



AGENDA

CITY COMMISSION OF THE CITY OF WARRENTON

REGULAR MEETING

January 28, 2020 – 6:00 P.M.

Warrenton City Commission Chambers – 225 South Main Avenue

Warrenton, OR 97146

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **CONSENT CALENDAR**

- A. City Commission Meeting Minutes – 1.14.20
- B. Library Board Meeting Minutes – 9.13.19
- C. Police Department Monthly Statistics – December 2019
- D. Police Department Statistics Review - 2019
- E. City Recorders Activity Report – 2019
- F. Building Department Activity Report
- G. Harbormaster Report – July 2019 – December 2019

4. **COMMISSIONER REPORTS**

Employee Recognition – Tim Bish

5. **PUBLIC COMMENT**

At this time, anyone wishing to address the City Commission concerning items of interest may do so. The person addressing the Commission must complete a Public Comment Card and submit it to the City Recorder prior to the meeting. 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.

6. **PUBLIC HEARINGS**

- A. Deliberation - Spur 104 Master Plan

7. BUSINESS ITEMS

- A. Consideration of Agreement for Long-Term Enterprise Zone Abatement
- B. Consideration of Second Reading of Ordinance No. 1234; Housing Code Amendments
- C. Consideration of Hammond Marina Breakwater Easement
- D. Consideration of First Reading of Ordinance No. 1235; Repealing WMC Chapter 13.12
- E. Consideration of Police Department Fee Increases

8. DISCUSSION ITEMS

- A. Future Changes to SE Ensign Lane Intersection with Warrenton Highlands

9. GOOD OF THE ORDER

10. EXECUTIVE SESSION

11. ADJOURNMENT

Warrenton 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 Dawne Shaw, City Recorder, at 503-861-0823 at least 48 hours in advance of the meeting so appropriate assistance can be provided.

MINUTES
 Warrenton City Commission
 Regular Meeting – January 14, 2020
 6:00 p.m.
 Warrenton City Hall - Commission Chambers
 225 S. Main
 Warrenton, OR 97146

Mayor Balensifer called the meeting to order at 6:01 p.m. and led the public in the Pledge of Allegiance

Commissioners Present: Mayor Henry Balensifer, Tom Dyer and Mark Baldwin
Excused: Rick Newton, Pam Ackley

Staff Present: City Manager Linda Engbretson, Public Works Operations Manager Kyle Sharpsteen, Police Chief Mathew Workman, Finance Director April Clark, and City Recorder Dawne Shaw

CONSENT CALENDAR

- A. City Commission Meeting Minutes – 12.10.19
- B. City Commission Work Session Minutes – 12.10.19
- C. City Commission Work Session Minutes – 12.17.19
- D. Monthly Finance Report – October 2019
- E. Monthly Finance Report – November 2019
- F. Fisherman's Benefit Fund – Fee Waiver
- G. System Development Charges Annual Report – FYE June 30, 2019
- H. Parks Advisory Board Minutes – June 2019
- I. Parks Advisory Board Minutes – August 2019
- J. Parks Advisory Board Minutes – October 2019
- K. Parks Advisory Board Minutes – November 2019
- L. Police Department Monthly Statistics – November 2019

Mayor Balensifer noted questions pertaining to the August and October Parks Advisory Board Minutes. Ms. Engbretson noted she is meeting with RARE participant, Morgan Murray, tomorrow and will clarify. Mayor Balensifer clarified his intent. Ms. Engbretson noted the parks community meeting on January 16.

Commissioner Baldwin made the motion to approve the consent calendar as presented. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Dyer – aye

Per City Charter, the Mayor Pro Tem is selected by ballot by the Commission at the first meeting of each calendar year. City Recorder, Dawne Shaw, read aloud the cast ballots:

Mayor Balensifer voted for Commissioner Newton
Commissioner Baldwin voted for Commissioner Dyer
Commissioner Dyer voted for Commissioner Newton

By majority vote, Commissioner Newton was elected Mayor Pro Tem for calendar year 2020.

COMMISSIONER REPORTS

Mayor Balensifer asked for a moment of remembrance in honor of Muriel Dunn and her family. He paid tribute to Muriel Dunn, noting she was a leading citizen and a pillar of the community.

PUBLIC COMMENT

Jim Ray commented on the condition of the glass recycling center; he suggested improvements. Mayor Balensifer noted there is a plan in the CIP to make improvements to the glass recycling center area; Public Works Operations Manager, Kyle Sharpsteen, confirmed.

PUBLIC HEARING

Mayor Balensifer opened the Public Hearing on the Spur 104 Master Plan. Formalities followed and no conflicts of interest or ex parte contacts were reported. City Manager, Linda Engbretson, gave a staff report on the process. She noted Mr. Cronin's request to conduct another public hearing per the agenda memo. Mayor Balensifer asked for public comment. No one spoke in favor. Mr. Ken Yuill spoke in opposition – He stated he would like to request a continuation to the January 28 meeting because the Community Development Director, Kevin Cronin, is not currently available. He noted the last planning commission meeting that was recently held and continued to note that many questions were brought up during the meeting. He would like the master plan to go through, but he would like Mr. Kevin Cronin to be present to bring clarification to the questions from the Planning Commission Meeting and to everyone who received notices. Mayor Balensifer asked for clarification when the notices were received. Mr. Yuill stated the notice he received was dated December 16, but he received his a few days later. Mayor Balensifer asked for further clarification on Mr. Yuill's main concern; Mr. Yuill stated the commercial square footage. He continued to state his concerns on the allowable commercial square footage, as it is not clear; he gave specific examples. In his opinion if it is voted on tonight it will not be clearly defined and he doesn't want it to be appealed to LUBA. Mayor Balensifer clarified that this would be the first reading. Mr. Yuill noted another point of concern being the conceptual drawings. Mayor Balensifer stated that the conceptual drawings are not binding, he continued to state that what is binding is the code. The conceptual drawings were developed to illustrate what it would look like as a concept. He continued to state what we are voting on is not the drawing, we are voting on the code; it amends the comprehensive plan and it changes parts of the development code as well- it's an overlay. For clarification Mr. Yuill asked about the drawings from Stuart Emmons. Mayor Balensifer noted that commission was very receptive to those drawings, but the drawings were there to illustrate the planning code during

MINUTES

the Charrette process to show how the area would develop. Discussion continued. Ms. Engbretson suggested taking testimony, closing the hearing and continuing deliberation and the first reading at the next Commission Meeting.

Mr. Nakka Vijaya Kumar stated he owns property in the affected area and received notice of this hearing. He noted he has no knowledge of what is going on. He stated he intends to buy houses for senior care and noted concerns about the concept plans and how it would affect his plans. Mayor Balensifer noted none of the platted roads are being changed; there will not be new roads added. Mr. Kumar requested a continuance to January 28. Mayor Balensifer noted he will close the hearing but will leave the public record open for written testimony for seven days. There being no further comments, Mayor Balensifer closed the public hearing.

Commissioner Baldwin made the motion to extend the written comment period for seven days, and to table the first reading at the next Commission meeting. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Dyer – aye

Mayor Balensifer noted the Kujalas would like to be included in master plans. He also gave suggestions for alternate development names – more historical. Consensus was Chelsea.

BUSINESS ITEMS

Mayor Balensifer noted Resolution No. 2554, in Memoriam of Muriel Dunn.

Commissioner Dyer made the motion to adopt Resolution No. 2554; In Memoriam of Muriel Dunn. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Dyer – aye

Paul Nielson of Isler CPA presented the audit results and financial statements for Fiscal Year ending June 30, 2019. Brief discussion followed.

City Manager Linda Engbretson presented Resolution No. 2552 for its second reading.

Commissioner Baldwin made the motion to conduct the second reading of Resolution No. 2552. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Dyer – aye

Mayor Balensifer conducted the second reading by title only of Resolution No. 2552; A Resolution Amending Exhibit B of Resolution 2538, City of Warrenton Building Permit Fees.

Commissioner Baldwin made the motion to adopt Resolution No. 2552; A Resolution Amending Exhibit B of Resolution 2538, City of Warrenton Building Permit Fees. Motion was seconded and passed unanimously.

MINUTES

Baldwin – aye; Balensifer – aye; Dyer – aye

City Manager Linda Engbretson presented Ordinance No. 1234 for its first reading. She noted the public hearing was held on December 10; the commission raised concerns on parking standards. Those concerns are reflected in the amended ordinance.

Commissioner Dyer made the motion to conduct the first reading by title only of Ordinance No. 1234. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Dyer – aye

Mayor Balensifer conducted the first reading by title only of Ordinance No. 1234; An Ordinance Amending the Comprehensive Plan Article 2, Warrenton Municipal Code Chapter 16, Regarding New Policies and Amended Code to Increase the Supply and Diversity of Housing.

Mayor Balensifer read Resolution No. 2553; Commemorating and Supporting the Warrenton High School Career and Technical Education Center.

Commissioner Baldwin made the motion to adopt Resolution No. 2553; A Resolution Commemorating and Supporting the Warrenton High School Career and Technical Education Center. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Dyer – aye

Mayor Balensifer noted his nominations for appointments to the Budget Committee and the Library Board.

Commissioner Dyer made the motion to appoint Ms. Becky Seviars to Position No. 1 on the Warrenton Budget Committee. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Dyer – aye

Commissioner Baldwin made the motion to appoint Ms. Mary Ann Brandon to Position No. 2 on the Warrenton Community Library Board. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Dyer – aye

Various resolutions were presented to authorize appointments and set terms of office.

Commissioner Baldwin made the motion to adopt Resolution No. 2556; Authorizing Appointments to Fill Positions on the Warrenton Planning Commission and Setting Terms of Office. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Dyer – aye

Commissioner Dyer made the motion to adopt Resolution No. 2555; Authorizing Appointments to Fill Positions on the Warrenton Community Library Board and Setting Terms of Office. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Dyer – aye

Commissioner Dyer made the motion to adopt Resolution No. 2557; Authorizing Appointments to Fill Positions on the Warrenton Budget Committee and Setting Terms of Office. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Dyer – aye

Commissioner Baldwin made the motion to adopt Resolution No. 2558; Authorizing Appointments to Fill Positions on the Warrenton Parks Advisory Board and Setting Terms of Office. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Dyer – aye

Commissioner Dyer made the motion to adopt Resolution No. 2559; Authorizing Appointments to Fill Positions on the Warrenton Community Center Advisory Board and Setting Terms of Office. Motion was seconded and passed unanimously.

Baldwin – aye; Balensifer – aye; Dyer – aye

DISCUSSION ITEMS – None

GOOD OF THE ORDER

Commissioner Dyer stated he was very pleased with how our city worked together last year. He is thankful for his own health condition and his new liver. He also noted how fortunate it is - how well everyone gets along and works together.

City Manager noted the Fishermen’s Benefit is this Friday and Saturday. She also noted the Town Hall on January 23, and that City Hall is closed Monday for Martin Luther King Day. She noted how well staff was prepared and worked during the recent storm/flooding event and thanked them for their hard work.

Mayor Balensifer encouraged everyone to attend the town hall on January 23 and explained some of the event details ; Facebook live for those who can’t attend in person. He continued to explain the purpose of the January 23 Town Hall meeting.

There being no further business, Mayor Balensifer adjourned the regular meeting at 7:00 p.m.

Respectfully submitted by Lindsay Duarte, Deputy City Recorder

APPROVED:

Henry A. Balensifer III, Mayor

ATTEST:

Dawne Shaw, City Recorder

DRAFT

WARRENTON COMMUNITY LIBRARY ADVISORY BOARD - 9.13.2019 MEETING MINUTES

The Warrenton Community Library Advisory Board met on Sept. 13, 2019, in the Warrenton City Hall Commission chambers. The meeting was called to order at 5:30 p.m. by Chairwoman Kelsey Balensifer.

Also in attendance were board members Rebecca Herren, Natalie Duggan, Dawn DeLacey and Baret Becker. Eileen Purcell and Rochelle Coulombe were unable to attend. Site Manager Nettie-Lee Calog was also at the meeting – her final meeting as the Warrenton Community Library site director before her retirement. Frank Becker attended the meeting as a guest.

Kelsey presented the minutes from the WCL Advisory Board's regular meetings on June 14, 2019. Dawn moved to approve the minutes and Rebecca seconded. All approved.

Nettie delivered the site manager report. All three county libraries will be integrated into the same online system following Astoria's integration on Monday, during which the Warrenton Community Library will be closed. The first inter-library loan courier service delivery and pick up went well, and this service should considerably ease the burden on library staff and volunteers.

Nettie reported that the summer reading program wrapped up in the end of August and was very successful. It's currently Banned Books Month at the library and books that have been banned for various reasons are being featured prominently. The library is screening "To Kill a Mockingbird" on Thursday, Sept. 19, 2019. ESL class will be offered one evening a week for Spanish speakers at the library. Laura Lattig will be paid by Clatsop Community College to teach the class.

Nettie's last day at the library will be Nov. 8, 2019. The City has received at least 15 applications for the librarian position, and many of those applications are from very strong candidates.

Kelsey brought up the fact that several board members' terms are expiring at the end of the year. At least one board member will not reapply for her position, leaving a spot open on the board. Kelsey suggested that the current board members start thinking about other members of the community they know who might be interested in the position.

There was no public comment.

Our next meeting is Friday, Dec. 13, 2019 at 5:30 p.m. in the City Commission Chambers. This will be the final WCL Advisory Board meeting of 2019.

The meeting was adjourned at 5:58 p.m.

Meeting Minutes were recorded by Kelsey Balensifer, Board Chair.



