



City of Warrenton City Commission
Regular Meeting Agenda
Tuesday, January 13, 2026 – 6:00 PM
City Hall, 225 S. Main, Warrenton, OR 97146

The meeting will be broadcast via Zoom at the following link

<https://us02web.zoom.us/j/5332386326?pwd=VHNVVXU5blkxbDZ2YmxlSWpha0dhUT09#success>

Meeting ID: 533 238 6326 | Passcode: 12345 | Dial-in Number: 253-215-8782

Below are the methods to provide public comment and/or public testimony on a public hearing:

1. In-person: Complete a comment card and submit to the City Recorder prior to the start of the meeting.
2. Via Zoom: Register with the City Recorder, at cityrecorder@warrentonoregon.us no later than 3pm the day of the meeting. Please ensure that your zoom name matches the name registered to comment.
3. Written comments: Submit via e-mail to the City Recorder, at cityrecorder@warrentonoregon.us, no later than 3:00 p.m. the day of the meeting.

Public Comment: To provide public comment, participants should register prior to the meeting. All remarks will be addressed to the whole City Commission and limited to 3 minutes per person. The Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter. Once your public comment is submitted it becomes part of permanent public record.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Selection of Mayor Pro Tem**
 - A. Election of Mayor Pro Tem
4. **Consent Calendar**
 - A. City Commission Minutes 2025.12.09
 - B. Fire Department Quarterly Report
 - C. November 2025 Police Monthly Stats Report
 - D. OLCC License Renewal Reviews
5. **Commissioner Reports**
6. **Public Comment**
7. **Public Hearings**
 - A. Public Hearing Appeal of SUB-25-1, V-25-1
 - B. RZ-23-1 Hammond Rezone from General Industrial to RM or OSI
8. **Business Items**
 - A. Consideration of Board, Committee, and Commission Appointments
 - B. Consideration of Ordinance No. 1301; Amending WMC Chapter 2.24 Urban Renewal Advisory Committee
 - C. Consideration of Iredale Culvert Project - Phase II Change Order

D. Authorization to Expend Funds for Disposal of Contaminated Soil

9. Discussion Items

10. Good of the Order

11. Executive Session

12. Adjournment

Warrenton City Hall is accessible to the disabled. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting Hanna Bentley, City Recorder, at 503-861-0823 at least 48 hours in advance of the meeting so appropriate assistance can be provided.



City Commission Agenda Memo

Meeting Date: January 13, 2026
From: Hanna Bentley, City Recorder
Item Name: Election of Mayor Pro Tem

Summary:

Subject to Chapter III, Section 9 of the Warrenton City Charter, at its first meeting of each year, the commission shall elect Mayor Pro-tem by ballot from its membership. The Mayor Pro-tem presides in the absence of the Mayor and acts as Mayor when the Mayor is unable to perform the duties of the office. A sample ballot is attached. Additional Ballots will be available at the meeting for your use.

Oregon law prohibits “secret ballots,” so your name must be written next to the name of the commissioner for whom you are casting your vote. Ballots will be read aloud for the record.

Recommendation/Suggested Motion:

NA

Alternative:

NA

Fiscal Impact:

NA

Attachments:

None



City of Warrenton City Commission Minutes

City Hall, 225 S. Main Warrenton, OR 97146

Tuesday, December 9, 2025

1. City Commission meeting called to order at 6:00 pm.
2. Pledge of Allegiance

Commission Members	Present	Excused
Gerald Poe	X	
Jessica Sollaccio		X
Mike Moha	X	
Paul Mitchell	X	
Henry A. Balensifer III, Mayor	X	

Staff Members Present	
City Manager Esther Moberg	City Recorder Hanna Bentley
City Recorder Dawne Shaw	Acting Public Works Director Dale McDowell
Finance Director Jessica Barrett	

3. Employee Recognition – City Recorder Dawne Shaw

Mayor Balensifer presented City Recorder Dawne Shaw with a plaque of appreciation for her 11 years of service to the city and congratulated her on her upcoming retirement. Shaw provided brief comments. Commissioner Poe, Mitchell, Moha and City Manager Esther Moberg provided brief comments thanking Shaw.

4. Consent Calendar

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

Mayor Balensifer requested to add items to the agenda; Consideration of Board and Committee Appointments as item 9F, Requesting authorization to apply for Housing Infrastructure Grant as item 9G, and Requesting authorization to apply for Clean Water Revolving Loan Fund in the amount of \$3.9 million as item 9H. There were no objections. City Recorder Hanna Bentley requested to add Warrenton Urban Renewal Advisory Committee (WURAC) Bylaws as item 4C. City Manager Esther Moberg reviewed the amendments to the WURAC by-laws; term limits have been extended through the end of the current Urban Renewal Agency in addition to adding the position of Vice Chair and changing the secretary to a staff secretary with the appointment of these positions to be held in December instead of June. There were no objections.

- A. City Commission Meeting Minutes 2025.11.25
- B. Community Center Advisory Board Minutes 2025.10.15
- C. Warrenton Urban Renewal Advisory Committee Bylaws Amendment

Motion:	Move to approve the consent calendar as amended.				
Moved:	Mitchell				
Seconded:	Moha	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Moha	X			
	Mitchell	X			
	Balensifer	X			
Passed:	4/0				

5. Reports and Presentations

Commissioner Mitchell discussed the recent holiday events and thanked the groups that put them on.

6. Commissioner Reports

Mayor Balensifer echoed Commissioner Mitchell's comments and noted that the proclamation for Jeanne Maddox was delivered at the Nutcracker last performance. He provided brief comments on the Warrenton Parks Alliance and noted an upcoming FEMA public hearing.

7. Public Comment

Tony Faletti thanked City Recorder Dawne Shaw for her service and thanked Police, Fire and Public Works for working hard the last few days and noted the condition of ditches.

Rick Newton provided comments regarding Robert's Rules of Order.

8. Public Hearings

A. Appeal of SUB-25-1, V-25-1 (Neahring)

Mayor Balensifer opened the public hearing on the appeal of the Planning Commission's decision on the Preliminary Plat for Subdivision SUB-25-1 and Variance V-25-1 for 81020AA00400 and 81020AA00738 along the East Side of SW Kalmia Ave. He noted that the public hearing will be postponed to January 13th, 2026, Commission meeting held at Warrenton City Hall. Moberg noted that notice was not sent out in a timely 20 day matter and that this will be the only notice outside of those sent by mail. There were no objections to tabling the public hearing until January 13th 6pm at the City Commission Chamber at City Hall.

8. Business Items

A. Consideration of Neahring Rezone; Ordinance No. 1299 Second Reading and Adoption:

Moberg reviewed the staff report, noting that it was held as a public hearing at the last meeting. Commissioner Moha recused himself due to prior ex parte contact.

Motion:	I make a motion for a second reading by title only of Ordinance Number 1299.				
Moved:	Poe				
Seconded:	Mitchell	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Moha				X
	Mitchell	X			
	Balensifer	X			
Passed:	3/0				

Mayor Balensifer conducted the second reading by title only of Ordinance Number 1299; An Ordinance amending the city of Warrenton zoning map to reclassify the zoning of tax lots 81020AA00400 and 81020AA00738 from residential growth management medium density residential.

Motion:	Move to adopt Ordinance 1299.				
Moved:	Poe				
Seconded:	Mitchell	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Moha				X
	Mitchell	X			
	Balensifer	X			
Passed:	3/0				

B. Consideration of Ordinance No. 1298; Providing for Rules & Regulations for Water Department Second Reading:

Finance Director Jessica Barrett reviewed her staff report. It was noted that this was discussed at the last meeting.

Motion:	Move to conduct the second reading, by title only, of Ordinance No. 1298.				
Moved:	Mitchell				
Seconded:	Poe	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Moha	X			
	Mitchell	X			
	Balensifer	X			
Passed:	4/0				

Mayor Balensifer conducted the second reading, by title only, of Ordinance No. 1298; providing for rules and regulations for City of Warrenton Water Department and all areas served by the municipal water department outside Warrenton's city limits; requiring installation of water meters; repealing any other water ordinances or resolutions or parts thereof in conflict herewith; providing a penalty for violation of any terms and conditions herein.

Motion:	Move to adopt Ordinance 1298.				
Moved:	Poe				
Seconded:	Mitchell	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Moha	X			
	Mitchell	X			
	Balensifer	X			
Passed:	4/0				

C. Consideration of Resolution No. 2711; Sanitation Rates Adjustment:

City Manager Esther Moberg presented Resolution No. 2711 for its adoption. She provided a brief summary of the process that has taken place.

Motion:	Move to adopt Resolution No. 2711; Adopting and Setting Rates for Sanitation Services and Repealing Resolutions No. 2126 and 2219, and any others in conflict.				
Moved:	Moha				
Seconded:	Mitchell	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Moha	X			
	Mitchell	X			
	Balensifer	X			
Passed:	4/0				

Mayor Balensifer stated, “for the record, those cost changes don't go into effect until January.”

D. Request for Qualification: Qualified Pool Annual Renewal:

Acting Public Works Director Dale McDowell presented the qualified pool and reviewed the process that took place to gather the qualified pool. He noted the list is for architectural, engineering, photogrammetric mapping, transportation planning, land surveying, and related professional services, in accordance with Warrenton Municipal Code 3.28.120(A)-(B).)

Motion:	Move to approve the 2025-2026 City of Warrenton Qualified Pool List.				
Moved:	Mitchell				
Seconded:	Poe	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Moha	X			
	Mitchell	X			
	Balensifer	X			
Passed:	4/0				

E. Request to Purchase a Side-Loading Refuse Vehicle:

McDowell reviewed the contract and staff report for the purchase of a refuse vehicle. He noted that the current side loading garbage vehicle is beyond its 9 year lifespan. It was noted that the new refuse vehicle might be delivered in two weeks and that city will keep the other refuse vehicle in case of breakdowns.

Mayor Balensifer stated "Let the record reflect that my employer is Oshkosh Aerotech Oregon, which is an Oregon based and only makes electric tugs. However, our parent company does make a competing brand of sanitation trucks. And so, I haven't had a chance to clear it with the ethics commission on whether or not to vote. So, out of abundance of caution, I will recuse from this vote even though I do support it even though it's competing model."

Commissioner Mitchell asked what the depreciation of a garbage vehicle is; McDowell responded. Moberg noted that the current side loader even though it is 12 years old still has a value of over \$100,000.

Motion:	Move to authorize the purchase of one refuse truck from Enviro-Clean Equipment under SourceWell Contract #110223-THC, in an amount of \$435,173.31.				
Moved:	Poe				
Seconded:	Moha	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Moha	X			
	Mitchell	X			
	Balensifer				X
Passed:	3/0				

F. Consideration of Board & Committee Nominations:

Mayor Balensifer reviewed his nominations for the Parks Advisory Board, Warrenton Marinas Advisory Committee and the Warrenton Community Library.

Motion:	Move to appoint Jason Lambert to Position No. 1, Bert Little to Position No. 4, and Shane Hall to Position No. 5 on the Warrenton Parks Advisory Committee and setting their respective terms of office as provided in their nomination letter.				
Moved:	Poe				
Seconded:	Mitchell	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Moha	X			
	Mitchell	X			
	Balensifer	X			
Passed:	4/0				

Motion:	Move to appoint Russ Leavit for Position 1, of the Warrenton Marinas Advisory Committee and setting his term of office as provided.				
Moved:	Poe				
Seconded:	Moha	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Moha	X			
	Mitchell	X			
	Balensifer	X			
Passed:	4/0				

Motion:	Move to reappoint Karyn Grass for Position 5, of the Warrenton Community Library Board and setting her term of office as provided.				
Moved:	Moha				
Seconded:	Poe	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Moha	X			
	Mitchell	X			
	Balensifer	X			
Passed:	4/0				

G. Requesting authorization to apply for Housing Infrastructure Grant:

Moberg apologized for the delay and noted that the grant is only open for 30 days. She noted that the city is applying to a housing infrastructure grant through Business Oregon in the amount of two million dollars for the new Wastewater Treatment plant.

Motion:	Move to authorize the City Manager to apply for Business Oregon's Housing Infrastructure Support grant, authorizing the mayor to sign the City of Warrenton's grant application and if awarded, the City Manager to accept and administer the grant.				
Moved:	Mitchell				
Seconded:	Poe	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Moha	X			
	Mitchell	X			
	Balensifer	X			
Passed:	4/0				

H. Requesting authorization to apply for Clean Water Revolving Loan Fund in the amount of \$3.9 million:

Moberg reviewed the staff report requesting approval to apply for a Clean Water Revolving Fund Loan through Business Oregon for the new wastewater treatment plant. She noted that we are applying for \$3.9 million and that we do not have to take the full amount.

Motion:	Move to authorize the City Manager to apply for Business Oregon's Clean Water Revolving Fund Loan, authorizing the mayor to sign the City of Warrenton's loan application and if awarded, to allow the City Manager to accept and administer the loan.				
Moved:	Poe				
Seconded:	Moha	Aye	Nay	Abstain	Recused
Vote:	Poe	X			
	Moha	X			
	Mitchell	X			
	Balensifer	X			
Passed:	4/0				

9. Discussion Items – None

10. Good of the Order

Commissioner Mitchell noted that he is anxious to get home for the fire department food drive and thanked the Public Works Department for their hard work and wished those celebrating Christmas a joyous holiday and happy Hanukkah.

Commissioner Moha noted the stuff the bus event and that toys can still be donated.

Moberg echoed Commissioner Mitchell's comments.

Mayor Balensifer echoed Commissioner Mitchell's comments. He asked McDowell about ditch maintenance; McDowell noted that they are working on an RFQ for ditch maintenance and that the RFQ will go out the first of the year. Moberg noted that the evaluation will be done by staff. It was noted that the contract is for ditch cleaning and mowing. Mayor Balensifer asked about a memorandum of understanding with ODOT regarding ditch maintenance; McDowell and Moberg responded. Brief discussion followed.

11. Executive Session

12. Adjournment

There being no further business, Mayor Balenisfer adjourned the meeting at 6:44 pm.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder



DEPARTMENT QUARTERLY REPORT

TO: The Warrenton City Commission

FROM: Brian C. Alsbury, Fire Chief

DATE: December 10, 2025

RE: Fire Department Quarterly Report; 3rd Quarter Report

Quarter in Brief: Emergency Response Activity- The

Warrenton Fire Department responded to 329 emergency calls during the 3rd quarter of 2025. This call volume is 5% higher than the 3rd quarter of 2024.

7-Fires (City, Rural, and Mutual Aid)

299-Emergency Medical Calls (Includes Motor Vehicle Crashes)

3-Hazardous Conditions (No Fires)

2-Service Calls

13-Good intent Calls

5-False Alarm/Calls

Response- An average of 2 volunteers responded per call throughout the 3rd quarter, and of the 329 calls, 139 were during the daytime hours between 6:00 a.m. and 6:00 p.m. The remaining 190 calls were during the nighttime hours, 6:00 p.m. and 6:00 a.m. with an average of 2 volunteers.

Training- The department held 13 regularly scheduled drills in the 3rd quarter with an average attendance of volunteer firefighters of 16, this amounts to 585 hours of training in the 3rd quarter. Training included 4 Emergency Medical Service sessions, 9 firefighter drills that included the use of a roof, door,

Upcoming Dates:

December 9th, 10th,
11th- Food drive

December 17th Food
basket pickup day

December 1st Install
of Diesel exhaust
system at Station 27

and firefighter entrapment props. These props were loaned to the department from The Oregon Department of Public Safety Standards and Training.

Projects Completed: None

Projects in Progress: Diesel exhaust system installation at Station 27

Challenges/Obstacles: One of the most challenging issues that has become a burden for the fire department is the lack of participation from the volunteer firefighter core. I attribute this to an increase in call volume at night between the hours of 6 pm and 6 am. This challenge has required the Fire Chief to extend his working hours and often working on scheduled days off and a handful of Holidays. I'm currently working through data acquired/collected by anonymous surveys of the membership. This survey included questions regarding training, staffing and volunteer numbers, paid and unpaid staff performance, opportunities, demeanor of staff, and personal issues that each member may or may not have. While focusing time and energy on this survey, many of the volunteer issues have been rectified or in process of correction.

Successes: As of July 1st, 2025, Warrenton Fire Department has acquired and implemented a new Fire and EMS reporting program called, First Due. This program gives the department easier access to the required state and federal reporting, inventory/assets tracking, training program software, and a new program called Community Connect. Community Connect is a platform where residents of Warrenton can create an account that gives responders access to information provided by the residents. These accounts give responders the following information, number of children and adults, locations of their bedrooms within the building, medications, any hidden keys for access, and pets. We will be running a campaign this winter to get residents signed up to First Due, Community Connect.



WARRENTON POLICE DEPARTMENT MONTHLY REPORT



TO: The Warrenton City Commission
FROM: Chief Mathew Workman
DATE: December 23, 2025
RE: November 2025 Stats Report

Upcoming Dates:

- 01/01 – Warrenton Muni Court
- 01/08 – WPD Training Day
- 01/14 to 01/16 – ELTS Conference
- 01/15 – LEA Meeting
- 01/23 – Annual DA Training
- 01/28 – 911 Subscriber Board

Highlights Since the Last Report:

- 11/26 – 911 Subscriber Board
- 11/29 – Winter Walk Event
- 12/04 – WPD Training Day
- 12/04 – Warrenton Muni Court
- 12/07 – Crabpot Christmas Tree
- 12/13 – Shop With A Cop
- 12/18 – LEA Meeting

Traffic Statistic Highlights:

- Eleven (11) Driving While Suspended Citations/Arrests
- One (1) Careless/Reckless Driving Citation
- Two (2) Speeding Citations
- Fourteen (14) Insurance Citations
- Two (2) Interlock Device Citation
- Two (2) Driver's License Citations
- One (1) License/Registration Citation
- One Hundred Sixty-Six (166) other Citations and Warnings
- Twenty-Five (25) Traffic Collision Investigations
- **Citation vs Warning: 199-Traffic Stops, 35-Citations, 164-Warnings; Warning 82% of the time.**

Overall Statistics:

November Statistics (% changes are compared to 2025)							
Category	2025	2024	% Chg	2023	% Chg	2022	% Chg
Calls for Service	700	604	16%	708	-1%	525	33%
Incident Reports	174	208	-16%	233	-25%	170	2%
Arrests/Citations	71	93	-24%	102	-30%	95	-25%
Traffic Stops/ Events	199	155	28%	144	38%	106	88%
DUI's	0	0	0%	6	-600%	3	-300%
Traffic Crashes	25	27	-7%	29	-14%	11	127%
Property Crimes	71	96	-26%	83	-14%	82	-13%
Person Crimes	142	49	190%	79	80%	37	284%
Drug/Narcotics Calls	3	4	-25%	3	0%	3	400%
Animal Calls	18	16	13%	17	6%	23	-22%
Officer O.T.	61.25	119.5	-49%	133.5	-54%	225	-73%
Reserve Hours	0	0	0%	0	0%	0	0%

Category	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Calls for Service	644	581	654	723	854	719	740	812	679	769
Incident Reports	205	190	224	237	255	200	205	226	201	212
Arrests/Citations	91	63	103	92	89	119	103	110	73	107
Traffic Stops/ Events	160	110	132	249	304	193	227	176	178	264
DUI's	8	3	2	1	1	2	0	1	1	1
Traffic Crashes	20	20	17	17	17	16	22	21	15	21
Property Crimes	76	56	90	67	119	97	91	110	104	87
Person Crimes	61	62	50	55	61	49	63	69	62	41
Drug/Narcotics Calls	4	1	2	3	4	8	6	9	2	4
Animal Calls	22	29	18	26	33	21	28	29	24	28
Officer O.T.	160.25	54.5	85.1	105.25	79.5	188.25	101	193	169.25	115.5
Reserve Hours	0	0	0	0	0	0	0	0	0	0

Category	Nov	Dec	2025 YTD	2025 Estimate	2024	2025 v 2024	2023	2024 v. 2023	2022	2025 v. 2022
Calls for Service	700		7875	8591	8458	2%	9084	-5%	8050	7%
Incident Reports	174		2329	2541	2618	-3%	2529	0%	2484	2%
Arrests/Citations	71		1021	1114	1317	-15%	1335	-17%	1602	-30%
Traffic Stops/ Events	199		2192	2391	2215	8%	2369	1%	1848	29%
DUI's	0		20	22	27	-19%	30	-27%	34	-36%
Traffic Crashes	25		211	230	209	10%	217	6%	168	37%
Property Crimes	71		968	1056	1190	-11%	1127	-6%	1204	-12%
Person Crimes	142		715	780	786	-1%	825	-5%	811	-4%
Drug/Narcotics Calls	3		46	50	56	-10%	60	-16%	40	25%
Animal Calls	18		276	301	307	-2%	335	-10%	273	10%
Officer O.T.	61.25		1312.9	1432	1635.3	-12%	1572	-9%	2212.8	-35%
Reserve Hours	0		0	0	0	0%	0	0%	0	0%

