



## **AGENDA**

WARRENTON PLANNING COMMISSION  
Regular Meeting | September 8, 2022 | 6:00pm  
Warrenton City Hall Commission Chambers | 225 S Main Avenue, Warrenton, OR 97146

---

**\*\*\*The meeting will be broadcast via Zoom at the following link\*\*\***

<https://us02web.zoom.us/j/89594092173?pwd=VG5sMFFTVExqTWI1dXVXSTBFbWw2UT09>

**Meeting ID: 895 9409 2173 | Passcode: 612659 | Dial in number: 253-215-8782**

---

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**

**2. ATTENDANCE**

**3. APPROVAL OF MINUTES**

- A. Planning Commission Regular Minutes – 8.11.22

**4. PUBLIC COMMENT**

At this time, anyone wishing to address the Planning Commission concerning items of interest may do so. The person addressing the Planning Commission must complete a Public Comment Card and submit it to the Secretary prior to the meeting. All comments will be addressed to the whole Planning Commission and limited to 3 minutes per person. Public Comments may also be submitted by email to the Secretary, [rsprengeler@ci.warrenton.or.us](mailto:rsprengeler@ci.warrenton.or.us), no later than 4:00 p.m. the day of the meeting. The Planning Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

**5. PUBLIC HEARING**

- A. Comprehensive Plan Amendment CP-22-1 and Development Code Revisions DCR-22-1

**6. BUSINESS ITEMS**

**7. DISCUSSION ITEMS**

- A. Psilocybin Ordinance Information
- B. Planning Commission Procedures

**8. GOOD OF THE ORDER**

**9. ADJOURNMENT**

**Next Regular Meeting: October 13, 2022**

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 Planning Commission  
 August 11, 2022  
 6:00 p.m.  
 Warrenton City Hall - Commission Chambers  
 225 S. Main  
 Warrenton, OR 97146

Chair Mitchell called the meeting to order at 6:00 p.m. and lead the public in the Pledge of Allegiance.

Commissioners Present: Chair Paul Mitchell, Ken Yuill, Lylla Gaebel (online), Christine Bridgens, Mike Moha, and Kevin Swanson (online)

Commissioners Excused: Chris Hayward

Staff Present: Planning Director Jay Blake, Engineering Technician Trisha Hayrynen, and Planning Technician Rebecca Sprengeler

APPROVAL OF MINUTES

- A. Planning Commission Regular Meeting Minutes – 7.14.22
- B. Planning Commission Work Session Minutes – 7.14.22

**Commissioner Yuill made the motion to approve the minutes from 7.14.22. Motion was seconded and passed unanimously.**

**Mitchell – aye; Yuill – aye; Gaebel – aye; Bridgens – aye; Moha – aye; Swanson – aye**

**Commissioner Yuill made the motion to approve the minutes from the 7.14 Work Session. Motion was seconded and passed unanimously.**

**Mitchell – aye; Yuill – aye; Gaebel – aye; Bridgens – aye; Moha – aye; Swanson – aye**

PUBLIC COMMENT ON NON-AGENDA ITEMS – None

PUBLIC HEARINGS

Chair Mitchell opened the continued public hearing on variance application V-22-3. It was noted public testimony was not taken at the last meeting. Chair Mitchell called for public testimony. No one spoke in favor or opposition. Chair Mitchell closed the public hearing.

**Commissioner Gaebel made the motion that the request V-22-03 Variance from road standards be denied without prejudice for a future application for subdivision. Motion was seconded and passed unanimously.**

Planning Director Jay Blake noted adjoining property owners were notified. Staff supports the motion. It was noted action needed to be taken before the 120-day deadline.

**Mitchell – aye; Yuill – aye; Gaebel – aye; Bridgens – aye; Moha – aye; Swanson – aye**

BUSINESS ITEMS – None

DISCUSSION ITEMS

Mr. Blake discussed options for psilocybin regulation in response to Ballot Measure 109. This is required by January 1. There is not enough time to get it on the November ballot. He briefly explained authorized psilocybin services and suggested regulating them the same as marijuana. Discussion followed among commissioners in opposition of psilocybin and in favor of regulations similar to marijuana and a two-year moratorium. Mr. Blake noted a moratorium would remove the city from state revenue sharing. There was brief discussion about having a joint session with the City Commission. Discussion continued about a joint work session to discuss code amendments regarding fill. Commissioner Yuill suggested hosting a well-advertised work session for psilocybin for the public to attend for information before it comes before the Planning Commission. Mr. Blake will bring back legal opinions on a two-year moratorium. Discussion followed. The general consensus was to have a work session with the City Commission before the regular meeting in October to allow research into the moratorium option.

Mr. Blake gave an update on the Economic Opportunities Analysis including renotification to the Oregon Department of Land Conservation, discussion with the Port of Astoria, and additions of food cart pod regulations. It will come back at the September meeting. Commissioner Yuill asked for the minutes from all meetings about the EOA.

Mr. Blake discussed a sample ordinance to define food carts and food pods. He wants to ensure the mobile/pop-up food carts are not blocking access or creating traffic issues by providing property owner permission and approved location(s). Discussion followed about the differences in definitions. Chair Mitchell would like the permit fee to cover the cost of staff work. Discussion continued. Mr. Blake would like to keep record of any complaints.

GOOD OF THE ORDER – None

Mr. Blake discussed options for a presentation. There are some pending projects. Permits have been issued for construction at the old Doogers restaurant. He also discussed avigation easement map updates. Rebecca Sprengeler is the new Planning Technician.

Chair Mitchell noted the mayor will be holding a chair-in-training class in October. It was noted previous attendants do not need to attend again.

There being no further business, Chair Mitchell adjourned the meeting at 6:41 p.m.

APPROVED:

ATTEST:

\_\_\_\_\_  
Paul Mitchell, Chair

\_\_\_\_\_  
Rebecca Sprengeler, Secretary

DRAFT




## City of Warrenton

### Planning Department

225 S Main Avenue ■ P.O. Box 250 ■ Warrenton, OR 97146  
 Phone: 503.861.0920 Fax: 503.861.2351

## STAFF REPORT

TO: The Warrenton City Commission  
 FROM: Jay Blake, Planning Director   
 DATE: September 8, 2022  
 SUBJ: Economic Opportunity Analysis (EOA) Comprehensive Plan  
 Amendment and Related Development Code Amendments  
*Ordinance 1258 Public Hearing*

### BACKGROUND:

The Planning Commission is asked to conduct a public hearing related to Ordinance 1258 relating to a Comprehensive Plan Goal 9 Amendment and subsequent amendments to the Warrenton Municipal Code.

Staff notified the Oregon State Department of Land, Conservation, and Development (DLCD) in accordance with state regulations.

The City Commission identified a few minor changes that should be considered:

#### **Community Colleges in Industrial Zoning**

I view Industrial zone as the jobs and manufacturing zone within the community. It should be reserved to enhance the city tax base and provide opportunity for higher-paying employment. This zone often has noise, odor or other factors that can impact less-intense uses in the area. With that in mind, staff would encourage the Planning Commission to remove Community Colleges from permitted or conditional uses within the I-1 zone. See the yellow highlighted section within the draft ordinance.

## Mixed Use in Downtown C-1 Zone

In reviewing the current code requirements for commercial uses with residential uses above. In the C-MU zone, WMC allows Mixed or Multiple Uses on the same lot without conditions of where the residential use must be located. In the C-1 district (downtown) we allow "Commercial uses with a second-floor residential use (s) [apartment(s)] or on same lot with existing single-family detached built prior to April 2, 1997."

While this seems like a very specific reaction to a situation, the language is confusing. The "or on the same lot with existing residential use..." appears to be missing some language. Secondly, the typical intent of these types of statements is to allow mixed (both commercial and residential) uses. In our downtown area, this historically would include a business on the first floor and a residence on the top floor(s). The underlying goal is to increase housing options in and around our core commercial area. This should be clarified in this code amendment.

Staff would encourage the following option:

Commercial uses with a ~~second floor~~ residential use(s) [apartment(s)] **located either above or behind the commercial use so that the commercial use is the predominate use on the property.** ~~or on same lot with existing single-family detached built prior to April 2, 1997."~~

## Temporary Food Carts

In addition, staff identified an issue related to food carts that should be addressed in a code update regulating food carts. First, the terms "food cart", "food pod", and "temporary food vendor" should be clearly defined by the code. Second, an issue related to mobile or self-contained food carts should be addressed. These are carts that are routinely set-up and taken down after shorter periods of time and that does not require a connection to municipal sewer or water services.

Planning Technician Sprengeler was able to research what other Oregon cities have done to manage this issue. Some communities including the City of Cascade Locks use Oregon Revised Statutes language to regulate them. They require a business license and then a food vendor license to address several very specific concerns with the mobile operations.

Staff incorporated a draft permitting requirement for mobile food carts that has been added to the draft Code amendment.

Staff also added definitions for Cottage Industry, Food Cart, Food Pods, Temporary Food Vendor for clarity in administration of the regulations.

### **Mini-Storage Buildings Clerical Error**

Ordinance 1220, adopted in 2020 amended the code to increase development design standards for mini storage buildings. The ordinance incorrectly identified other sections of the design standards as Section 16.131. It should have been Section 16.116. These clerical errors are being corrected by this ordinance.

## **CONCLUSIONS AND RECOMMENDATION**

**After the staff presentation on the request, The Planning Commission should take the following steps in completing their review:**

**Step 1.** The Planning Commission Chair should announce the public hearing for Ordinance 1258 Amending the City of Warrenton Comprehensive Plan Goal 9 Economic development and related Warrenton Municipal Code Amendments.