WARRENTON POLICE DEPARTMENT
DECEMBER 2019 STATISTICS
 JANUARY 28, 2020



December Statistics (% changes are compared to 2018)							
Category	2019	2018	% Chg	2017	% Chg	2016	% Chg
Calls for Service	731	867	-16%	663	10%	622	18%
Incident Reports	228	231	-1%	115	98%	143	59%
Arrests/Citations	145	218	-33%	72	101%	85	71%
Traffic Events	119	237	-50%	192	-38%	157	-24%
DUII Calls	5	5	0%	4	25%	5	0%
Traffic Accidents	29	21	38%	21	38%	24	21%
Property Crimes	91	131	-31%	76	20%	65	40%
Disturbances	85	88	-3%	51	67%	84	1%
Drug/Narcotics Calls	4	12	-67%	4	0%	8	-50%
Animal Complaints	19	22	-14%	16	19%	13	46%
Officer O.T.	323.23	164.8	96%	152	113%	314	3%
Reserve Hours	12	79.5	-85%	53.5	-78%	46.5	-74%

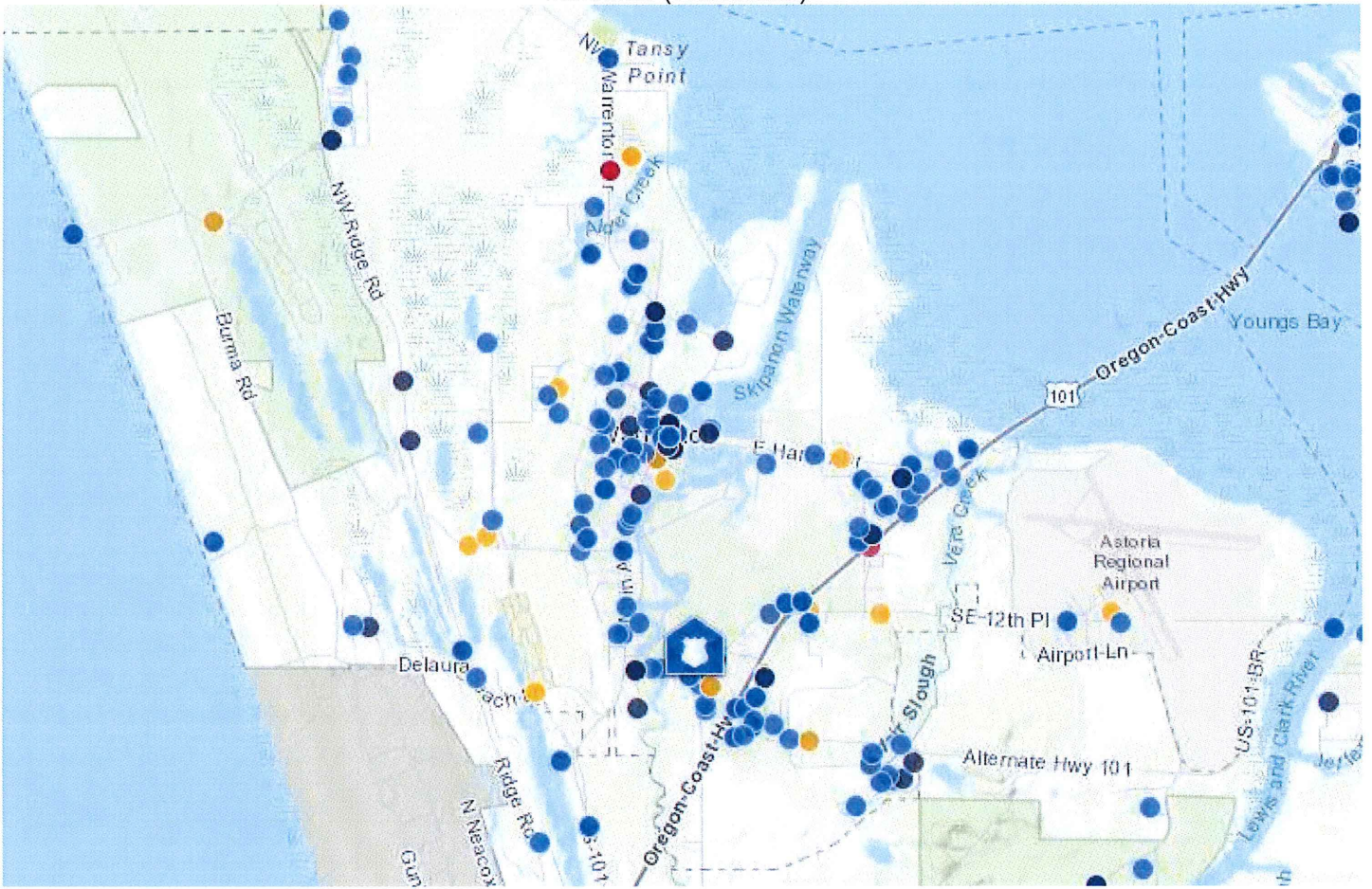
Category	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Calls for Service	727	643	700	717	781	693	875	1031	781
Incident Reports	210	157	194	198	223	189	218	211	150
Arrests/Citations	210	171	200	153	191	165	213	176	131
Traffic Events	254	236	233	218	251	182	211	270	202
DUII Calls	6	2	8	5	8	1	3	3	3
Traffic Accidents	25	15	9	25	18	16	41	30	15
Property Crimes	116	89	104	92	99	99	124	133	78
Disturbances	71	60	66	70	86	98	121	130	108
Drug/Narcotics Calls	13	10	8	4	8	9	4	5	5
Animal Complaints	22	15	26	26	32	31	39	46	28
Officer O.T.	93.73	106.49	86.45	107.15	116.98	192.9	174.48	171.73	228.9
Reserve Hours	37.5	25.5	26.5	27	8.5	27.5	15	40.75	9

Oct	Nov	Dec	2019 YTD	2019 Estimate	2018	2019 v 2018	2017	2019 v. 2017	2016	2019 v. 2016
772	655	731	9106	9106	9332	-2%	7538	21%	7689	18%
247	195	228	2420	2420	2551	-5%	2028	19%	1749	38%
161	179	145	2095	2095	1731	21%	1098	91%	925	126%
153	132	119	2461	2461	3101	-21%	2094	18%	2353	5%
1	1	5	46	46	55	-16%	52	-12%	15	207%
20	17	29	260	260	271	-4%	226	15%	291	-11%
106	123	91	1254	1254	1187	6%	902	39%	805	56%
105	82	85	1082	1082	953	14%	778	39%	781	39%
9	8	4	87	87	108	-19%	79	10%	42	107%
25	19	19	328	328	325	1%	301	9%	311	5%
259.33	333.15	323.23	2195	2195	1731.7	27%	2400.3	-9%	1249	76%
19.25	11	12	260	260	359.5	-28%	290	-11%	901.75	-71%

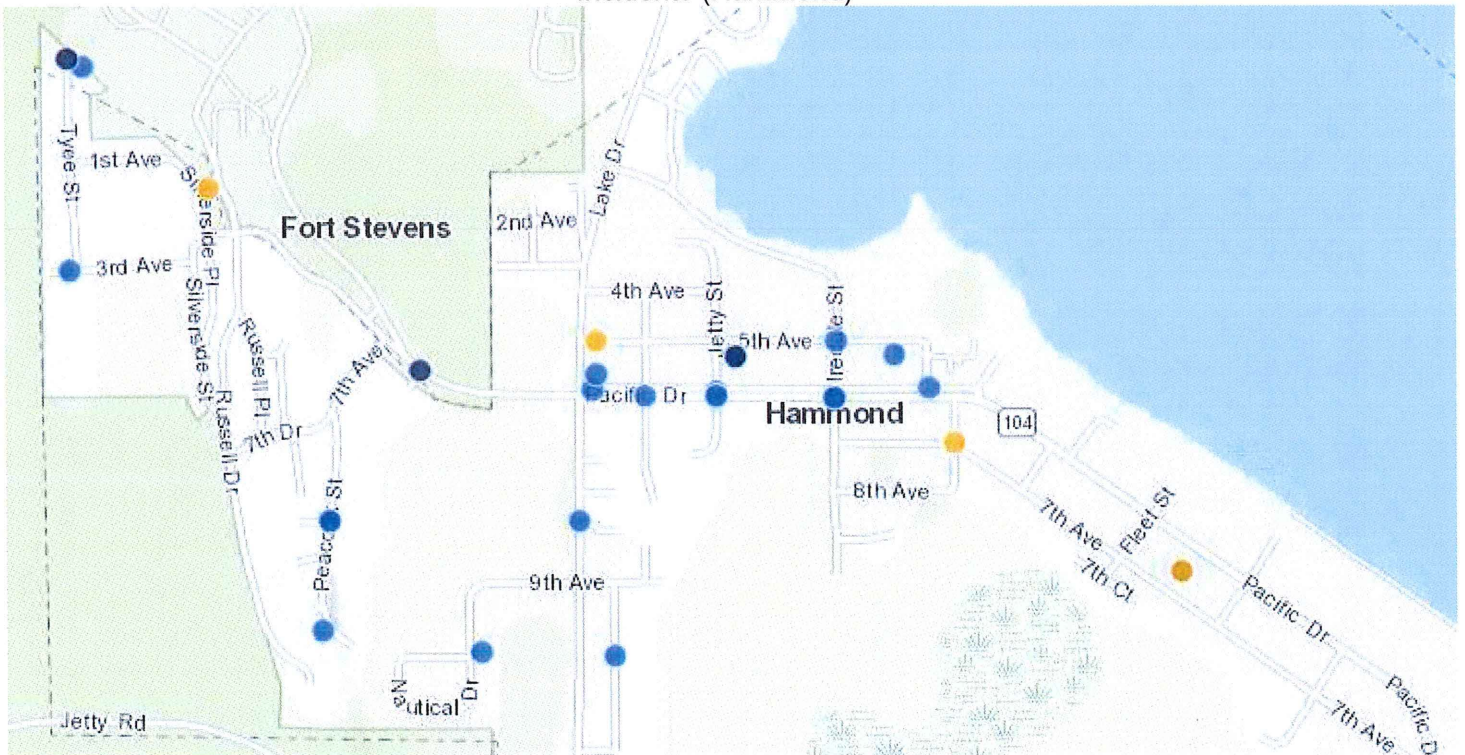
The following is a graphic representation of statistics for November 2019 using our **CityProject** membership (formerly CrimeReports.com). The “Dots” represent a location of a call and if you would zoom in on the map you would see an icon for the type of call and some basic time/date details. Some dots represent multiple calls at one location. If you go to the website, you can zoom in on each incident for more details.

- Assault
 - Assault
 - Assault with Deadly Weapon
 - Sexual Offense
 - Sexual Assault
 - Sexual Offense
 - Other Sexual Offense
 - Other Violent Offense
 - Homicide
 - Kidnapping
 - Robbery
- Property & Theft
 - Property Crime
 - Breaking & Entering
 - Property Crime Commercial
 - Property Crime Residential
 - Other Property Crime
 - Theft
 - Theft from Vehicle
 - Theft of Vehicle
 - Other Theft
- Disorder/Disturbance
 - Disorder
 - Disorder
 - Drugs
 - Drugs
 - Liquor
 - Liquor
 - Quality of Life
 - Quality of Life
- 911 or Other
 - Community Events
 - Community Policing
 - Proactive Policing
 - Emergency
 - Emergency
 - Fire
 - Fire
 - Police Calls

Incidents (Warrenton)



Incidents (Hammond)



City of Warrenton Police



Mathew J. Workman, Chief of Police

PRESS RELEASE

**** FOR IMMEDIATE RELEASE ****

January 14, 2020

Car Care Program

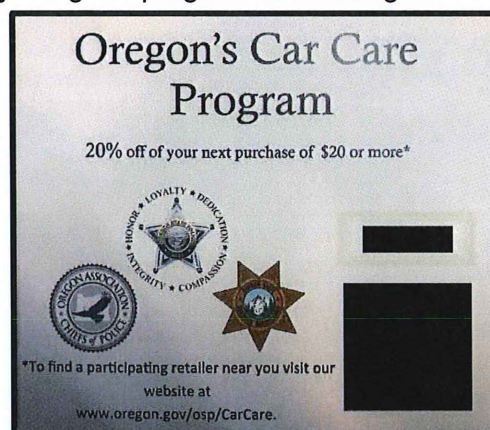
Warrenton, OR – The Warrenton Police Department has become a participant in **Oregon's Car Care Program**. The program originally started with the Oregon State Police (OSP) who have since expanded the program to include the Oregon Association Chief's of Police (OACP) and the Oregon State Sheriff's Association (OSSA) to provide City Police Officers, County Sheriff's Deputies, and State Police Troopers the ability to issue an "Oregon Car Care Voucher" that provides a discount on automotive parts purchased at participating auto parts stores (some restrictions will apply).

Oregon's Car Care Program was developed as a way to improve vehicle safety and roadway safety by assisting drivers to fix minor equipment defects on their vehicle. An officer will stop a vehicle with a headlight out or other minor equipment violation and the officer will issue a warning and advise the driver to get the violation fixed or repaired. Many times, the driver has limited financial resources and puts off the repair to be able to pay other necessities like rent, groceries, etc. Unfortunately, this can affect the safety of the vehicle and that of others on the roadway. Officer, deputies, and troopers understand financial priorities but also want to have safe vehicles on the roadway so being able to provide a "Oregon Car Care Voucher" to help save money on purchasing equipment and help the driver get it fixed is a win all the way around!

The WPD contacted the following local auto parts stores in Clatsop County and they have agreed to participate or are participating in the program:

- Auto Zone Auto Parts 1470 SE Discovery Lane Warrenton, OR 97146
- NAPA (Sunset Auto Parts) 710 W. Marine Dr. Astoria, OR 97103
- NAPA (Sunset Auto Parts) 909 S. Holladay Dr. Seaside, OR 97138
- O'Reilly Auto Parts 1649 SE Ensign Lane Warrenton, IR 97146

Astoria Police Department will be joining the program soon along with other agencies on the Coast too.

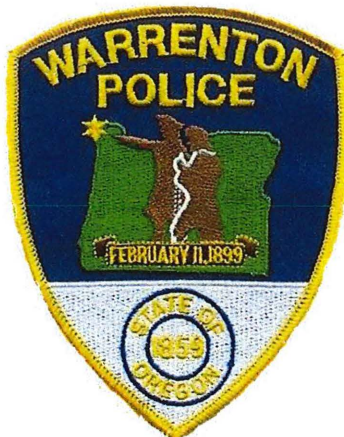


Prepared by Chief Mathew Workman, 503-861-2235, policechief@ci.warrenton.or.us

Pride in Community • Excellence in Service
225 S. Main Avenue • P.O. Box 250 • Warrenton, Oregon 97146
(503) 861-2235 • Fax (503) 861-2863
<http://www.ci.warrenton.or.us/police>

2019

WPD STATISTICS REVIEW



Chief Mathew Workman
Chief of Police
1/1/2019



WARRENTON POLICE DEPARTMENT

2019 STATISTICS REVIEW

JANUARY 28, 2020



The following is a 4-year statistical comparison for the WPD (2016, 2017, 2018, 2019).