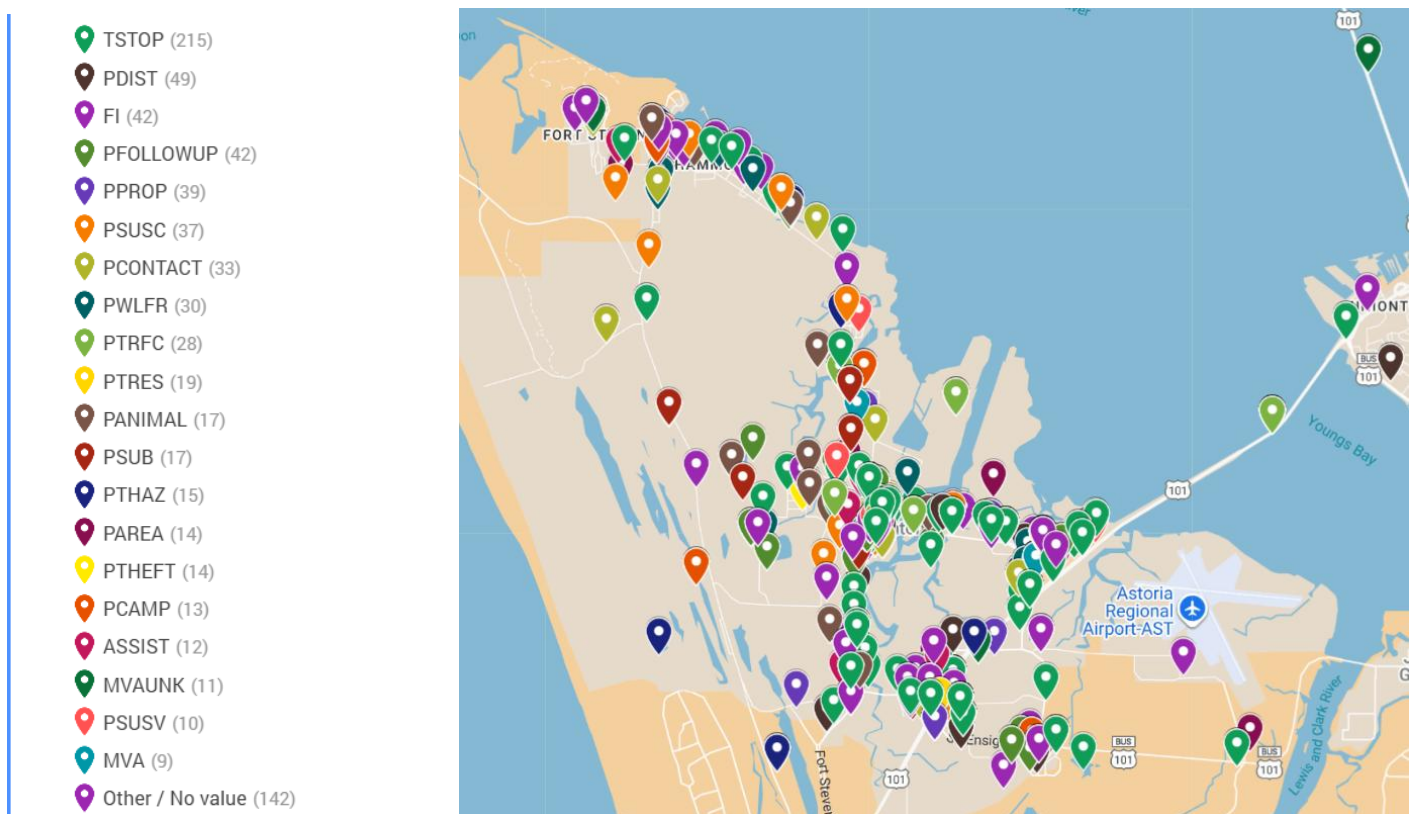
November Homeless Incidents		2025	2024	2023	2022
	Code 40 (Normal)	44	18	26	12
	Code 41 (Aggressive)	6	5	2	2
November Monthly Total:		50	23	28	14
YTD Total Homeless Incidents		430	452	426	346
November Elk Incidents		2025	2024	2023	2022
	Interaction:	1	0	0	3
	Traffic Accidents:	0	0	1	2
	Traffic Complaints:	1	0	2	0
November Monthly Total:		2	0	3	5
YTD Total Elk Incidents		15	18	34	29

With the transition to our new Records Management System (RMS) and CAD System, we no longer have a connection with City Protect to provide a map showing where reports were taken. The new RMS does allow me to create custom reports with latitude/longitude locate data, so I was able to extrapolate the data into three Google maps showing Calls For Service (CFS), Traffic Stops, and Incident Reports.

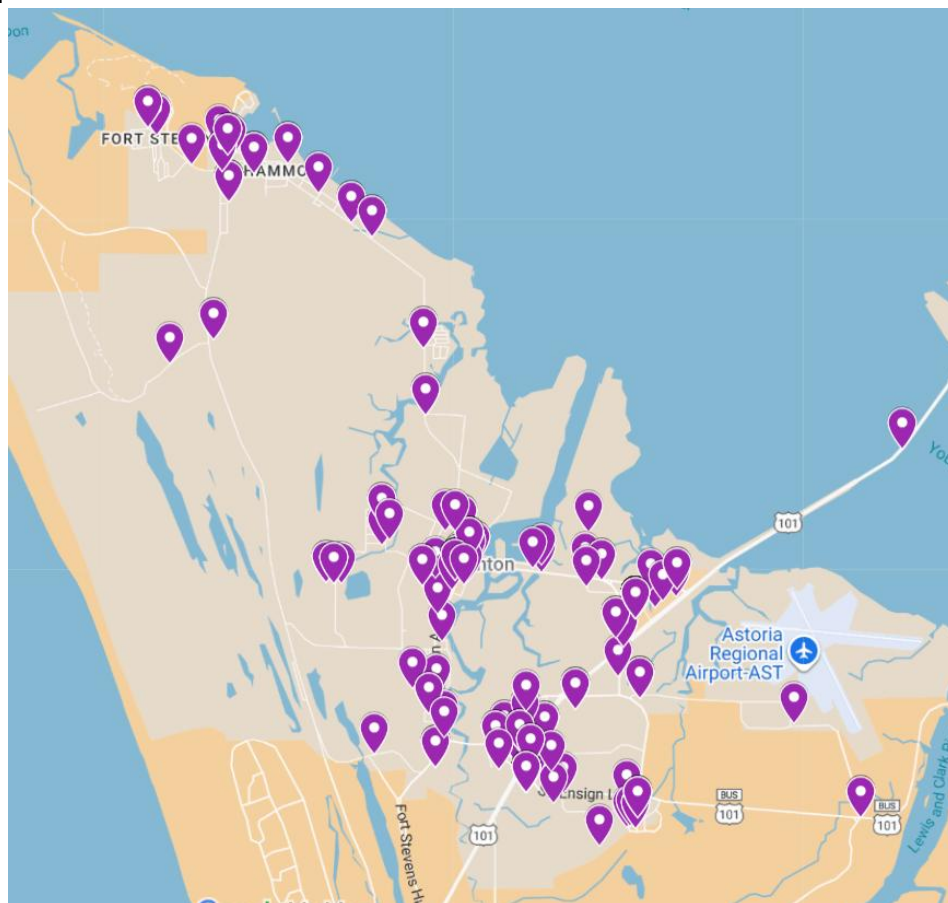
The CFS map will have a different colored “Pin” for different Incident Code Types. Here is a key for the Code Types:

Code	Description	Code	Description	Code	Description
911H	911 HANG UP	PCIVIL	CIVIL	PRPL	LOST PROPERTY
ALMU	ALARM UNK	PCODE	CODE VIOLATIONS	PRUNAWAY	RUNAWAY
ASSIST	ASSIST TO OTHER AGENCY	PCONTACT	CONSENSUAL CONTACT	PSAR	SEARCH AND RESCUE
COVER1	POLICE CODE 1 RESPONSE	PCOURT	COURT ORDER SERVE	PSEX	SEX OFFENSE
COVER2	POLICE CODE 2 RESPONSE	PCRIME-OTH	CRIME-OTHER	PSHOOT	SHOOTING
COVER3	POLICE CODE 3 RESPONSE	PCURFEW	CURFEW VIOLATION	PSUB	SUBPOENA SERVICE
DEATH	OBVIOUS DEATH, FOUND BODY	PDEATHNTF	DEATH NOTIFICATION	PSUSC	SUSPICIOUS CIRCUMSTANCE
FI	FIELD INTERVIEW	PDHS	DHS REFERRAL	PSUSP	SUSPICIOUS PERSON
FIREWRKS	FIREWORKS	PDISORD	DISORDERLY	PSUSV	SUSPICIOUS VEHICLE
MVA	MOTOR VEHICLE ACCIDENT	PDIST	DISTURBANCE	PTHAZ	TRAFFIC HAZARD
MVAHR	HIT & RUN	PDRUGS	DRUGS	PTHEFT	LARCENY
MVAJNK	MOTOR VEHICLE ACCIDENT-INJURY	PDUI	DUI	PTOW	TOW INFO
MVAUNK	MVA UNK	PDUMP	PERSON DUMPING RUBBISH	PTRANSPORT	PRISONER TRANSPORT
OTH-ALL	OTHER-ALL	PFNDPER	FOUND PERSON	PTRES	TRESPASS
PABAN/JNK	ABANDON/JUNK	PFOLLOWUP	FOLLOW UP	PTRFC	TRAFFIC COMPLAINT
PABUSE	ABUSE	PFRAUD	FRAUD, FORGERY, ID THEFT	PTRSP NOTICE	TRESPASS NOTICE
PACTSHOOT	ACTIVE SHOOTER	PHARR	HARASSMENT	PTRUANT	TRUANT
PALMC	COMMERCIAL ALARM	PHOMICIDE	HOMICIDE	PUBASST	PUBLIC ASSISTANCE
PALMH	PANIC/DURESS/HOLD UPALARM	PHOSTAGE	HOSTAGE	PUBWKS	PUBLIC WORKS / UTILITIES
PALMP	PANIC ALARM AUDIBLE	PINDECENT	INDECENT	PUNWANT	UNWANTED PERSON
PALMR	RESIDENTIAL ALARM	PINFO	INFO	PURS	PURSUIT
PALMROB	ROBBERY ALARM	PKIDNAP	KIDNAPPING	PUUMV	STOLEN VEHICLE
PALMS	BURGLAR ALARM - SILENT	PLIQ	LIQUOR VIOLATION	PUUMVR	RECOVERED VEHICLE
PALMVEH	VEHICLE ALARM	PMESS	MESSAGE DELIVERY	PVANDAL	VANDALISM
PANIMAL	ANIMAL	PMISSP	MISSING PERSON	PVEHABND	ABANDONED VEH
PAREA	AREA CHECK	PNOISE	NOISE	PVESABN	ABANDONED VESSEL
PARK	PARKING	POPEN	UNSECURE-BLDG	PWILDLIFE	WILDLIFE VIOLATIONS
PASS	ASSAULT	PPROP	PROPERTY CRIME	PWLFR	WELFARE CHECK
PASSW	ASSAULT WITH WEAPON	PRDSTRUCK	ROAD STRUCK ANIMAL	PWPN	WEAPON VIOLATION
PATL	ATTEMPT TO LOCATE	PREPO	REPO	PWRRNT	WARRANT
PBOMB	BOMB THREAT OR INVESTIGATION	PROBBERY	ROBBERY	STDBY	POLICE, FIRE OR EMS
PBURG	BURGLARY	PROV	ORDER VIOLATION	SUIC	SUICIDAL SUBJECT
PCAMP	PROHIBITED CAMPING	PRPF	FOUND PROPERTY	TSTOP	TRAFFIC STOP

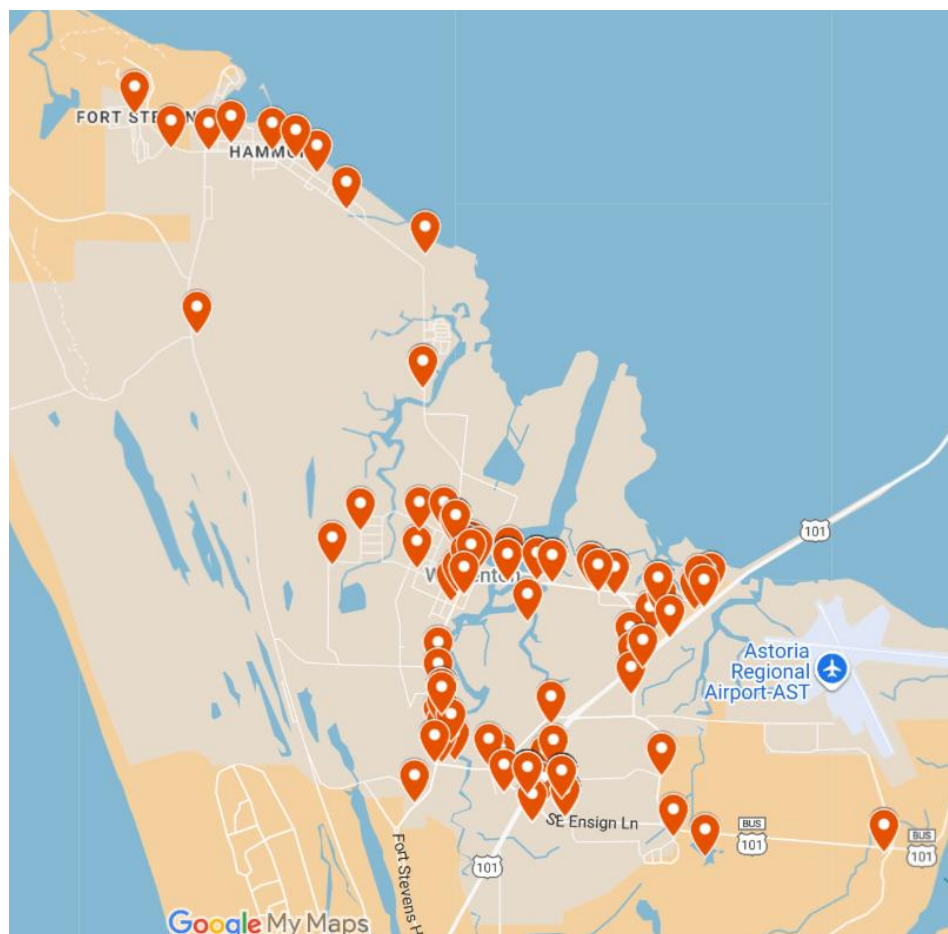
Calls For Service:



Incident Reports:



Traffic Stops:





WARRENTON POLICE DEPARTMENT OFFICE MEMORANDUM



TO: **DAWNE SHAW, CITY RECORDER**

FROM: **MATHEW J. WORKMAN, CHIEF OF POLICE**

DATE: **JANUARY 13, 2026**

SUBJECT: **OLCC LICENSE RENEWAL REVIEWS**

CC:

I have reviewed the list of OLCC Liquor license renewal applications. At this time, I find nothing to prevent any of these businesses from renewing their liquor licenses.



Interoffice Transmittal

To: <u>Chief Workman</u>	From: <u>D. Shaw/H.Bentley</u>
Dept: <u>Police</u>	Dept: <u>City Recorder</u>

Description: <u>OLCC License renewals</u>

Action Required: ☐ Signature/ ☐ Agenda/ ☒ Approval/ ☒ Review/ ☐ Distribute/Mail
Other: <u>Please review the attached list and let us know if you have any</u>
<u>concerns or issues with any of these liquor license renewals.</u>
<u>Thank you!</u>

License Number	Trade Name	Licensee Name	License Type	Issue Date	Effective Date	Expiration Date
Grand Total						
LQ-BPH-17753	BATTERY 245 BREWING COM	ELK100 LLC	BREWERY PUBLIC HOUSE	08/12/2025	08/12/2025	03/31/2026
LQ-F-COM-17756	BATTERY 245 BREWING COM	ELK100 LLC	FULL ON-PREMISES SALES -	08/12/2025	08/12/2025	03/31/2026
381079	BUOY 9 RESTAURANT & LOU	P T KELLY INC	FULL ON-PREMISES SALES -	03/08/2024	04/01/2025	03/31/2026
382387	CHIPOTLE MEXICAN GRILL	CHIPOTLE MEXICAN GRILL IN	LIMITED ON-PREMISES SALE	03/21/2024	04/01/2025	03/31/2026
382582	CLATSOP DISTRIBUTING COM	CLATSOP DISTRIBUTING CON	WHOLESALE MALT BEVERAG	03/25/2024	04/01/2025	03/31/2026
379655	COSTCO WHOLESALE #1059	COSTCO WHOLESALE CORP	OFF-PREMISES SALES	03/04/2024	04/01/2025	03/31/2026
382430	EL CATRIN MEXICAN CUISINE	EL CATRIN MEXICAN CUISINE	FULL ON-PREMISES SALES -	03/21/2024	04/01/2025	03/31/2026
383238	EL COMPADRE RESTAURANT	HACIENDA EL RANCHERO IN	FULL ON-PREMISES SALES -	03/29/2024	04/01/2025	03/31/2026
379815	FISHSTIX SEAFOOD MARKET	FISHSTIX SEAFOOD MARKET	OFF-PREMISES SALES	03/05/2024	04/01/2025	03/31/2026
381105	FRED MEYER #218	FRED MEYER STORES INC	OFF-PREMISES SALES	03/08/2024	04/01/2025	03/31/2026
379835	FULTANO'S PIZZA/BUBBA'S S	MR FULTANO'S FAM PIZZA PF	FULL ON-PREMISES SALES -	03/05/2024	04/01/2025	03/31/2026
379912	HARBOR ST CIGARETTES & N	LEWIS H KINDER	OFF-PREMISES SALES	03/05/2024	04/01/2025	03/31/2026
381374	IREDALE INN	TU-WIT INC	FULL ON-PREMISES SALES -	03/12/2024	04/01/2025	03/31/2026
380123	MAIN ST MARKET	KABOJO FOODS INC	OFF-PREMISES SALES	03/06/2024	04/01/2025	03/31/2026
382860	NATURAL GROCERS	VITAMIN COTTAGE NATURAL	OFF-PREMISES SALES	03/26/2024	04/01/2025	03/31/2026
381230	NISA'S THAI KITCHEN	NTC LLC	LIMITED ON-PREMISES SALE	03/11/2024	04/01/2025	03/31/2026
381721	SOUTH JETTY DINING ROOM	SOUTH JETTY LLC	FULL ON-PREMISES SALES -	03/14/2024	04/01/2025	03/31/2026
381780	SOUTH JETTY INN	CHARLESANDREA LLC	OFF-PREMISES SALES	03/15/2024	04/01/2025	03/31/2026
380710	SUPER MART #10	PAAWAN INC	OFF-PREMISES SALES	03/07/2024	04/01/2025	03/31/2026
380714	SUPERMART #9	KAMAKSHI INC	OFF-PREMISES SALES	03/07/2024	04/01/2025	03/31/2026
388703	THE HIDEAWAY CAFE & BAR	BOSLAR ENTERPRISES LLC	FULL ON-PREMISES SALES -	08/08/2024	04/01/2025	03/31/2026
382395	THE UPTOWN CAFE	POJO FOODS LLC	FULL ON-PREMISES SALES -	03/21/2024	04/01/2025	03/31/2026
381830	WALGREENS #09671	WALGREEN CO	OFF-PREMISES SALES	03/15/2024	04/01/2025	03/31/2026
380951	WALMART #5861	WALMART INC	OFF-PREMISES SALES	03/07/2024	04/01/2025	03/31/2026
380963	WARRENTON MINI MART	GARIBALDI BAY INC	OFF-PREMISES SALES	03/07/2024	04/29/2025	03/31/2026



City Commission Agenda Memo

Meeting Date: January 13, 2026
From: Esther Moberg, City Manager
Item Name: Public Hearing Appeal of SUB-25-1, V-25-1

Summary:

BACKGROUND

On October 13, 2025, the Planning Commission approved SUB-25-1 and V-25-1, a consolidated application relating to a 12-lot subdivision to be completed in two phases and a variance to allow construction of detached single-family residences along the east side of SW Kalamia Ave on approximately 1.42 acres.

On October 17, 2025, Will Caplinger submitted a notice of appeal of said decision pursuant to Warrenton Municipal Code (WMC) 16.208.050 (Attachment 1).

PUBLIC PROCESS, PROCEDURES, AND PUBLIC NOTICE

Notice of the appeal hearing was sent to all neighboring properties within 200 feet, as well as the applicant and appellant, on November 14, 2025 and published in the Astorian on November 18, 2025.

SUMMARY

The appellant raises five issues on appeal. Four relate to the criteria for approval of the variance. The staff findings in the attached staff report demonstrate that each of these criteria are met. The fifth appeal issue relates to issues outside the scope of this appeal and the underlying application.

CONCLUSION AND RECOMMENDATION

Based on the foregoing, staff recommends denial of the appeal and affirmation of the Planning Commission decision (Attachment 2) based on the additional findings set forth above.

Recommendation/Suggested Motion:

"Based on the findings and conclusions in the October 13, 2025 Planning Commission decision, and the substitute and supplemental findings included in the November 21, 2025 staff report, I move to deny the appeal and approve SUB-25-1 and V-25-1, subject to the conditions of approval in the October 13, 2025 Planning Commission decision."

Alternative:

"I move to tentatively approve the appeal, deny SUB-25-1 and V-25-1, and direct staff to prepare denial findings for consideration at the City Commission meeting on [DATE]."

Fiscal Impact:

Attachments:

1. Staff Report
2. AP-25-1 Caplinger V-25-1 and SUB-25-1 NOTICE OF APPEAL TO THE CITY COMMISSION

3. SUB-25-1 Neahring Kalmia Type III Notice of Decision Signed
4. 8.A Kleinman Comments
5. 8.A Caplinger Comments



City of Warrenton

STAFF REPORT

TO: Warrenton City Commission
FROM: Josh Soper, Beery, Elsner & Hammond, LLP
DATE: November 21, 2025
SUBJ: Appeal of SUB-25-1, V-25-1 (Neahring)

BACKGROUND

On October 13, 2025, the Planning Commission approved SUB-25-1 and V-25-1, a consolidated application relating to a 12-lot subdivision to be completed in two phases and a variance to allow construction of detached single-family residences along the east side of SW Kalamia Ave on approximately 1.42 acres.

