.
- S. Community garden(s) (see definitions).
- T. Recreational marijuana production, recreational marijuana processing, or recreational marijuana wholesale activities, subject to Section 16.60.040.N.
- U. Food and/or beverage trucks or carts.
- V. Similar uses to those listed in this section.

**Section 2. Severability.** If any section, sentence, clause or phrase of this ordinance is ruled invalid by a court of competent jurisdiction, the remaining portion of this ordinance shall remain valid and in full force and effect.

**Section 3. Effective Date.** This ordinance shall be effective 30 days after the second reading.

**ADOPTED** by the City of Warrenton, Oregon, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**First Reading:** \_\_\_\_\_

**Second Reading:** \_\_\_\_\_

Approved:

\_\_\_\_\_  
Mark Kujala, Mayor

Attest:

\_\_\_\_\_  
Linda Engbretson, City Recorder