Some statistics of note are as follows:

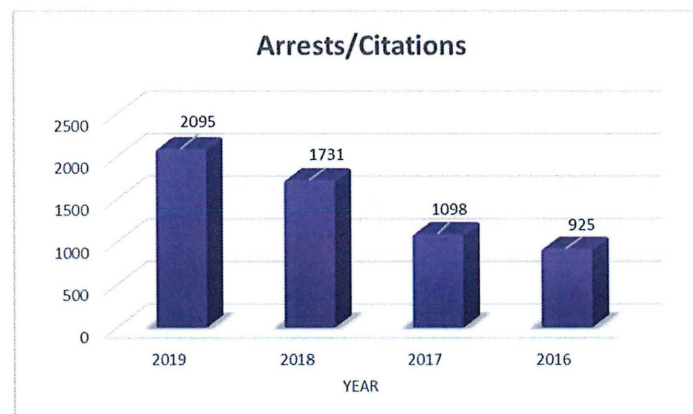
- Calls for service were at 9,106, a 2.5% decrease over 2018 (9,332).



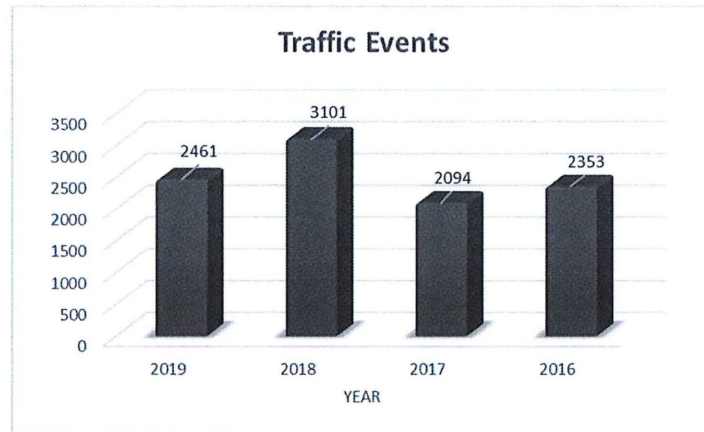
- Incident reports decreased 6% from 2,551 to 2,420.



- Arrests/Citations showed another increase of 21% from 1,731 to 2,095. This increase was affected by activity from Walmart, an increase in property crimes, and trespassing by the homeless on private property.

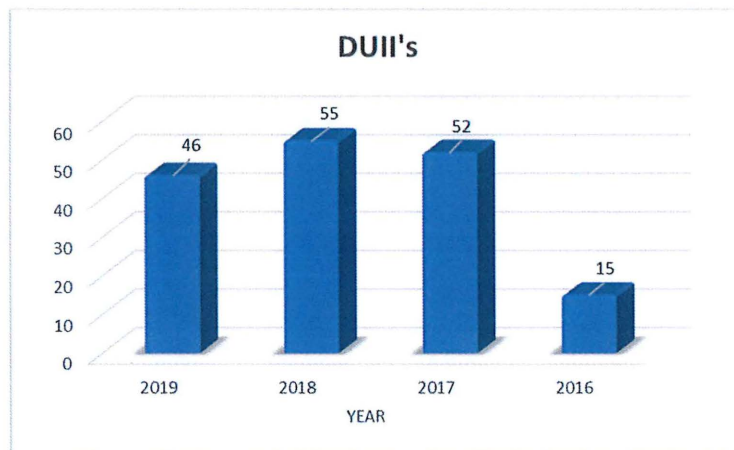


- Traffic Events had a decrease going from 3,101 to 2,461, down 21%.

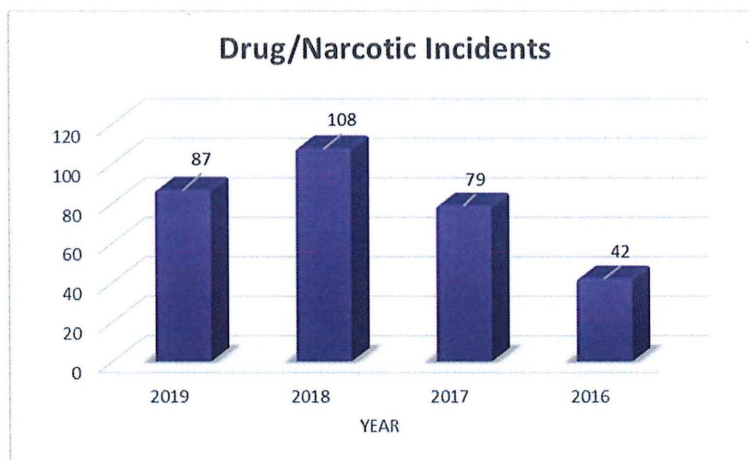


The decrease in Traffic Events had a direct relation to being very short-staffed last year. More officers mean more proactive enforcement stats like traffic stops, DUI's, and more time to do proactive activity.

- DUI events decreased slightly by 16%, 55 to 46... Again, mostly because we were so short-staffed so there was less time for proactive DUI enforcement.



- Drug/Narcotics Incidents were down 19% going from 108 to 87...A decrease in proactive enforcement due to staffing and some narcotics law changes had an effect on these numbers.



- Disturbances increased last year by 13% (953 to 1,082).



- Property Crimes increased 5% (1,187 to 1,254). I again believe this increase is due to calls from Walmart, Fred Meyer getting full-time loss-prevention staff, and an increase in calls with the homeless.

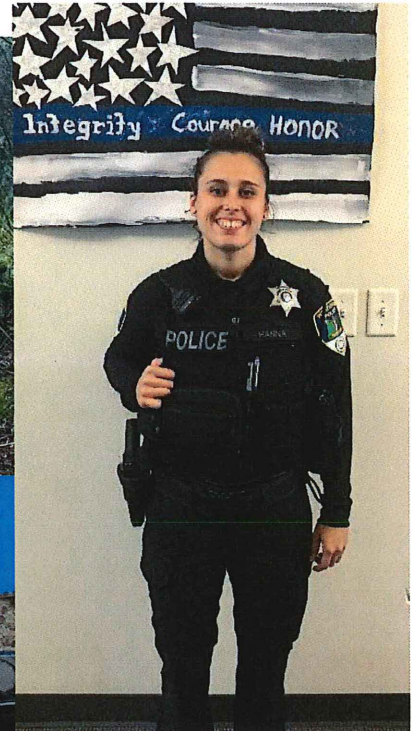
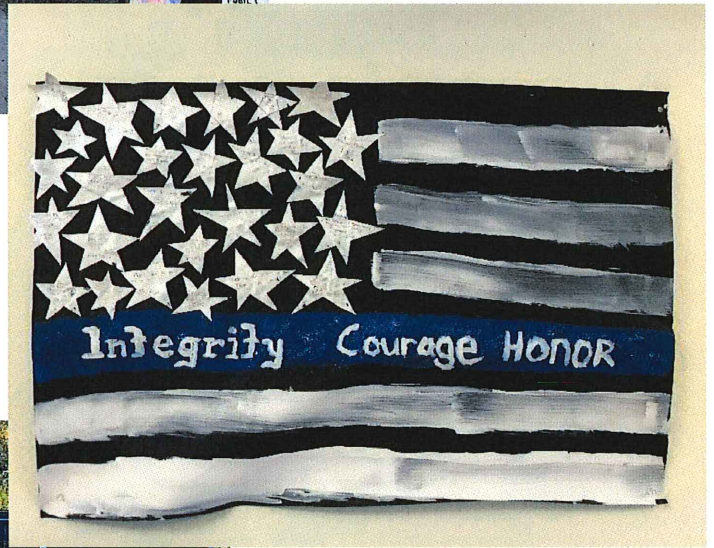


- On June 29, 2019, the WPD joined the Astoria Police Department in tracking contacts with the Homeless, regardless whether they were call-generated or officer-generated. After completing a call with the homeless an officer advised Dispatch of this fact using clearance “Code 40”. If the homeless person was “aggressive” (verbally or physically) the officer would clear with a “Code 41”. Here are those statistic:



Overall statistics saw the following trends:

- .52% decrease** in 2019 over 2018
- 18.62% increase** in 2019 over 2017
- 22.26% increase** in 2019 over 2016





STAFF REPORT

TO: The Warrenton City Commission
FROM: Dawne Shaw, City Recorder
DATE: January 28, 2020
RE: City Recorder Update – 2019 Activity Report

The following is an activity report from the City Recorder's office outlining activities and statistics for 2019. Deputy City Recorder, Lindsay Duarte has been instrumental in completing these projects and activities. Going forward, I hope to submit quarterly reports.

- **Public Records Requests:** 45 Public Records Requests in 2019 – a 181% increase from 2018
- **Meetings:** 51 Meetings, includes regular commission meetings, work sessions, URA meetings, special/joint meetings; Budget meetings and WURAC meetings. (includes preparing agendas, packets, staff reports, press notices, minutes, attendance, etc.)
- **Notary Services:** 40 Notarizations in 2019
- **Quarterly E-Newsletter:** 2 Editions published – 154 Subscribers to date
- **Implementation of HPRM (electronic records management software):** We are currently uploading ordinances, resolutions, meeting packets and minutes. We will be adding a "web drawer" to the city website for the public's access to public records. This will increase transparency and potentially decrease the number of public records requests.

- **Consolidation and cataloging of records in offsite storage units:** Before and after pictures attached.

This report is not fully inclusive of all activities of the city recorder's office. Other projects and activities include but are not limited to – Management & maintenance of the City website and social media accounts; Responding to citizens' concerns and complaints; Filing insurance claims; Records management, retention & destruction per Secretary of State guidelines.

Consolidated Storage - Before 1



BOX NO. 120
DESTROY

FROM 1960-1980
THRU
Lot Director
Books

CONTENTS News Contracts
Stock No. 1015
VIKING OFFICE PRODUCTS
1-800-421-1222

Land use 1970-82

VIKING OFFICE PRODUCTS
1-800-421-1222
Stock No. 1015

Office DEPOT
Misc. files #19

1970
Land use
Stock No. 1015

82 edral Record Storage System

33250

APR 9 00 7/16

Consolidated Storage - Before 2



After - 1+2



after - 3 & 4



JANUARY 2020 REPORT TO COMMISSION

➤ **Community Building**

- 1- We have been able to develop closer relationships with stakeholders through informal meetings to discuss customer service expectations and improvement strategies. We will continue to build City/Contractor partnerships.
- 2- We have completed the handout checklists for commercial and residential projects for better expectations from customers point of view. This has provided a more predictable outcome for submittals from the community in all areas. With the implementation of new State Codes every three years this continues to be a work in progress.
- 3- The IGA's with County Building Codes for reciprocal inspections has been completed.

➤ **Visioning Update**

- 1- With the new Residential Inspector position now filled, we will be better positioned to maintain the level of customer service we had set in 2019. With the increase in commercial construction we have experienced in 2019 and the upcoming large projects currently in the works, we are much better equipped to maintain this customer service. We will start the recruitment process for a replacement Building Official in late April.
- 2- Continue to provide Janice's training for certified permit tech through OPTA or ICC.
- 3- We now have budget levels to support 1 FTE inspector and Building Official. We will continue to build beginning fund balances to fully fund following year.

➤ **Downtown Improvements**

- 1- Continue to work with CDD to accommodate downtown improvements and help provide opportunities to streamline the review and permitting process.
- 2- The County has completed their migration to E-Permitting. We will be scheduling meetings with the State to further explore our implementation to E-Permitting, which will help to provide an easier path for customers to access permits and inspection results.

➤ **Emergency Preparedness**

- 1- Complete update of EOP by July 2020 for submittal and approval by Commission and incorporate into County EOP.
- 2- Continue to support local Emergency Preparedness and Awareness Education.
- 3- Work to further City/County/State partnerships for disaster preparedness.

CITY OF WARRENTON MARINAS - REPORT 7/1/19 - 12/31/19

CITY OF WARRENTON MARINAS - REVENUE COLLECTED THROUGH DECEMBER 31, 2019

WARRENTON				HAMMOND			
REVENUE	BUDGET	YTD	%	REVENUE	BUDGET	YTD	%
OSMB - MAP GRANT	\$ -	\$ -	0%	OSMB - MAP GRANT	\$ -	\$ -	0%
MOORAGE CREDITS				MOORAGE CREDITS		\$ -	
ANNUAL MOORAGE	\$ 265,000.00	\$ 269,009.00	102%	ANNUAL MOORAGE	\$ 110,000.00	\$ 103,824.00	94%
TRANSIENT DAILY	\$ 50,000.00	\$ 26,202.00	52%	TRANSIENT DAILY	\$ 15,000.00	\$ 13,575.00	91%
UTILITIES	\$ 100,000.00	\$ 56,712.91	57%	UTILITIES	\$ 17,000.00	\$ 15,654.73	92%
BOAT STORAGE	\$ 30,000.00	\$ 17,391.00	58%	BOAT STORAGE	\$ -	\$ -	
LAUNCH RAMP	\$ 30,000.00	\$ 30,320.00	101%	LAUNCH RAMP	\$ 100,000.00	\$ 105,760.00	106%
HOIST/SHOWER	\$ 15,000.00	\$ 6,750.00	45%	HOIST/SHOWER	\$ -	\$ -	
FUEL CHARGES	\$ -			FUEL CHARGES	\$ -	\$ -	
MONTHLY MOORAGE	\$ 35,000.00	\$ 22,553.00	64%	MONTHLY MOORAGE	\$ 20,000.00	\$ 14,475.00	72%
TRANSIENT DEPOSIT	\$ -			TRANSIENT DEPOSIT	\$ -	\$ -	
PARKING	\$ 25,000.00	\$ 21,790.00	87%	PARKING	\$ 30,000.00	\$ 35,820.00	119%
PUMP OUT	\$ -			PUMP OUT	\$ -	\$ -	
OVERNIGHT STAY	\$ 12,000.00	\$ 13,160.00	110%	OVERNIGHT STAY	\$ 52,000.00	\$ 56,820.00	109%
LIVEABOARD FEES	\$ 6,000.00	\$ 3,300.00	55%	LIVEABOARD FEES	\$ -	\$ -	
WORK SLIP	\$ 8,500.00	\$ 2,000.00	24%	WORK SLIP	\$ -	\$ -	
REPAIR CHARGES	\$ -			REPAIR CHARGES	\$ -	\$ -	
PIER USE	\$ 4,000.00	\$ 1,450.00	36%	PIER USE	\$ -	\$ -	
PIER PRODUCT CHARGES	\$ -			PIER PRODUCT CHARGE	\$ -	\$ -	
MISCELLANEOUS	\$ 7,500.00	\$ 3,722.00	50%	MISCELLANEOUS	\$ 4,000.00	\$ 2,930.00	73%
INTEREST EARNINGS	\$ 7,000.00	\$ 6,480.00	93%	INTEREST EARNINGS	\$ 15,000.00	\$ 9,941.00	66%
LEASE RECIPITS	\$ 28,978.00	\$ 13,458.00	46%	LEASE RECIPITS	\$ 12,901.00	\$ 5,435.00	42%
TOTALS	\$ 623,978.00	\$ 494,297.91	79%	TOTALS	\$ 375,901.00	\$ 364,234.73	97%