On October 17, 2025, Will Caplinger submitted a notice of appeal of said decision pursuant to Warrenton Municipal Code (WMC) 16.208.050 (Attachment 1).

PUBLIC PROCESS, PROCEDURES, AND PUBLIC NOTICE

Notice of the appeal hearing was sent to all neighboring properties within 200 feet, as well as the applicant and appellant, on November 14, 2025 and published in the Astorian on November 18, 2025.

SUMMARY

The appellant raises five issues on appeal. Four relate to the criteria for approval of the variance. The staff findings below demonstrate that each of these criteria are met. The fifth appeal issue relates to issues outside the scope of this appeal and the underlying application.

CODE PROVISIONS, APPEAL ISSUES, APPLICANT RESPONSES, AND FINDINGS

Applicable Warrenton Municipal Code (WMC) chapters for this appeal include:

WMC 16.136 – Public Facilities Standards

WMC 16.272 – Variance criteria

Additional WMC chapters relevant to the underlying application, but not to issues raised on appeal, include:

WMC 16.32.020, 16.32.040 and 16.32.050 – Medium-Density Residential District

WMC 16.112 – GM zone development standards

WMC 16.120 – Design Standards: Access & Circulation

WMC 16.124 – Design Standards: Landscaping, Street Trees, Fences, and Walls

WMC 16.128 – Design Standards: Vehicle & Bicycle Parking

WMC 16.140 – Stormwater & Surface Water Management Standards

WMC 16.152 – Grading and Excavation Standards

WMC 16.212 – Site Design Review Application & Review Procedures

WMC 16.216 – Subdivision Preliminary Plat Review

The issues raised in the notice of appeal, together with staff responses and proposed findings, are

as follows:

Appeal Issue 1: WMC 16.272.020(B): The request is necessary to make reasonable use of the property. There will be an unreasonable economic impact upon the person requesting the variance if the request is denied.

Appellant Argument: This Criterion does not contain a legal Finding, only a statement of four conditions requiring “1) a rezone, 2) widening of Kalmia Avenue, 3) a fire turnaround at the north end of Kalmia Avenue, and 4) a secondary fire-emergency access agreement.” The Findings fail to provide evidence why the request is necessary to make reasonable use of the property.

Staff Finding (replaces findings on this criterion in the Planning Commission decision): The application is for a variance to WMC 16.136.020(M), which provides in relevant part that “A dead-end street shall be no more than 200 feet long” and “shall not provide access to greater than 18 dwelling units.” Kalmia Ave. is a dead-end street that provides primary access to the subject property. This street already exceeds 200 feet in length and already serves in excess of 18 dwelling units. The west side of the street is already developed with dwelling units; this application concerns development of the east side of the existing street.

As relevant here, “reasonable use of the property” is interpreted to include developing the subject property in a manner allowed within the applicable zone, similar to existing development on adjacent properties (i.e. dwelling units), and with access through the existing City street, particularly when the other side of the street is already developed in this manner. The variance is therefore necessary in order to make reasonable use of the property, because without the variance, a development of that nature would be prohibited by WMC 16.136.020(M).

A denial of this variance would require the property owner to construct entirely new and separate roadway access to the property, which, as discussed further below, would entail significant physical obstacles in terms of both topology and wetlands. Although specific costs for these improvements are not included in the record, it is clear that the costs would be significant. Particularly when the frontage of the subject property already abuts an existing city street which is developed on the other side of the street, this economic impact on the property owner would be unreasonable.

This criterion is met.

Appeal Issue 2: WMC 16.272.020(C): The request will not substantially be injurious to the neighborhood in which the property is located. The variance will not result in physical impacts, such as visual, noise, traffic or increased potential for drainage, erosion and landslide hazards, beyond those impacts that would typically occur with development in the subject zone.

Appellant Argument: This Criterion does not contain a legal Finding, only a statement that, “The 1,487-foot long cul-de-sac with no secondary access presents a serious health, safety, and welfare risk to all current and future residents residing north of SW 2nd Street on the Kalmia Avenue cul-de-sac.” The Finding fails to provide evidence how and why the variance request

will not substantially be injurious to the neighborhood.

Staff Finding (replaces findings on this criterion in the Planning Commission decision):

The proposal involves construction of twelve single-family homes in an area largely developed with other single-family homes, on the east side of a street that is already developed in like manner on the west side. The variance at issue is specific to the method of access to this development, not to the development itself. Both this limited scale of development (similar to the immediately surrounding area) and the access to said development through the existing public street that is the subject of this variance will not result in visual impacts, noise impacts, drainage hazards, erosion hazards, or landslide hazards of any significance, and certainly not beyond the level of impacts that would typically occur with development in this zone because this type of development is typical in this zone.

The proposal will result in some level of traffic impacts on Kalmia Ave. However, these impacts are not beyond the level of impacts that would typically occur with development in this zone, because this type of development is typical in this zone. Moreover, any such impacts will be mitigated through the conditions of approval requiring widening of Kalmia Ave., construction of a fire turn-around, and provision of a secondary emergency access. These improvements, including any associated easement agreements, will need to be procured by the developer pursuant to the conditions of approval.

Similarly, access via Kalmia Ave. for twelve additional single-family homes in an area largely already developed with single-family homes will not substantially be injurious to the neighborhood. The comments in the record from the Police Department describe safety concerns that already exist due to the current length of Kalmia Ave. The addition of twelve homes taking access from Kalmia Ave. will only incrementally increase these concerns. This incremental negative impact will be mitigated through the conditions of approval described immediately above, which respond to the specific concerns raised by the Police Department (road width and secondary access).

This criterion is met.

Appeal Issue 3: WMC 16.272.020(E): The request is not in conflict with the Development Code. No variance may be granted which will result in a use not permitted in the applicable zone or which will increase the allowable residential density in any zone with the exception of individual lot size reduction.

Appellant Argument: This Criterion does not contain a legal Finding, only a statement that, “The request conflicts with WMC 16.136.020(M) Transportation Standards” along with the text of subsection M stating that, “A dead-end street shall be no more than 200 feet long, shall not provide access to greater than 18 dwelling units, and shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this Code preclude street extensions and through circulation.” The Finding fails to provide evidence that the request is not in conflict with the Development Code, and in fact finds that the request is in conflict with the Development Code. Moreover, ORS 227.175(4) (a) states that, “A city may not approve an application unless the proposed development of land would be in

compliance with the comprehensive plan f or the city and other applicable land use regulation or ordinance provisions.”

Staff Finding (replaces findings on this criterion in the Planning Commission decision):

A “conflict” with the provision of the development code for which a variance is sought is not the type of “conflict” to which this criterion refers. The requested variance will not be in conflict with any other provision of the Development Code, and the approval of the variance obviates any conflict with WMC 16.136.020(M). Additionally, the requested variance does not relate to permitted uses or residential density, and therefore will not result in a use not permitted in the applicable zone or an increase in the allowable residential density.

This criterion is met.

Appeal Issue 4: WMC 16.272.020(F): Physical circumstance(s) related to the property involved preclude conformance with the standard to be varied.

Appellant Argument: This Criterion does not contain a legal Finding, only a statement that, “Physical constraints include topography and significant wetlands identified in the Warrenton Local Wetland Inventory. However, there is an unpaved road from the proposed cul-de-sac circle to Ridge Road. An access easement, along with some road improvements remains a possibility for first responder access.” The Finding fails to provide evidence that physical circumstance(s) related to the property preclude conformance with the standards to be varied. The Finding does not describe why the topography or the presence of off-site wetlands preclude conformance, only that these characteristics are present. Use of the unpaved road, no portion of which is on applicant’s land or subject to applicant’s control, and a possible access easement to Ridge Road, are conjecture, not facts, and therefore do not constitute a lawful variance finding.

Staff Finding (replaces findings on this criterion in the Planning Commission decision):

The topography (significant slopes) and wetlands (identified in the Warrenton Local Wetland Inventory) in the vicinity of the subject property are physical circumstances related to the property. They are relevant to this variance request because they affect the viability and likely cost of constructing a new and separate road access to the subject property. Additionally, the record reflects that alternative access has been studied and it has been determined that an existing twelve-foot-wide unpaved roadway (currently used for hauling) may be suitable for secondary emergency access, but that improving that roadway for public access would likely require substantial fill of the wetlands among other issues, leading to permitting and cost obstacles.

Additionally, the physical circumstances related to the property include the existing physical street system. As noted above, the subject property is currently served by Kalmia Ave., which in its current condition is already inconsistent with WMC 16.136.020(M).

Taken together, these physical circumstances preclude conformance with WMC 16.136.020(M).

This criterion is met.

Appeal Issue 5: Exhibit C to Notice of Appeal.

Appellant Argument: The Planning Commission held the record open for seven days for additional evidence, during which time the appellant submitted the evidence included in EXHIBIT B. This Exhibit describes the three land division applications that resulted in the dangerous extension of dead-end SW Kalmia Avenue to more than 1,400 feet.

Appellant suspected that the variances required for these extensions may not have been approved with lawful variance findings. A lengthy search of the City of Warrenton online records found no agendas, staff reports, or Notices of Decisions for these land divisions. Appellant then submitted a Public Records request. After the period expired for the open record, City staff found only one record, for the approval of Gil Gramson Estates (Partition Plat 2012-04), which first extended the road 216 feet. At least three Findings for the requisite variance approval did not meet the legal standard; therefore, the variance was unlawfully approved.

Due to the extraordinary circumstance of this discovery, Appellant respectfully requests that, as allowed in subsection b. Scope of Appeal below, the City Commission determines that this evidence is necessary to resolve the case, and to allow EXHIBIT C, a brief description of the variance findings for Gil Gramson Estates (Partition Plat 2012-04), as additional evidence.

Staff Finding (supplements findings in the Planning Commission decision):

Staff recommends that the City Commission accept Exhibit C into the record and consider this issue for the reasons described by the Appellant. However, for the reasons discussed below, this additional information and this issue are ultimately not relevant to the resolution of this appeal.

This is an appeal of SUB-25-1 and V-25-1. It is not an appeal of any other prior land use decision, including but not limited to Partition Plat 2012-04. The time period for an appeal of Partition Plat 2012-04, and any of the other decisions referenced by appellant other than SUB-25-1 and V-25-1, have long since expired. Therefore, those decisions are final and cannot be appealed or challenged as part of this appeal.

The appellant's arguments on this issue and the materials included in the exhibits to the Notice of Appeal do not relate to any of the approval criteria for SUB-25-1 and V-25-1 and are not relevant to this appeal. In particular, this application is not based on the nonconforming use provisions of the Warrenton Municipal Code and it is not relevant whether or not Kalmia Ave. can be considered a nonconforming use.

CONCLUSION AND RECOMMENDATION

Based on the foregoing, staff recommends denial of the appeal and affirmation of the Planning Commission decision (Attachment 2) based on the additional findings set forth above.

RECOMMENDED MOTIONS

"Based on the findings and conclusions in the October 13, 2025 Planning Commission decision, and the substitute and supplemental findings included in the November 21, 2025 staff report, I move to deny the appeal and approve SUB-25-1 and V-25-1, subject to the conditions of approval in the October 13, 2025 Planning Commission decision."

Or

"I move to tentatively approve the appeal, deny SUB-25-1 and V-25-1, and direct staff to

prepare denial findings for consideration at the City Commission meeting on [DATE].”

ATTACHMENTS

1. Notice of Appeal
2. Planning Commission Decision

NOTICE OF APPEAL TO THE CITY COMMISSION OF A TYPE III QUASI-JUDICIAL DECISION

This appeal is filed pursuant to the Appeal Procedure outlined in Warrenton Municipal Code Title 16, Division 4, Chapter & Section 16.208.050, Subsections H.1. & 2.

§16.208.050. Type III Procedure (Quasi-Judicial

H. Appeal. A Type III quasi-judicial decision may be appealed to the City Commission as follows:

1. Who May Appeal. *The following people have legal standing to appeal a Type III quasi-judicial decision:*

b. Any person who submitted written or oral testimony to the decision making body.

2. Appeal Procedure.

a. Notice of Appeal. Any person with standing to appeal, as provided in subsection (H)(1) of this section, may appeal a Type III quasi-judicial decision by filing a notice of appeal according to the following procedures:

i. Time for Filing. A notice of appeal shall be filed with the Community Development Director within 14 days of the date the notice of decision was mailed.

- **The Notice of Decision was mailed on October 13, 2025. This Notice of Appeal is filed on October 17, 2025.**

ii. Content of Notice of Appeal. The notice of appeal shall contain:

(A) An identification of the decision being appealed, including the date of the decision.

- **The decision being appealed is for SUB-25-1, V-25-1, a consolidated application approved by the Planning Commission at the hearing on October 9, 2025.**

(B) A statement demonstrating the person filing the notice of appeal has standing to appeal.

- **The appellant submitted both written and oral testimony to the Planning Commission.**

(C) A statement identifying the specific issues raised on appeal.

- **Several Findings adopted for approval of the variance do not meet the legal standard or satisfy the criteria for variances. WMC §16.272.020 Criteria states that, “Variances to a quantitative requirement of this Code may be granted only if, on the basis of...evidence submitted by the applicant, findings of fact are made by**

the...Planning Commission (for Class 2 applications) that satisfy the criteria of subsections A through F of this section.” **The Code requires that each and every one of the criteria must be satisfied by “findings of fact.” To wit:**

- **Criterion B**, that “*the request is necessary to make reasonable use of the property.*” **This Criterion does not contain a legal Finding, only a statement of four conditions requiring “1) a rezone, 2) widening of Kalmia Avenue, 3) a fire turnaround at the north end of Kalmia Avenue, and 4) a secondary fire-emergency access agreement.” The Findings fail to provide evidence why the request is necessary to make reasonable use of the property.**
- **Criterion C**, that “*the request will not substantially be injurious to the neighborhood.*” **This Criterion does not contain a legal Finding, only a statement that, “The 1,487-foot long cul-de-sac with no secondary access presents a serious health, safety, and welfare risk to all current and future residents residing north of SW 2nd Street on the Kalmia Avenue cul-de-sac.” The Finding fails to provide evidence how and why the variance request will not substantially be injurious to the neighborhood.**
- **Criterion E**, that “*the request is not in conflict with the Development Code.*” **This Criterion does not contain a legal Finding, only a statement that, “The request conflicts with WMC 16.136.020(M) Transportation Standards” along with the text of subsection M stating that, “A dead-end street shall be no more than 200 feet long, shall not provide access to greater than 18 dwelling units, and shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this Code preclude street extensions and through circulation.” The Finding fails to provide evidence that the request is not in conflict with the Development Code, and in fact finds that the request is in conflict with the Development Code. Moreover, ORS 227.175(4) (a) states that, “A city may not approve an application unless the proposed development of land would be in compliance with the comprehensive plan for the city and other applicable land use regulation or ordinance provisions.”**
- **Criterion F**, that “*physical circumstance(s) related to the property involved preclude conformance with the standards to be varied.*” **This Criterion does not contain a legal Finding, only a statement that, “Physical constraints**

include topography and significant wetlands identified in the Warrenton Local Wetland Inventory. However, there is an unpaved road from the proposed cul-de-sac circle to Ridge Road. An access easement, along with some road improvements remains a possibility for first responder access.”

The Finding fails to provide evidence that physical circumstance(s) related to the property preclude conformance with the standards to be varied. The Finding does not describe why the topography or the presence of off-site wetlands preclude conformance, only that these characteristics are present. Use of the unpaved road, no portion of which is on applicant’s land or subject to applicant’s control, and a possible access easement to Ridge Road, are conjecture, not facts, and therefore do not constitute a lawful variance finding.

(D) A statement demonstrating that the appeal issues were raised by oral or written testimony during the comment period or prior to the closing of the record established at the Planning Commission's public hearing.

- **The appeal issues as described above were raised in written testimony and are included in this Notice as EXHIBIT A.**
- **The Planning Commission held the record open for seven days for additional evidence, during which time the appellant submitted the evidence included in EXHIBIT B. This Exhibit describes the three land division applications that resulted in the dangerous extension of dead-end SW Kalmia Avenue to more than 1,400 feet.**

Appellant suspected that the variances required for these extensions may not have been approved with lawful variance findings. A lengthy search of the City of Warrenton online records found no agendas, staff reports, or Notices of Decisions for these land divisions. Appellant then submitted a Public Records request. After the period expired for the open record, City staff found only one record, for the approval of Gil Gramson Estates (Partition Plat 2012-04), which first extended the road 216 feet. At least three Findings for the requisite variance approval did not meet the legal standard; therefore, the variance was unlawfully approved.

Due to the extraordinary circumstance of this discovery, Appellant respectfully requests that, as allowed in subsection *b. Scope of Appeal* below, the City Commission determines that this evidence is necessary to resolve the case, and to allow EXHIBIT C, a brief description of the variance findings for Gil Gramson Estates (Partition Plat 2012-04), as additional evidence.

(E) Filing fee.

- **Appellant understands that the filing fee will be billed electronically by staff following submittal of the appeal.**

b. Scope of Appeal. The appeal of a Type III quasi-judicial decision shall be limited to the specific issues raised during the written comment period or at the public hearing, as provided under Subsection ii.D above, unless the City Commission allows additional evidence or testimony concerning any other relevant issue. The City Commission may allow such additional evidence if it determines that such evidence is necessary to resolve the case. Written or oral comments received during the comment period or public hearing will usually limit the scope of issues on appeal. Only in extraordinary circumstances should new issues be considered by the City Commission on appeal of a Type III Quasi-Judicial Decision.

Respectfully submitted October 17, 2025

Will Caplinger
24F No. 7 Ln. 15 Zili Rd.
Tamsui District, New Taipei City 251
Taiwan

EXHIBIT A

City of Warrenton Planning Commission meeting September 11, 2025

Comments re Nearing Applications RZ-25-1, SUB-25-1, V-25-1, specifically the Variance

I. The City of Warrenton created the need for a variance.

The Staff Report for SUB-25-1/ V-25-1 states two critical Findings concerning the portion of SW Kalmia Avenue north of SW 2nd Street:

1. Subsection A (Page 6): *“Applicant did not create the 1,487-foot long cul-de-sac.”*

This Finding is accurate. The City of Warrenton created the need for a variance by extending the northern terminus of SW Kalmia Avenue via approving three land division applications: Partition Plat 2012-04, Gil Gramson Park Subdivision, and Kalmia North Subdivision, which are discussed below. Depictions of the divisions are appended at the end of these comments.

2. Subsection C (Page 7): *“The 1,487-foot long cul-de-sac with no secondary access presents a serious health, safety, and welfare risk to all current and future residents residing north of SW 2nd Street on the Kalmia Avenue cul-de-sac.”*

As a statement of fact, this is accurate, although it does not constitute a Finding of Fact that directly addresses the Subsection C variance criterion (see Section II of these comments).

The City of Warrenton Development Code Section 16.136.020.M restricts the length of dead-end streets and the number of dwelling units that access the street:

Cul-de-Sacs. A dead-end street shall be no more than 200 feet long, shall not provide access to greater than 18 dwelling units, and shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this Code preclude street extension and through circulation.

- Partition Plat 2012-04 extended SW Kalmia Avenue by 216 feet and created three residential parcels.
- Gil Gramson Park Subdivision further extended SW Kalmia Avenue by ±536 feet and created 17 residential lots.
- Kalmia North Subdivision further extended SW Kalmia Avenue by ±731 feet and created 11 residential lots.
- **Total extensions of the SW Kalmia Avenue northern terminus equal ±1,483 feet (equivalent to City’s Staff Report distance of 1,487 feet) and provide access for 31 dwellings, not including potential ADUs.**

Each one of these land divisions required a Variance as required by 16.136.020.B, which reads:

Variances to the transportation design standards in this section may be granted by means of a Class 2 variance, as governed by Chapter 16.272, Variances. A variance may be granted under this provision only if a required improvement is not feasible due to topographic constraints or constraints posed by sensitive lands.

I searched the City's online records in Agendas and Minutes — which are normally complete — and found no evidence of staff reports or variance findings for these three prior extensions. I have submitted a public records request, but a response from the City will probably not occur until after this hearing. The absence of those records today means this body cannot assume that the prior extensions were lawfully approved. Without variances and sufficient findings in the record, this Commission cannot simply assume compliance.

It is of utmost importance to note that ORS) 227. 173(3) requires that, *Approval or denial of a permit application or expedited land division shall be based upon and accompanied by a brief statement that explains the criteria and standards considered relevant to the decision, states the facts relied upon in rendering the decision and explains the justification for the decision based on the criteria, standards and facts set forth.*

Such statements typically are the Findings following each of the variance criteria listed in the staff report. If the City approves a permit application short of the statutory requirements, the approval is unlawful. **I request that the record be held open for additional testimony per ORS 197.797(6)(a).**

II. Issues with the variance findings and the proposed Conditions of Approval.

Beginning on Page 6 of the Staff Report under Chapter 16.272 VARIANCES:

B. The findings do not address why the request is necessary to make reasonable use of the property. Instead, the findings are in the form of four Conditions requiring 1) a rezone, 2) widening of Kalmia Avenue, 3) a fire turnaround at the north end of Kalmia Avenue, and 4) a secondary fire-emergency access agreement.