**Step 2.** Read the Public Hearing Notification.

**Step 3.** Request public Comment or Input.

**Step 4.** Close the Public hearing.

**Step 5.** Commission deliberation and questions of staff.

**Recommended Motion:**

*I move that the Warrenton Planning Commission recommend approval of Ordinance 1258 Amending the Warrenton Comprehensive Plan Goal 9 Economic Development and Amending the Warrenton Municipal Code relating to commercial and industrial uses. The recommendation is based on public input during the Plan Amendment process, the public hearing, and discussion from the Planning Commission.*

**Alternate Actions.**

The Warrenton Planning Commission may modify the draft ordinance to reflect any changes deemed necessary.

The Warrenton Planning Commission can table the item for further clarification or modification.

**Staff Recommends that the Planning Commission recommend approval of the draft ordinance with the removal of community colleges being allowed in Industrial I-1 zones.**



**Ordinance 1258**  
**Introduced by All Commissioners**

**AN ORDINANCE AMENDING ARTICLE 9 OF THE COMPREHENSIVE PLAN,  
ADOPTING THE ECONOMIC OPPORTUNITIES ANALYSIS AND PROVIDE  
REGULATION FOR FOOD TRUCKS, AMENDING WARRENTON MUNICIPAL  
CODE CHAPTER 16.12, 16.40, 16.44, 16.60, and 16.240**

**WHEREAS**, the City of Warrenton received generous support from the Department of Land Conservation & Development to update Goal 9: Economic Development of the Comprehensive Plan in 2020, which needs to be updated periodically to reflect changing economic conditions in the community; and

**WHEREAS**, the City of Warrenton supports traded sector industries and small businesses while creating local economic development opportunities through sound policies, supportive regulations, quality infrastructure, and focused public private partnerships; and

**WHEREAS**, the City of Warrenton completed a required Economic Opportunities Analysis in September 2020, held multiple public meetings, open to public comment, to shape economic development policies and strategies; and

**WHEREAS**, the Planning Commission held a public hearing on April 14, 2022 and recommended it for consideration by the City Commission on May 12, 2022.

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

**Section 1.** Article 9 of the Comprehensive Plan shall include the Economic Opportunities Analysis by reference and the policies shall be revised with the following:

ARTICLE 9            ~~ECONOMY (2007 Buildable Lands Inventory does not apply to a developer/property owner's right to development. The Zoning and Wetland Maps apply to ability to develop.)~~

**SECTION 9.100        FINDINGS**

Statewide Planning Goal 9 is intended to identify existing and emerging economic opportunities within the Warrenton Urban Growth Boundary (UGB). This work includes a buildable lands inventory and an Economic Opportunities Analysis consistent with the rules and requirements of Oregon Land Use Planning Goal 9 (Economy), OAR 660-009-0015, and the “Industrial and Other Employment Lands Analysis Guidebook.” A goal is to establish a clear economic development direction for Warrenton that is consistent with local, regional, and state market trends and planning policies. To this end, the City was awarded a grant from the Department of Land Conservation & Development in 2020 to update its Comprehensive Plan Economic Element. The Economic Opportunities Analysis was completed in 2021 hereby referenced. The EOA verified the City has an adequate supply of commercial and industrial lands. It also provided an opportunity for policymakers and stakeholders to review economic development policies, strategies, and potential implementation measures to support a more

**diverse economic future that is resilient to global market fluctuations.**

The following steps have been taken to ensure that the City of Warrenton meets these objectives:

- Identify employment opportunities and trends for the next 20 years.
- Ensure an adequate supply of land within the City’s urban growth boundary (UGB) to meet 20-year employment needs.
- Identify long-term (20-year) land needs for additional employment, considering the following factors:
  - Projected 20-year employment forecasts, considering population projections, current mix of employment, projected future industry trends and other factors.
  - Factors that determine land needs for specific types of employment uses.
  - Locational factors related to different types of businesses and employment areas.
  - Identify amount of land in each zoning designation needed to accommodate projected employment.
- Conduct an inventory of “buildable” land within the City’s UGB that is zoned to allow for employment development.
- Compare the supply of land in different employment zones to the estimated need for employment in each zone to ensure that there is enough land within the City’s UGB and that it is zoned appropriately to meet long term employment needs.

SECTION 9.200 GOAL

- (1) Retain, strengthen and expand the City’s economic development activities to ensure that adequate land, capital, infrastructure, and services are available to meet the needs for jobs and industry.
- (2) Promote cooperative economic development partnerships.
- (3) Strengthen and enhance a strong commercial core **in the traditional downtown, Hammond, as well as the commercial corridor along Highway 101.**

SECTION 9.300 POLICIES

Section 9.310 City Economy

- (1) Ensure sufficient land is zoned for business development, expanding public facilities and services, carrying out various economic growth projects, obtaining adequate funding for activities to achieve economic gains, and undertaking other appropriate economic development actions.
- (2) Encourage and support local industrial development in order to diversify beyond the City’s three predominant industrial sectors (wood processing, seafood processing, and commercial fishing), while maintaining strong support for these sectors. **These traded sectors could include metal fabrication, fermentation, and small-scale consumer**

**product manufacturing.**

- (3) Work closely with individuals and organizations to increase desired industrial, general commercial and tourist commercial activities in Warrenton. Tourist-oriented establishments shall be encouraged to locate in Warrenton **and Hammond to support a thriving and healthy downtown core.**
- (4) Encourage present employers to expand their operations and aid them in doing what is necessary to maintain an economic base for employment within the City.
- (5) Work with the local business community and community partners to strengthen the downtown commercial area as an important tourist and commercial center.
- (6) Maintain an adequate supply of vacant commercial, industrial and waterfront development property to provide for the economic growth of the community.
- (7) Work with the ~~Clatsop county Economic Development Council~~ **economic development organizations, such as Clatsop Economic Development Resources (CEDR)** and other related non-profits and agencies and to strengthen Warrenton's economy.
- (8) Encourage residents, businesses and civic organizations to shop locally.
- (9) Encourage successful home-based businesses **through sensible regulations that protect neighborhoods while encouraging cottage industries.**
- ~~(10) Institute a business license requirement for individuals and companies conducting business in Warrenton.~~
- (11) Ensure public facilities and services are available to serve existing and prospective new businesses.
- (12) Work with the Port of Astoria, community groups, and local businesses to identify and implement effective economic development strategies **to support the airport business park and other Port owned property.**
- (13) Maintain and enhance all public infrastructure to create a pleasant and convenient business environment (from signage and pocket parks to sidewalks and parking lots).
- (14) Concentrate/encourage small business and infill development in the core and not on the edges of the community.
- (15) Ensure zoning allows for higher density, mixed-use development in the commercial core.

(16) **Continue to** protect the remaining historic resources such as downtown buildings to maintain local character and attract visitors.

~~(17) Support the development and maintenance of a property inventory.~~

### Section 9.320 Strategies

(1) Sufficient space shall be zoned for business growth and development activities and, to the extent practical, the capacity of streets and public facilities and services will be expanded to meet their needs. Expansion of water and sewer system capacity and the efficient use of the present capacity will be particularly critical for some establishments, such as fish processing firms.

(2) The City will encourage the development of the area between East Harbor Drive, Marlin Avenue and US Highway 101 as a regional shopping center complex.

(3) Undertake activities to provide, protect, and enhance scenic and recreational attractions in the area. The City Commission will choose a committee or organization to help evaluate, initiate and carry out appropriate tourist-oriented projects.

(4) A group will be appointed by the City Commission to assist in selecting economic development projects for the COL-PAC sponsored federal Economic Development Administration (EDA) funding list. It should also investigate other potential sources of non-local funds for these projects.

(5) Fees from business licenses and/or transient lodging taxes should be used primarily to benefit the local economy, including helping to pay for tourist-oriented projects **and support implementation of an economic development strategy.**

(6) The City will cooperate with the Port of Astoria to improve road access, utility service levels and other infrastructure to help develop the airport industrial park **and maintain a viable and competitive master plan.**

~~(7) The City supports efforts by Clatsop County to develop a new county fairgrounds site and light industrial park at the Alumax property in the UGB.~~ **The City will support a collaborative effort by Clatsop County to master plan and develop a new light industrial park on County owned land. Any strategy developed by the County should be aligned with City economic development policies and strategies.**

(8) Prepare and keep updated a current inventory of available buildings and land with complete data, including price, features, utilities, infrastructure, maps, photos or contact information. If selected properties are known to soon be vacant, include those in the review.

(9) Determine which properties are ready for occupancy and which need renovation or complete site prep and development. Evaluate the condition, property owner tenure, price

competitiveness and other factors to assess true market readiness.

(10) Select and target the top five properties for tenants and property improvements. Work with property owners on an action plan for improvement and/or to sell the property. Identify incentives for rapid-change **new private investment using available urban renewal tools and financing.**

(11) The City will work through CEDC **CEDR** to achieve many **regional** economic objectives beneficial to the City and County as a whole, such as:

- (a) Increasing the emphasis on production of lumber and **value added** wood products in the County instead of log exports;
- (b) Expanding ~~CEDC~~ and other fish hatchery, **research and development, and habitat restoration programs** in the Columbia River Estuary area;
- (c) Relieving the shortage of moorage spaces, particularly moorages for commercial fishing boats;
- (d) Improving the understanding of, and commitment to, the sustained yield concept, a concept which, when applied, means that resources (forestry, fishing or others) will not be overused for short-term gains;
- (e) Increasing the number of tourists that visit Clatsop County during the off-season, including development of motels and tourist-oriented shopping facilities;
- (f) Provide and support more training opportunities for people who want to learn skills needed for local economic activities, **including Warrenton High School's Career Technical Education program;** and
- (g) Expanding existing business operations and encouraging other firms to locate in the area.