Accounts Receivable	Current	30-60	60-90	Over 90	Total
	\$ 11,647.29	\$ 3,252.84	1,489.84	\$ 15,858.95	\$ 32,248.92
Receivable Breakdown Warrenton : \$30,605.21 Hammond : \$1,643.71					\$ 32,248.92

Current Occupancy Report	Total Slips	Annual Commercial	Annual Guide/Ch	Annual Pleasure/Sail	Occupancy Total	% Occupancy
Warrenton	346	77	3	92	172	50%
Hammond	180	3	12	61	76	42%

Warrenton Marina On Going Goals 2019-2020

- Raise and Remove Abandoned/Derelict Vessel - Suzanne
- Remove(Possible Burn to Learn Abandoned /Derelict Vessel - Master Chris (2013)
- Seizure and Sale of Sailing Vessel - Tigger
- Pier Repair
- Recycle Area Commercial Fishermen Gear
- Paint Launch Ramp Restrooms
- On Going Dock Repair & Maintenance

Auction/Sell parts off of Derelict Vessels to Recoup cost of Removal
Continue with Launch/Park A Veteran Idea
Continue with Improved Signage
Continue with Thursday Market

Hammond Marina 2018/2019 - On Going Goals

Continue with Marina acquisition - Easement Requirement
Continue with Marina dredging - last completed in 2007
Continue with Launch/Park A Veteran Idea
Continue with River Beach clean up
Continue with improve signage



AGENDA MEMORANDUM

TO: The Warrenton City Commission
FROM: Kevin A. Cronin, AICP, Assistant City Manager/Community Development Director
DATE: For the Agenda of January 28, 2020
Deliberation: Spur 104 Master Plan (RZ 19-1, DCR 19-2, CP 19-2)

BACKGROUND

The City Commission held a public hearing on January 14, 2020 to take public testimony on the Spur 104 (“Chelsea Gardens”) master plan, which has been under development concurrently with the housing code update. The proposal includes a zoning map overlay, performance standards, and comprehensive plan policies to support the implementation of Warrenton’s first neighborhood master plan.

The City Commission received two public comments in regard to the future development of Spur 104 area. To confirm, the concept plans referred to in the proposed Comprehensive Plan amendment are illustrative and provide guidance to the development community and property owners about the possibilities of what can be built. The Development Code, including the proposed revisions in the overlay district, dictates the actual development standards and pattern of what will eventually will be built in the future.

Enclosed is Ordinance No. 1233 to review, including suggested minor revisions.

RECOMMENDATION/SUGGESTED MOTION

Staff recommends finalizing the standards before consideration of a first reading. If there is consensus, the City Commission can hold a first reading by title only.

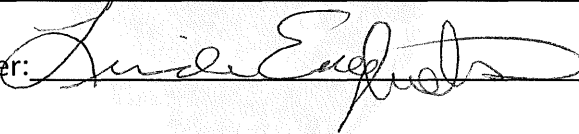
Spur 104 Proposal Suggested Motion: *I move to hold a first reading of Ordinance No. 1233 by title only.*

Alternative Motion: *I move to deliberate at the February 11, 2020 City Commission meeting.*

Enclosure:

Ordinance No. 1233, Spur 104; Development Code Revisions, Concept Plans (2) Comprehensive Plan Amendment, and Zoning Map Revision

Approved by City Manager:

A handwritten signature in black ink, appearing to read "Julie Engle", is written over a horizontal line. The signature is cursive and somewhat stylized.

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

**Ordinance 1233
Introduced by All Commissioners**

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN ARTICLE 2,
WARRENTON MUNICIPAL CODE CHAPTER 16.116, 16.220, AND WARRENTON
ZONING MAP REGARDING THE CREATION OF POLICIES TO SUPPORT
NEIGHBORHOOD MASTER PLANNING AND A NEW NEIGHBORHOOD CHELSEA
GARDENS**

WHEREAS, the City Commission initiated and approved a zone change for the “Spur 104” area in 2019 by Ordinance No. 1228 to encourage the development of a mixed use, high density neighborhood; and

WHEREAS, the Warrenton Urban Renewal Agency financially supported the zone change to encourage local economic development through the creation of new businesses;” and

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

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

WHEREAS, the City Commission held two public hearings - December 10, 2019 and January 14, 2020 to take public testimony and adhere to the applicable notice procedures in the Warrenton Development Code.

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

Section 1. A new chapter regulating the creation of new neighborhood master plans shall be added to Warrenton Municipal Code Chapter 16.116.

16.116.010. Purpose. The purpose of this chapter is to set forth design overlay standards for new neighborhood master plans to insure the orderly conversion of a large amount of urbanizable land to mixed use, residential and commercial land within the City to higher intensity, urban uses to maximize investment in public facilities. The standards will apply to areas identified through City or developer initiated master planning. The subject areas are largely vacant and currently have a low level of urban services. These areas are projected to develop over time to a density of at least 25 units per acre similar to High Density Residential Zone (RH). This chapter is intended to insure that public facilities adequate to serve development at this density are provided, either before or concurrent with development.

16.116.020 Boundaries of Neighborhood Master Plan Areas.

The neighborhood master plan standards in this chapter shall apply to areas designated on the Comprehensive Plan/Zone Map with the symbol “NMP-NAME.” In addition, a specific master plan will be adopted and referenced herein that illustrates the boundaries and physical layout of new streets, parks, and other land uses.

16.116.030 Neighborhood Master Plan Development Standards

The following standards shall apply to new development within designated areas:

- A. All development shall provide the following primary urban services: water, sanitary sewer facilities connecting to the City sewer system, local streets, fire protection and drainage. An inability to provide an acceptable level of all primary services shall result in the denial of a land use application.
- B. All development shall be reviewed to ascertain whether an adequate level of the following secondary urban services exists: collector and arterial streets, transit, schools, police protection, and parks. Where the City determines and supports with findings that an unacceptable level of secondary urban services exist, the City may deny the land use application unless the developer insures the availability of an acceptable level of the services within five years from occupancy.
- C. City specifications shall be the standard used as measurement of acceptability of a service, including traffic engineering and adopted city transportation policies, to disperse new traffic trips generated by the impact of new development. If street standards are proposed that differ from the TSP, findings and analysis shall be provided to demonstrate compliance and consistency with neighborhood planning principles.
- D. Encourage the maximum redevelopment of the area to facilitate the creation of a pedestrian friendly, transit supportive, and people oriented neighborhood where residents and visitors can walk to services within the neighborhood and adjacent areas.
- E. Development proposed within the neighborhood overlay that is consistent with the master plan is streamlined whereas any proposed development that does not support neighborhood planning principles in Comprehensive Plan and other policies should be discouraged.

16.116.040 Spur 104 Performance Measures & Redevelopment Standards

The following standards shall apply to new development in the Spur 104 Neighborhood Master Plan area.

- A. Development shall conform to either the "Mixed Use Concept" or "Residential Concept" contained herein. All streets, parks, open space, and trails shall be adhered to and planned for in future development.
- B. The total number of housing units for the new neighborhood shall not exceed 350 units. The types of units and minimum density are described in the Commercial Mixed Use (CMU) Zone and High Density Residential Zone (RH) standards. Housing units that existed prior to 2018 shall not be counted towards the cap on the total amount. Adaptive reuse of cultural or historic structures built prior to 1940 is strongly encouraged.
- C. The total amount of commercial space shall not exceed 50,000 SF. No building footprint shall be larger than 20,000 SF to encourage a mixed use, neighborhood scale, and pedestrian-oriented design. Maximum of building floor area shall be regulated by height standard. The types of uses allowed are described in the Commercial Mixed Use (CMU) Zone. However, drive thrus shall be prohibited to reduce traffic impacts.
- D. Architectural design shall be governed by WMC 16.116 Design Standards. In addition, at least three distinct exterior materials shall be used. Glass entries and vestibules shall not be

counted towards the required amount of materials. A distinctive entry is required. New parking for commercial uses should be located to the rear or side portion of the lot.

- E. All new development shall contribute to planned parks and trails identified on the concept plans and Parks Master Plan.
- F. Zero lot line developments for single family attached are allowed subject to site design review.

Section 2. The chapter regulating conditional use permits shall be amended in Warrenton Municipal Code Chapter 16.220 with the following:

Chapter 16.220 CONDITIONAL USE PERMITS

16.220.030 Review Criteria.

A. Before a conditional use is approved findings will be made that the use will comply with the following standards:

- 1. The proposed use is in conformance with the Comprehensive Plan.
- 7. The use is appropriate at the proposed location. Several factors which should be considered in determining whether or not the use is appropriate include: accessibility for users (such as customers and employees); availability of similar existing uses; availability of other appropriately zoned sites; and the desirability of other suitably zoned sites for the intended use.

Section 3. The Warrenton Comprehensive Plan Article 2: Urban Development, Section 2.340 shall be amended with the following:

Section 2.340 Neighborhood Master Planning

The City of Warrenton will facilitate the orderly conversion of low density residential and commercial lands to mixed use, urban densities when public facilities are available and feasible to serve a neighborhood.

- 1. The City will initiate the neighborhood master plan or encourage private owners and investors to consider a neighborhood master plan or planned unit development to achieve neighborhood master plan principles:
 - a. Provide a common framework that balances both certainty and flexibility for stakeholders.
 - b. Utilize existing right of way (street) pattern and provide an efficient layout for multiple transportation options.
 - c. Foster a sense of community through quality architecture and urban design.
 - d. Bolster the neighborhood with a park or common open space available to all residents and visitors.
 - e. Create a walkable and pedestrian oriented district to support higher transit use and less auto traffic.
 - f. Connect to surrounding community assets, including downtown.
 - g. Address increased traffic issues in conjunction with any new redevelopment.

2. Areas proposed for neighborhood master plans are the following:

- **Hammond**
- **Downtown**
- **Chelsea Gardens (Spur 104; between US 101 and SE Ensign Lane)**

3. Neighborhood master plans shall be reviewed by the Planning Commission and City Commission as a legislative amendment to the Comprehensive Plan, Zoning Map Overlay, and Development Code.

Section 4. The Warrenton Zoning Map shall be amended with the addition of a “Chelsea Gardens Overlay” and is included as Exhibit A.

Section 5. This Ordinance shall take full force and effect 30 days upon its adoption by the Commission of the City of Warrenton.

First Reading: January 28, 2020

Second Reading:

ADOPTED by the City Commission of the City of Warrenton, Oregon this __ day _____ of 2020.

APPROVED

Henry A. Balensifer, Mayor

Attest:

Dawne Shaw, City Recorder

Exhibit A Warrenton Zoning Map



Warrenton Zoning

With Adjacent County Zones

- City Limits (Warrenton, Astoria)
- Warrenton Urban Renewal District
- Spur 104 Neighborhood Master Plan