C. The findings do not address why and how the request will not substantially be injurious to the neighborhood. Instead, the finding simply states that the “1,487-foot long cul-de-sac...presents a serious health, safety, and welfare risk...”

E. The finding is that the request **does** conflict with WMC 16.136.020(M). There is no procedural issue with this finding, but **it does mean that the variance request cannot be lawfully approved.** WMC §16.272.020 Criteria requires that “findings of fact are made by the zoning administrator...that satisfy the criteria of subsections A through F of this section.” The code does not provide any exceptions, i.e., **all** of the criteria must be satisfied.

F. The findings state that “physical constraints include topography and significant wetlands identified in the Local Wetland Inventory. However, there is an unpaved road from the proposed cul-de-sac circle to Ridge Road. An access easement, along with some road improvements remains a possibility for first responder access.”

Regarding topography, applicant’s Topographic Map appears to depict slopes between 1:5 (20%) and 1:4 (25%). WMC §16.216.010 defines “steep slopes” as “slopes greater than 25%, so it is foreseeable that topographic constraints could be mitigated within the purview of building construction standards and a variance for those standards would not be required.

Regarding wetlands, the Local Wetland Inventory, as shown on applicant’s LWI Map, shows that no wetlands are located on or significantly near the subject property. The closest mapped wetland boundary is on the west side of SW Kalmia Venue, ±36 feet west of the westernmost property line of applicant’s tax lot 400.

Hence, the scope of the variance appears to only apply to non-conforming SW Kalmia Avenue. The findings only describe a vague possibility for first responder access, but do not address other aspects of public safety, including evacuation routes and traffic circulation.

Condition of Approval No. 14 requiring the developer to “provide a secondary fire/emergency access easement” is an ineffectual means to demonstrate compliance with road and access standards. The same solution was applied in the Planning Commission’s approval of the Clear Lake Subdivision, which was ultimately withdrawn by the applicant in 2019. That project also proposed a stubbed gravel road for future connection to Ridge Road, as well as a non-remonstrance agreement for the possible formation of a Local Improvement District. Those options, if they did lead to road construction, would need to address the following obstacles:

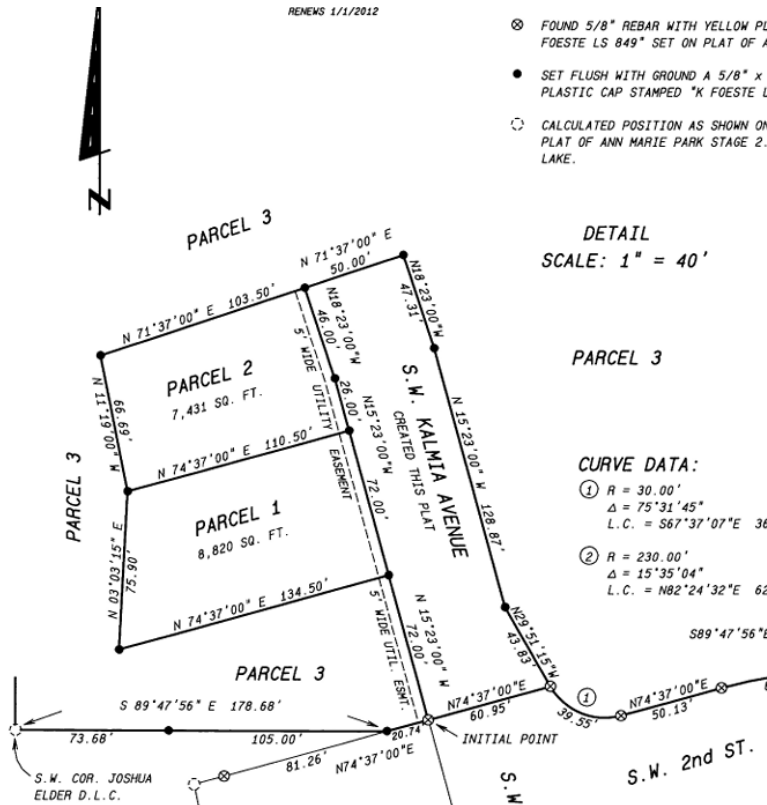
1. Most of the road would need to cross Locally Significant Wetlands, which would require a wetland hardship variance.
2. The road would cross properties of two different owners, each of whom would need to be the applicants for a wetland hardship variance.
3. One of the two predominant soils along the route is Bergsvik Mucky Peat, which has severe constraints for road building.
4. The road would also cross over Smith Lake drainage and would probably need to be elevated in at least that segment.

Respectfully submitted,
Will Caplinger
24F No. 7, Ln. 15 Zili Rd.
Tamsui District, New Taipei City 251
Taiwan

Depictions of the three previous land divisions are appended:

Partition Plat (PPT, Gramson) 2012-04:

The extension labeled "S.W. KALMIA AVE/CREATED [by] THIS PLAT" measured in survey distances along the west boundary of the road: 46 ft. + 26 ft. + 72 ft. + 72 ft. = 216 feet, which exceeded the 200-foot threshold for requiring a variance. If a staff report and Planning Commission hearing minutes are in the city records, they must include a variance and findings to justify the variance, otherwise the approval of the partition and the road extension were unlawful.



The plat was approved by the City Planning Director on April 30, 2012:

PARTITION PLAT NO. **2012-04**

N.E. 1/4 OF SECTION 20, T8N, R10W, W.M.
CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON

SURVEY BY: KARL F. FOESTE, 361 S.W. MAIN CT.
WARRENTON, OR 97146

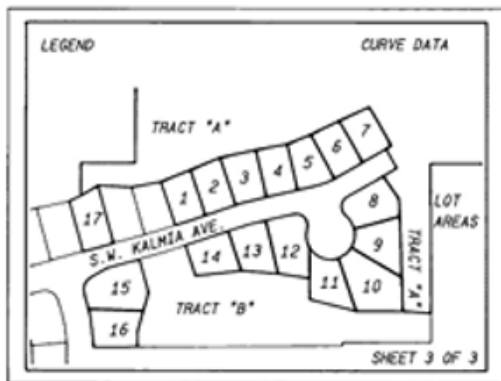
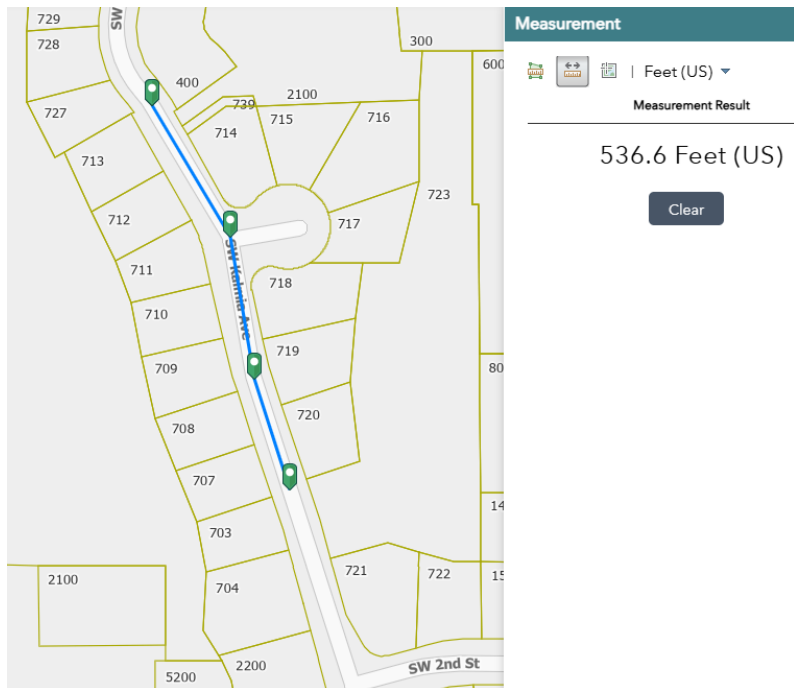
DATE: 6/20/2011

APPROVALS:

APPROVED THIS 30th DAY OF April, 2012.

Karl F. Foeste
CITY OF WARRENTON PLANNING DIRECTOR

Gil Gramson Park subdivision:



The final plat was approved by the City Planning Director on August 27, 2014:

GIL GRAMSON PARK
 A PORTION OF WHICH IS A REPLAT
 OF PARCEL 3, PARTITION PLAT 2012-04
 N.E. 1/4 OF SECTION 20, T8N, R10W, W.M.
 CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON

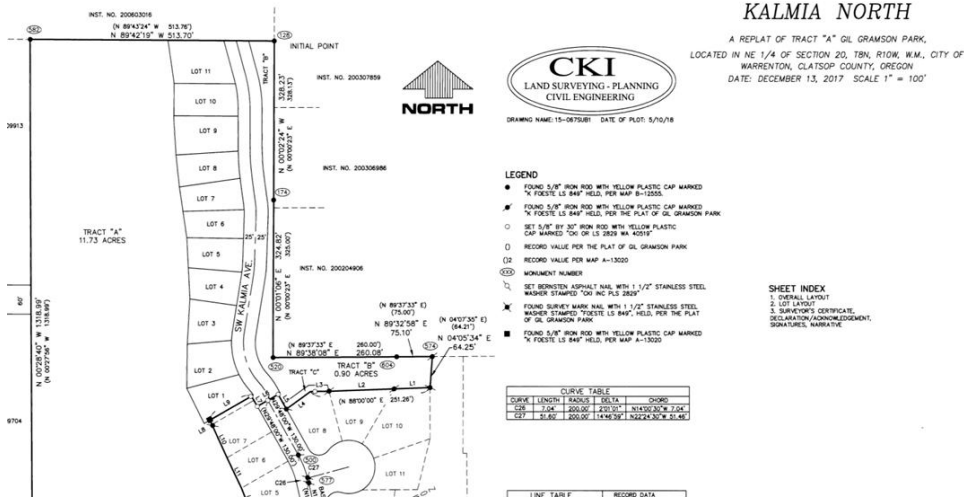
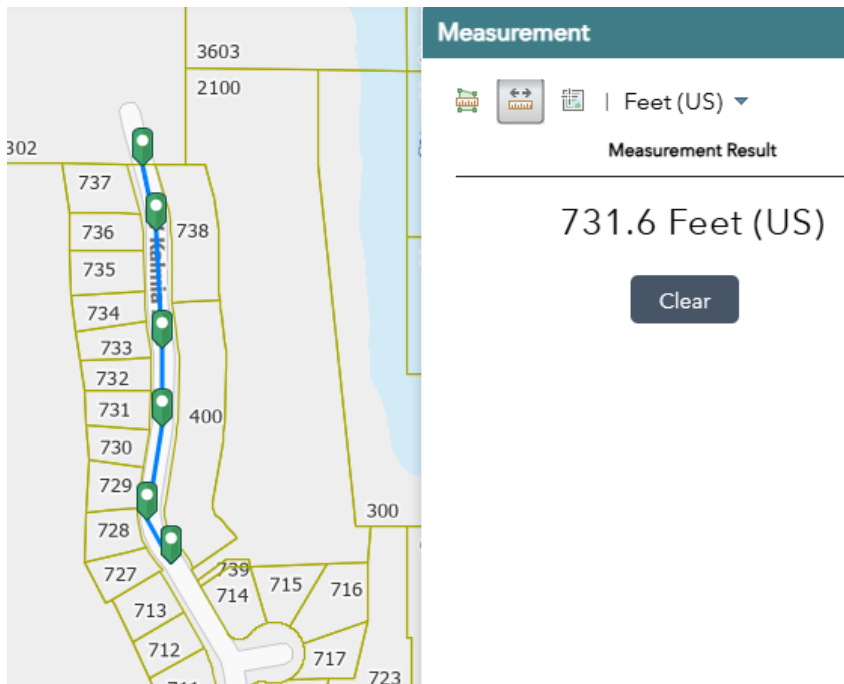
SURVEY BY: KARL F. FOESTE, 361 S.W. MAIN CT.
 WARRENTON, OR 97146

DATE: 8/1/2014

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Karl F. Foeste
 OREGON
 JULY 10, 1968
 KARL F. FOESTE
 0849
 RENEWS 1/1/2016

APPROVALS:
 APPROVED THIS 27th DAY OF August, 2014.
[Signature]
 CITY OF WARRENTON PLANNING DIRECTOR

Kalmia North Subdivision:



The final plat was approved by the City Planning Director and the City Engineer on June 27, 2018.

APPROVALS
CITY OF WARRENTON FILE NO. SUB 16-1 & V 16-5
APPROVED THIS 27 DAY OF JUNE, 2018
ICAC
CITY OF WARRENTON PLANNING DIRECTOR
APPROVED THIS 27 DAY OF JUNE, 2018
UCC
CITY OF WARRENTON ENGINEER

EXHIBIT B

To: City of Warrenton Planning Commission
Re: Public Hearing of September 11, 2025, for RZ-25-1, SUB-25-1, V-25-1
Subject: Additional evidence for the record held open for seven days
Date: September 18, 2025

The public records request for staff reports and findings for the approval of three land divisions that extended SW Kalmia Ave. 1,483 feet and provided access for 31 dwellings, namely Partition Plat 2012-04, Gil Gramson Park Subdivision, and Kalmia North Subdivision, was not received within the seven-day period; but should be presented, if found in City records, to the City Commission in a de novo hearing.

Please enter the following evidence into the record. Findings for approval should have referenced these WMC provisions:

1. The extended SW Kalmia Avenue is not a nonconforming use or structure if any of the extensions is demonstrated to have not been lawfully created. WMC 16.276.010 limits the designation of a non-conforming use or structure to a “lawful existing structure or use at the time this Code became effective” ...

16.276.010 Nonconforming Uses or Structures.

A nonconforming use or structure was a lawful existing structure or use at the time this Code became effective, but which does not conform to some or all of the requirements of this Code.
[emphasis added]

Therefore, the road may not be continued, expanded, extended, altered, or replaced under 16.276.010 Subsections A, B, C, or E.

2. WMC requirements bind successors-in-interest.

§ 16.08.020 Compliance and Scope.

B. Obligation by Successor. *The requirements of this Code apply to the owner(s) of record, persons undertaking the development or the use of land, and to those persons' successors in interest.*

3. Code violations are prohibited.

§ 16.16.020 Violation of Code Prohibited.

No person shall erect, construct, alter, maintain or use any building or structure or shall use, divide or transfer any land in violation of this Code or any amendment thereto. [emphasis added]

Will Caplinger
24F No. 7 Ln 15, Zili Rd.
Tamsui District, New Taipei City 251
Taiwan

EXHIBIT C

Excerpts from March 14, 2013 Planning Commission public hearing on Gil Gramson Estates subdivision variance

Comments on the Findings under Criteria B, D, and E below are presented following the excerpt.

43. B. The request is necessary to make reasonable use of the property. There will be an unreasonable economic impact upon the person requesting the variance if the request is denied;

Applicant Response: Because of topography and the location of existing wetlands, the only design that enables the efficient development of the subject property is that design that employs the over length cul-de-sac street. There will be an unreasonable economic impact on the applicant if the requested variance is denied.

Staff finding: The wetlands and topography are natural features of the site. Protective regulations limit the disturbance to those wetlands which dictate the proposed design. Staff concurs that the dead end street is the only option available to access the property and result in a reasonable use of it.

45. D. The request is not in conflict with the Comprehensive Plan;

Applicant Response: The requested variance is not in conflict with any portion of the Comprehensive Plan.

Staff finding: Staff agrees

46. E. The request is not in conflict with the Development Code. No variance may be granted which will result in a use not permitted in the applicable zone or which will increase the allowable residential density in any zone with the exception of individual lot size reduction; and

Applicant Response: The requested variance is in conflict with Section 16.136.020 M of the City's Development Code which limits the length of a cul- de-sac street to 200 feet. Granting the variance will not result in a use not permitted in the applicable R-M zone, and it will not increase the allowable density of the zone.

Staff findings: We agree.

- Criteria B Finding does not provide suitable evidence that the request is necessary to make reasonable use of the property. The development of a subdivision is not the only reasonable use of the property. Moreover, the Finding does not provide evidence of how and why the topography and wetlands “dictate” the one-and-only

design that will enable “efficient” development of the property. The Finding fails to provide any evidence of the “unreasonable economic impact” that will occur if the applicant is not able to extend the road only 16 feet beyond the 200 ft threshold that triggers the need for a variance.

- Criteria D Finding fails to provide any evidence that the request is not in conflict with the Comprehensive Plan. A Staff Finding of “We agree” is an opinion and lacks any factual assertions.
- Criteria E Finding not only fails to provide any evidence that the request is not in conflict with the Development Code, but Staff also agrees with the applicant’s statement that, “The requested variance is in conflict with Section 16.136.020.M of the Development Code.” Criteria that address public safety must explain why the extended dead-end road will not harm health, safety, or welfare. Staff’s mere assertion is inadequate under the law. The Finding’s validation that the request will be in conflict with the Development Code is a Finding of non-compliance that should have resulted in the denial of the variance request.
- Bear in mind that this first subdivision only extended the road 216 feet and accommodated 3 dwellings; but the two subsequent subdivisions, for which no approval records were located, together extended the dead-end road 1,267 feet and added an additional 28 residential lots.
- By law, subdivisions and variance approvals must be supported by Findings that address the applicable criteria with evidence. If indeed those approvals do not exist in the public record, it raises the real possibility that prior approvals were either procedurally defective, unlawful, or both.
- Most importantly, new development requires evidence that the land divisions, road improvements, variances, and other land use approvals were lawful. Without evidence of this, the City Commission cannot simply assume compliance. Without evidence of lawful approvals, the Commission should treat the previous road extensions as potentially unlawful infrastructure that cannot legally support new development.



NOTICE OF DECISION AND ORDER

Subdivision SUB-25-1 and Variance V-25-1

APPLICANT: Adam Neahring

PROPERTY OWNER: Adam Neahring

SUBJECT OF REVIEW: A 12 lot Subdivision to be completed in two phases, and a Variance to allow construction of Detached Single-Family Residences along the East Side of SW Kalmia Ave on approximately 1.42 acres

LOCATION: Tax Lots 81020AA00400 and 81020AA00738 along the East Side of SW Kalmia Ave.

HEARING AND RECORD: At the October 9, 2025 meeting, the Warrenton Planning Commission approved the Preliminary Plat for Subdivision SUB-25-1 and Variance V-25-1. The approval is based on the submittals from the applicant, findings of fact related to the proposed development in the staff review memo, and testimony heard at the public hearing, and the following conditions of approval.

CONDITIONS OF APPROVAL:

1. Detailed construction drawings for the proposed grading, road, drainage and utility facilities shall be submitted to the City for review by the Public Works Department prior to approval for construction of project improvements.
2. Construction documents shall meet all requirements of federal, state and local standards, codes, ordinances, guidelines and other legal requirements.
3. Prior to approval of construction plans, the developer will waive any and all rights to remonstrate against the formation of a Local Improvement District (LID) for the purpose of making sanitary sewer, storm sewer, water or street improvements that benefit the property and assessing the cost to the benefited properties pursuant to the City's regulations in effect at the time of such improvement.
4. A final Stormwater Report is required to be submitted with the final construction documents. Design should also address energy dissipation at the outfall.
5. The developer shall agree to make all necessary offsite stormwater improvements if downstream deficiencies are created by the development of this property.
6. A rezone shall be required as a prerequisite for approval of this subdivision
7. All necessary sewer improvements will be reviewed and approved by Oregon Department of Environmental Quality and paid for by the developer.
8. The developer shall prepare and submit a design for erosion control associated with site construction. Demonstrate compliance with Oregon Department of Environmental

Quality 1200 C Stormwater General Permit requirements. Provisions shall be made to minimize tracking of sediment onto public streets and for the flow of site soils into drainage ways.

9. The developer shall dedicate a 10-foot utility easement along Kalmia Avenue to City of Warrenton.
10. The project contractor shall secure a permit for work in the public right of way in accordance with Warrenton Municipal Code.
11. The developer shall provide as-built drawings and certification by a registered engineer in accordance with adopted criteria for all improvements, prior to acceptance by the City.
12. Since this is a dead-end street all of the homes will be required to be within 200 feet of a fire hydrant. Depending on size, the dwelling units will require a minimum verified (by the contractor) 1000gpm fire flow based on ordinary construction and a maximum size of 3,600 square feet. If Fire flows cannot be met a sprinkler system may be required.
13. The developer shall widen the current Kalmia street to City of Warrenton standard to accommodate on-street parking on the east side of the street and to provide for emergency vehicle access;
14. The developer shall complete a fire turn-around at the north end of Kalmia;
15. The developer shall provide a secondary fire/emergency access road and easement which shall connect to the northern end of Kalmia Avenue, and which road shall be built and maintained to meet safety standards as approved by the Fire Chief and Public Works Director, and which shall be sufficient to accommodate all City emergency response vehicles; the road and easement shall be attached to all subject properties and shall be recorded with the Clatsop County Recorder's Office.
16. The developer shall complete a Final Plat for the subdivision within two years of approval. A one-year extension may be granted by the City Planning Commission through a Type III permitting process.

Copies of all submittals and related documents are available for review on the City of Warrenton website or by contacting the City of Warrenton:

<https://www.ci.warrenton.or.us/ced/page/applications-pending-approval>

Type III decisions are final and effective one day after the appeal period expires. The appeal period is October 13, 2025 – October 27, 2025. **This decision is final and effective October 27, 2025.** Failure of any person to receive mailed notice shall not invalidate the decision, provided that a good faith attempt was made to mail the notice.