(12) Enhance urban design of the downtown core, while still recognizing the city's historic character through the provision of street furnishings, planters, way-finding and directional signage, paving and other features.

**(13) Continue a strong partnership with Spruce Up Warrenton to revitalize the downtown and attract more private investment and visitors.**

**(14) Develop an economic development strategy with a five year action plan based on the results of the EOA and to grow and expand specific traded sector industries.**

**(15) In general, the City will strive to support traded sector industries (export-based economy) that facilitate skill advancement and career ladder opportunities for local youth and residents as well as circulate resources back to the local community through supply chain opportunities.**

**(16) The City will strive to add a feasible conference center at the Hammond Marina to support tourism related investments and additional visitors to the Hammond neighborhood.**

(17) The City will explore innovative strategies for wetland mitigation and enhancement to support economic development activities while protecting critical Goal 5 resources.

**Section 2.** The Warrenton Municipal Code shall be revised with the following:

Underline/Bold – New Language

~~Strikethrough~~ – Deleted Language

16.12.010 Definitions

Cottage Manufacturing - a small-scale, decentralized manufacturing business often operated out of a home rather than a purpose-built facility.

Food Cart – a vehicle from which food stuffs and/or refreshments are sold or offered for sale for human consumption, primarily operating from a single location for more than a month;

Food Pod - a site containing two or more food carts and associated amenities on private or public property.

Temporary Food Vendor - Temporary Restaurant, Seasonal Temporary Restaurant, Single Event Temporary Restaurant, or Mobile Unit as regulated by WMC. 16.240.010.D

## **Chapter 16.40 GENERAL COMMERCIAL (C-1) DISTRICT**

### **16.40.010 Purpose.**

The purpose of the General Commercial Zone is to allow a broad range of commercial uses providing products and services in the Warrenton downtown area, the Hammond business district and marina, and along the Highway 101 corridor.

### **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, funeral home and pet grooming.
  2. Professional, financial, business and medical offices.
  3. Retail business establishments.

4. Amusement enterprises such as theater or bowling alley.
5. Technical, professional, vocational and business schools.
6. Membership organizations such as unions, lodge hall, club or fraternal buildings.
7. Eating and drinking establishment.
8. Hotel, motel or other tourist accommodation, including bed and breakfast.
9. Automobile sales, and/or service and parts establishment.
10. Boat and marine equipment sales, service or repair facilities.
11. Building material sales yard.
12. Government buildings and uses.
13. Transportation facilities and improvements subject to the standards of Section 16.20.040.
14. Dredge material disposal (DMD) subject to Section 16.40.050 (site 27S located within this area zoned C-1) and Chapter 16.104.
15. Community garden(s) (see definitions).
16. Hospital, medical offices, sanitarium, rest home, nursing or convalescent home.
17. Congregate care or assisted living facility.
18. Public utilities, including pipelines, cables, and utility crossings but not structures.
19. Commercial uses with second floor residential use(s) [apartment(s)] **located either above or behind the commercial use so that the commercial use is the predominate use on the property** ~~or on the same lot with existing single family detached built prior to April 2, 1997.~~
20. Homestay lodging subject to the standards in Chapter 8.24.
21. Vacation rental dwelling subject to the safety regulations in Section 8.24.030.
22. 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, **and pet grooming.**
2. Professional, financial, business and medical offices.
3. Retail business establishments.
4. Amusement enterprises such as theater or bowling alley.
5. Technical, professional, vocational and business schools.
6. Membership organizations such as unions, lodge hall, club or fraternal buildings.
7. Eating and drinking establishment, **including food carts and food pods.**
8. Hotel, motel or other tourist accommodation, including bed and breakfast.

9. Automobile sales, service or repair establishment.
10. Boat and marine equipment sales, service or repair facilities.
11. Building material sales yard.
12. Residential home.
13. Residential (care) facility.
14. Home occupations (must comply with paragraph 19 of this subsection).
15. Child care center.
16. Government buildings and uses.
17. Public utilities, including structures, pipelines, cables, and utility crossings.
18. Hospital, medical offices, sanitarium, rest home, nursing or convalescent home.
19. Congregate care or assisted living facility.
20. Single-family residences existing prior to April 2, 1997 may be repaired, remodeled, expanded, or replaced if damaged.
21. Transportation facilities and improvements subject to the standards of Section 16.20.040.
22. Community garden(s) (see definitions).
23. Commercial uses with second floor residential use(s) [apartment(s)] or on the same lot with existing single-family detached built prior to April 2, 1997.
24. Homestay lodging subject to the standards in Chapter 8.24.
25. Vacation rental dwelling subject to the safety regulations in Section 8.24.030.
26. Similar uses as those stated in this section. (Ord. 1248 § 2, 2021; Ord. 1234 § 1, 2020; Ord. 1196-A § 1, 2015; Ord. 1186-A § 1, 2014; Ord. 1177-A § 2, 2013)

#### **16.40.030 Conditional Uses.**

The following uses and their accessory use may be permitted in the C-1 zone when approved under Chapter 16.220 and shall comply with Sections 16.40.040 through 16.40.060 and Chapters 16.124 (Landscaping) and 16.212 (Site Design Review):

- A. Only the following uses and their accessory uses are permitted along Highway 101, SE Marlin and SW Dolphin Avenues, and shall comply with the above noted sections and Chapter 16.132:
  1. Cabinet, carpenter, woodworking or sheet metal shops.
  2. Processing uses such as bottling plants, bakeries and commercial laundries.
  3. Research and development establishments, **laboratories, and similar facilities.**
  4. Wholesale storage and distribution facilities, including cold storage.
  5. RV Park.
  6. New drive-through/drive-up facility or substantially improved as defined by 25%



of assessed value.

7. Medical marijuana dispensaries and recreational marijuana retail outlets licensed by the State of Oregon and subject to Section 16.40.060(I).
8. Similar uses as those stated in this section.

B. The following uses and their accessory uses are permitted in all other C-1 zoned areas within the City limits of Warrenton:

1. Cabinet, carpenter, woodworking or sheet metal shops.
2. Building contractor shops, including plumbing, electrical and HVAC.
3. Fuel oil distributor.
4. Processing uses such as bottling plants, bakeries, **coffee roasters**, and commercial laundries.
5. Research and development establishments, **laboratories, and similar uses**.
6. Wholesale storage and distribution facilities, including cold storage.
7. Veterinary clinic, kennels.
8. Tool and equipment rental.
9. Mini-warehouses or similar storage uses, subject to the requirements in Section 16.116.030(G).
10. Church, synagogue, or other place of worship.
- ~~11. Commercial uses with 2nd floor residential use(s) [apartment(s)].~~
12. RV Park.
13. Multifamily housing development subject to the development and other applicable standards of Chapter 16.36, Section 16.124.070 generally and Section 16.124.070(C)(1) specifically, and Chapter 16.188.
14. **Cottage manufacturing that occurs in tenant spaces or structures that are less than 2,000 SF.**
15. **Fermentation enterprises, such as breweries and distillers, may also include a taproom as an accessory use.**
16. Similar uses to those listed in this section. (Ord. 1242 § 1, 2020; Ord. 1225 § 3, 2019; Ord. 1211-A § 1, 2017)

**J. The following standards shall be met by all food cart placements in the C-1 Zoning District**

1. **Prior to operation, the owner shall obtain a city business license and complete the required food cart application**
2. **The placement and operation of the cart shall meet the operational requirements found in Section 16.240.010.D**

**Chapter 16.44 COMMERCIAL MIXED USE (C-MU) DISTRICT**

**16.44.010 Purpose and Applicability.**

A. Purpose. A City goal is to strengthen certain established residential areas having frontage on state highways as transition areas between commercial centers and outlying residential areas. The district is intended to support this goal through elements of design and appropriate mixed-use development. Mixed-use development features design standards that allow residential and commercial uses to occur simultaneously on the same lot. This chapter provides standards for the orderly improvement of mixed-use commercial areas based on the following policies:

1. Use land and urban services efficiently;
2. Support a mixture of land uses to encourage walking as an alternative to driving, and provide more employment and housing options; and
3. Allow certain commercial uses amongst existing residential uses that are compatible with, and add interest to, the established residential character of the area.

B. The Commercial Mixed-Use District applies to the following area: those properties bounded by 4<sup>th</sup> and 9<sup>th</sup> Streets along S. Main Avenue (Fort Stevens Highway/State Highway 104) extending west to, and including, the easterly half of the old railroad right-of-way and extending east to the Skipanon River's A-2 (Aquatic Conservation) Zoning District.

#### **16.44.020 Permitted Uses.**

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

##### A. Residential.

1. Single-family detached dwelling with covered parking in accordance with Chapter 16.180 on lots not having direct frontage on, or taking direct access from, a State highway.
2. Duplex, townhome, triplex, multifamily and rowhouse with garage (attached or detached) in accordance with Chapter 16.180 and subject to standards of Chapter 16.184.
3. Daycare center.
4. Home occupation, shall comply with Section 16.44.020(A)(5).
5. Single-family residences existing prior to April 2, 1997 may be repaired, remodeled, expanded, or replaced if damaged so long as building permits are obtained within 12 months of the date of discontinuance.
6. Homestay lodging subject to the standards in Chapter 8.24.
7. **Accessory dwelling subject to standards of Section 16.180.040.**
8. Similar uses as those listed in this section.

##### B. Public and Institutional.

1. Church, synagogue, or other place of worship.
2. Clubs, lodges, similar uses.
3. Government buildings and uses.
4. Libraries, museums, community centers, and similar uses.