Warrenton Zoning

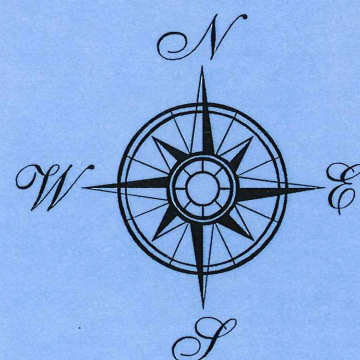
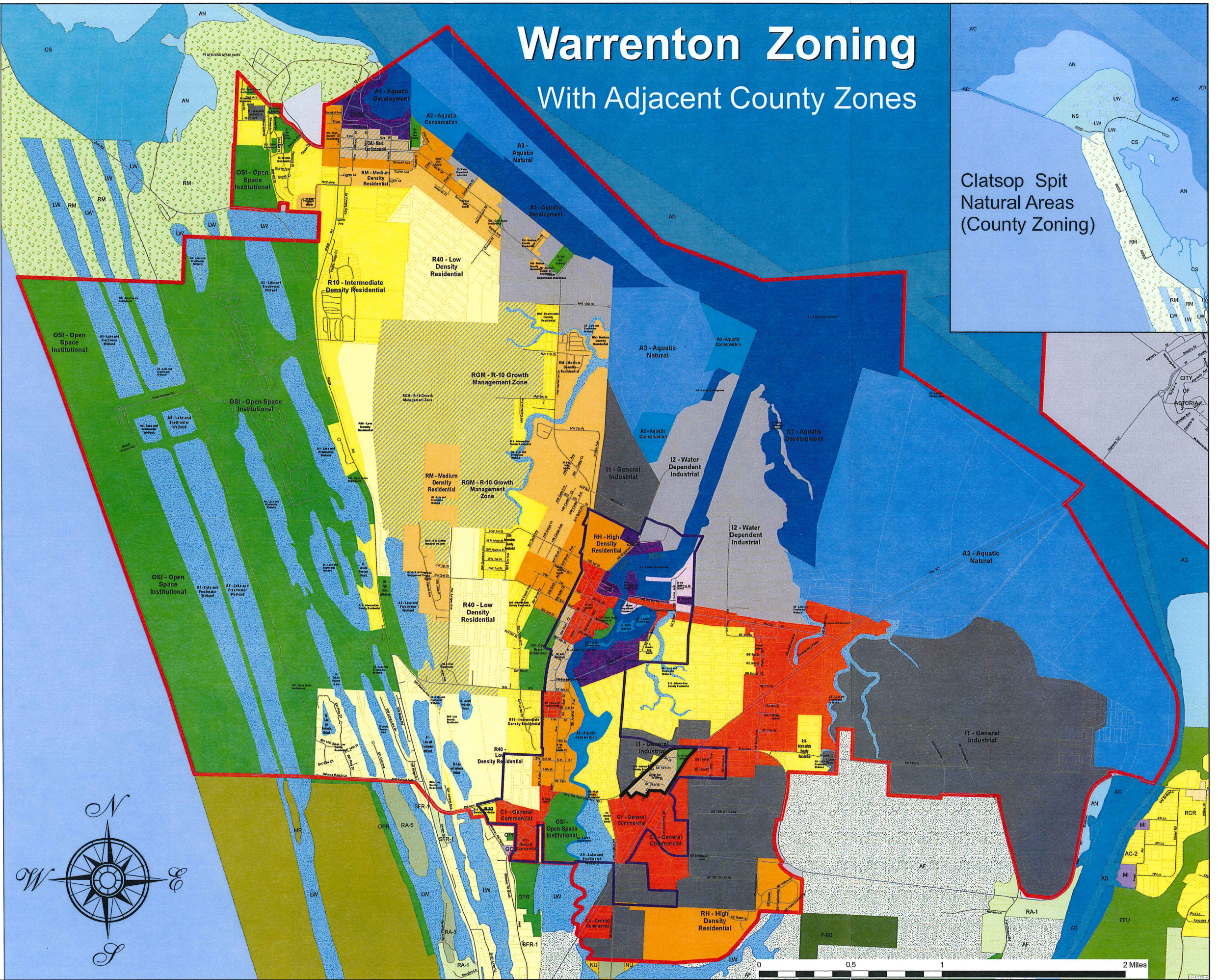
- R40 - Low Density Residential
- R10 - Intermediate Density Residential
- RGM - R-10 Growth Management Zone
- RM - Medium Density Residential
- RH - High Density Residential
- C1 - General Commercial
- C2 - Water Dependent Commercial
- CMU - Mixed Use Commercial
- RC - Recreational Commercial
- I1 - General Industrial
- I2 - Water Dependent Industrial
- OSI - Open Space Institutional
- A1 - Aquatic Development
- A2 - Aquatic Conservation
- A3 - Aquatic Natural
- A5 - Lake and Freshwater Wetland

County Zoning

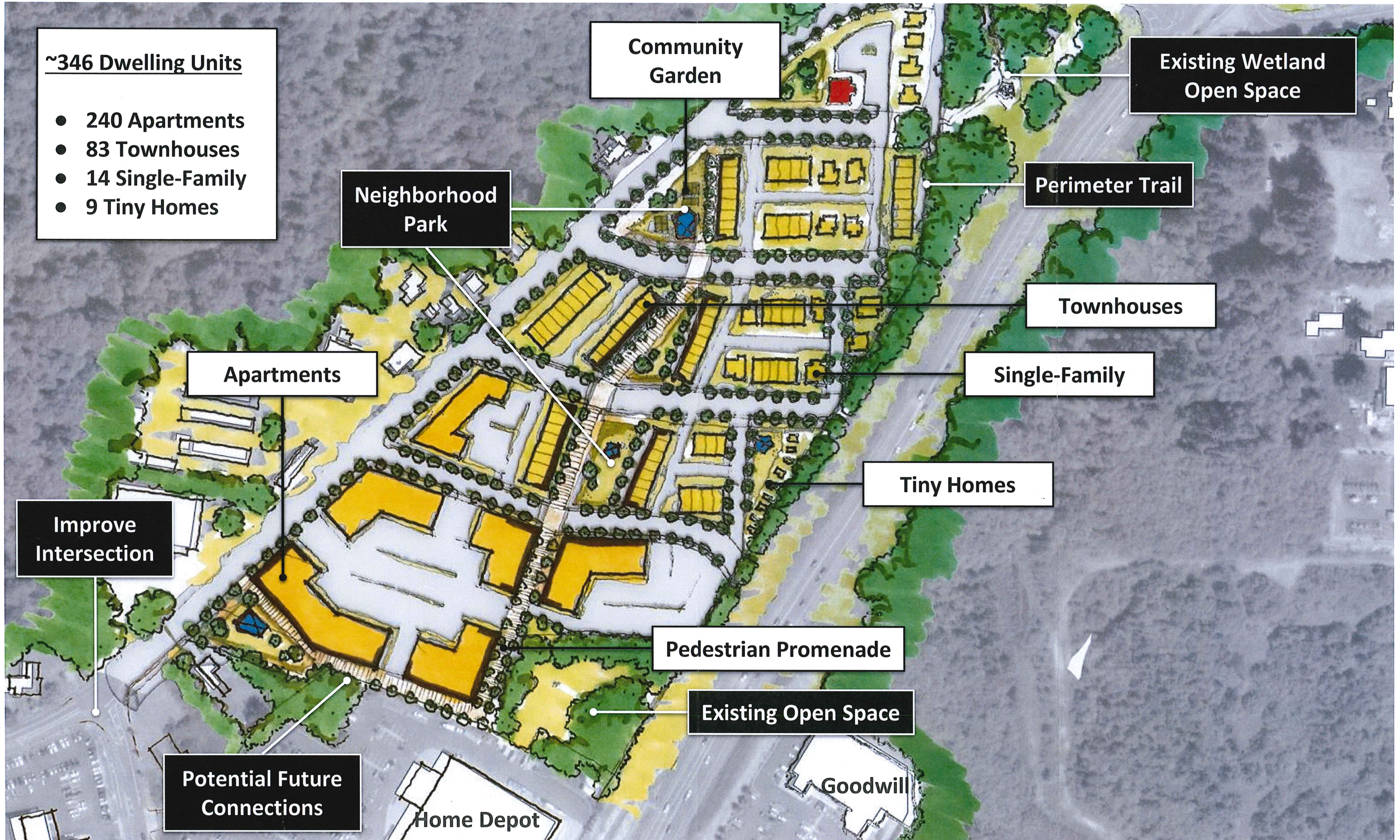
- AC Aquatic Conservation
- AD Aquatic Development, Ship Channel, Jetty
- AF Agriculture - Forestry
- AN Aquatic Natural
- CS Conservation Shorelands
- EFU Exclusive Farm Use
- F-80 Forest - 80
- LW Lake and Wetlands
- MI Marine Industrial Shorelands
- MR Military Reserve
- NS Natural Shorelands
- NU Natural Uplands
- OPR Open Space, Parks, Recreation
- RA-1 Residential Agriculture - 1
- RA-5 Residential Agriculture - 5
- RM Recreation Management
- SFR-1 Single Family Residential - 1

1 inch = ~845 ft at 34" x 44" (ANSI E)
 1 inch = 1300 ft at 22" x 34" (ANSI D)
 1 inch = 2600 ft at 11" x 17" (Tabloid, ANSI B)

Revised Compilation: Sept, 2019
 S:\Warrenton Map Gallery\ZoningMap.pdf [...\PLANNING\ZoningMap190905.mxd]



C-MU SITE FRAMEWORK PLAN :: RESIDENTIAL CONCEPT



C-MU SITE FRAMEWORK PLAN :: MIXED-USE CONCEPT





AGENDA MEMORANDUM

TO: The Honorable Mayor and Warrenton City Commission
FROM: Linda Engbretson, City Manager
DATE: For the Agenda of January 28, 2020
SUBJ: **Agreement for Long-Term Rural Enterprise Zone Abatement**

SUMMARY

Attached is an *Agreement for Long-Term Rural Enterprise Zone Abatement*, which needs approval from all sponsors of the Clatsop County Enterprise Zone, including the City of Warrenton. This agreement entitles Big Beams, (Fort George) an exemption from *ad valorem* property tax with respect to all qualified property owned by Big Beams, LLC, used in connection with the redevelopment of the former Astoria Warehousing property. The expected investment is approximately \$12,500,000.00. The term of this exemption is 15 years.

Kevin Leahy, Executive Director for CEDR, owner Chris Nemlowill, and Business Oregon Regional Development Officer Melanie Olson will be attending your meeting on January 28 to answer any questions you may have regarding the agreement.

RECOMMENDATION/SUGGESTED MOTION

"I move to authorize the Mayor's signature on the Agreement for Long-term Rural Enterprise Zone Abatement."

ALTERNATIVE

As deemed appropriate by the City Commission.

FISCAL IMPACT

The former Astoria Warehousing Property is located within the city limits of Astoria and no *ad valorem* taxes pertaining to this property will be forfeited by the City of Warrenton. It is unclear if

this will affect any property within the city limits of Warrenton currently owned by Big Beams, LLC.

AGREEMENT FOR LONG-TERM RURAL ENTERPRISE ZONE ABATEMENT

This agreement for Long-Term Rural Enterprise Zone Tax Abatement ("Agreement") is executed by and among CLATSOP COUNTY, OREGON ("Clatsop County"), the CITY OF ASTORIA, OREGON ("City of Astoria"), the CITY OF WARRENTON ("City of Warrenton"), the PORT OF ASTORIA ("Port of Astoria") and BIG BEAMS, LLC ("Big Beams"), herein collectively referenced in this Agreement as "Parties."

RECITALS

Clatsop County, the Port of Astoria, the City of Warrenton and the City of Astoria are Sponsors of the Clatsop County Enterprise Zone pursuant to Oregon Revised Statute (ORS) 285C.045, *et seq.*

With the aid of tax incentives from the Sponsors, Big Beams, either directly or through an affiliate, intends to invest approximately \$12,500,000.00 in the Clatsop County Enterprise Zone by redeveloping the former Astoria Warehousing property located at 70 W. Marine Drive, Astoria with a projected place-in-service date of December 31, 2020.

Big Beams must execute a first-source hiring agreement, pursuant to ORS 285C.215, regarding the new permanent jobs to be created in Clatsop County.

NOW, THEREFORE, in recognition of the foregoing recitals, in consideration of the covenants contained herein, and in accordance with ORS 285C.400 through 285C.420, the Parties hereby agree as follows:

AGREEMENT

- I. **Exemption:** The Sponsors jointly acknowledge and agree that, upon timely submission by Big Beams of an application for authorization, and upon certification by the Sponsors and the Clatsop County Assessor, and conditioned upon the satisfaction of other requirements under ORS 285C.400 to 285C.420 and this Agreement, the Facility will be exempt from *ad valorem* property tax on the Facility as provided in ORS 285C.409(1). The property tax exemption granted by this Agreement will to the maximum extent permitted by this law exempt from all *ad valorem* property taxation the real property improvements, personal improvements, and tangible and intangible personal property (excluding land, as set forth in ORS 285C.409(5)(a)) comprising or installed, constructed, added or otherwise placed at the Facility, all as set forth in ORS 285C.409 and OAR 123-690-0100 and 123-690-6200.
- II. **Term of Exemption:** Pursuant to ORS 285C.409(1)(c), and conditioned upon the satisfaction of other requirements under ORS 285C.400 to 285C.420 and this Agreement, the Facility will be exempt from *ad valorem* property tax for a total of 15 consecutive property tax years ("Exemption Period") and shall commence as of the first tax year in which the Facility is in service as of the assessment date.

III. **Scope of Exemption:** Pursuant to ORS 285C.409(1)(a) and (b) and subject to Section I, Big Beams is entitled to exemption from *ad valorem* property tax with respect to all qualified property owned by Big Beams and used in connection with the redevelopment of the property.

IV. **Obligations of Big Beams:** Big Beams will comply with the following conditions as authorized under ORS 285C.403(3)(c), which constitutes consideration for the extension of the exemption beyond seven years:

A. **Statutory and Administrative Requirements:** Big Beams agrees to comply with the requirements of ORS 285C.409 and 285C.412(2) as well as those provided in Oregon Administrative Rules ("OAR") Chapter 123, Division 690, including:

1. **Minimum Facility Investment:** As provided in ORS 285C.412, by the end of the year in which the Facility is placed in service, the total cost of the facility will be approximately \$12,500,000.00.
2. **Minimum Employment:** Big Beams will hire and thereafter continue to employ during the term of this exemption at least 35 full-time employees at the Facility by the end of the third calendar year following the year in which the Facility is placed in service.
3. **Minimum Employee Total Compensation:** Big Beams agrees that the annual average total compensation for all of Big Beams employees at the new Facility will be at least equal to or greater than 130 percent of the [Clatsop County average annual wage](#), in accordance with the definitions and guidelines in OAR Chapter 123, Division 690. This requirement may be initially met in any year during the first five years after the year in which operation of the Facility begins, and thereafter is met if the annual average total compensation is equal or greater than in the year this requirement was initially met.
4. **Minimum Employee Wage:** Big Beams agrees that the average annual wage for all employees at the new Facility will be at least equal to or greater than the [then-current Clatsop County average annual wage](#), in accordance with the definitions and guidelines in OAR Chapter 123, Division 690.

B. **Community Benefit.** As a community benefit, Big Beams will partner with Clatsop Community College to develop:

- Potential Fermentation Science transfer program with Oregon State University.
- CCC program with experiential learning in the sector, focusing on hands on experience and certificate programs.
- Integrating Internship opportunities throughout Clatsop County sector businesses.
- Specific courses related to craft brewery/fermentation lab courses, business of fermentation, quality control, and craft brewery science.

C. **Post Certification Verification:** Big Beams agrees to file with the Clatsop County Assessor no later than March 1st of each year, the Worksheet for Annual Compliance as provided under OAR 123-690-5200(4). Big Beams further agrees to provide any additional information requested by the Clatsop County Assessor or the Co-Sponsors to confirm ongoing compliance.

V. **Obligations of Sponsor:** Sponsor will comply with the following conditions:

A. **Resolutions:** Within 30 days of the Effective Date (as that capitalized term is defined below), the governing body of Clatsop County and of the City of Astoria will adopt resolutions approving and authorizing the execution of this Agreement. Such resolutions will serve to approve the Facility for a property tax exemption under ORS 285C.409 and constitute the resolutions described in ORS 285C.403(3)(a).