RIGHT TO APPEAL:

In accordance with Warrenton Municipal Code 16.208.050 2A any person with standing to appeal may appeal the Planning Commission's Decision by filing a Notice of Appeal according to the following procedures.

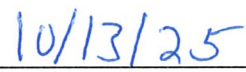
1. Time for filing. A Notice of Appeal shall be filed with the Community Development Director within 14 days of the date the notice of decisions was mailed.
2. Content of Notice of Appeal: The notice of appeal shall contain:

- A. An identification of the decision being appealed, including the date of the decision.
 - B. A statement demonstrating the person filing the notice of appeal has standing to appeal.
 - C. A statement explaining the specific issue(s) raised on appeal.
 - D. If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period.
 - E. Filing fee.
3. Scope of Appeal. The appeal of a Type III quasi-judicial decision shall be limited to the specific issues raised during the written comment period or at the public hearing, as provided under Subsection 2D above, unless the City Commission allows additional evidence or testimony concerning any other relevant issue. The City Commission may allow such additional evidence if it determines that such evidence is necessary to resolve the case. Written or oral comments received during the comment period or public hearing will usually limit the scope of issues on appeal. Only in extraordinary circumstances should new issues be considered by the City Commission on appeal of a Type III Quasi-Judicial Decision.

For questions, please contact the Warrenton Planning Department at (503) 861-0920 or planning@warrentonoregon.us.



Mike Moha, Chair
Warrenton Planning Commission



Date



Neahring Subdivision Hearing

From Jeffrey L. Kleinman <kleinmanjl@aol.com>

Date Tue 12/9/2025 4:08 PM

To Hanna Bentley <hbentley@warrentonoregon.us>

Cc Dawne Shaw <dshaw@warrentonoregon.us>; Will Caplinger <caplingerwill@gmail.com>

 2 attachments (1 MB)

NOTICE OF HEARING FOR 11-25-25 (NEW-REZONE ONLY).pdf; Mayor & Commission LT 12-9-25.pdf;

Dear Ms. Bentley,

I represent the appellant, Will Caplinger, in this matter. Tonight's Commission hearing is a continuation of the November 25 hearing, which was noticed only for the appeal of the **rezoning** application (copy of notice attached). We have been notified that the **subdivision** and **variance** application appeals have been scheduled for hearing on January 13, 2026. We formally object to the hearing of the subdivision and variance appeals tonight, as they have not been duly and properly noticed, and we have also not had the benefit of the required posting or notice of the new staff report or time to prepare a response. These are fundamental issues as to due process and the statutory procedural requirements binding Oregon cities and counties.

Regardless, please place this message and the attached notice and letter before the Commission tonight. I plan to testify via Zoom.

Please confirm receipt of this message. Thank you.

Jeffrey L. Kleinman
Attorney at Law
The Ambassador
1207 SW Sixth Avenue
Portland, OR 97204
Tel: (503) 248-0808
Fax (503) 228-4529
[Email: KleinmanJL@aol.com](mailto:KleinmanJL@aol.com)

NOTICE: This communication and its attachments are confidential and may be protected by the attorney-client privilege and/or work product doctrine. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

PUBLIC HEARING NOTICE

A public hearing is scheduled before the Warrenton City Commission on November 25, 2025, at 6:00 p.m. at Warrenton City Hall, 225 S Main Avenue Warrenton, OR 97146 regarding the following land use application(s):

Rezoning RZ-25-1, submitted by Adam Neahring rezoning property from RGM Residential Growth Management to R-M Medium Density Residential at Taxlots 81020AA00400, 81020AA00738, and 81020AA02100. APPLICABLE CRITERIA: WMC 16.208 TYPES OF APPLICATIONS AND REVIEW PROCEDURES, WMC 16.232 REGARDING AMENDMENTS TO COMPREHENSIVE PLAN TEXT, MAP, REZONE, OR DEVELOPMENT CODE.

Those wishing to testify on this request may attend the public hearing and fill out a comment card prior to the start of the meeting. Written materials must be received by the City Recorder no later than 3:00 P.M. on the day of the hearing. Written comments may be mailed to City Recorder P.O. Box 250, Warrenton Oregon, 97146; or emailed to cityrecorder@warrentonoregon.us.

At the public hearing, the chairperson will open the public hearing and describe the general conduct and procedure for providing public comment. A staff report will be given, followed by a statement from the applicant, followed by public testimony, discussion among the commissioners, and a decision on, or a continuation of, the request.

Failure to raise an issue in person, or by or by letter at the hearing, or failure to provide statements of evidence sufficient to afford the decision makers an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals.

A copy of the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards can be reviewed at Warrenton City Hall at no cost and copies shall be provided at a reasonable cost. A digital copy of the application can be reviewed online here: <https://www.warrentonoregon.us/ced/page/applications-pending-approval>. A copy of the City staff report and recommendation to the hearing body shall be available for review at least seven days before the hearing, and a copy shall be provided at a reasonable cost. Anyone wishing to review and/or purchase copies of the proposals and/or staff report may do so at Warrenton City Hall, 225 South Main, or may contact the Warrenton Planning Department at 503-861-0920 or planning@warrentonoregon.us.

Notice to mortgagee, lienholder, vendor, or seller: The Warrenton Development Code requires that if you receive this notice it shall be promptly forwarded to the purchaser.

JEFFREY L. KLEINMAN
ATTORNEY AT LAW
THE AMBASSADOR
1207 S.W. SIXTH AVENUE
PORTLAND, OREGON 97204

TELEPHONE (503) 248-0808
FAX (503) 228-4529
EMAIL KleinmanJL@aol.com

December 9, 2025

Via email to cityrecorder@warrentonoregon.us

Hon. Mayor Henry A. Balensifer III
and Commission Members
City of Warrenton
Warrenton City Hall
225 S. Main Av.
Warrenton, OR 97146

Re: Rezone RZ-25-1, Subdivision SUB-25-1, Variance V-25-1 (Neahring)

Dear Mayor Balensifer and Commission Members:

This office represents Will Caplinger, the appellant in the above matter, . For the reasons raised by Mr. Caplinger before the Planning Commission and in his Notice of Appeal, the Planning Commission erred in approving these consolidated applications.

As a preliminary matter, please note that the staff report contained in your agenda packet addresses only the subdivision appeal. Mr. Caplinger appealed all three of the related approvals identified above. The most important ground for appeal is that relating to the safety standards governing street length, as further explained below. Please also note that the subdivision cannot be approved without the variance, and must fail without it.

The city's development standards relating to transportation are set out in Warrenton Development Code (WDC) 16.136.020. WDC 16.136.020(M) sets the maximum street length for dead-end streets (streets with only a single ingress/egress):

M. Cul-de-Sacs. A dead-end street shall be no more than 200 feet long, shall not provide access to greater than 18 dwelling units, and shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this Code preclude street extension and through circulation.

This is a public safety-related standard. It is intended to facilitate emergency vehicle access, but also to provide alternative routes in and out for residents and visitors in the event of seismic activity, fire, or other emergencies that may prevent evacuation via the sole existing connection. Any longer dead end is deemed to create a danger to life and public health. The cul-de-sac proposed here is 1487 feet long! This presents an extraordinary risk in the event of natural disaster. In the world we live in today, enacted state legislation would allow further division of lots and installation of ADUs on any or all of the 31 lots existing along the Kalmia cul-de-sac, not to mention the new lots proposed in this subdivision application, *all as a matter of right*. When it comes to dwelling units, the minimum lot sizes set by local zoning codes no longer control. It was essential for the Planning Commission to consider the effects of possible (even likely) increased density. It failed to do so.

The October 9 staff report addresses the city's criteria for approval of subdivision preliminary plats. In its discussion of WDC 16.216.250(A)(2)(d) at page 6, staff cites the code language and finds (in italics) that it is not met:

d. Block and Lot Standards. All proposed blocks (i.e., one or more lots bound by public streets), lots and parcels conform to the specific requirements below:

i. All lots shall comply with the lot area, setback (existing structures), and dimensional requirements of the applicable land use district (Division 2), and the standards of Figure 16.120.020.J, Street Connectivity and Formation of Blocks.

As noted above, subdivision has no through connectivity; Block length exceeds 600 feet.

In turn, WDC 16.120.020(J)(1) contains distinct limits on block length, even where there are multiple access points and not a dead end:

J. Street Connectivity and Formation of Blocks Required. In order to promote efficient vehicular and pedestrian circulation throughout the City, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

1. Block Length and Perimeter. The maximum block length shall not exceed 600 feet between street corner lines in Residential and C-1 zones, 400 feet in the C-MU zone, and 1,000 feet in other zones unless it is adjacent to an arterial street or unless the topography or the location of adjoining streets justifies an exception. * * * (Emphasis added.)

At page 3, the October 9 staff report states: “Subdivision has no through connectivity; Block length exceeds 600 feet (1,487.4 feet).”

Variances from the above standards are initially governed by WDC 16.136.020(B):

B. Variances. Variances to the transportation design standards in this section may be granted by means of a Class 2 variance, as governed by Chapter 16.272, Variances. A variance may be granted under this provision only if a required improvement is not feasible due to topographic constraints or constraints posed by sensitive lands.

(Emphasis added.)

WDC 16.272.020 contains the criteria for approval of variance applications generally, and states in material part:

Prior variances allowed in the neighborhood shall not be considered by the granting authority in reaching its decision. * * *

Nonetheless, it seems that the approval of three prior variances for street length on Kalmia have been used to serve as a sort of precedent for approving this one. As the above provision directly states, this was error. *Four wrongs do not make a right.* And, as Mr. Caplinger has pointed out, one of those “wrongs” did not actually take place. There is no record that the approval of any such application other than that for the Clear Lake subdivision resulted in an appeal from the Planning Commission to the City Commission. In that case, after hearing by the City Commission in 2019, the application was ultimately withdrawn and the subdivision was not approved.

Under WDC 16.272.020, an applicant for a variance must prove compliance with each of six criteria. These are set out separately below, together with appellant Caplinger’s response to each following in bold italics:

A. The hardship was not created by the person requesting the variance;

The applicant owns contiguous property which would afford a second ingress/egress to SW Juniper Av. The applicant simply chooses not to engineer and use that approach.

B. The request is necessary to make reasonable use of the property. There will be an unreasonable economic impact upon the person requesting the variance if the request is denied;

See response under subsection A, above.

C. The request will not substantially be injurious to the neighborhood in which the property is located. The variance will not result in physical impacts, such as visual, noise, traffic or increased potential for drainage, erosion and landslide hazards, beyond those impacts that would typically occur with development in the subject zone;

As explained, the development of this property without the required street connection would exacerbate a profound public health risk and hazard.

D. The request is not in conflict with the Comprehensive Plan;

The city's transportation goal and policies require a safe transportation system. The proposed variance would create the opposite.

E. The request is not in conflict with the Development Code. No variance may be granted which will result in a use not permitted in the applicable zone or which will increase the allowable residential density in any zone with the exception of individual lot size reduction; and

For all the reasons explained above, the variance request fully conflicts with the Development Code. In fact, the city planner initially found that there was in fact such conflict.

F. Physical circumstance(s) related to the property involved preclude conformance with the standard to be varied.

The applicant has not met its burden of proving that it cannot comply with the street and block length standards by constructing a second ingress/egress street.

At the same time, the Planning Commission has tried to have it two ways. As the October 9 staff report states: “Applicant shall be required to provide a secondary fire/emergency access easement [to NW Ridge Rd.].” Staff Report at 4. Condition of Approval 14 was added to that effect. (Note that staff *originally* stated: “Applicant has not shown why the environmental or topographic constraint precludes some reasonable street connection.” *Id.*, at 5.)

However, the street and block length standards addressed above are *not* limited to the provision of emergency vehicle access. There is no such language in the Code. Residents and visitors are also protected by the relevant requirements, so that they are not hemmed in when and if disaster strikes, or otherwise. They are entitled to a second access regardless. This is a fundamental concern of the Code criteria discussed above. Emergency vehicle access is insufficient on its face.

Even if such access were sufficient, the decision of the Planning Commission has not met a fundamental requirement for demonstrating compliance with approval standards by means of conditions of approval. In order to rely upon conditions of approval, the applicant (and hence the decisionmaker) must demonstrate that compliance with all discretionary approval standards is “feasible.” *Meyer v. City of Portland*, 7 Or LUBA 184 (1983), *aff’d*, 67 Or App 274, 678 P2d 741, *rev den*, 297 Or 82, 679 P2d 1367 (1984). The Court of Appeals has held that “feasibility” means that “substantial evidence supports a finding that solutions to certain problems * * * are possible, likely and reasonably certain to succeed.” 67 Or App at 280 n 5. (Emphasis added.) *See also Gould v. Deschutes County*, 227 Or App 601, 606-607 (2009) to the same point. (Emphasis added.)

Aside from identified issues regarding wetlands and steep grades, the feasibility of ingress and egress via NW Ridge Rd. is contradicted by the presence of at least three private property ownerships along that route. Portions are owned by Sand Works, Inc., Fort Point Land Partners, LLC, and Pacific Sun Plaza, LLC. There is no indication that those entities have consented to an easement or other right of use by the applicant, or will do so in the future.

Hon. Mayor Henry A. Balensifer III
and Commission Members
November 25, 2025
page 6

Conclusion

For all of the above reasons, separately and together, this appeal should be sustained. The underlying variance and subdivision applications must be denied.

Very truly yours,

Jeffrey L. Kleinman

Jeffrey L. Kleinman

cc: client

8.A Caplinger Comments

NOTICE OF APPEAL TO THE CITY COMMISSION OF A TYPE III QUASI-JUDICIAL DECISION

This appeal is filed pursuant to the Appeal Procedure outlined in Warrenton Municipal Code Title 16, Division 4, Chapter & Section 16.208.050, Subsections H.1. & 2.

§16.208.050. Type III Procedure (Quasi-Judicial

H. Appeal. A Type III quasi-judicial decision may be appealed to the City Commission as follows:

1. Who May Appeal. *The following people have legal standing to appeal a Type III quasi-judicial decision:*

b. *Any person who submitted written or oral testimony to the decision making body.*

2. Appeal Procedure.

a. *Notice of Appeal. Any person with standing to appeal, as provided in subsection (H)(1) of this section, may appeal a Type III quasi-judicial decision by filing a notice of appeal according to the following procedures:*

i. *Time for Filing. A notice of appeal shall be filed with the Community Development Director within 14 days of the date the notice of decision was mailed.*

- **The Notice of Decision was mailed on October 13, 2025. This Notice of Appeal is filed on October 17, 2025.**

ii. *Content of Notice of Appeal. The notice of appeal shall contain:*

(A) *An identification of the decision being appealed, including the date of the decision.*

- **The decision being appealed is for SUB-25-1, V-25-1, a consolidated application approved by the Planning Commission at the hearing on October 9, 2025.**

(B) *A statement demonstrating the person filing the notice of appeal has standing to appeal.*

- **The appellant submitted both written and oral testimony to the Planning Commission.**

(C) *A statement identifying the specific issues raised on appeal.*

- **Several Findings adopted for approval of the variance do not meet the legal standard or satisfy the criteria for variances. WMC §16.272.020 Criteria states that, “Variances to a quantitative requirement of this Code may be granted only if, on the basis of...evidence submitted by the applicant, findings of fact are made by**

the...Planning Commission (for Class 2 applications) that satisfy the criteria of subsections A through F of this section.” **The Code requires that each and every one of the criteria must be satisfied by “findings of fact.” To wit:**

- **Criterion B**, that *“the request is necessary to make reasonable use of the property.”* **This Criterion does not contain a legal Finding, only a statement of four conditions requiring “1) a rezone, 2) widening of Kalmia Avenue, 3) a fire turnaround at the north end of Kalmia Avenue, and 4) a secondary fire-emergency access agreement.”** **The Findings fail to provide evidence why the request is necessary to make reasonable use of the property.**
- **Criterion C**, that *“the request will not substantially be injurious to the neighborhood.”* **This Criterion does not contain a legal Finding, only a statement that, “The 1,487-foot long cul-de-sac with no secondary access presents a serious health, safety, and welfare risk to all current and future residents residing north of SW 2nd Street on the Kalmia Avenue cul-de-sac.”** **The Finding fails to provide evidence how and why the variance request will not substantially be injurious to the neighborhood.**
- **Criterion E**, that *“the request is not in conflict with the Development Code.”* **This Criterion does not contain a legal Finding, only a statement that, “The request conflicts with WMC 16.136.020(M) Transportation Standards” along with the text of subsection M stating that, “A dead-end street shall be no more than 200 feet long, shall not provide access to greater than 18 dwelling units, and shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this Code preclude street extensions and through circulation.”** **The Finding fails to provide evidence that the request is not in conflict with the Development Code, and in fact finds that the request is in conflict with the Development Code. Moreover, ORS 227.175(4) (a) states that, “A city may not approve an application unless the proposed development of land would be in compliance with the comprehensive plan for the city and other applicable land use regulation or ordinance provisions.”**
- **Criterion F**, that *“physical circumstance(s) related to the property involved preclude conformance with the standards to be varied.”* **This Criterion does not contain a legal Finding, only a statement that, “Physical constraints**

include topography and significant wetlands identified in the Warrenton Local Wetland Inventory. However, there is an unpaved road from the proposed cul-de-sac circle to Ridge Road. An access easement, along with some road improvements remains a possibility for first responder access.”

The Finding fails to provide evidence that physical circumstance(s) related to the property preclude conformance with the standards to be varied. The Finding does not describe why the topography or the presence of off-site wetlands preclude conformance, only that these characteristics are present. Use of the unpaved road, no portion of which is on applicant’s land or subject to applicant’s control, and a possible access easement to Ridge Road, are conjecture, not facts, and therefore do not constitute a lawful variance finding.

(D) A statement demonstrating that the appeal issues were raised by oral or written testimony during the comment period or prior to the closing of the record established at the Planning Commission's public hearing.

- **The appeal issues as described above were raised in written testimony and are included in this Notice as EXHIBIT A.**
- **The Planning Commission held the record open for seven days for additional evidence, during which time the appellant submitted the evidence included in EXHIBIT B. This Exhibit describes the three land division applications that resulted in the dangerous extension of dead-end SW Kalmia Avenue to more than 1,400 feet.**

Appellant suspected that the variances required for these extensions may not have been approved with lawful variance findings. A lengthy search of the City of Warrenton online records found no agendas, staff reports, or Notices of Decisions for these land divisions. Appellant then submitted a Public Records request. After the period expired for the open record, City staff found only one record, for the approval of Gil Gramson Estates (Partition Plat 2012-04), which first extended the road 216 feet. At least three Findings for the requisite variance approval did not meet the legal standard; therefore, the variance was unlawfully approved.

Due to the extraordinary circumstance of this discovery, Appellant respectfully requests that, as allowed in subsection *b. Scope of Appeal* below, the City Commission determines that this evidence is necessary to resolve the case, and to allow EXHIBIT C, a brief description of the variance findings for Gil Gramson Estates (Partition Plat 2012-04), as additional evidence.

(E) Filing fee.

- **Appellant understands that the filing fee will be billed electronically by staff following submittal of the appeal.**

b. Scope of Appeal. The appeal of a Type III quasi-judicial decision shall be limited to the specific issues raised during the written comment period or at the public hearing, as provided under Subsection ii.D above, unless the City Commission allows additional evidence or testimony concerning any other relevant issue. The City Commission may allow such additional evidence if it determines that such evidence is necessary to resolve the case. Written or oral comments received during the comment period or public hearing will usually limit the scope of issues on appeal. Only in extraordinary circumstances should new issues be considered by the City Commission on appeal of a Type III Quasi-Judicial Decision.

Respectfully submitted October 17, 2025

Will Caplinger
24F No. 7 Ln. 15 Zili Rd.
Tamsui District, New Taipei City 251
Taiwan

EXHIBIT A

City of Warrenton Planning Commission meeting September 11, 2025

Comments re Nearing Applications RZ-25-1, SUB-25-1, V-25-1, specifically the Variance

I. The City of Warrenton created the need for a variance.

The Staff Report for SUB-25-1/ V-25-1 states two critical Findings concerning the portion of SW Kalmia Avenue north of SW 2nd Street:

1. Subsection A (Page 6): *“Applicant did not create the 1,487-foot long cul-de-sac.”*

This Finding is accurate. The City of Warrenton created the need for a variance by extending the northern terminus of SW Kalmia Avenue via approving three land division applications: Partition Plat 2012-04, Gil Gramson Park Subdivision, and Kalmia North Subdivision, which are discussed below. Depictions of the divisions are appended at the end of these comments.

2. Subsection C (Page 7): *“The 1,487-foot long cul-de-sac with no secondary access presents a serious health, safety, and welfare risk to all current and future residents residing north of SW 2nd Street on the Kalmia Avenue cul-de-sac.”*

As a statement of fact, this is accurate, although it does not constitute a Finding of Fact that directly addresses the Subsection C variance criterion (see Section II of these comments).

The City of Warrenton Development Code Section 16.136.020.M restricts the length of dead-end streets and the number of dwelling units that access the street:

Cul-de-Sacs. A dead-end street shall be no more than 200 feet long, shall not provide access to greater than 18 dwelling units, and shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this Code preclude street extension and through circulation.