5. Public parking lots and garages, subject to design standards in Chapter 16.128.
  6. Public utilities, including structures, pipelines, cables, and utility crossings.
  7. Transportation facilities and improvements subject to the standards of Section 16.20.040.
  8. Community garden(s) (see definitions) **and public parks.**
  9. Similar uses as those listed in this section.
- C. **Commercial.**
1. Personal and business service establishments such as a barber or beauty shop, clothes cleaning or a funeral home.
  2. Professional, financial, business and medical offices. Drive-through facilities are not permitted within the C-MU district.
  3. Retail business establishments and processing uses (e.g., bakery) of goods sold on site.
  4. Amusement enterprises such as a theater or bowling alley.
  5. Technical, professional, vocational and business schools.
  6. Eating and drinking establishments. Drive-through facilities are not permitted within the C-MU district.
  7. Hotel, motel or other tourist accommodation, including bed and breakfast.
  8. **Multiple (or mixed) uses on the same or adjoining lot or parcel.**
  9. Similar uses as those listed in this section. (Ord. 1248 § 2, 2021; Ord. 1186-A § 2, 2014)

#### **16.44.030 Conditional Uses.**

The uses listed under Section 16.44.020 and their accessory uses may be permitted in the C-MU district when approved under Chapter 16.220, Conditional Use Permits:

- A. Cabinet, carpenter, woodworking or sheet metal shops, fully enclosed in a building.
- B. Building contractor shops, including plumbing, electrical and HVAC.
- C. **Cottage manufacturing that occurs in tenant spaces or structures that are less than 2,000 SF.**
- D. Research and development establishments, **laboratories, and similar facilities.**
- E. ~~Drive-through/drive-up facility.~~
- F. Accessory dwelling subject to standards of Section 16.180.040.
- G. Vacation rental dwelling subject to the safety regulations in Section 8.24.030.
- H. Fermentation enterprises, such as breweries and distillers, may also have a Taproom as an accessory use.**
- I. Food carts and pods.**
- J. Similar uses as those listed in this section. (Ord. 1248 § 2, 2021; Ord. 1225 § 4, 2019)

### **Chapter 16.60 GENERAL INDUSTRIAL (I-1) DISTRICT**

#### **16.60.010 Purpose.**

The purpose of the General Industrial Zone is to provide sites for employment related industries such as light, heavy, and airport-related industrial activities in the City of Warrenton. These areas are suitable for uses involving manufacturing, fabrication, processing, transshipment and bulk storage. General Industrial areas are near or adjacent to arterial transportation corridors.

#### **16.60.020 Permitted Uses.**

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

- A. Production, processing, assembling, packaging or treatment of such products as food and beverage products, pharmaceutical, hardware and machine products. Retail of products made on site is permitted as an accessory use.
- B. Production, processing, assembling, packaging or treatment of articles and products from previously-prepared or semi-finished materials, such as paper, wood, rubber, plastics, fibers and sheet metal.
- C. Research and development laboratories and similar uses.
- D. Printing facilities.
- E. Public utility facilities such as power stations, sewage and water treatment plants.
- F. Storage and distribution services and facilities (i.e., truck terminals, warehouses and storage buildings and yards, contractor's establishments, lumber yards and sales) or similar uses.
- G. Vehicle repair (welding, painting and service, and parts facilities).
- H. Airport support structures: hangars, weather stations, fuel terminals and storage buildings, etc.
- ~~I. Mini-warehouses or similar storage uses.~~
- J. Contractor shop or equipment storage yard for storage and rental of equipment commonly used by a contractor.
- K. Cabinet, carpenter, woodworking, metal fabrication shops or similar establishments.
- L. Professional, financial, medical, or business offices.
- M. Public utilities, including structures, pipelines, cables, and utility crossings.
- ~~N. Government buildings and uses.~~
- O. Passive restoration.
- P. Government buildings and uses.
- Q. Transportation facilities and improvements subject to the standards of Section 16.20.040.
- R. Dredge material disposal (DMD) subject to Section 16.60.040 (site 20S), and Chapter 16.104.
- S. Community garden(s) (see definitions).
- T. Food and/or beverage trucks or carts.
- U. Similar uses to those listed in this section. (Ord. 1605-A § 1, 2016; Ord. 1196-A §

### 16.60.030 Conditional Uses.

The following uses and activities and their accessory uses and activities may be permitted in the I-1 zone when approved under Chapter 16.220, and subject to the provisions in Section 16.60.040, Development Standards:

- A. Heavy fabrication of finished or semi-finished products from raw materials.
- B. Airport runway extensions or relocations.
- C. One caretaker unit for each primary industrial use on a lot or parcel subject to the following conditions:
  - 1. The unit shall be served with public water and sanitary sewerage disposal, in conformance with City engineering and public works requirements.
  - 2. The unit shall meet all applicable fire, safety, and building code requirements.
  - 3. The unit shall be located no closer than 10 feet to any property line.
- D. **New community college or similar campus type facilities subject to institutional master plan standards in Section 16.224.**
- E. **New mini warehouse or similar storage facilities.**
- F. Recreational marijuana production, recreational marijuana processing, or recreational marijuana wholesale activities, subject to Section 16.60.040(N).
- G. Similar uses as those listed in this section.

### 16.116.030 Architectural and Site Design Standards.

G. Storage Unit Facilities. Where allowed, storage unit facilities shall be subject to the following design, siting, and location standards:

- 1. Setbacks. New storage unit facilities shall be constructed no closer than 100 feet from the East Harbor Drive right-of-way line. This setback area shall be used for landscaping, open space, public or private amenities, off-street parking, other businesses allowed in the zone; or a combination thereof.
- 2. Design Standards. New storage unit facilities shall be subject to the following design standards:
  - a. Building material requirements in Section 16.434. **116.030(C)(3);**
  - b. Building color standards in Section 16.434. **116.030(C)(5);**
  - c. Mechanical equipment, outdoor storage and service area standards in Section 16.434 **116.030(C)(6);**
  - d. Building mass requirements in Section 16.434 **116.030(C)(7);**

- e. Outdoor lighting standards in Section ~~4676.134~~ 16.116.030(E); and
- f. Other applicable design requirements of this section.

#### **16.240.010 Temporary Use Permits.**

Temporary uses are characterized by their short term or seasonal nature and by the fact that permanent improvements are not made to the site. Temporary uses include, but are not limited to: construction trailers, leasing offices, temporary carnivals and fairs, parking lot sales, retail warehouse sales, and seasonal sales such as Christmas tree sales and vegetable stands, **and temporary food vendors**. ~~Three~~ **Four** types of temporary uses require permit approval (see subsections A, B, ~~and C~~, **and D** of this section):

#### **D. Temporary Food Vendors (Food Carts)**

**1. Definitions. Temporary Food Vendor. A person or persons, including a business entity, who operates an Intermittent Temporary Restaurant, Seasonal Temporary Restaurant, Single Event Temporary Restaurant, or Mobile Unit as defined below:**

**a) Intermittent Temporary Restaurant. An establishment that operates temporarily at a specific location in connection with multiple public gatherings, entertainment events, food product promotions or other events, at least two of which are arranged for by different oversight organizations; and where food is prepared or served for consumption by the public.**

**b) Seasonal Temporary Restaurant. An establishment that operates at a specific location in connection with multiple public gatherings, entertainment events, food product promotions or other events that are arranged for by the same oversight organization; and where food is prepared or served for consumption by the public.**

**c) Single Event Temporary Restaurant. An establishment that operates in connection with a single public gathering, entertainment event, food product promotion or other event; and where food is prepared or served for consumption by the public.**

**d) Mobile Unit. Any vehicle on which food is prepared, processed or converted or which is used in selling and dispensing food to the ultimate consumer.**

**2) Registration Required. No person shall operate as a Temporary Food Vendor without first registering with the City of Warrenton. Registration shall be on forms provided by the City. All Temporary Food vendors shall be required to provide the following information:**

**a) Official picture identification in the form of a valid state issued driver's license, state issued identification card, or valid passport;**

b) Current contact information, including a valid mailing address and phone number;

c) A current Oregon State food handler's certification if handling food;

d) The location of vending;

e) If vending on private property, the street vendor must provide a copy of the affected property owner's written permission for placement of a temporary shelter, stand, vehicle or cart; and

f) Any other information deemed necessary to enforce this Ordinance.

3) Oregon Revised Statutes Chapter 624 requires all food service vendors to be licensed in advance of operation. In accordance with ORS 624.020, all food service vendors shall display their license in clear view of the public during any food service. The following restaurant activities shall operate as set forth below:

a) Intermittent Temporary Restaurant (ORS 624.082): A person may not operate an intermittent temporary restaurant without first procuring a license to do so from the Oregon Health Authority. The intermittent temporary restaurant license shall be posted in a conspicuous place on the premises of the licensee.

b) Seasonal Temporary Restaurant (ORS 624.084): A person may not operate a seasonal temporary restaurant without first procuring a license to do so from the Oregon Health Authority. The seasonal temporary restaurant license shall be posted in a conspicuous place on the premises of the licensee.

c) Single Event Temporary Restaurant (ORS 624.086): A person may not operate a single-event temporary restaurant without first procuring a license to do so from the Oregon Health Authority. The single-event temporary restaurant license shall be posted in a conspicuous place on the premises of the licensee.

d) Mobile Unit (ORS 624.320): A person may not operate mobile unit without first procuring a license to do so from the Oregon Health Authority. The operator shall post the license in a conspicuous place on the mobile unit; or, if the operator has multiple mobile units, the operator shall affix a card, emblem or other device clearly showing the name and address of the licensee to each mobile unit.

e) Mobile Unit Carts/Trucks/Units may move around Oregon. Out-of-state licenses are not transferable to Oregon. Mobile Units from out-of-state, do not have license reciprocity in Oregon. Out-of-state mobile units shall contact the Clatsop County Public Health Office and get an Oregon license before operating.