B. **Certification:** Within 30 days of satisfaction of the criteria set forth under ORS 285C.403(3), Sponsor and the Assessor will approve and countersign the application submitted by Big Beams, thereby certifying Big Beams as eligible for the property tax exemption contemplated by this Agreement.

C. **Tax Exemption:** Sponsor hereby sets the period of the property tax exemption for purposes of ORS 285C.409(1)(c) to be 15 consecutive years.

D. **Sponsor Support:** Sponsor will support Big Beams in Big Beam's efforts to qualify for and obtain other tax incentives in connection with the Facility, including by promptly executing such letters or other documentation of support as may be reasonably requested by Big Beams, but Sponsor makes no warranty with respect to its ability to affect any outcome in such regards.

VI. **Termination Rights:** Each party may terminate this Agreement as follows:

A. **Big Beam's Termination Right:** If any condition contained in the Agreement fails to be satisfied for any reason, Big Beams may elect to terminate this Agreement by delivery of written notice thereof to Sponsor. Upon delivery of any such notice, this Agreement will be of no further force or effect and no party will have any further rights or obligations hereunder, except for obligations owing and unpaid on the date of termination.

B. **Sponsor's Termination Right:** If Big Beams fails to fulfill any Statutory obligation of this agreement within 30 days of written notice specifying the obligation which is in default, Sponsor may terminate the Agreement upon written notice to Big Beams. Such written notice, however, must provide an additional 60 days in which Big Beams may cure any such deficiency or default. Upon the expiration of the 60 days, this Agreement will be of no further force or effect and no party will have any further rights or obligations hereunder, except for obligations owing and unpaid on the date of termination, and all aspects of the Facility will become subject to the usual *ad valorem* property tax.

C. **Mutual Termination Right:** The parties may terminate this Agreement at any time upon mutual written agreement of termination.

VII. Miscellaneous Provisions:

- A. Effective Date:** This Agreement becomes effective on the date at which this Agreement has been signed by all of the Parties.
- B. Assignment:** Big Beams may assign, upon written notice and authorization in the name of the assignee, its rights and obligations under this Agreement to a new entity without any further consent of Sponsor.
- C. Amendment:** This Agreement may be amended only by a written document signed by the party against whom enforcement is sought.
- D. Waiver:** No waiver will be binding on a party unless it is in writing and signed by the party making the waiver. A party's waiver of a breach of a provision of this Agreement will not be a waiver of any other provision or a waiver of a subsequent breach of the same provision. This Agreement constitutes the entire agreement between the Parties on the subject matter hereof.
- E. Severability:** The Parties agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provision shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.
- F. Governing Law:** This Agreement is governed by the laws of the State of Oregon, without giving effect to any conflict-of-law principle that would result in the laws of any other jurisdiction governing this Agreement.
- G. Venue:** Any action, suit, or proceeding arising out of the subject matter of this Agreement will be litigated in courts located in Clatsop County, Oregon. Each party consents and submits to the jurisdiction of any local, state, or federal court located in Clatsop County, Oregon.
- H. Attorney's Fees:** If any arbitration, action, suit, or proceeding is instituted to interpret, enforce, or rescind this Agreement, or otherwise in connection with the subject matter of this Agreement, including but not limited to any proceeding brought under the United States Bankruptcy Code, the prevailing party on a claim will be entitled to recover with respect to the claim, in addition to any other relief awarded, the prevailing party's reasonable attorney's fees and other fees, costs, and expenses of every kind, including but not limited to the costs and disbursements specified in ORCP 68 A(2), incurred in connection with the arbitration, action, suit, or proceeding, any appeal or petition for review, the collection of any award, or the enforcement of any order, as determined by the arbitrator or court.
- I. Entire Agreement:** This Agreement contains the entire understanding of the Parties regarding the subject matter of this Agreement and supersedes all prior and contemporaneous negotiations and agreements, whether written or oral,

between the Parties with respect to the subject matter of this Agreement.

- J. Signatures:** This Agreement may be signed in counterparts. A fax or electronic transmission of a signature page will be considered an original signature page. At the request of a party, the other party will confirm a fax-transmitted signature page by delivering an original signature page to the requesting party.

IN WITNESS WHEREOF, the Parties, by their respective duly authorized representatives, have executed this Agreement on the date shown below.

**CLATSOP COUNTY
BOARD OF COMMISSIONERS**

CITY OF ASTORIA

Name, Title

Name, Title

Date: _____

Date: _____

Attest:

Attest:

Recording Secretary

City Recorder

CITY OF WARRENTON

PORT OF ASTORIA

Name, Title

Name, Title

Date: _____

Date: _____

Attest:

Attest:

City Recorder

Recording Secretary



AGENDA MEMORANDUM

TO: Warrenton City Commission
FROM: Kevin A. Cronin, AICP, Assistant City Manager/Community Development Director
DATE: January 28, 2020
SUBJECT: Ordinance No. 1234; Housing Code Amendments (CP 19-1, DCR 19-1)

BACKGROUND

The City Commission held the first reading of Ordinance No. 1234 at its January 14, 2020 meeting. A public hearing was held on December 10, 2019 for the amendment to the Warrenton Development Code to implement the recommendations of a Housing Needs Assessment (June 2019). No public comments were received specific to the housing proposal. However, the City Commission provided comments on the cottage cluster provision. Staff has recommended increasing the minimum lot size to 15,000 SF, which will allow greater flexibility to accommodate parking and shared open space requirements. The Commission also raised concerns regarding the parking standard. Below is a summary of the parking standard under the proposed cottage cluster based on a 15,000 SF lot and 1-acre lot.

Lot Size (RH Zone)	Off Street Parking (1 per cottage+ .5 guest)	Notes
15,000 SF = 4 units	4 + 2 (guest)= 6 spaces	Proposed minimum lot size; 2,000 SF of open space
1 acre = 20 units (43,560 SF)	20 + 10 (guest)= 30 spaces	Proposed minimum density = 20 units/acre; 4,000 SF of open space

Enclosed is Ordinance No. 1234 for its second reading and adoption.

RECOMMENDATION/SUGGESTED MOTION

Staff recommends holding a second reading of Ordinance No. 1234, by title only.

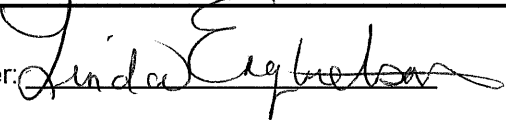
"I move to hold a second reading of Ordinance No. 1234 by title only."

Title: "Ordinance No. 1234, Introduced by All Commissioners, An Ordinance Amending the Comprehensive Plan and Warrenton Municipal Code Chapter 16.,16. Regarding New Policies and Amended Codes to Increase the Supply and Diversity of Housing."

"I move to adopt Ordinance No. 1234."

ALTERNATIVE

None

Approved by City Manager: 

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

Ordinance 1234
Introduced by All Commissioners

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND WARRENTON MUNICIPAL CODE CHAPTER 16. , 16. REGARDING NEW POLICIES AND AMENDED CODES TO INCREASE THE SUPPLY AND DIVERSITY OF HOUSING

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

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

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

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

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

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

16.12.010 Definitions.

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

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

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

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

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

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

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

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

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

Transitional Housing: Temporary housing provided as a social service to homeless such as a shelter, warming center, or dormitory.

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

16.180.040 Accessory Dwelling Standards.

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

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

Low Density Residential R-10 Zone

16.28.020 Permitted Uses.

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

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

16.28.040 Development Standards.

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

A. Density Provisions.

1. Minimum lot area for residences: **8,000 square feet. Minimum density is 5 dwelling units per acre.**

Medium Density Residential - RM Zone

16.32.020 Permitted Uses.

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

A. Single-family detached dwelling.

D. **Duplex, townhome, and triplex** subject to standards of Chapter 16.184.

16.32.040 Development Standards.

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

A. Density Provisions.

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

High Density Residential - RH Zone

16.36.040 Development Standards.

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

A. Density Provisions.

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

16.40.020 Permitted Uses.

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

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

1. Personal and business service establishments such as barber or beauty shop, clothes cleaning, or funeral home.

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

21. Similar uses as those stated above.

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

1. Personal and business service establishments such as barber or beauty shop, clothes cleaning or funeral home.

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

16.202 Courtyard Cottage Cluster Housing (NEW CODE SECTION)

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

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

C. Review Procedures.

1. Applications for cottage cluster development on a single lot will be reviewed by the Community Development Director - Type 2 application.
2. Applications for cottage cluster development involving creation of multiple lots shall be reviewed in accordance with 16.216. Subdivision.

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

1. **Density.** Cottages may be built up to the density established for cottage cluster development in the underlying zone. Cottages are permitted outright in the R-10, RM, and RH zone. Minimum lot size is 15,000 SF.
2. **Number of cottages.** A cottage cluster development is composed of four (4) to twenty (20) dwelling units.
3. **Cottage design.** The cottages in a cottage cluster development are subject to the following standards:
 - a. **Maximum floor area.** The gross floor area of each cottage shall not exceed 1,250 square feet.
 - b. **Maximum footprint:** The footprint of each cottage unit shall not exceed 800 square feet, or 1,200 square feet including a garage. A communal garage or parking structure is permitted, and is not subject to the maximum footprint requirements for cottages.
 - c. **Average size.** The average size of all dwellings combined within a cottage cluster development will be less than 1,200 square feet.
 - d. **Maximum height.** The height of each cottage shall be the same as required by the underlying zoning and applicable overlay zoning.
 - e. **Placement.** If cottages differ in size, smaller cottages shall be located adjacent to or in closer proximity than larger cottages to the adjacent public street or River Trail to which the development is oriented.
 - f. **Setbacks.** The setbacks from adjacent property lines along the perimeter of the cottage cluster development shall be the same as required by the underlying zone. The minimum distance between all structures, including accessory structures, shall be in accordance with building code requirements (at least six (6) feet spacing between buildings).
 - g. **Private open space.** Each cottage may have private open space for the exclusive use of the cottage residents. Private open space does not count towards the required common open space.
 - h. **Orientation of cottages.** Cottages shall be clustered around the common open space. Each cottage shall have a primary entrance and covered porch oriented to the common open space. All cottages shall be within 10 feet from the common open space, measured from the façade of the cottage to the nearest delineation of the common open space. Lots in a cottage cluster development are not required to abut a public right-of-way, except that the parent parcel shall have frontage on a public right-of-way in accordance with 16.120

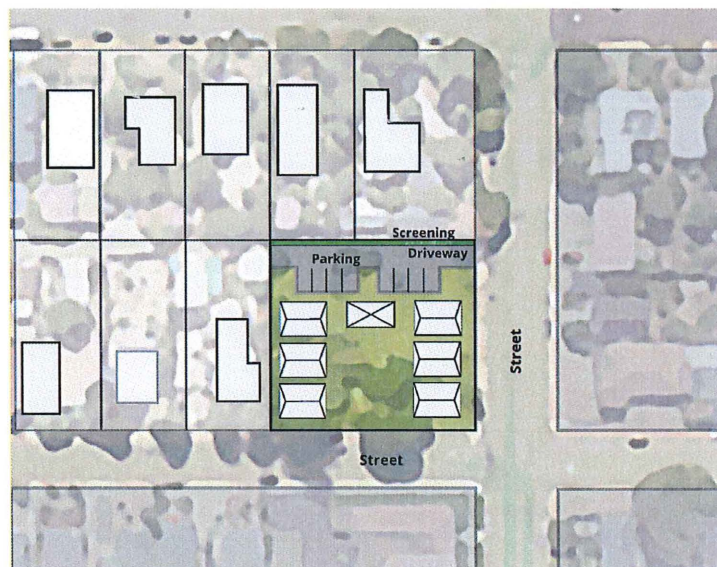
i. **Common Open Space.** The design of the common open space shall not use unusable lot area or projections to meet the requirement for common open space. Unusable lot area includes, but is not limited to, foundation landscaping, enlarged or enhanced parking strips or sidewalks, narrow strips of land,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

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

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

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

Figure 1: Example of Cottage Cluster Layout on Infill Lot



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

a. Each cottage cluster development shall contain a minimum 2,000 square feet of common open space regardless of the number of cottages in the cluster, and not less than 200 square feet of common open space per cottage.

b. The common open space shall include at least a single, contiguous, useable piece.

c. Cottages shall abut the common open space on at least two sides of the open space.

d. Parking areas, required yards, private open space, and driveways do not qualify as common open space.

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

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

8. Frontage, access, and walkways.

- a. Frontage. The parent parcel shall have frontage on a public street. If individual lots are created within the cluster development, each lot shall abut the common open space, but is not required to have public street frontage.
- b. Access. No part of any structure shall be more than 150 feet, as measured by the shortest clear path on the ground, from fire department vehicle access, unless the building has a fire suppression system.
- c. Walkways. A cottage cluster development shall have sidewalks abutting all public streets. A system of interior walkways shall connect each cottage to the common open space, parking areas, private driveways, any community buildings, the sidewalks abutting any public streets bordering the cottage cluster development, and other pedestrian or shared use facilities such as the Waterfront Trail. Sidewalks abutting public streets shall meet the width requirements established in the Warrenton Engineering Design Standards, and interior walkways shall be at least four (4) feet in width.

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

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

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

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

Section 3.3.10 Residential Lands

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

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

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

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

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

First Reading: January 14, 2020

Second Reading:

ADOPTED by the City Commission of the City of Warrenton, Oregon this ___ day _____ of 2020.

APPROVED

Henry A. Balensifer, Mayor

Attest:

Dawne Shaw, City Recorder



AGENDA MEMORANDUM

TO: The Warrenton City Commission
FROM: Jane Sweet, Harbormaster
DATE: January 28, 2019
SUBJ: Hammond Marina Breakwater Easement No 61788-EA

SUMMARY

The City of Warrenton Marinas, Hammond Marina, received a letter from Oregon Department of State Lands dated December 26, 2019 with an attached draft for the breakwater structure at the Hammond Boat Basin.

The Oregon Department of State Lands requires a one-time compensatory payment for the use of this property during the 30-year term of the easement.

RECOMMENDATION/SUGGESTED MOTION

Staff recommends the following motions;

"I move to approve the easement agreement with the Oregon Department of State Lands for the Hammond Breakwater State Easement No 61788-EA with compensatory payment of \$7,466.24 for use during the term of the 30 year easement."