- Partition Plat 2012-04 extended SW Kalmia Avenue by 216 feet and created three residential parcels.
- Gil Gramson Park Subdivision further extended SW Kalmia Avenue by ±536 feet and created 17 residential lots.
- Kalmia North Subdivision further extended SW Kalmia Avenue by ±731 feet and created 11 residential lots.
- **Total extensions of the SW Kalmia Avenue northern terminus equal ±1,483 feet (equivalent to City’s Staff Report distance of 1,487 feet) and provide access for 31 dwellings, not including potential ADUs.**

Each one of these land divisions required a Variance as required by 16.136.020.B, which reads:

Variances to the transportation design standards in this section may be granted by means of a Class 2 variance, as governed by Chapter 16.272, Variances. A variance may be granted under this provision only if a required improvement is not feasible due to topographic constraints or constraints posed by sensitive lands.

I searched the City's online records in Agendas and Minutes — which are normally complete — and found no evidence of staff reports or variance findings for these three prior extensions. I have submitted a public records request, but a response from the City will probably not occur until after this hearing. The absence of those records today means this body cannot assume that the prior extensions were lawfully approved. Without variances and sufficient findings in the record, this Commission cannot simply assume compliance.

It is of utmost importance to note that ORS) 227. 173(3) requires that, *Approval or denial of a permit application or expedited land division shall be based upon and accompanied by a brief statement that explains the criteria and standards considered relevant to the decision, states the facts relied upon in rendering the decision and explains the justification for the decision based on the criteria, standards and facts set forth.*

Such statements typically are the Findings following each of the variance criteria listed in the staff report. If the City approves a permit application short of the statutory requirements, the approval is unlawful. **I request that the record be held open for additional testimony per ORS 197.797(6)(a).**

II. Issues with the variance findings and the proposed Conditions of Approval.

Beginning on Page 6 of the Staff Report under Chapter 16.272 VARIANCES:

B. The findings do not address why the request is necessary to make reasonable use of the property. Instead, the findings are in the form of four Conditions requiring 1) a rezone, 2) widening of Kalmia Avenue, 3) a fire turnaround at the north end of Kalmia Avenue, and 4) a secondary fire-emergency access agreement.

C. The findings do not address why and how the request will not substantially be injurious to the neighborhood. Instead, the finding simply states that the “1,487-foot long cul-de-sac...presents a serious health, safety, and welfare risk...”

E. The finding is that the request **does** conflict with WMC 16.136.020(M). There is no procedural issue with this finding, but **it does mean that the variance request cannot be lawfully approved.** WMC §16.272.020 Criteria requires that “findings of fact are made by the zoning administrator...that satisfy the criteria of subsections A through F of this section.” The code does not provide any exceptions, i.e., **all** of the criteria must be satisfied.

F. The findings state that “physical constraints include topography and significant wetlands identified in the Local Wetland Inventory. However, there is an unpaved road from the proposed cul-de-sac circle to Ridge Road. An access easement, along with some road improvements remains a possibility for first responder access.”

Regarding topography, applicant’s Topographic Map appears to depict slopes between 1:5 (20%) and 1:4 (25%). WMC §16.216.010 defines “steep slopes” as “slopes greater than 25%, so it is foreseeable that topographic constraints could be mitigated within the purview of building construction standards and a variance for those standards would not be required.

Regarding wetlands, the Local Wetland Inventory, as shown on applicant’s LWI Map, shows that no wetlands are located on or significantly near the subject property. The closest mapped wetland boundary is on the west side of SW Kalmia Venue, ±36 feet west of the westernmost property line of applicant’s tax lot 400.

Hence, the scope of the variance appears to only apply to non-conforming SW Kalmia Avenue. The findings only describe a vague possibility for first responder access, but do not address other aspects of public safety, including evacuation routes and traffic circulation.

Condition of Approval No. 14 requiring the developer to “provide a secondary fire/emergency access easement” is an ineffectual means to demonstrate compliance with road and access standards. The same solution was applied in the Planning Commission’s approval of the Clear Lake Subdivision, which was ultimately withdrawn by the applicant in 2019. That project also proposed a stubbed gravel road for future connection to Ridge Road, as well as a non-remonstrance agreement for the possible formation of a Local Improvement District. Those options, if they did lead to road construction, would need to address the following obstacles:

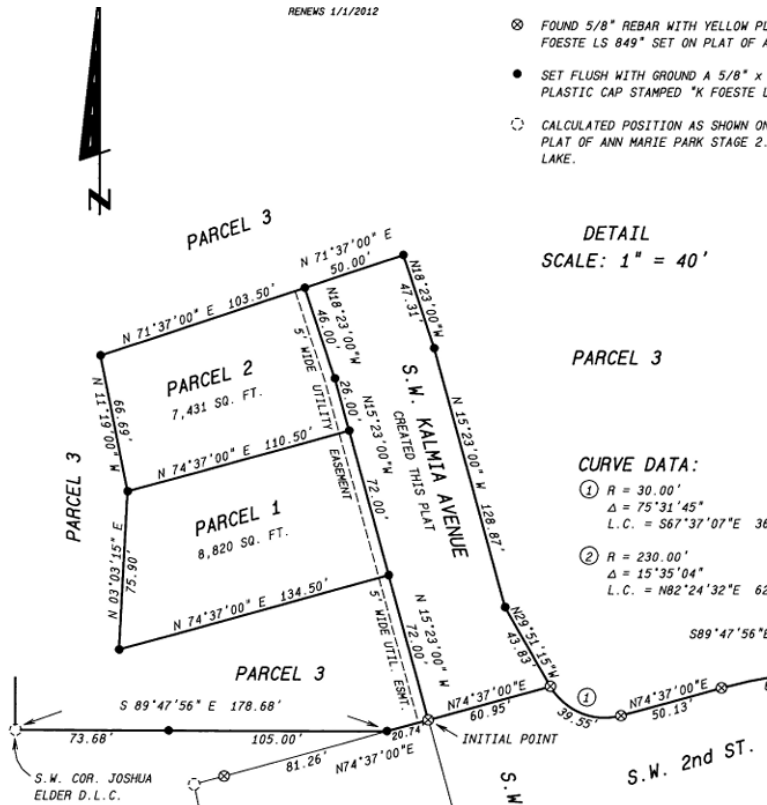
1. Most of the road would need to cross Locally Significant Wetlands, which would require a wetland hardship variance.
2. The road would cross properties of two different owners, each of whom would need to be the applicants for a wetland hardship variance.
3. One of the two predominant soils along the route is Bergsvik Mucky Peat, which has severe constraints for road building.
4. The road would also cross over Smith Lake drainage and would probably need to be elevated in at least that segment.

Respectfully submitted,
Will Caplinger
24F No. 7, Ln. 15 Zili Rd.
Tamsui District, New Taipei City 251
Taiwan

Depictions of the three previous land divisions are appended:

Partition Plat (PPT, Gramson) 2012-04:

The extension labeled "S.W. KALMIA AVE/CREATED [by] THIS PLAT" measured in survey distances along the west boundary of the road: 46 ft. + 26 ft. + 72 ft. + 72 ft. = 216 feet, which exceeded the 200-foot threshold for requiring a variance. If a staff report and Planning Commission hearing minutes are in the city records, they must include a variance and findings to justify the variance, otherwise the approval of the partition and the road extension were unlawful.



The plat was approved by the City Planning Director on April 30, 2012:

PARTITION PLAT NO. **2012-04**

N.E. 1/4 OF SECTION 20, T8N, R10W, W.M.
CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON

SURVEY BY: KARL F. FOESTE, 361 S.W. MAIN CT.
WARRENTON, OR 97146

DATE: 6/20/2011

APPROVALS:

APPROVED THIS 30th DAY OF April, 2012.
Karl F. Foeste
CITY OF WARRENTON PLANNING DIRECTOR

LEGEND

CURVE DATA

TRACT "A"

TRACT "B"

S.W. KALMIA AVE.

LOT AREAS

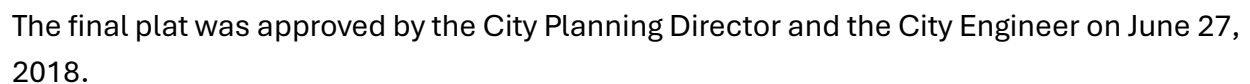
SHEET 3 OF 3

GIL GRAMSON PARK
A PORTION OF WHICH IS A REPLAT
OF PARCEL 3, PARTITION PLAT 2012-04
N.E. 1/4 OF SECTION 20, T8N, R10W, W.M.
CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Karl F. Foeste
OREGON
JULY 12, 1968
KARL F. FOESTE
0849
RENEWS 1/1/2016

Page 62 of 136

The screenshot shows the Google Maps measurement tool interface. On the left, a map displays a blue measurement path along a road, with green pegman icons at each point. The path starts at a point labeled '302' and ends at a point labeled '728'. The path passes through several numbered lots: 737, 736, 735, 734, 733, 732, 731, 730, 729, 728, 727, 713, 712, 711, 714, 715, 716, 717, and 723. The path is labeled '731.6 feet (US)'. On the right, the 'Measurement' panel shows the distance '731.6 Feet (US)' and a 'Clear' button.



Page 11 of 14

EXHIBIT B

To: City of Warrenton Planning Commission
Re: Public Hearing of September 11, 2025, for RZ-25-1, SUB-25-1, V-25-1
Subject: Additional evidence for the record held open for seven days
Date: September 18, 2025

The public records request for staff reports and findings for the approval of three land divisions that extended SW Kalmia Ave. 1,483 feet and provided access for 31 dwellings, namely Partition Plat 2012-04, Gil Gramson Park Subdivision, and Kalmia North Subdivision, was not received within the seven-day period; but should be presented, if found in City records, to the City Commission in a de novo hearing.

Please enter the following evidence into the record. Findings for approval should have referenced these WMC provisions:

1. The extended SW Kalmia Avenue is not a nonconforming use or structure if any of the extensions is demonstrated to have not been lawfully created. WMC 16.276.010 limits the designation of a non-conforming use or structure to a “lawful existing structure or use at the time this Code became effective” ...

16.276.010 Nonconforming Uses or Structures.

A nonconforming use or structure was a lawful existing structure or use at the time this Code became effective, but which does not conform to some or all of the requirements of this Code.
[emphasis added]

Therefore, the road may not be continued, expanded, extended, altered, or replaced under 16.276.010 Subsections A, B, C, or E.

2. WMC requirements bind successors-in-interest.

§ 16.08.020 Compliance and Scope.

B. Obligation by Successor. *The requirements of this Code apply to the owner(s) of record, persons undertaking the development or the use of land, and to those persons' successors in interest.*

3. Code violations are prohibited.

§ 16.16.020 Violation of Code Prohibited.

No person shall erect, construct, alter, maintain or use any building or structure or shall use, divide or transfer any land in violation of this Code or any amendment thereto. [emphasis added]

Will Caplinger
24F No. 7 Ln 15, Zili Rd.
Tamsui District, New Taipei City 251
Taiwan

EXHIBIT C

Excerpts from March 14, 2013 Planning Commission public hearing on Gil Gramson Estates subdivision variance

Comments on the Findings under Criteria B, D, and E below are presented following the excerpt.

43. B. The request is necessary to make reasonable use of the property. There will be an unreasonable economic impact upon the person requesting the variance if the request is denied;

Applicant Response: Because of topography and the location of existing wetlands, the only design that enables the efficient development of the subject property is that design that employs the over length cul-de-sac street. There will be an unreasonable economic impact on the applicant if the requested variance is denied.

Staff finding: The wetlands and topography are natural features of the site. Protective regulations limit the disturbance to those wetlands which dictate the proposed design. Staff concurs that the dead end street is the only option available to access the property and result in a reasonable use of it.

45. D. The request is not in conflict with the Comprehensive Plan;

Applicant Response: The requested variance is not in conflict with any portion of the Comprehensive Plan.

Staff finding: Staff agrees

46. E. The request is not in conflict with the Development Code. No variance may be granted which will result in a use not permitted in the applicable zone or which will increase the allowable residential density in any zone with the exception of individual lot size reduction; and

Applicant Response: The requested variance is in conflict with Section 16.136.020 M of the City's Development Code which limits the length of a cul- de-sac street to 200 feet. Granting the variance will not result in a use not permitted in the applicable R-M zone, and it will not increase the allowable density of the zone.

Staff findings: We agree.

- Criteria B Finding does not provide suitable evidence that the request is necessary to make reasonable use of the property. The development of a subdivision is not the only reasonable use of the property. Moreover, the Finding does not provide evidence of how and why the topography and wetlands “dictate” the one-and-only

design that will enable “efficient” development of the property. The Finding fails to provide any evidence of the “unreasonable economic impact” that will occur if the applicant is not able to extend the road only 16 feet beyond the 200 ft threshold that triggers the need for a variance.

- Criteria D Finding fails to provide any evidence that the request is not in conflict with the Comprehensive Plan. A Staff Finding of “We agree” is an opinion and lacks any factual assertions.
- Criteria E Finding not only fails to provide any evidence that the request is not in conflict with the Development Code, but Staff also agrees with the applicant’s statement that, “The requested variance is in conflict with Section 16.136.020.M of the Development Code.” Criteria that address public safety must explain why the extended dead-end road will not harm health, safety, or welfare. Staff’s mere assertion is inadequate under the law. The Finding’s validation that the request will be in conflict with the Development Code is a Finding of non-compliance that should have resulted in the denial of the variance request.
- Bear in mind that this first subdivision only extended the road 216 feet and accommodated 3 dwellings; but the two subsequent subdivisions, for which no approval records were located, together extended the dead-end road 1,267 feet and added an additional 28 residential lots.
- By law, subdivisions and variance approvals must be supported by Findings that address the applicable criteria with evidence. If indeed those approvals do not exist in the public record, it raises the real possibility that prior approvals were either procedurally defective, unlawful, or both.
- Most importantly, new development requires evidence that the land divisions, road improvements, variances, and other land use approvals were lawful. Without evidence of this, the City Commission cannot simply assume compliance. Without evidence of lawful approvals, the Commission should treat the previous road extensions as potentially unlawful infrastructure that cannot legally support new development.



City Commission Agenda Memo

Meeting Date: January 13, 2026
From: Esther Moberg, City Manager
Item Name: RZ-23-1 Hammond Rezone from General Industrial to RM or OSI

Summary:

3J consulting has submitted on behalf of property owners in the Hammond area a recommendation that the following three site areas be rezoned to enable future residential housing development along Warrenton Drive. The subject properties are owned by multiple property owners, including the City of Warrenton property adjacent to Carruthers Park, and are identified as Site A: Tax Lots 81009BD03000, 81009BD04100, 81009BD04200, 81009BD04300, 81009BD04400, 81009BD02800, Site B: 81009B001800, 81009B001801, 81009B001802, 81009B001900, 81009BD05000, 81009BD05100, 81009BD05200, 81009BD05300, 81009BD05400, 81009BD05500, 81009BD05600, 81009BD05800, 81009B002601, 81009B001901, 81009BD05700 and Site C: 81009BB00900, 81009BB01000.

Upon review, 3J consulting is recommending that Site A (the Carruthers Park adjacent lots) be rezoned Open Space Institutional (OSI), and that Site B and C lots be rezoned to Medium Density Residential (RM). This change in zoning will not create a change in density for transportation impacts and will not impact greatly the total amount of I2 Water Dependent Industrial zoned parcels that are reserved given the city has over 570 acres zoned I2 which was nearly double which is required by state law.

Recommendation/Suggested Motion:

"Based on the findings and conclusions of the January 13th staff report, I move to recommend the rezoning of the I2 water dependent industrial as described in RZ-25-1 with a recommendation to adopt the rezone and to amend the comprehensive plan as needed, and to conduct the first reading, by title only, of Ordinance No. 1300."

Alternative:

Fiscal Impact:

It is believed this change will fiscally benefit the property owners, adding more development ability to their existing properties.

Attachments:

1. RZ-23-1 Staff Report (002)
2. RZ-23-1 24984-City of Warrenton-Rezone Application
3. Site A B C Map - Packet
4. 24984-City of Warrenton-Comp Plan Amendment and Rezone-Narrative
5. ordinance 1300 rezoning Industrial aquatic to residential 2026



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: Esther Moberg, City Manager
DATE: January 13, 2026
SUBJ: RZ-23-1 Hammond Rezone from General Industrial to Medium Density Residential (RM) or Open Space Institutional (OSI)

BACKGROUND

3J consulting has submitted on behalf of property owners in the Hammond area a recommendation that the following three site areas be rezoned to enable future residential housing development along Warrenton Drive. The subject properties are owned by multiple property owners, including the City of Warrenton property adjacent to Carruthers Park, and are identified as Site A: Tax Lots 81009BD03000, 81009BD04100, 81009BD04200, 81009BD04300, 81009BD04400, 81009BD02800, Site B: 81009B001800, 81009B001801, 81009B001802, 81009B001900, 81009BD05000, 81009BD05100, 81009BD05200, 81009BD05300, 81009BD05400, 81009BD05500, 81009BD05600, 81009BD05800, 81009B002601, 81009B001901, 81009BD05700 and Site C: 81009BB00900, 81009BB01000.

Upon review, 3J consulting is recommending that Site A (the Carruthers Park adjacent lots) be rezoned Open Space Institutional (OSI), and that Site B and C lots be rezoned to Medium Density Residential (RM). This change in zoning will not create a change in density for transportation impacts and will impact greatly the total amount of I2 Water Dependent Industrial zoned parcels that are reserved given the city has over 450 parcels zoned I2 which was nearly double which is required by state law.

PUBLIC PROCESS, PROCEDURES & PUBLIC NOTICE

3J was hired on behalf of the property owners by the City of Warrenton to represent the applicants on October 24, 2024. The owners had all signed written agreements and paid their portion of the rezone process. Notice was provided to DLCD on October 23, 2025. Mailed Notices were sent to all tax lot owners within 200ft of the subject sites on November 21, 2025. Public hearing notice was published in The Astorian November 27, 2025. Planning Commission conducted a hearing on December 11, 2025, and recommended RZ-23-1 be put forth to the City Commission. Public comments were received via Planning Commission hearing on December 11, 2025. All comments

received were noted to be in favor or neutral. The City Commission will hear RZ-23-1 on January 13, 2026.

CODE PROVISIONS, APPLICANT RESPONSES, AND FINDINGS

Applicable Warrenton Municipal Code (WMC) chapters for this application include:

16.208 TYPES OF APPLICATIONS AND REVIEW PROCEDURES

16.232 AMENDMENTS TO COMPREHENSIVE PLAN TEXT AND MAP, REZONE, AND DEVELOPMENT CODE

Chapter 16.208 Administration of Land Use and Development Permits

16.208.060 Type IV Procedure (Legislative and Map Amendments).

APPLICANT RESPONSE: Applicant is requesting to amend the zoning map and comprehensive plan map of several properties within the City of Warrenton.

STAFF FINDING: The applicant has demonstrated proposed development types and shown compliance with relevant approval standards of the City of Warrenton Development Code (Chapter 16) and the Warrenton Comprehensive plan. There is no known existing development in these zones that will not conform to the new base zone allowed uses and dimensional standards.

This Criteria is met.

Chapter 16.232 Amendments To Comprehensive Plan Text And Map, Rezone, And Development Code

16.232.030 Quasi-Judicial Amendments.

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

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

APPLICANT RESPONSE: Report demonstrating compliance with all applicable Comprehensive plan policies and map designations. Recommendations fit within relevant criteria. The amount of water dependent shorelands acreage prior to the rezone is approximately 570 acres, with 456 acres “available for development” per the City’s EOA. The amount after the rezone is approximately 545 acres, with 421 acres “available for development. The projected need from the City’s EOA is 14.5 acres currently.

STAFF FINDING: This criterion is met.

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

APPLICANT RESPONSE: None provided.

STAFF FINDING: Section 16.32.020 of the Warrenton Municipal Code

The purpose of the Medium Density Residential zone is to provide sites for residential, medium density development including single-family detached dwellings, modular homes, duplexes, townhomes, and triplexes as subject to Chapter 16.184. This is in keeping with prior rezoning in the area, and is considered a suitable use for this land, in keeping with State mandates and Local comprehensive plan development.

This rezoning permits property owners to use their land in a way that matches surrounding development. Prior rezoning in the area is in keeping with this same zoning. Given the need for more housing and the amount of land still held significantly in zone I2 beyond what is required by the state, **This criterion is met.**

CONCLUSIONS AND RECOMMENDATION

RECOMMENDED MOTION

"Based on the findings and conclusions of the January 13th staff report, I move to recommend the rezoning of the I2 water dependent industrial as described in RZ-25-1 with a recommendation to adopt the rezone and to amend the comprehensive plan as needed, and to conduct the first reading, by title only, of Ordinance No. 1300."

ATTACHMENTS

1. Ordinance No. 1300
2. Application
3. Maps



City Of Warrenton
Planning Department
Rezone (Zoning Map Amendment)
WMC 16.232

OFFICE USE	FEE \$2,000
	File# RZ - _____ - _____
	Date Received _____
	Receipt# _____

Amendments to the Warrenton Zoning Map may be necessary from time to time to reflect changing community conditions, needs, and desires, to correct mistakes, or to address changes in state law (i.e., ORS, OAR, and Statewide Planning Goals). A property owner or designated representative may initiate a request to amend the Warrenton Zoning Map by filing an application with the Planning Department in accordance with the requirements of WMC 16.208.060. In addition, the applicant shall provide any related plans, drawings, and/or information needed to provide background for the request.

Property

Address: Multiple - See narrative.

Tax Lot (s): Multiple - See narrative.