**f) Mobile Food Carts/Trucks/Units may be licensed in other Oregon Counties, but they are still required to contact the Clatsop County Public Health Office prior to arrival at any location to discuss their operations.**

**4) All temporary food vendors cooking with propane shall obtain a Portable Propane Cooking Devices Permit from the Warrenton Fire and Rescue Department.**

**5) Standards of Operation.**

**A) No Temporary Food Vendor shall:**

**1) Occupy an area within ten (10) feet of a crosswalk, alleyway or building doorway;**

**2) Obstruct or impede vehicular or pedestrian traffic;**

**3) Leave a location without first picking up, removing and disposing of all trash and refuse remaining within a twenty-five foot (25') radius of their vending area. Each vendor shall be responsible for maintaining a twenty-five foot (25') radius around their vending area clean of any trash or debris;**

**4) Make any loud noise for the purpose of advertising or attracting attention to their wares;**

**5) Leave their shelter, stand, vehicle or cart unattended;**

**6) Sell from any location other than the registered location;**

**7) Solicit or conduct business with any persons in motor vehicles located within any traffic lane on a public street;**

**8) Unreasonably interfere with or obstruct the free flow of pedestrian traffic or access to businesses; or**

**9) Violate any federal, state or local ordinance, statute or regulation.**

**B) If vending on private property, the street vendor must prominently display a copy of the affected property owner's written permission for placement of the street vendor's temporary shelter, stand, vehicle or cart at the vending location.**

**C) Signage. No street vendor shall:**

**1) Place signs anywhere other than the street vendor's place of business;**

**2) Place more than one sign on each of four sides of the street vendor's temporary shelter, stand, vehicle or cart.**



3) Place a sign greater than ten square feet on any side of the street vendor's temporary shelter, stand, vehicle or cart.

4) Place signs on vehicles other than the vendor's registered sales structure or within the road right-of-way;

5) Place signs within ten feet (10') of a crosswalk, alleyway, or fire hydrant; or

6) Place signs in any way that obstructs or impedes vehicular or pedestrian traffic.

7) One hand held sign is allowed for each approaching travel direction but in no instance shall more than two hand held signs be allowed.

8) Hand held signs may only be used on the sidewalk; they shall not be used in the vehicular right of way; including travel lanes, bike lanes, or parking areas.

6) Violation of this Section. Any temporary shelter, stand, vehicle, cart or sign in violation of this ordinance may be removed by the City Administrator or designee twenty-four (24) hours after written notice is delivered to the vendor in person or five (5) days after written notice is mailed to the address registered with the City.

A) Any item(s) removed may be stored by the City up to 30 days or until the owner redeems the property by paying a storage and removal charge as established by the City Administrator. The City may dispose of items left longer than 30 days from the date of notice provided in this section.

B) Written notice shall include at least the following:

1) A statement that the item(s) are in violation of this ordinance;

2) The approximate location of the violation;

3) Date the item(s) will be removed;

4) Statement that the removal and storage costs are the responsibility of the owner or vendor;

5) Statement that the item(s) shall be disposed of after thirty (30) days of storage;

6) Cost of removal and storage;

7) Location of storage or person to contact concerning storage;

8) Statement that the owner or vendor may remove the item(s) at their own expense prior to the date of removal; and

**9) Statement that further violation will result in immediate removal without prior notification.**

**7) Exemption. This section does not apply to non-public events. Non-public events include sporting events where only the participants, support staff, and invited guests are served food. This section does not apply to food carts placed within approved food pods in the C-1 zoning district.**

**Section 3.** This Ordinance being necessary for the immediate protection of the health, safety and welfare of the citizens and residents of the City of Warrenton, an emergency hereby is declared to exist and this Ordinance shall take full force and effect immediately upon its adoption by the Commission of the City of Warrenton.

**First Reading:** \_\_\_\_\_, 2022

**Second Reading:** \_\_\_\_\_, 2022

**ADOPTED** by the City Commission of the City of Warrenton, Oregon this \_\_\_ day of \_\_\_\_\_ 2022.

APPROVED:

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

ATTEST:

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




## City of Warrenton

### Planning Department

225 S Main Avenue ■ P.O. Box 250 ■ Warrenton, OR 97146

Phone: 503.861.0920 Fax: 503.861.2351

## STAFF REPORT

TO: The Warrenton Planning Commission  
 FROM: Jay Blake, Planning Director   
 DATE: September 8, 2022  
 SUBJ: Informational Item Psilocyben Ordinance

### BACKGROUND:

After the August Planning Commission meeting, I contacted the city legal staff to learn more about what options the City has on a temporary or permanent moratorium on siting psilocybin production or distribution facilities. As we discussed, the city can enact time, place, and manner regulation for these facilities. This is what the city chose to do with marijuana sales establishments. The City can also opt to enact a moratorium and refer it to the voters for confirmation.

In reviewing correspondence from the city legal staff relating to the enactment of moratorium, there is a unique path forward. In the case of psilocybin ordinances, the City can enact a moratorium for these facilities and refer it to the voters in the next general election. We did not meet the deadline for placing the question on the ballot for the November 2022 general election. If the moratorium is enacted after the November general election, it is referred to the voters in November 2024 (the next general election). In the interim time frame, the moratorium is in place.

Also note that there are no revenue sharing provisions for these facilities or the sales of the materials.

We have not yet secured a joint meeting with the City Commission to discuss this further. This is still pending.

No action required at this time.



## City of Warrenton

### Planning Department

225 S Main Avenue ■ P.O. Box 250 ■ Warrenton, OR 97146

Phone: 503.861.0920 Fax: 503.861.2351

## STAFF REPORT

TO: The Warrenton Planning Commission  
 FROM: Rebecca Sprengeler, Planning Technician  
 DATE: September 8, 2022  
 SUBJ: Planning Commission Procedures

### **BACKGROUND:**

House Bill 2560 required cities to provide the public an option to attend meetings virtually as of January 2022. Like many other cities, the City of Warrenton chose to use Zoom to meet this requirement. There are currently no procedures in place for testimony or discussion on Zoom. Staff have reviewed current requirements and consulted with other cities for their practices. Staff would like to work with the Planning Commission to proactively create policies around the use of Zoom for public comment, public testimony, and discussion. While there have not been many heavily attended meetings recently, we want to be prepared to manage the involvement associated with controversial applications and create clarity and efficiency during discussions.

### **WHAT OREGON RECORDERS SUGGESTED:**

- Meeting organizer mutes/unmutes attendees when their hand is raised
- Use chat feature to request to speak, this also creates an order of speakers
- Utilize roll call-style discussions
- Create a script that outlines (Attachment C)

### **CONCLUSIONS AND RECOMMENDATION**

There is a need for procedures for public comment, public testimony, and discussion over Zoom to create clarity and efficiency during hybrid meetings. Staff are requesting input from the Planning Commission on what the procedures should look like.

**ATTACHMENTS:**

- A. WMC Chapter 2.12 Planning Commission
- B. Citizen Boards Policies and Procedures
- C. Oak Lodge Water Services

## ATTACHMENT A

### **2.12.010 Continuation of the Planning Commission.**

There is continued a City Planning Commission, referred to in this chapter as "Commission," for the City of Warrenton. (Ord. 975-A § 1, 1997)

### **2.12.020 Powers and duties of the Commission.**

Except as otherwise provided by the City Commission, the Planning Commission shall have the power and duty to:

A. Recommend and make suggestions to the City Commission and other public authorities concerning the laying out, widening, extending, parking and locating of public thoroughfares; parking of vehicles; relief of traffic congestion; betterment of housing and sanitation conditions; and establishment of districts for limiting the use, height, area bulk, and other characteristics of buildings and structures related to land development.

B. Protection and assurance of access to wind for potential future electrical generation or mechanical application. "Wind" means the natural movement of air at an annual average speed measured at a height of 10 meters or at least eight miles per hour.

C. Protection and assurance of access to incident solar radiation. "Incident solar radiation" means solar energy falling upon a given surface area.

D. Recommend to the City Commission and other public authorities plans for regulating the future growth, development and beautification of the City in respect to its public and private buildings and works, streets, parks, grounds and vacant lots, and plans consistent with future growth and development of the City in order to secure to the City and its inhabitants sanitation, proper service of all public utilities and telecommunications utilities, including appropriate public incentives for overall energy conservation and transportation facilities.

E. Recommend to the City Commission and other public authorities plans for promotion, development and regulation of industrial and economic needs of the community in respect to private and public enterprises engaged in industrial pursuits.

F. Make economic surveys of present and potential industrial needs.

G. Study needs of existing local industries with a view of strengthening and developing local industries and stabilizing employment conditions.

H. Do and perform all other acts and whatever may be necessary or proper to carry out the revisions of this chapter.

I. Recommend to the City Commission those ordinance intended to carry out the purposes, principles and proposals expressed in the comprehensive plan.

J. Make recommendations to the City Commission for the adoption of a comprehensive plan of the City, or any part or element thereof. The official comprehensive plan shall be effective on or after its formal adoption by the City Commission.

K. Recommend to the City Commission those ordinance(s) intended to carry out the purposes, principles and proposals expressed in the Warrenton comprehensive plan.

L. Advise and cooperate with other planning agencies within the State, and upon request, or on its own initiative, furnish advice or reports to any City, county officer or department on any problem regarding City planning.

M. Promote public interest in and understanding of the comprehensive plan and of planning and zoning in general.

N. Instruct the Planner/Zoning Administrator to report to the City Commission as needed, on the status of planning and zoning within its jurisdiction.

O. Make recommendations to the City Commission with regard to orderly development of territory within the City.

P. Perform all other acts and/or whatever may be necessary or proper to carry out the provisions of ORS 227.010 to 227.170, 227.175 and 227.180 and other duties as may be prescribed by ordinance or order of the City Commission.