ALTERNATIVE

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

FISCAL IMPACT

\$7,466.24 to be paid out of the Hammond Capital Improvement Acquisition Cost Fund
013-461-620009

Approved by City Manager:

Linda Engelson

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



Oregon

Kate Brown, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

www.oregon.gov/dsl

December 26, 2019

State Land Board

SN410/61788-EA
CITY OF WARRENTON
ATTN: JANE SWEET
PO BOX 250
WARRENTON, OR 97146

Kate Brown
Governor

Bev Clarno
Secretary of State

RE: State Easement No. 61788-EA

Tobias Read
State Treasurer

Dear Ms. Sweet:

Enclosed is a draft easement for the breakwater structure at Hammond Boat Basin crossing state-owned submerged and/or submersible lands on the Columbia River in Clatsop County.

The administrative processing fee required is \$750.00 and was received on February 2, 2019.

The Department also requires a one-time compensatory payment for your use of this property during the term of the easement. An invoice for the compensatory payment of \$7,466.24 is enclosed. You may pay by check or you may pay online at <https://apps.oregon.gov/dsl/EPS>

Pursuant to ORS 93.808, public entities are now required to expressly accept the grant of an easement affecting that public entity. If the City is in agreement with the terms and conditions of the easement, please complete the attached Certificate of Approval of Conveyance Form and return it to the Department of State Lands (Department) as soon as possible.

Once the Department receives back the indication of the City's agreement with the terms and conditions of the easement, compensatory payment and the completed Approval of Conveyance Form, the easement will be signed by the Field Operations Manager and returned to the City for your records.

If you have any questions, please call me at 503-986-5288.

Sincerely,

Blake Helm
Proprietary Coordinator
Northwest Region
Aquatic Resource Management

Enclosure

DRAFT

STATE OF OREGON Department of State Lands

EASEMENT NO. 61788-EA Breakwater Structure

The STATE OF OREGON, by and through its Department of State Lands, GRANTOR, for and in consideration of \$7,466.24, hereby grants to GRANTEE,

NAME of GRANTEE:
City of Warrenton

ADDRESS:
PO Box 250
Warrenton, OR 97146

a single use easement and right to construct, maintain, operate and replace a breakwater structure over, upon, and across the following particularly described property situated in Clatsop County, Oregon, more particularly described as follows:

Tract 1

All submerged and submersible land in the Columbia River in Section 5, Township 8 North, Range 10 West, Willamette Meridian, Clatsop County, Oregon, more particularly described as follows:

Commencing at a 3 1/4" aluminum "Clatsop County Surveyor" cap set in B.T. Record CS#1974, marking the Northwest corner of the B.C. Kindred D.L.C. #46;

thence South 82°21'42" East 2,337.63 feet to the Point of Beginning of the Tract herein described;

thence North 17°14'42" East 392.69 feet;

thence North 20°27'01" West 540.94 feet;

thence South 75°15'46" West 141.84 feet;

thence North 11°02'19" West 27.02 feet;

thence North 68°13'33" East 117.12 feet;

thence North 1°21'35" West 138.43 feet;

thence North 71°58'04" East 33.34 feet;

thence South 11°29'45" East 138.83 feet;

thence South 21°39'48" East 599.46 feet;

thence South 19°40'39" West 393.57 feet;

thence South 88°54'06" West 38.69 feet to the Point of Beginning, containing 54,412 square feet, more or less.

Tract 2

All submerged and submersible land in the Columbia River in Section 5, Township 8 North, Range 10 West, Willamette Meridian, Clatsop County, Oregon, more particularly described as follows:

Commencing at a 3 1/4" aluminum "Clatsop County Surveyor" cap set in B.T. Record CS#1974, marking the Northwest corner of the B.C. Kindred D.L.C. #46;

thence North 65°09'26" East 1,938.03 feet to the Point of Beginning of the Tract herein described;

thence South 72°16'54" East 296.44 feet;

thence North 13°51'37" East 53.39 feet;

thence North 72°04'25" West 125.73 feet;

thence North 74°31'42" West 181.62 feet;

thence South 0°36'05" West 48.76 feet to the Point of Beginning, containing 15,591 square feet, more or less.

Combined, Tracts 1 and 2 contain 1.61 acres or 70,003 square feet, more or less, and as shown on the attached Exhibit "A".

This description is used to establish the approximate location and extent of the area subject to this Department of State Lands authorized use and was not prepared by a licensed surveyor. All locations, bearings, and distances were developed in the Oregon Coordinate Reference System Standard; Oregon Statewide Lambert Conformal Conic, NAD 1983, International Feet, GRS 1980 Spheroid.

TO HAVE AND TO HOLD the same unto GRANTEE for 30 years, subject to the following conditions:

1. GRANTOR has the right to grant additional easements within the area authorized by this easement subject to the provisions of the administrative rules governing the granting of easements.

2. GRANTEE shall obtain prior written approval from GRANTOR prior to:
 - a) Changing the type of use authorized by this easement;
 - b) Expanding the number of authorized developments or uses;
 - c) Changing the authorized area; and/or
 - d) Permitting other persons to utilize the easement for uses and developments requiring separate written authorization by GRANTOR pursuant to the administrative rules governing the granting of easements or other GRANTOR requirements.
3. The easement area shall remain open to the public for recreational and other non-proprietary uses unless restricted or closed to public entry by the State Land Board or GRANTOR.
4. GRANTOR and/or its authorized representative(s) shall have the right to enter into and upon the easement area at any time for the purposes of inspection or management.
5. Except as expressly authorized in writing by the Department, GRANTEE shall not:
 - a) Cut, destroy or remove, or permit to be cut, destroyed or removed any vegetation, or
 - b) Remove any sand and gravel, or other mineral resources for commercial use or sale, that occur in the easement area except as expressly authorized in writing by GRANTOR.

Routine right-of-way maintenance including vegetation trimming shall be allowed.

6. GRANTEE shall compensate GRANTOR for the fair market value of any commercially valuable timber or sand and gravel resources in the easement area that must be removed during or after placement of the authorized use, or which cannot be developed because of the authorized use.
7. GRANTEE shall conduct all operations within the easement area in a manner that conserves fish and wildlife habitat; protects water quality; and does not contribute to soil erosion, or the introduction or spread of noxious weeds or pests. Upon completion of construction, GRANTEE shall reclaim disturbed lands to a condition satisfactory to GRANTOR.
8. GRANTEE shall obtain a surety bond in the amount of \$ N/A to ensure compliance with the terms and conditions of this easement.
9. The right to use this easement shall automatically terminate if it, or the development authorized by GRANTOR, is not used within five (5) consecutive years of the date this easement was granted, pursuant to the provisions of the administrative rules governing the granting of easements.

10. Unless otherwise approved in writing by GRANTOR, GRANTEE shall remove all cables, pipes, conduits, roads, and other developments placed by GRANTEE on the easement, and shall restore the surface of the easement area to a condition satisfactory to GRANTOR within one (1) year following termination of use or expiration of this easement.
11. GRANTEE shall inspect the condition of the area authorized by this easement and the developments authorized by this easement on a frequency of: as needed.
12. GRANTOR shall have the right to stop operation of the use authorized by this easement for noncompliance with the conditions of this easement, the provisions of the administrative rules governing the granting of easements, and/or any lawful requirement by a regulatory agency of this STATE.
13. If this easement authorizes the use of state-owned submerged and/or submersible land:
 - a) Construction in navigable waters shall conform to the standards and specifications set by the U.S. Army Corps of Engineers and the U.S. Coast Guard for the use authorized by this easement.
 - b) Any blasting which may be necessary, or in-water placement, maintenance, or repair of the authorized use shall be performed according to the laws of this STATE, including strict adherence to Oregon Department of Fish & Wildlife in-water work windows.
14. GRANTEE shall pay to GRANTOR the current market value, as determined by GRANTOR, for any unnecessary and non-approved damages to state-owned lands caused by construction or maintenance of the easement.
15. GRANTEE shall pay all assessments that may be legally charged on public lands which are levied against the property subject to this easement, whether or not such assessments have been levied against the easement area or STATE by the assessing agency.
16. GRANTEE shall use the authorized easement area only in a manner or for such purposes that assure fair and non-discriminatory treatment of all persons without respect to race, creed, color, religion, handicap, disability, age, gender or national origin.
17. GRANTEE shall ensure that all state, federal and local permits are consistent and compatible with this authorization prior to work commencing.
18. This easement is freely transferable. However, no transfer may increase the burden on the easement area or detract from the value of the underlying state-owned land.

This easement does not convey an estate in fee simple of the lands used for a right-of-way. This grant is for an easement only, and title remains in the State of Oregon.



STATE OF OREGON, acting by and through its Department of State Lands

DSL Authorized Signature/Printed Name

Date

STATE OF OREGON)
)ss
County of Marion)

This foregoing instrument was acknowledged before me this ____ of _____, 20 , by _____, the _____ of the Department of State Lands.

Signature
My commission Expires _____, 20__.

CERTIFICATE OF APPROVAL OF CONVEYANCE
(ORS 93.808)

_____, Grantee, hereby approves and accepts, pursuant to ORS 93.808, the grant of an interest in real property from _____, Grantor, as described in the instrument to which this Certificate is attached.

A copy of this Certificate may be affixed to, and recorded with, the instrument described above.

DATED this ____ day of _____, 20__.

_____,
Grantee

By: _____

Name: _____

Title: _____

STATE OF OREGON)
) ss.
County of _____)

On this _____ day of _____, 20__, before me personally appeared _____, who being duly sworn stated that he/she is the _____ of _____, Grantee, and acknowledged the foregoing instrument to be the voluntary act of said Grantee and that he/she executed the foregoing instrument under authority granted by said Grantee.

NOTARY PUBLIC FOR OREGON
My commission Expires: _____

State of Oregon Department of State Lands



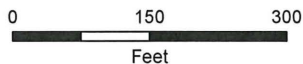
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Exhibit A

**Waterway Easement 61788-EA
T08N, R10W, Sec. 05
Columbia River, Clatsop County**

 Premises

This map depicts the approximate location and extent of a Department of State Lands Proprietary authorization for use. This product is for informational purposes only and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



Map Projection:
Oregon Statewide Lambert
Datum NAD83
International Feet

State of Oregon
Department of State Lands
775 Summer St NE, Suite 100
Salem, OR 97301
503-986-5200
www.oregon.gov/DSL
Date: 9/6/2019





AGENDA MEMORANDUM

TO: The Warrenton City Commission
FROM: Collin Stelzig, Public Works Director
DATE: January 28, 2020
SUBJ: Repeal of WMC 13.12

SUMMARY

In November 2018, an updated water ordinance was adopted, Ordinance No. 1222. The ordinance included an update to the existing backflow and cross connection control ordinance and was intended to repeal the existing ordinance and WMC 13.12. The codifiers of Quality Code wouldn't repeal the WMC with how the ordinance title was written. It was suggested we adopt an ordinance repealing WMC 13.12 specifically.

RECOMMENDATION/SUGGESTED MOTION

"I move to conduct the first reading of Ordinance No. 1235 by title only.

Repealing Ordinance No. 982-A and 999-A; Chapter 13.12"

ALTERNATIVE

None recommended

FISCAL IMPACT

None

Approved by City Manager:

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

ORDINANCE NO 1235

Introduced by All Commissioners

Repealing Ordinance No. 982-A and 999-A; Chapter 13.12

WHEREAS, the City of Warrenton Commission approved Ordinance No. 1222 on November 13, 2018, which covers backflow and cross-connection control;

WHEREAS, the intent of Ordinance No. 1222 was to repeal Chapter 13.12 but was not specific enough for codifiers to remove from the Code;

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

Chapter 13.12 of the Warrenton Municipal Code is hereby repealed.

Adopted by the City Commission this _____ day of February 2020.

First Reading: January 28, 2020

Second Reading: February 11, 2020

APPROVED

Henry A. Balensifer, III, Mayor

ATTEST

Dawne Shaw, City Recorder



AGENDA MEMORANDUM

TO: The Warrenton City Commission

FROM: Mathew J. Workman, Chief of Police

DATE: January 28, 2020

SUBJ: Police Fee Amount Research

SUMMARY

During the preparation for a City Commission Work Session on General Fund Budget items I noticed that Warrenton Police Department had some fees that had not changed in several years and could be increased. I conducted a survey through members of the Oregon Association Chief's of Police (OACP) and found that our Police Admin Fee on Vehicle Impounds is lower than the majority of responding agencies and our Police Officer Training Fee (Assessment) on Municipal Court Citations is comparable but not many agencies had this. Please see the attached comparison charts and graphs.

RECOMMENDATION/SUGGESTED MOTION

Approve a fee increase for the Administrative Fee on Vehicle Impounds in an amount you deem appropriate and decide if the Police Officer Training Fee should be changed as well. Staff is recommending \$120 for the Admin Fee and \$20 Training fee for Traffic and \$40 Training Fee for Crimes.

"I move to direct staff to create a resolution to amend the City of Warrenton Fee Schedule to change the Administrative Fee on Vehicle impounds to \$_____ and to change the Police Officer Training Fee to \$_____ for traffic violations and \$_____ for crimes."

ALTERNATIVE

Leave the fees at the current amounts, change only one of the fees, change both of the fees, or lower the fee(s).

FISCAL IMPACT

The Admin Fee generated approximately \$1,725 during the FY 2018-2019 Budget. An increase to \$120.00 would have produced approximately **\$2,640** during this time frame. The Police Officer Training Fee generated *\$8,625 during this same time frame. A \$10 increase in the Training Fee would have produced approximately **\$11,605** during this time frame.

*Note: The training fee collected during a Fiscal year could be from previous years and depends on when someone pays their fines. The approximation was based on the actual amount of traffic and crime tickets written and the percentage of the actual revenue that came in.

ATTACHMENTS:

- OACP Survey results and chart.
- Budget Comparison showing FY 2018-2019 collections and what it would be with an increase.