Zone: Water Dependent Industrial (I2) Flood Zone: X Wetlands: LWI on some properties

Applicant

Name (s): City of Warrenton C/O Esther Moberg, and others

Phone: 971-286-2017 E-Mail Address: emoberg@warrentonoregon.us

Mailing Address: 225 S Main Ave PO Box 250. Warrenton, OR 97146

Applicant Signature(s): _____ Date: _____

Property Owner (if different from applicant)

Name (s): _____

Phone: _____ E-mail Address: _____

Mailing Address: _____

Owner's Signature: _____ Date: _____

I am a record owner of property (person(s) whose name is on the most recently-recorded deed), or contract purchaser with written permission from the record owner and am providing my signature as written authorization for the applicant to submit this application.

Description of Existing Conditions

1. Existing use of site: Vacant, existing City park, existing single-family residences.
2. Existing zoning of the subject property: Water Dependent Industrial (I2)
3. Proposed zoning of the subject property: Medium Density Residential (RM) and Open Space Institutional (OSI)
4. Existing zoning of the surrounding properties:
North: Varies, see figures in narrative
East: Varies, see figures in narrative
South: Varies, see figures in narrative
West: Varies, see figures in narrative

Rezone (Zoning Map Amendment) Review Criteria

Please provide written responses to each of the criteria below that clearly explain how your proposal meets each item. Attach a separate piece of paper if needed. Be as specific as possible. "Yes" and "No" responses are not sufficient.

1. Does the proposal conform to the applicable Oregon Revised Statutes? Yes ☒ No ☐

Please explain: Yes, see applicant's narrative.

2. Does the proposal conform to the Statewide Planning Goals? Yes ☒ No ☐

Please explain: Yes, see applicant's narrative.

3. Is there a change of circumstances or further studies justifying the amendment?

Please explain: Yes, see applicant's narrative.

This application will not be officially accepted until department staff have determined that the application is filled out and signed, the application fee has been paid, and the submittal requirements have been met.

Clatsop County Webmaps



Clatsop County

0.05

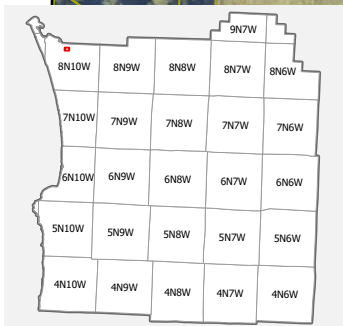
mi



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

12/17/2025 4:37 PM

Clatsop County Webmaps



Clatsop County

0.1

mi



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

12/17/2025 4:42 PM

Clatsop County Webmaps



Clatsop County

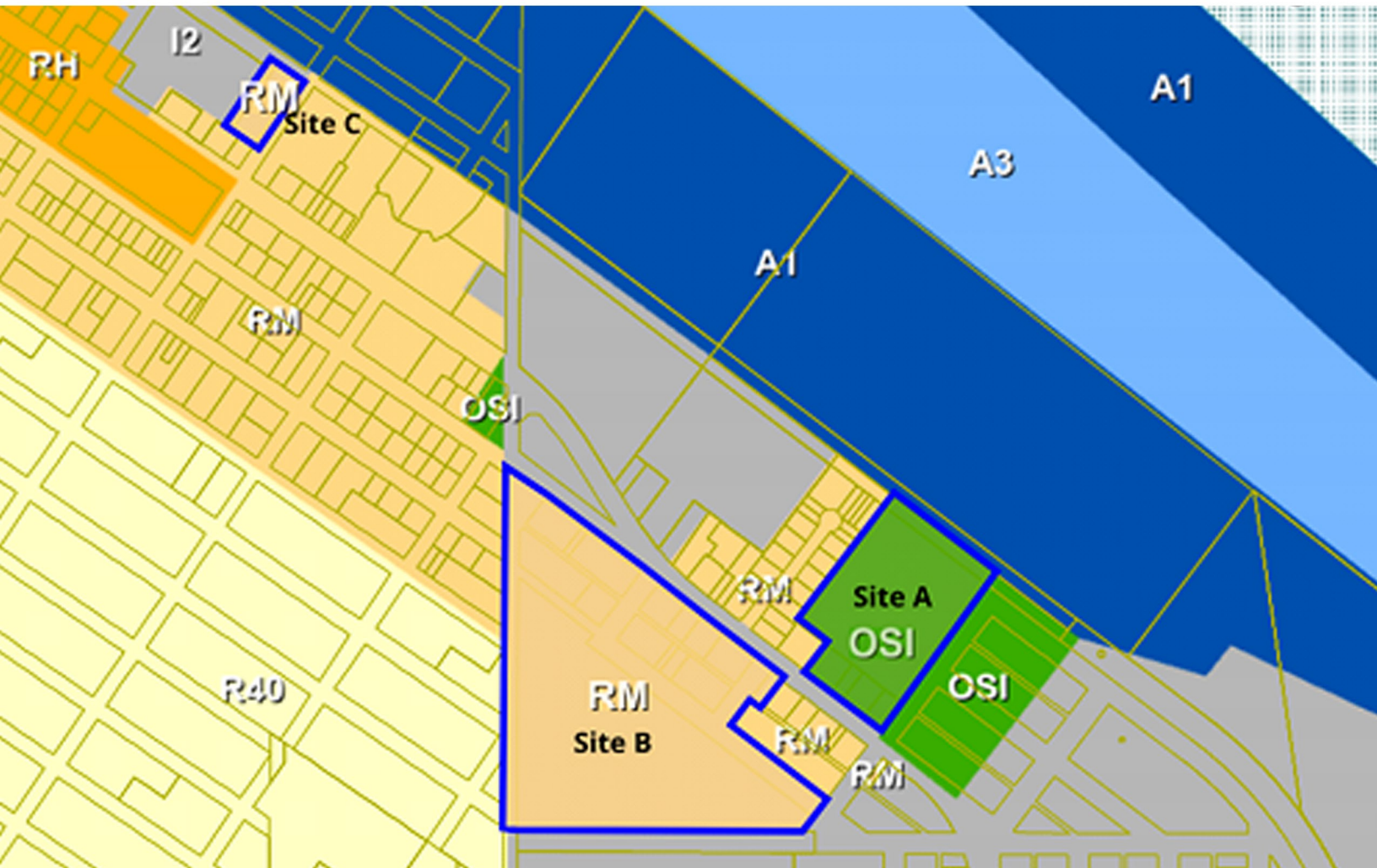
0.1

mi



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

12/17/2025 4:44 PM



WARRENTON - ZONE CHANGE

WARRENTON, OR

APPLICANT'S REPRESENTATIVE

3J CONSULTING, INC.
9600 NW NIMBUS AVENUE, SUITE 100
BEAVERTON, OR 97008
CONTACT: SAM HUCK, AICP
PHONE: 971.253.4220

APPLICATION TYPE

TYPE IV - COMPREHENSIVE PLAN MAP AMENDMENT
TYPE IV - ZONE CHANGE

SUBMITTAL DATE

NOVEMBER 7, 2025

Contents

GENERAL INFORMATION	1
SITE A INFORMATION	1
SITE B INFORMATION	2
SITE C INFORMATION	2
INTRODUCTION	3
APPLICANT'S REQUEST	3
SITE DESCRIPTION/SURROUNDING LAND USE	3
BACKGROUND AND PROPOSAL	5
APPLICABLE CRITERIA	10
Title 16. Development Code	10
Chapter 16.208. TYPES OF APPLICATIONS AND REVIEW PROCEDURES	10
Chapter 16.232. AMENDMENTS TO COMPREHENSIVE PLAN TEXT AND MAP, REZONE, AND DEVELOPMENT CODE	11
Chapter 16.256. TRAFFIC IMPACT STUDY	17
SUMMARY AND CONCLUSION	18

Appendices

Appendix A – Land Use Application Forms

Appendix B – Signed Rezone Agreements

FIGURES

Table 1: All Properties and Owner Information

Figure 1: All Sites Existing Zoning

Figure 2: All Sites Proposed Zoning

Figure 3: Site A Existing Zoning

Figure 4: Site A Proposed Zoning

Figure 5: Site B Existing Zoning

Figure 6: Site B Proposed Zoning

Figure 7: Site C Existing Zoning

Figure 8: Site C Proposed Zoning

GENERAL INFORMATION

Contact Applicant:

City of Warrenton

225 S Main Ave PO Box 250.

Warrenton, OR 97146

Contact: Esther Moberg

Phone: 971.286.2017

Email: emoberg@warrentonoregon.us

Applicant's Representative
and Planning Consultant:

3J Consulting, Inc.

9600 SW Nimbus Avenue, Suite 100

Beaverton, OR 97008

Contact: Sam Huck, AICP

Phone: 971.253.4220

Email: sam.huck@3j-consulting.com

SITE A INFORMATION

Parcel Numbers:	81009BD03000, 81009BD04100, 81009BD04200, 81009BD04300, 81009BD04400, 81009BD02800
Gross Site Area:	~ 7.5 acres
Current Comprehensive Plan Designation	Urban Development (ESWD)
Proposed Comprehensive Plan Designation	Conservation
Current Zoning Designation:	Water Dependent Industrial (I2)
Proposed Zoning Designation:	Open Space Institutional (OSI)
Existing Use:	Vacant
Surrounding Zoning:	The properties to the north are zoned Aquatic Development (A1). The properties to the south are zoned Water Dependent Industrial (I2) and Medium Density Residential (RM). The properties to the east are zoned Open Space Institutional (OSI). The properties to the west are zoned Medium Density Residential (RM).
Street Classification:	NW Warrenton Drive is classified as a Urban Major Collector.

SITE B INFORMATION

Parcel Numbers:	81009B001800, 81009B001801, 81009B001802, 81009B001900, 81009BD05000, 81009BD05100, 81009BD05200, 81009BD05300, 81009BD05400, 81009BD05500, 81009BD05600, 81009BD05800, 81009B002601, 81009B001901, 81009BD05700
Gross Site Area:	~ 16.9 acres
Current Comprehensive Plan Designation	Urban Development (ESWD)
Proposed Comprehensive Plan Designation	Urban Development (Other Shorelands)
Current Zoning Designation:	Water Dependent Industrial (I2)
Proposed Zoning Designation:	Medium Density Residential (RM)
Existing Use:	Vacant
Surrounding Zoning:	The properties to the north are zoned Water Dependent Industrial (I2) and Medium Density Residential (RM). The properties to the south are zoned Water Dependent Industrial (I2). The properties to the east are zoned Water Dependent Industrial (I2) and Medium Density Residential (RM). The properties to the west are zoned Low Density Residential (R-40) and Medium Density Residential (RM).
Street Classification:	NW Warrenton Drive is classified as a Urban Major Collector.

SITE C INFORMATION

Parcel Numbers:	81009BB00900, 81009BB01000
Gross Site Area:	~ 0.9 acres
Current Comprehensive Plan Designation	Urban Development (ESWD)
Proposed Comprehensive Plan Designation	Urban Development (Other Shorelands)
Current Zoning Designation:	Water Dependent Industrial (I2)
Proposed Zoning Designation:	Medium Density Residential (RM)
Existing Use:	Vacant
Surrounding Zoning:	The properties to the north are zoned Aquatic Development (A1). The properties to the south are zoned Medium Density Residential (RM). The properties to the east are zoned Medium Density Residential (RM). The properties to the west are zoned Water Dependent Industrial (I2).
Street Classification:	Enterprise Street is classified as a Local Road.

INTRODUCTION

APPLICANT'S REQUEST

The Applicants propose to amend the zoning map and comprehensive plan map of several properties within the City of Warrenton and seek approval of a Zone Change application and Comprehensive Plan Map amendment. This narrative describes the proposed development and demonstrates compliance with the relevant approval standards of the City of Warrenton Title 16 Development Code and the Warrenton Comprehensive Plan.

Zone change applications and comprehensive plan map amendments are evaluated under the quasi-judicial amendments decision process. After an initial public hearing, the Planning Commission will provide a recommendation to the City Commission who will render the Type IV final decision after a second public hearing on the application is held.

SITE DESCRIPTION/SURROUNDING LAND USE

The subject properties are broken into three separate sites.

Site A is approximately 7.5 acres in size and is identified as tax lots 81009BD03000, 81009BD04100, 81009BD04200, 81009BD04300, 81009BD04400, and 81009BD02800. The site is located within the City of Warrenton and is currently zoned Water Dependent Industrial (I2). The site has generally flat topography and is currently in use as a City Park. Site A fronts and takes access from NW Warrenton Drive and surrounding properties are also located within the City of Warrenton. The properties to the north are zoned Aquatic Development (A1), the properties to the east are zoned Open Space Institutional (OSI), and the properties to the south and west are zoned Medium Density Residential (RM). The site is abutted by a park use to the east, and residential uses to the west.

Site B is approximately 16.9 acres in size and is identified as tax lots 81009B001800, 81009B001801, 81009B001802, 81009B001900, 81009BD05000, 81009BD05100, 81009BD05200, 81009BD05300, 81009BD05400, 81009BD05500, 81009BD05600, 81009BD05800, 81009B002601, 81009B001901, and 81009BD05700. The site is located within the City of Warrenton and is currently zoned Water Dependent Industrial (I2). The site has generally flat topography and is currently undeveloped/vacant. Site B fronts and takes access from NW Warrenton Drive, and all surrounding properties are located within the City of Warrenton. The properties surrounding Site B are zoned Medium Density Residential (RM), and Low Density Residential (R40). The site is abutted by other vacant land and residential uses.

Site C is approximately 0.9 acres in size and is identified as tax lots 81009BB00900, and 81009BB01000. The site is located within the City of Warrenton and is currently zoned Water Dependent Industrial (I2). The site has generally flat topography and is currently developed with residential uses. Site C fronts and takes access from Enterprise Street, and surrounding properties are located within the City of Warrenton. The properties surrounding Site C are zoned Water Dependent Industrial (I2) and Medium Density Residential (RM). The site is abutted by other residential uses.

The full list of properties and their owners are detailed in Table 1, below.

Parcel	Owner(s)	Approximate Acreage	Current Zone	Proposed Zone	Existing Comp Plan Designation	Proposed Comp Plan Designation
Site A						
81009BD03000	City of Warrenton	5.99	I-2	OSI	ESWD	Conservation
81009BD04100		0.36	I-2	OSI	ESWD	Conservation
81009BD04200		0.14	I-2	OSI	ESWD	Conservation
81009BD04300		0.29	I-2	OSI	ESWD	Conservation
81009BD04400		0.21	I-2	OSI	ESWD	Conservation
81009BD02800		0.56	I-2	OSI	ESWD	Conservation
Site B						
81009B001800	Stutzman James H Living Trust; Stutzman James H; Patricia Stutzman	0.07	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009B001801		0.47	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009B001802		0.67	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009B001900	Nichols, Jon	0.80	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009BD05000	Williamson, Eric R; Valentine Kersten M	0.13	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009BD05100		0.40	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009BD05200		0.27	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009BD05300	Whitmore Janet D; Whitmore Eric J; Smit Tiffany L	0.20	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009BD05400		0.33	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009BD05500		0.47	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009BD05600		0.07	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009BD05800	Ray Nora Georgiana Rev Trust; Ray Nora Georgiana;	0.53	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009B002601	Rubens Joseph F; Rubens Rebecca;	12.07	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009B001901	Brothen Cathleen J; Morris Colleen C	0.33	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009BD05700	Burkleo Thomas O; Burkleo Delores D	0.13	I-2	RM	ESWD Shorelands	Other Urban Shorelands
Site C						
81009BB00900	Whitney Mark Clifford; Christina N	0.53	I-2	RM	ESWD Shorelands	Other Urban Shorelands
81009BB01000		0.41	I-2	RM	ESWD Shorelands	Other Urban Shorelands
Total		25.43				

Table 1, All Properties and Owner Information

BACKGROUND AND PROPOSAL

The City of Warrenton has been working with the property owners on each of the sites to gather interest and help facilitate a collective comprehensive plan map amendment and zone change proposal for each of the three sites. This application is being applied by ten separate land owners including the City of Warrenton. 3J Consulting, Inc. is acting as the collective Applicant's representative.

The proposal is to change the comprehensive plan map designation and zoning of the subject properties from their existing zoning to the proposed zoning, which is detailed in the description of each of the three Sites in Table 1. The following figures below demonstrate for illustrative purposes the existing zoning and the proposed zoning requested in this zone change application.