Q. All recommendations and suggestions made to the City Commission by the Planning Commission, shall be in writing.

R. The Planning Commission shall have no authority to make expenditures on behalf of the City or to obligate the City for the payment of any sums of money, except as herein provided and then only after the City Commission shall have first authorized the expenditures by appropriate ordinance (or resolution), which ordinance (or resolution) shall provide the administrative method by which the funds shall be drawn and expended. (Ord. 975-A § 2, 1997)

## **2.12.030 Membership.**

A. The Planning Commission shall consist of seven voting members appointed by the City Commission, and not more than two of whom may be nonresidents of the City.

B. The Planning Commission may designate advisory, nonvoting members to provide technical advice to the voting members.

C. A term of office on the Planning Commission shall be four years.

D. Vacancies shall be filled by City Commission appointment for the remainder of the unexpired term of the predecessor in office.

E. A member may be removed by the City Commission during his or her term for misconduct or nonperformance of duty, which may include but not be limited to missing three consecutive meetings without an excuse. After a review the City Commission may declare the position vacant.

F. No more than two voting members of the Commission may engage principally in the buying, selling or developing of real estate for profit as individuals, or be members of any partnership, or officers or employees of any corporation, that engages principally in the buying, selling or developing of real estate for profit. No more than two members shall be engaged in the same kind of occupation, business, trade or profession. (Ord. 975-A § 3, 1997)

## **2.12.040 General procedures.**

A. The Planning Commission shall adopt rules and procedures for the transaction of business and shall keep a record of resolutions, transactions, findings, recommendations and determinations, which record shall be a public record.

B. The Planning Commission shall select a secretary, who need not be a member of the Commission. The secretary shall keep an accurate record of all Commission proceedings.

C. The Planning Commission shall elect from its voting membership a chairperson and a vice-chairperson to serve for one-year terms.

D. Four members of the Commission shall constitute a quorum. The Commission may make and alter rules and regulations for its government and procedure consistent with the laws of this state and the City Charter and ordinances. It shall meet at least once a month.

E. A member of the Planning Commission shall not participate in any Commission proceeding or action in which any of the following as a direct or substantial financial interest: the member or the spouse, brother, sister, child, parent, father-in-law,



mother-in-law of the member, any business in which the member is then serving or has served within the previous two years, or any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest shall be disclosed at the meeting of the Planning Commission where the action is being taken. (Ord. 1062-A § 1, 2003; Ord. 975-A § 4, 1997)



# Policies and Procedures For Citizen Boards

City of Warrenton

1<sup>st</sup> Edition

Adopted February 9, 2021

By: Henry A. Balensifer III

## **Chapter 1 Introduction:**

**Brief:** Thank you for your willingness to be involved in your city government! Citizens, like yourself, provide the basis of much of the policy and development decisions within our city. The City Commission has placed faith in you to provide it with recommendations and input on what is best for Warrenton. You have been selected to provide a citizen-based sounding board for advice and recommend policies.

## **Chapter 2 The Role of Appointed Boards within Local Government:**

### **2.1 Supremacy of the City Commission, Purpose of Boards**

The City Commission is the final authority for deciding policy, budgetary, and legislative matters within the city. It has created many citizen boards to ensure transparency in government and to channel the ideas and energy of citizens interested in particular issues. Citizen boards are to advise on issues of importance to the City Commission, or develop plans or projects as necessary or directed to by the City Commission. If they lack clarity on city policy or direction, they should request a clarification from the City Commission via the Mayor and/or the City Manager.

#### ***2.1.1 Staff Support***

City staff, when provided to support a board, is made available at the discretion of the City Manager or Commission policy via the board's chartering resolution. Staff operations are not controlled by the appointed board, unless otherwise approved by the City Manager or otherwise provided for in a definitive policy passed by the City Commission.

## **Chapter 3 Constituency**

### **3.1 Constituency Defined**

Merriam Webster's Dictionary defines constituency as "a body of voters in a specified area who elect a representative to a legislative body." While that's very specific, a "constituency" is generally thought of a body of people one represents and/or is accountable to. While every board appointee should act in how they feel is best for the community, they do not have a constituency other than the City Commission. Board Appointees should not accept nor confuse their role with having the burden of representing all citizens within the community. They are nominated by the Mayor and confirmed by the City Commission, and thus are held accountable to and can be removed by the City Commission at will. The City Commission is the only municipal board within the City that is accountable to voters by elections or recalls.

This is said to relieve the pressure some appointees feel about sitting on the board. While some boards may get angry speakers/citizens demanding something, they should always weigh the demand with their authority to decide, and the laws and policies of the city in place at that time. In most cases, boards have only advisory authority and as such should consider their recommendations as policy ideas and their effect on the community writ large. When in doubt, a board should notify the City Commission via a formal recommendation voted on by their full board, or submit inquiries through their chairperson to the City Commission via the Mayor. Individual board members should feel free to contact the City

Manager and/or Mayor and/or Commission liaison (if there is one) relating to questions of policy or procedure at any time.

## **Chapter 4 Conduct**

### **4.1 Service**

Board members serve at the pleasure of the City Commission. Members, while acting in their appointed capacity or using their titles, should exercise caution in public remarks and refrain from disparaging their fellow board members or the City Commission on the record, on social media, or to the news media.

### **4.2 Recommendations**

The City Commission desires to hear from its boards often. When a recommendation is made by a board and forwarded to the City Commission it is customary and encouraged for the chairperson to deliver the recommendation to the City Commission. If the chairperson is not available, then the vice-chairperson. While the City Commission recognizes everyone is volunteer, the quality of the recommendation is greatly enhanced when Commissioners can directly engage with the board. The Mayor shall always recognize the board chair or vice-chair to deliver the report. See Appendix A for recommendation template.

#### ***4.2.1 Right to Dissent***

On all boards, when a recommendation is made or decision rendered, members have a right to file a letter of dissent to be forwarded with the formal recommendation to the city commission for the record. This letter should clarify the reasons why they disagree with the recommendation. The letter must be written within 5 calendar days of the recommendation/decision but may be required sooner if the recommendation will be considered at a City Commission meeting sooner than 5 days. See Appendix A for an example.

Members who oppose recommendations may speak during the public comment period as a private citizen, but are not entitled to recognition during the presentation of the board's recommendation (unless they happen to be the one presenting the board's recommendation). The purpose of appointed boards recommendations is to have the merits of a recommendation vetted before proposing it to the City Commission.

#### ***4.2.2 Process of Forwarding***

All letters of dissent shall be included with the board recommendation it pertains to. If a letter is turned in after said packet is published, it shall be included in the Commission Drop Box, and/or printed and provided for the meeting.

### 4.3 Attacks

Conduct that attacks someone personally may lead to suspension, censure, or removal from a board.<sup>1</sup> Members should attack ideas and policies—not people on the board, city commission, or members of the community personally. Creating a hostile environment on the board, or the chronic inability to separate personal issues from professional decisions/positions may result in the dysfunction of the board and suspension or removal of the offending appointee(s). Strong disagreements on matters of policy are not a basis for creating a hostile environment. Impugning the character or motivations of a member of the board or staff, or abusing parliamentary procedure to the point meetings become secondary to the procedures being inflicted upon the board are examples of creating a hostile environment.

### 4.4 Good Conduct

Good conduct can be summed up with a general rule of thumb: debate ideas, not personalities; and do whatever you can to preserve the public trust in the institution of local government. If you cannot respect the person you're debating, respect their position as a board member of equal standing and value. Members should fight for what they believe in, however they should not impugn another person's character or cast aspersion on motives. The only right another committee member has to challenge another board member during a meeting is to call out an ethics violation or a conflict of interest that has gone undisclosed or is otherwise improperly handled.<sup>2</sup> See the "Conflicts of Interest" section of this publication for more information. Committee members may not attack or make comments that impugn, harass or haze another. Spirited debate that focuses on the issue and not the person is not considered harassment or hazing.

All members should respect the authority of the chairperson. The chair's job is to ensure order and fairness in the meetings. If a chair is failing to ensure order, fairness, or the rights of members as prescribed in parliamentary procedure, members may declare a point of order or use parliamentary procedure to correct the deficiency. If the board has lost confidence in the chairperson, the board may move and vote to declare the chair's position vacant and appoint a new one. No member should take personally the use of parliamentary procedure to end a non-germane discussion. Likewise, no member should have their time wasted by non-pertinent discussions. Conversely parliamentary procedure can be abused to the detriment of the board and/or waste time. This is why it is so critical for board chairpersonships to not be taken lightly, nor be on an automatic "rotating" basis which may require persons ill fitted to the role, or unwilling to take on such responsibilities to be the presiding officer.

---

<sup>1</sup> City Commissioners cannot be removed from office except for violations noted in the City Charter.

<sup>2</sup> Improper handling includes participating and/or voting on a decision by a member who has an actual conflict. City and Planning Commissioners are responsible for knowing and obeying Oregon ethics laws and administrative rules, as well as any city ordinances that are in effect pertaining to ethics, corruption and conflicts of interest. See [Oregon Ethics Commission](#) website for more information.

#### 4.5 Public Trust

The sole purpose of City Government is to serve its citizens. The power to decide items affecting the lives and possessions of its citizens are entrusted to the City and as such the office of any person within city government be it employee, elected, or appointed, are offices of public trust. It is therefore the responsibility of all government officials to protect that trust by taking great pains to avoid even the appearance of impropriety as much as possible.

No official has the right, or power to make promises related to the boards they serve on without the prior consent or delegation of authority from that board. The Mayor is only one of 5 votes and the chairs of each board have solely one vote per person. Making such promises not only compromises the integrity of the office to which one has been sworn or appointed to, but also create a deficit in the public trust and should be avoided.