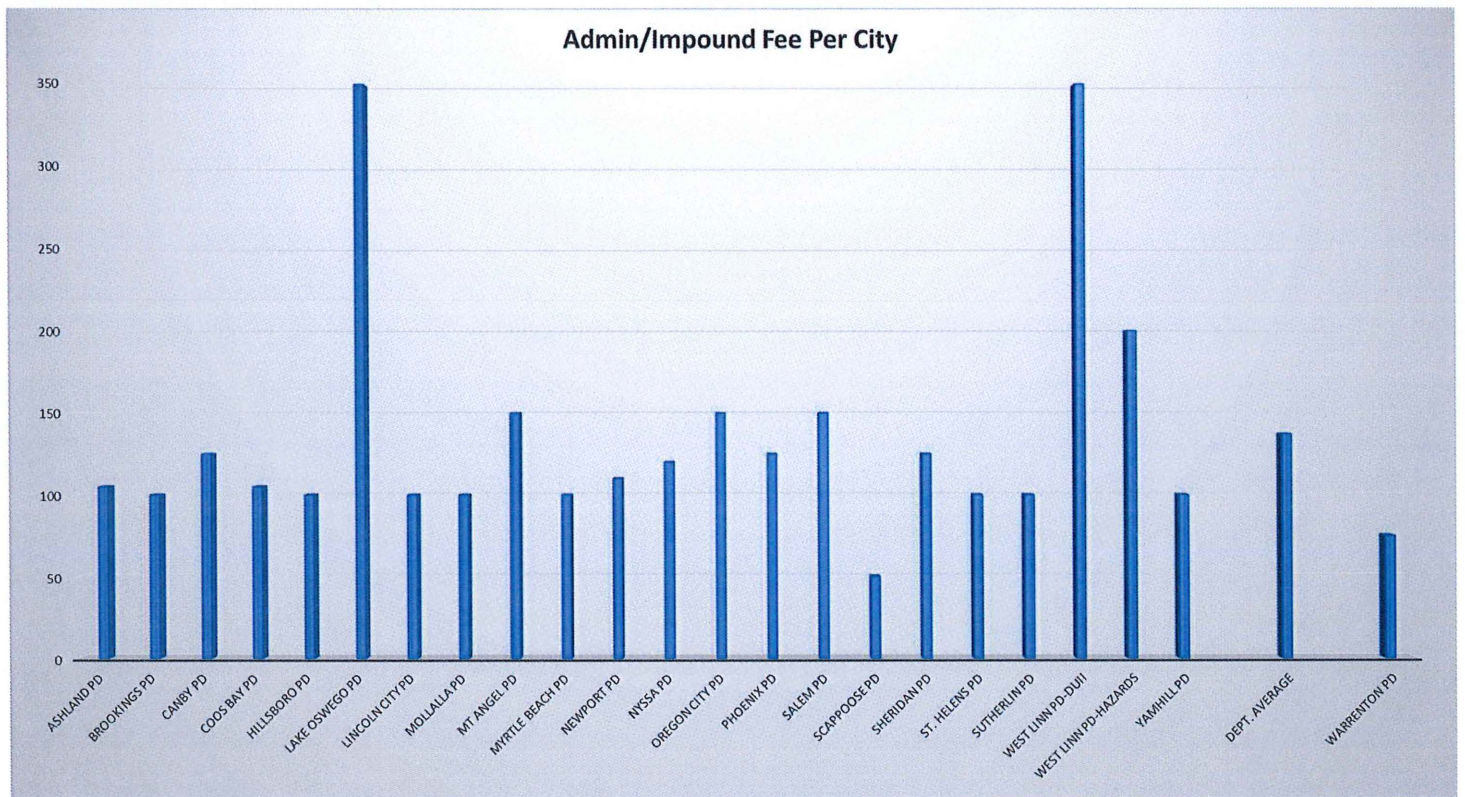
Approved by City Manager:

A handwritten signature in cursive script, reading "Leneu Engbretson", written over a horizontal line.

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

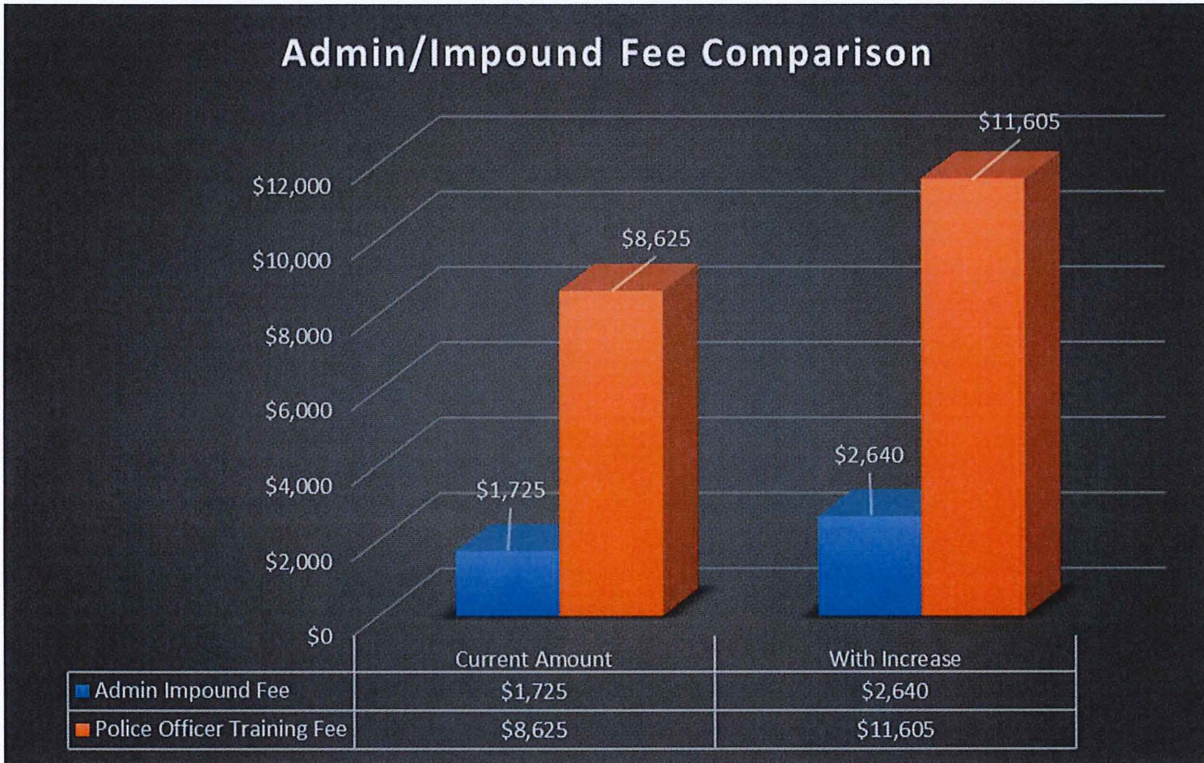
OACP Agency Survey

Department	Admin/Impound Fee	Training Fee or Assessment	Other Fees
Ashland PD	\$105	\$0	
Brookings PD	\$100	\$0	
Canby PD	\$125	\$0	
Coos Bay PD	\$105	\$0	
Hillsboro PD	\$100	\$0	
Lake Oswego PD	\$350	\$0	
Lincoln City PD	\$100	\$0	Code Enforcement Fee of 10% of the Total Fine
Mollalla PD	\$100	\$0	
Mt Angel PD	\$150	\$0	\$35 to Police on Temp OLCC Permits Approval
Myrtle Beach PD	\$100	\$0	
Newport PD	\$110	\$10 Traffic Safety Fee	
Nyssa PD	\$120	\$5 Public Safety Fee	
Oregon City PD	\$150	\$0	
Phoenix PD	\$125	\$0	
Salem PD	\$150	\$0	
Scappoose PD	\$50	\$0	
Sheridan PD	\$125	\$0	
St. Helens PD	\$100	\$20 Traffic & \$20 Crimes	
Sutherlin PD	\$100	\$0	
West Linn PD-DUII	\$350	\$0	
West Linn PD-Hazards	\$200	\$5 Public Safety Fee	
Yamhill PD	\$100	\$15 Training Assessment	
Dept. Average	\$137		
Warrenton PD	\$75	\$15 Traffic & \$30 Crimes	



FY 2018-2019 Budget Comparison with Increase

FY 2018 - 2019		
	Current Amount	With Increase
Admin Impound Fee	\$1,725	\$2,640
Police Officer Training Fee	\$8,625	\$11,605



From: SHONKWILER Kenneth D [<mailto:Kenneth.D.SHONKWILER@odot.state.or.us>]
Sent: Thursday, January 16, 2020 3:20 PM
To: Richard Stelzig
Cc: Kevin Cronin; Linda Engbretson; Kyle Sharpsteen; Mathew Workman; Brian Alsbury
Subject: RE: SE Ensign Lane intersection with Highlands

Hey Collin,

Thanks for the chat. Here are some thoughts based on the TSP:

- The TSP prioritized access to the Highlands Shopping Center and also included a project. This project would essentially remove the median to provide a turn lane on the westbound direction. The proposal below would not be possible in the given ROW and would not allow this project to be possible:

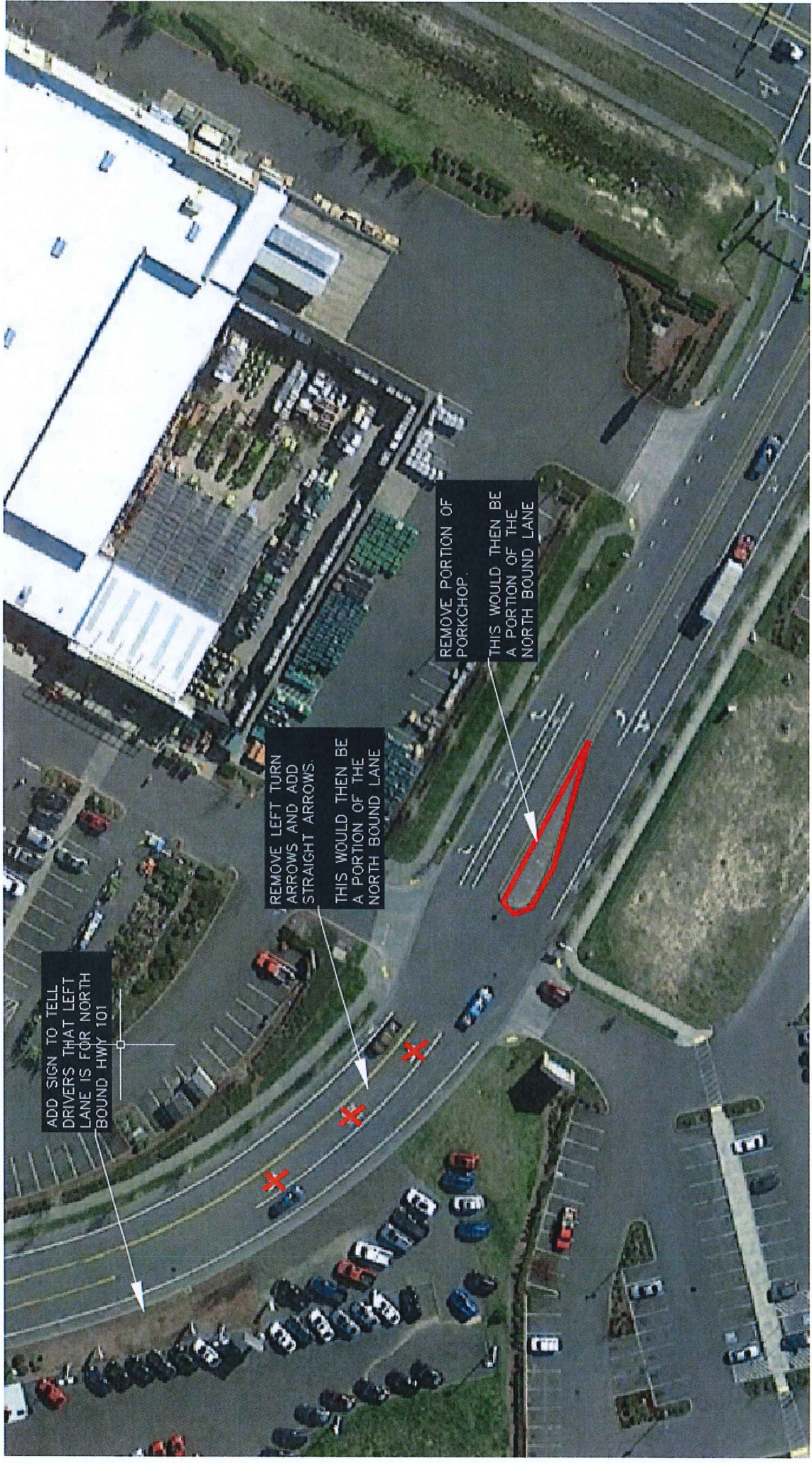
R24	Provide a westbound left-turn from SE Ensign Lane to the Warrenton Highland Shopping Center	Warrenton	SE Ensign Ln at Warrenton Highland Shopping Center	Option A:	\$105,000
	Option A: Remove existing raised median and add a westbound left-turn lane to provide single-vehicle turn lane			Option B:	\$420,000*
	Option B: Reconstruct roadway to provide a westbound left-turn lane and shared through-right				

- I do remember this concept briefly when it was brought up. The conversation ended when we looked at the conflicts that this would create; crash risk factors at the turn lane would be increased, likely increasing rear end collisions in the turn lane to Home Depot. Essentially, rear end collisions would be more likely if the turn lane could be also be used as a through movement to the US 101/Ensign intersection.

In a nutshell, this proposal would likely increase the crash rate at the turn lanes for accesses (Home Depot, Warrenton Highlands). It is also not consistent with TSP project R24. The prioritization of R24 was made so as to reduce queuing at the US101/ Ensign intersection. I realize that there may be constituents that also want to reduce peak hour queuing along Ensign, however the PAC (Stakeholders, County, City, ODOT) prioritized this project to avoid potential queuing at the US 101 intersection and to increase safety in the general area.

Thanks again for the chat.

Ken Shonkwiler, Senior Region Planner
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ADD SIGN TO TELL DRIVERS THAT LEFT LANE IS FOR NORTH BOUND HWY 101

REMOVE LEFT TURN ARROWS AND ADD STRAIGHT ARROWS. THIS WOULD THEN BE A PORTION OF THE NORTH BOUND LANE

REMOVE PORTION OF PARKCHOP. THIS WOULD THEN BE A PORTION OF THE NORTH BOUND LANE