#### 4.6 Conflicts of Interest

It is the personal responsibility of all members to disclose conflicts of interest both perceived and actual before the discussion of the agenda item has begun. The proper disclosure method can be in two ways: 1) during a public hearing, when the chair asks if any members have conflicts of interest to disclose or 2) ask to be recognized as soon as the agenda item comes up and disclose then (only if not a public hearing or the chair fails to ask if anyone has a conflict). When disclosing, the member should state both the conflict and nature of the conflict. This should occur *after* the hearing is opened and before the staff report or discussion has begun. If the conflict is perceived, and not actual, the member in question is *required* to state whether they believe the conflict clouds their perspective and that they believe they can be fair and impartial. Legally, the chair must accept the member's answer at face value. However, if a non-conflicted member of the board requests the recusal of the conflicted member, it is considered courteous for the conflicted member to recuse themselves from at least the vote, but not required. Specifically, the full board reserves the right to determine if a member is able to partake in the discussion or vote of a question in which a conflict exists, should that person refuse. If a member of either the Planning or City Commission have an *actual* conflict of interest the proper procedure is for them to recuse themselves from the meeting for that particular item, refrain from partaking in the discussion, and customarily step outside of the meeting room. Once the item is decided or public hearing closed, the conflicted member is to be invited back into the meeting to participate normally.

##### **4.6.1 Failure to Declare**

If a member of the planning commission fails to declare an actual conflict of interest, or refuses to acknowledge an actual conflict of interest, and this is brought to either staff's or the City Commission's attention and verified—that member may be suspended from voting and/or attending future meetings by the Mayor, until such time as the City Commission conducts a review of the circumstance and makes a decision regarding censure or removal from the board.

#### **4.7 Dress Code**

People have a right to express themselves however they feel. While it is not a requirement, the City respectfully requests that all elected and appointed members dress in a manner appropriate to and respectful of the office or position they hold.

### **Chapter 5 Board Sizes and Attendance Regulations**

#### **5.1 Board Positions to Ensure No Tie**

All city boards shall comprise of an odd number of persons who may vote. If the appointed membership reaches an even number, the chairperson shall not vote. The board size rule does not apply to subcommittees formed by an appointed or elected board, but is highly recommended.

#### **5.2 Preparation Required, Right to Accommodations**

Serving on a city board is an office of public trust. As such, it requires all members to be as engaged as possible, which requires prior study of meeting materials, familiarity with relevant plans and documents related to the meeting materials and regular attendance. While it is understood board members are volunteers—many with day jobs—absences are to be avoided as much as possible. When circumstance requires, members who cannot attend in person should participate remotely. Those membership should notify staff of the need or desire to do so and coordinate with city staff to ensure the setup of the conference call or videoconferencing system, if they require such accommodation. For members with disabilities, they have a right to reasonable accommodations as well.

#### **5.3 Chairpersons, Officers, Sizes**

Boards that comprise of 3 persons are to have only a chairperson. They are not considered to constitute a quorum without full attendance of the board due to their size.

Boards that comprise of 5 or more persons are to have a chairperson and a vice-chairperson. A quorum of these members will consist of a simple majority of voting appointees.

A quorum exists when a majority of appointees are present. Vacant positions on the board do not count towards determining a quorum.

#### **5.4 Absences**

An excusable absence is noted if the member is ill or injured, has a medical procedure or family death/emergency, or a professional requirement. A professional requirement is considered a work trip, meeting or other unavoidable requirement of their profession/employment. Absences that could have been avoided are not excusable, with the singular exception of being pre-approved before their appointment to the board.

Non-excusable absences include, but are not limited to: trips that can be scheduled around such as vacations or non-urgent personal trips, forgetting the meeting date/time, or a desire to not attend that

meeting or vote on a difficult matter. The Commission, in weighing a pattern of absences, may determine failure to notify staff or the board chair of an absence that was not related to an emergency in which a person could have called or notified of their absence is unexcused.

Below are rules related to tolerable number of absences. Unexcused absences are explicitly listed. If the absence is general, it is a combination of excused and unexcused in aggregate.

- Members of boards that meet quarterly may not have more than 3 unexcused absences in 2 consecutive years.
- Members of boards that meet every other month may not have more than 2 unexcused absences in a year period, or an aggregate of 3 absences in a year period.
- Members of boards that meet monthly may not have more than 4 aggregate absences within a year, and may not have more than 2 consecutive unexcused absences in a year period.

Because board chairs are critical positions requiring a greater attention to the details of the meeting, board chairs are held to a higher standard than regular members for attendance and should endeavor to attend all meetings. Chairs should not miss more than 2 meetings a year. This higher standard only applies to their position as chair.

\*The Mayor, by notifying the City Commission, or the City Commission by formal action, may retain the right to keep members on a board despite attendance history or planned absences in order to find suitable replacements to the board, at which time they will be relieved of their appointment and a replacement appointee shall take their place.

## 5.5 Children/Family Policy to Enable Attendance

It is the official policy of the City of Warrenton to encourage and promote the inclusion of community members with children to serve on boards. Persons with children bring a much needed perspective about the ease of use of public facilities and the suitability to meet current needs of children and families.

Members may bring their children to meetings provided they do not inhibit the business before the board. Wide discretion is given to chairs to work out reasonable accommodations for members who are new mothers, and members with children. If an accommodation can be made for in person attendance it shall be made, and if not—then technological accommodation must be made to ensure their participation.

### *5.51 Abuse, Prohibited Activities*

The city is not a childcare provider and accommodations for children should not be a license to create significant disruption to the meeting. Children should not deface public property, or otherwise create a safety or property hazard to themselves, others, or the meeting space.



## **Chapter 6 Parliamentary Procedure and Chairpersons**

### **6.1 Parliamentary Procedure**

Parliamentary procedure, also known as rules of order, ensures the orderly transaction of business and respectful debate of ideas within a committee or board. Additionally, it ascertains the will of the majority, while securing the rights of the minority to be heard and participate in a decision. Boiled down, parliamentary procedure is a code for civility and common sense within a deliberative body. Meetings should begin promptly if a quorum exists and adjourn promptly after the conclusion of business or if such time is fixed. While board members can range from young professionals to retirees, it is important to not waste anyone's time and to stay on topic. The City's appointed boards are all comprised of wholly uncompensated volunteers, many of whom have professions and must sacrifice either professional time or family life to serve the city. Chairs must weigh the needs of a full and fair debate of ideas with the time constraints of an entirely volunteer board. Particularly verbose members who have a tendency to talk off topic or wander on tangents not before the board or germane to the item on the agenda being discussed should not feel slighted when the chairperson cuts them off and redirects the discussion to what is at hand.

Most appointed boards observe relatively relaxed parliamentary procedure. This is generally OK, and due to the fact most boards do not have legal authority to decide questions before it. The only boards that require relatively strict adherence to parliamentary procedure and legally scripted motions is the Planning Commission and Budget Committee. Nevertheless, boards shall try to follow parliamentary procedure as best they can. Chairs have a right to expect that staff will provide scripts to read to guide any legal proceedings if such a script is required for that meeting.

### **6.2 Chairperson/Presiding Officer**

Every year, each board will elect amongst themselves a presiding officer known as a chairperson. If the board is large enough, it will appoint an officer whose duties are to preside over the meetings when the chairperson is unable. Presiding officers will not take office until the first meeting of the next calendar year. The board can appoint a chairperson-elect at any time during the year before October. The October requirement is solely to ensure adequate time for the newly appointed chair and vice-chairpersons to attend chairperson training. This appointment should not be taken lightly, and must be taken willingly. "Rotation" of board chairs is not acceptable if it falls upon a member who does not desire the position or is unwilling to take the training and responsibility it entails.

#### ***6.21 Training Required***

Board chairs are required to receive training on parliamentary procedure and their board charter in order to ensure they can run effective meetings and understand the policy nuances and legal requirements of their board. Failure to attend chairperson training before the first meeting of the calendar year their term as chairperson commences will disqualify them from eligibility to serve as chairperson until they complete the training unless the prior chairperson is no longer on the board.

## 6.22 Exemptions

The Mayor may grant a temporary exemption, provided the City Commission is notified at the next regular City Commission meeting with a timeline for remediation of the training deficiency or a request for a waiver. A waiver must note the reason and have the consensus of the City Commission to go into effect. Valid reasons include, but are not limited to prior training and demonstrated knowledge of procedure and the respective board charter.

## Chapter 7 Planning Commission

### 7.1 Quasi-Judicial Status

The Planning Commission is the only board where non-elected citizens may decide items with legal finality and without Commission intrusion unless the decision is appealed or is Legislative. In this way, the Planning Commission acts like a jury. This is why many Type III land use decisions are considered “quasi-judicial.” Additionally, the Planning Commission is tasked with knowing the development code sufficiently to anticipate if it needs changing to ensure safe, orderly, and livable circumstances within the city. It’s first function is to decide land use matters before it, but it’s second role (and just as important) is to advise the commission on the applicability of the development code to the current time and community needs. It bears repeating that while the Planning Commission has great power, it still serves at the pleasure of the City Commission as does every other appointed board within the City.

### 7.2 Required Reading

Planning Commissioners must read and be *familiar* with the following documents within their first year:

- Warrenton Comprehensive Plan
- Warrenton Municipal Code Title 16: Development Code
- Warrenton Community Vision Plan
- A parliamentary procedure manual as designated by the City Commission
- Anything referred to the Planning Commission by staff or the City Commission, or reading necessary to decide a matter before it.

Planning Commissioners should possess and read within their first year of membership the following:

- Any existent Urban Renewal Plan
- Transportation Systems Plan

Planning Commissioners should possess so as to read or reference as needed:

- Hammond Marina Master Plan and Updates
- Warrenton Parks Master Plan
- Other plans issued as reference material, and which will inform a matter before the board

### **7.3 Ethics and Policies of the City, Compliance**

Planning Commissioners are subject to the same ethics laws as City Commissioners in relation to gifts and ethics disclosures. Planning Commissioners are personally liable for filling out Statements of Economic Interest and filing them with the Oregon Ethics Commission. As appointees the City Commission reserves the right to remove Planning Commissioners before their term ends for cause such as, but not limited to: ethics infractions (state or municipal), incompetence, failure to abide by rules and regulations of boards, and/or negligence. If the city commission issues a directive related to the policy of the city, planning commissioners are expected to reply with a product that satisfies the directive. If the majority disagrees with such a directive or policy direction, it may do so and report their reasons in writing, but they may not ignore commission directives and “sit” on directives.

## **Chapter 8 Required Library of References**

### **8.1 Required Library and Availability**

The City shall have available at all time in the Commission Chambers, one printed copy of the reference documents listed in Chapter 7, and any other documents that may be useful to any board that serves the city.

## **Chapter 9 Non-Appointed Persons**

### **9.1 Subcommittees within a Board**

Boards may create their own subcommittees that involve non-appointed members to help capture outside expertise required to further develop concepts or policies they are exploring. However, any person that is not appointed shall only vote on issues within the subcommittee and shall not be eligible to vote on any issue or decision before the full board. All subcommittees must include and preferably be chaired by an appointed board member. Subcommittee chairs do not need to attend chairperson training but may receive it upon request. Subcommittees formed by the appointed board may *not* vest decisions to a subcommittee, only recommendations. The formation of a subcommittee and roster of members must be reported to the Mayor by the chair of the board prior to the seating of the subcommittee.<sup>3</sup>

## **Chapter 10 Conduct**

### **10.4 Right to Challenge Impartiality**

During quasi-judicial/Type III public hearings, it is the right of citizens to challenge the impartiality of City Commissioners and Planning Commissioners (regardless if a conflict has been declared). At the outset of the hearing, the presiding officer should ask the public in attendance if anyone wishes to challenge the

---

<sup>3</sup> If the Mayor or staff has concerns about the creation of a subcommittee, they may refer the matter to the City Commission which may, at their discretion override the creation of such subcommittee or provide it with specific direction, appointment suggestions, or boundaries of scope and time.

impartiality of any member, at which point the member(s) of the public shall rise and state their name and address for the record and reason for challenging the impartiality of the commissioner. The commissioner is required to either step down from participating in the decision or respond for the record to why they believe they will remain impartial for the hearing. If the presiding officer fails to ask, the public has a right to approach the City Recorder, City Attorney, or City Manager's desk during the meeting and inform them of their wish to challenge—at which time staff should inject a point of order in the proceedings. If the person is disabled, they or their interpreter/or ability assistant may simply just shout out "Challenge" at the beginning of the hearing, to which the presiding officer must recognize them to state the commissioner and reason for challenging their impartiality. The challenged board member has a right to refute any challenge for the record. Members of the public may not otherwise interrupt the meetings and presiding officers have no requirement to recognize members of the public simply trying to participate without recognition to speak during the appropriate time.

If they do not challenge the impartiality of the member at the start of the hearing, they may not interrupt mid-hearing, but may file a written challenge with the City Recorder who will submit it to the City Attorney to determine if the decision would have been materially altered had that affected individual participated or not, and if in fact there was a breach of ethics. The challenger shall receive a response to their challenge once a determination is made.

## **Chapter 11 Discipline**

### **11.1 General Meeting Conduct & Attendance**

In general, the more authority a board has, the more legal responsibility members have as individuals.

If a member fails to meet the required attendance requirements, willfully damages public trust, fails to disclose conflicts of interest or refuses to obey rules set forth by the board or City Commission, or if the board chair or staff reports a member as abusive or disrespectful, the offense shall be reviewed and if true, the offending member may be censured, suspended or removed from the board for cause.<sup>4</sup>

Provided the issue is clear and present, the Mayor may issue a censure in writing and place members on suspension until the City Commission can either end the suspension, continue it for a definitive amount of time, or declare that board member's position vacant. The City Commission retains, as a body, full discretion under state and city law, over its boards and appointees. The mayor must provide notice to the City Commission before the City Commission's next regular meeting or the suspension is automatically lifted. At all times, the Mayor must keep the Commission apprised of disciplinary actions taken unilaterally within two days of the action. Such actions should be reserved for flagrant violations such as flagrant ethics violations or abuse of office.

An example of a clear and present issue would be if a planning commissioner votes on their relative's variance application or a board chairperson calls another member a racial slur or viciously defames the

---

<sup>4</sup> The Mayor may suspend the offending member from participating on the board. This does not prohibit the member from attending meetings, but does prohibit them from participating or voting. The Mayor must notify the City Commission of the reason for the suspension in writing as soon as practicable, but no later than 3 days after the suspension is in effect, or by the next commission meeting—whichever comes sooner. The Commission may formally end the suspension and reinstate the member, or if it finds the offenses warrant removal it may do so by declaring the position vacant.

character of a member personally during a public meeting and refuses to apologize. In both cases the Mayor will have likely relied on staff or a formal complaint. The Mayor may not censure or suspend members on undocumented reports. It requires a formal complaint in writing from an aggrieved party or report from staff which will be made available to the City Commission.

The Mayor is under no obligation to act unilaterally and may bring the issue(s) for the commission to consider. The general custom of the City is for most decisions to come before the city commission en banc, and to limit mayor/unilateral actions for the most egregious cases which will significantly harm the public trust or function of the board, or when the city's safety and welfare is threatened.

If a chairperson is incompetent, unable, or unwilling to follow or enforce parliamentary procedure, any member of the board may make a motion to declare the position of chair vacant and if such a motion passes, call for nominations of a new board chair. Once the position is declared vacant, the vice-chair would preside over the meetings until a new chair can be selected. If the board lacks a vice-chair, the board chair will remain in their position until a new chair is elected. The only board this does not apply to is the elected City Commission, because the Mayor is directly elected by the voters.

## **11.2 Conduct Outside Meetings**

Board members shall not attempt to intimidate, coerce, or otherwise pressure any staff member to become familiar to them by social media, uninvited house calls, or through gifts that would violate state ethics laws. Appointed members who visit staff homes uninvited to discuss a city matter can be subject to immediate suspension and potentially dismissal.

Board members are expected to be good examples of citizenship. They should refrain from using their title or position on a city board outside of meetings or official business.

### ***12.21 Assumption of Innocence***

In general, the City Commission reserves the right to appoint or vacate appointments at their pleasure and for no reason. However, board members are given the right to be innocent until proven guilty for the purposes of removal for cause.

### ***12.22 Resignation or Removal***

If a board member's criminal infraction or media attention becomes a distraction to the work of the board or significantly erodes public trust in the city that member is encouraged to resign and focus on themselves, and/or can have their position vacated by the City Commission.

## **Chapter 12 Rules of Order**

### **12.1 Official Rules of Procedure/Order**

Historically, the City of Warrenton has loosely followed Roberts Rules of Order; adapting them to its own uses over the years. The most eminent difference from Roberts Rules and the City's adapted rules of order is that the City rules of order do not require a motion to take up items already on the agenda. All

members are required to read the City of Warrenton Rules of Procedure. See the latest version of the *City of Warrenton Rules of Procedure* for more.

## **12.2** **Votes, Consensus, Recommendations**

When in doubt, the board should always hold a formal vote. This clarifies the record in the minutes, and ensures a formal importance to whatever course the board decides.

## **12.3** **Consensus**

Presiding officers shall not make policy recommendations by consensus, but by votes. Consensus decisions should be relegated to informal items, direction to staff, items of a perfunctory matter or to help achieve agreement on parts of a larger recommendation. However, recommendations forwarded to the City Commission shall have been voted on.

## City of Warrenton Board Recommendation

January 21, 2021  
Parks Advisory Board

### **Summary:**

The Parks Board has created a list of recommendations for generating revenue and suggests prohibiting smoking in parks.

### **Fiscal Impact** (if any/known):

There is no fiscal estimates at this time.

### **RECOMMENDATION(S):**

*(Recommendation Unanimous)* See attached for revenue generation concepts.

*(Recommendation 5-2)* The board has received complaints of smoking near smoke sensitive persons watching children's ballgames. It also feels that smoking is increasingly not desirable around children and those with respiratory issues. State law already prohibits smoking 25' from a building entrance for these reasons. It recommends a prohibition on smoking in Quincy Robinson Park. *(1 letter of opposition attached).*

Respectfully Submitted,

Jane Eyre  
Chair



## BOARD OF DIRECTORS

### HYBRID MEETING PROTOCOLS SCRIPT

*This script must be read at the beginning of each public meeting.*

*The Board President will yield the floor of the meeting.*

Hello, this is     (name)    ,     (title)     of the Oak Lodge Water Services District.

#### Introduction to Hybrid Meeting

- This meeting is being conducted with public access in-person and virtually in accordance with Oregon Public Meeting Law.
- If remote access to this meeting experiences technical difficulties or is disconnected and there continues to be a quorum of the Board present – the meeting will continue.
- All meeting materials that have been provided to members of this body are now available on the District’s website unless otherwise noted. The public is encouraged to follow along using the posted agenda.
- And please note that this meeting is being recorded.

#### Meeting Business Ground Rules

Now, please permit me to cover some business ground rules:

- The President will introduce speakers and invite comments or questions by name.
- If members wish to engage in discussion with other members, please do so through the President.
- When speaking, speak clearly and in a way that will generate accurate minutes.
- Please remember to mute your phone or computer when you are not speaking.
- And finally, each vote taken in this meeting will be conducted by roll call vote.

*Return the floor back to President.*