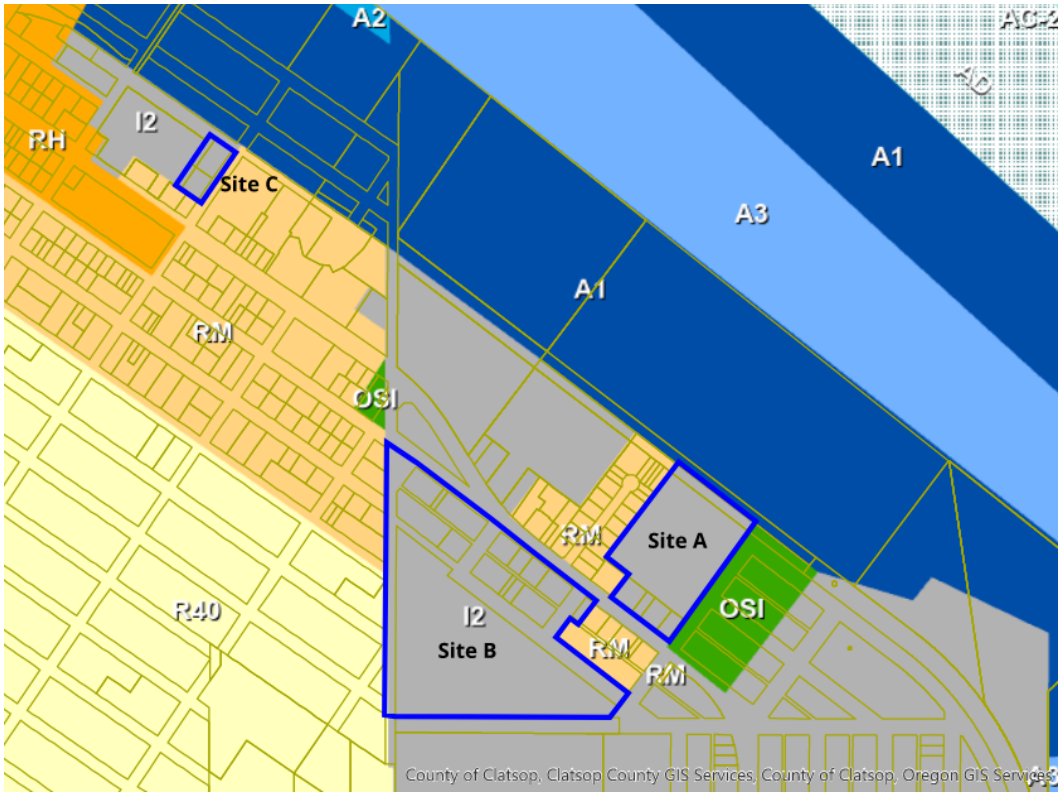


Figure 1. All Sites Existing Zoning

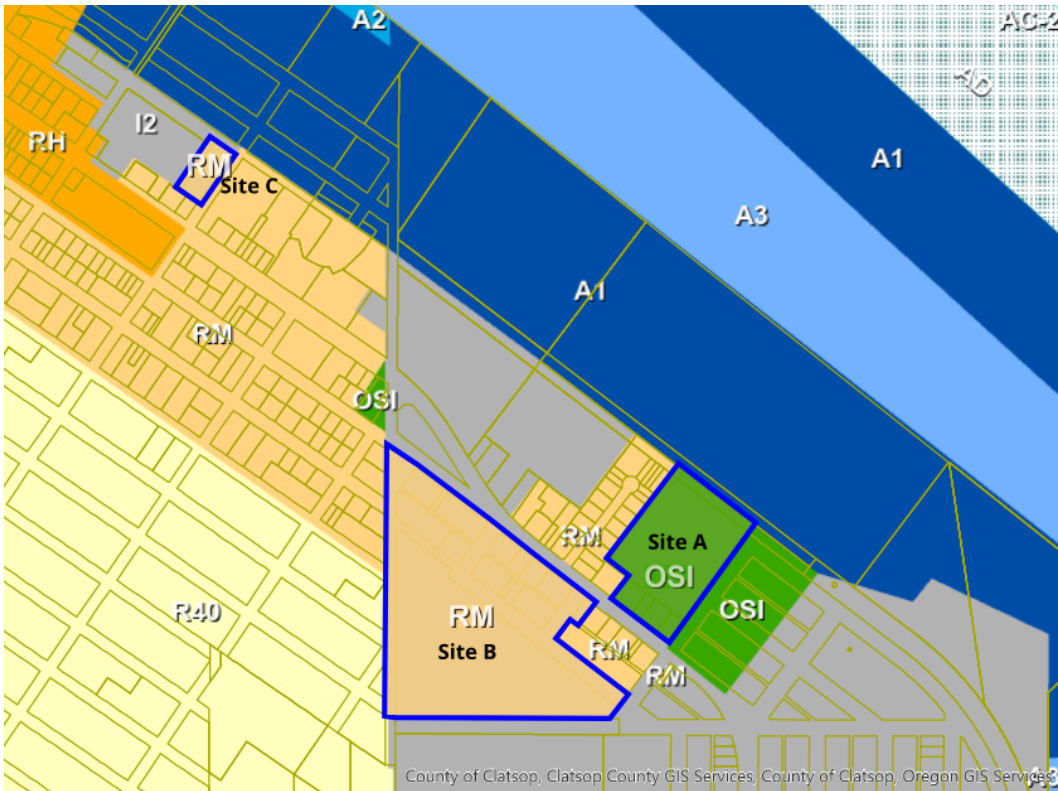


Figure 2. All Sites Proposed Zoning



Figure 3. Site A Existing Zoning



Figure 4. Site A Proposed Zoning

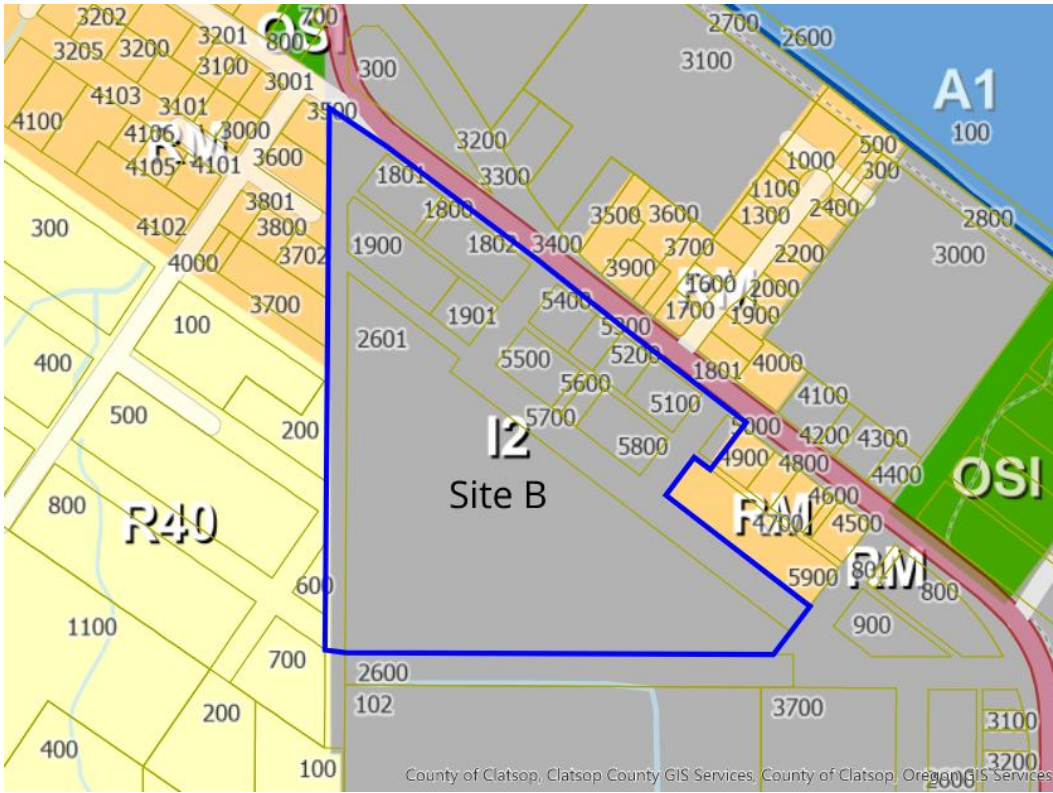


Figure 5. Site B Existing Zoning

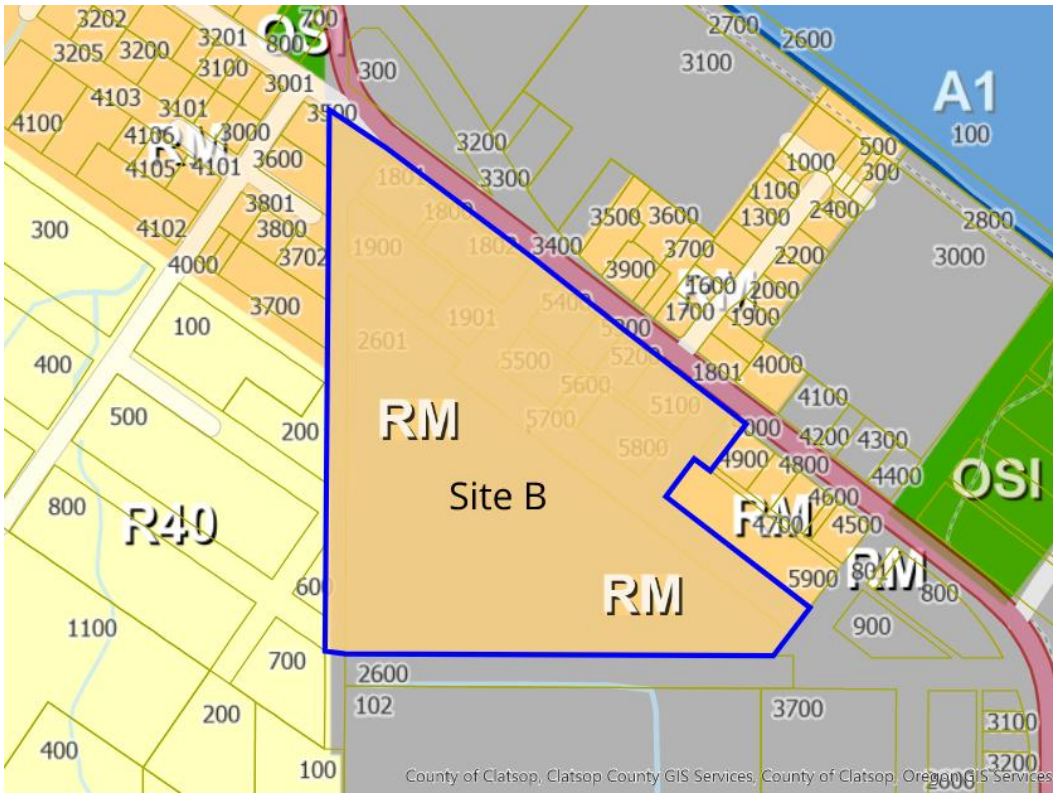


Figure 6. Site B Proposed Zoning

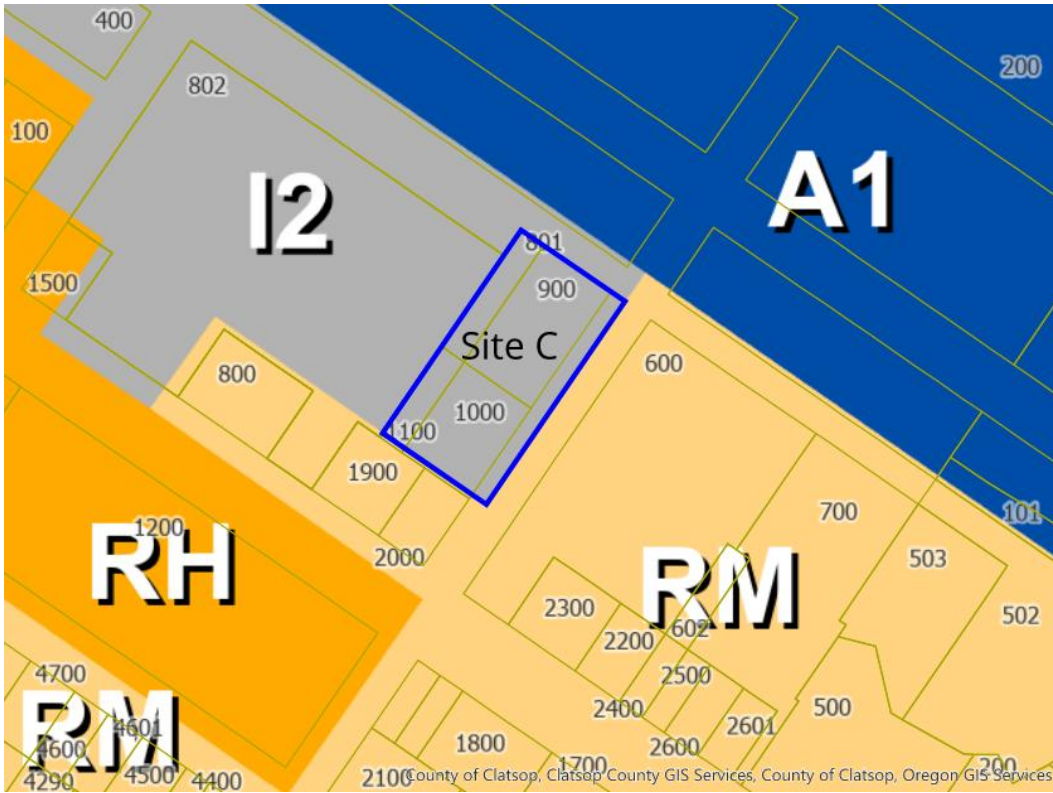


Figure 7. Site C Existing Zoning

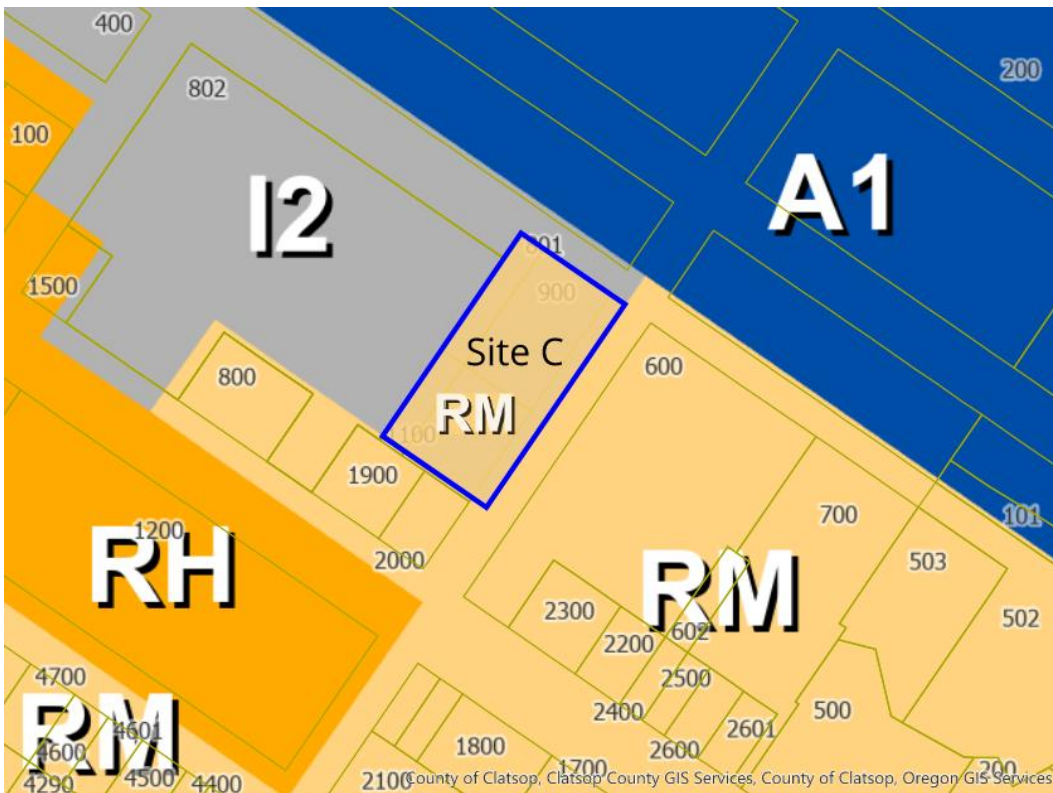


Figure 8. Site C Proposed Zoning

APPLICABLE CRITERIA

The following sections of the Warrenton Title 16 Development Code have been extracted as they have been deemed to be applicable to the proposal. Following each **bold** applicable criteria, the Applicant has provided a series of findings. The intent of providing code and detailed responses and findings is to document that the proposal has satisfied the approval criteria for a Comprehensive Plan Map amendment and Zone Change application.

Title 16. Development Code

Division 4. Applications and Review Procedures

Chapter 16.208. TYPES OF APPLICATIONS AND REVIEW PROCEDURES

§ 16.208.020 Description of Permit/Decision-Making Procedures.

All land use and development permit applications shall be decided by using the procedures contained in this chapter. General procedures for all permits are contained in Section 16.208.070. Specific procedures for certain types of permits are contained in Sections 16.208.020 through 16.208.060. The procedure "type" assigned to each permit governs the decision-making process for that permit. There are four types of permit/decision-making procedures: Type I, II, III, and IV. These procedures are described in subsections A through D of this section. In addition, Table 16.208.020 lists all of the City's land use and development applications and their required permit procedure(s).

[...]

D. Type IV Procedure (Legislative and Map Amendments). Type IV procedures apply to legislative matters and map amendments. Legislative matters involve the creation, revision, or large-scale implementation of public policy (e.g., adoption of land use regulations and Comprehensive Plan amendments which apply to entire districts). The Type IV procedure is also used for land use district map amendments and Comprehensive Plan map amendments. Type IV matters are considered initially by the Planning Commission with final decisions made by the City Commission.

Finding: The Applicant understands and acknowledges that this application is being processed under the Type IV procedure in accordance with Section 16.208.020. Although the Type IV procedure is generally used for legislative matters, this application includes site-specific quasi-judicial components (comprehensive plan map amendment and rezone), and based on the requirements of this code, will be processed under the Type IV procedure.

The Type IV process includes public hearings before both the Planning Commission and City Commission, with final approval by the City Commission. The Applicant understands and acknowledges this process. This standard is met.

§ 16.208.060. Type IV Procedure (Legislative and Map Amendments).

[code text omitted for brevity]

Finding: This section outlines the procedural requirements for Type IV applications, including submittal materials, public notice, hearing procedures, and decision-making standards. This narrative and the application package includes all materials required under Section 16.208.060(B), including maps, narrative findings, and payment of the required fee. The Applicant did not hold a pre-application conference, but as City staff was one of the Applicants, and has been in regular communication with the Applicant's representative and planning consultant, a pre-application conference would not have changed the application substantially.

The City will provide notice and hold public hearings before both the Planning Commission and City Commission in accordance with Sections 16.208.060(C) and (D).

The Type IV procedures will be followed for the quasi-judicial map amendment and rezone affecting the 23 subject parcels. This standard is met.

Chapter 16.232. AMENDMENTS TO COMPREHENSIVE PLAN TEXT AND MAP, REZONE, AND DEVELOPMENT CODE

§ 16.232.020. Legislative Amendments.

Legislative amendments are policy decisions made by the City Commission. They are reviewed using the Type IV procedure in Section 16.208.060 and shall conform to Section 16.232.060, as applicable.

Finding: This proposal is for a quasi-judicial zoning and comprehensive plan map amendment. The provisions of §16.232.030 have been addressed, and the Type IV procedures will be followed in accordance with the Warrenton Development Code. Although Type IV is typically used for legislative actions, this application is site-specific, applicant-driven, and applies existing Comprehensive Plan policies rather than creating new policy.

The proposal conforms to the Comprehensive Plan by ensuring that the zoning map and Comprehensive Plan map designations are consistent with each other. Inclusion of all parcels within the amendment area avoids illogical zoning patterns, islands, or incompatible boundaries. This approach ensures coordinated and comprehensive decision-making consistent with Statewide Planning Goal 2.

This proposal has been reviewed under the applicable standards of §16.232.030, and the findings demonstrate that the amendment meets the intent and requirements of the Development Code and the Comprehensive Plan. Therefore, this application for a Comprehensive Plan amendment and rezone will be processed as a quasi-judicial amendment process and the criteria is addressed below.

§ 16.232.030. Quasi-Judicial Amendments.

A. Quasi-Judicial Amendments. Quasi-judicial amendments are those that involve the application of adopted policy to a specific development application or Code revision. Quasi-judicial map amendments shall follow the Type IV procedure, as governed by Section 16.208.060, using standards of approval in subsection B of this section. The approval authority shall be as follows:

1. **The Planning Commission shall make a recommendation to the City Commission on an application for a land use district map change which does not involve a Comprehensive Plan map amendment. The City Commission shall decide such application; and**
2. **The Planning Commission shall make a recommendation to the City Commission on an application for a Comprehensive Plan and/or map amendment. The City Commission shall decide such application; and**
3. **The Planning Commission shall make a recommendation to the City Commission on a rezone application, which also involves a Comprehensive Plan map amendment. The City Commission shall decide both applications.**

Finding: The proposed rezone and Comprehensive Plan map amendment are considered quasi-judicial amendments and will apply to the 23 subject parcels. The City Commission will decide both quasi-judicial amendments following a recommendation from the Planning Commission, in accordance with §16.232.030(A)(3).

The requirements of §16.232.030(B) have been addressed below. The quasi-judicial map amendments are site-specific, applicant-driven, and applies existing Comprehensive Plan policies to a defined set of parcels. The proposal does not establish any new policy. All necessary submittal materials have been provided, including this narrative findings, and figures. The Type IV procedures outlined in §16.208.060 will be followed by the City for notice, hearings, and decision-making.

This application will be reviewed under the applicable standards of §16.232.030(B) below, and the findings demonstrate that the amendment meets the intent and requirements of the Development Code and the Comprehensive Plan. This standard is met.

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

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

Finding: The proposed rezone and Comprehensive Plan map amendment apply to properties currently designated on the Warrenton Comprehensive Plan Map as Urban Development (ESWD – Especially Suited for Water-Dependent Shorelands). In the Warrenton Comprehensive Plan, this designation is implemented through the Marine Commercial Zone and the Water-Dependent Industrial Shorelands Zone, which does not include residential or conservation districts as suitable districts applied in that designation. Therefore, in accordance with §16.232.030(B)(1), a Comprehensive Plan map amendment is a pre-requisite for approval of the proposed rezone for Sites A, B, and C.

Article 3: Land and Water Use, Section 3.290 of the Comprehensive Plan outlines the goals of achieving an “efficient and well-integrated development patterns that meet the

needs of residents and property owners with a variety of incomes and housing needs, are compatible with natural features, and are consistent with the City's ability to provide adequate services."

In accordance with this Comprehensive Plan Goal, the proposed comprehensive plan redesignation and rezone will allow for a better integrated development pattern for Sites A, B, and C.

This application proposes to change the Comprehensive Plan Map designation for Site A, from Urban Development (ESWD – Especially Suited for Water-Dependent Shorelands), to the **Conservation** designation. From Section 2.310(5) of the Warrenton Comprehensive Plan (2011), Conservation designated areas are defined as:

"Land and water areas providing resource or ecosystem support functions, or with value for low intensity recreation or sustained yield resources (such as agriculture), or poorly-suited for development, should be designated for non-consumptive uses. Non-consumptive uses are those which can utilize resources on a sustained-yield basis, while minimally reducing opportunities for other uses of the area's resources. These areas are in the City's Aquatic Conservation Zone, and in the Open Space, Parks & Institutional Zone."

The Applicant finds that changing the comprehensive plan designation for the Site A parcels (81009BD03000, 81009BD04100, 81009BD04200, 81009BD04300, 81009BD04400, 81009BD02800) from Urban Development (ESWD) to Conservation, will allow for zoning designation of said parcels to be changed to the Open Space and Institutional Zone (OSI) as part of this application.

Upon approval of this proposal, Site A will obtain the Conservation designation on the comprehensive plan map and be rezoned with OSI zoning. This zoning will appropriately designate the entire portion of Carruthers Memorial Park, which is consistent with the long term goals of the City for this park. Changing the zoning to OSI will meet the needs of residents in the area by aligning the zoning with the existing use of the parcels as a park, which will work to protect and retain the natural features of the park. The change in zoning will have no detrimental impact on the City's ability to provide adequate services, and will allow the City to keep providing the service of a park to the surrounding residents and property owners of a variety of incomes and needs.

This application proposes to change the Comprehensive Plan Map designation for Sites B, and C from Urban Development (ESWD – Especially Suited for Water-Dependent Shorelands), to **Urban Development (Other Shorelands)**. From Section 2.310(2)(b) of the Warrenton Comprehensive Plan (2011), Urban Development (Other Shorelands) are defined as:

"Other urban shorelands are more desirable for other uses or are suitable for a wider range of uses. They are located in one of the following zoning districts: High Density Residential, Medium Density Residential, Intermediate Density Residential, General Commercial, Recreation Commercial, Urban Recreation/Resort, or General Industrial."

The Applicant finds that changing the Site B and C parcels (81009B001800, 81009B001801, 81009B001802, 81009B001900, 81009BD05000, 81009BD05100,

81009BD05200, 81009BD05300, 81009BD05400, 81009BD05500, 81009BD05600, 81009BD05800, 81009B002601, 81009B001901, 81009BD05700, 81009BB00900, 81009BB01000) comprehensive plan designation to Urban Development (Other Shorelands, will allow for zoning designation of said parcels to be changed to the Medium Density Residential (RM) as part of this application. Changing the comprehensive plan designation will allow for more efficient and well-integrated development patterns, and allow for residential development next to existing residential development.

With the revised zoning proposed, Sites B and C will gain the opportunity to develop residential homes, which are not listed as a permitted or a conditional use in the exiting I2 zoning designation. Approving the rezone will align this area with surrounding existing residential uses which will support a more cohesive development pattern. Rezoning to RM will allow single-family detached, duplex, townhomes, and triplex residential homes as permitted uses, which will better meet the needs of residents with a variety of incomes and housing needs, while remaining compatible with the surrounding natural features.

The rezoning of all Sites A, B, and C will not negatively affect the amount of readily available Urban Development (ESWD) land, and will not bring the City's amount of Urban Development (ESWD) land below what is needed within the Urban Growth Boundary.

The 2019 Economic Opportunities Analysis (EOA) and Economic Development Strategy, "ALL-IN WARRENTON!", identifies approximately 570 acres within the Water-Dependent Industrial Zone. After accounting for future rights-of-way, parks, and other parcel limitations, 456 acres are available for development. Exhibit 29 of the EOA estimates that only 14.5 acres of Water-Dependent Industrial land will be needed to meet projected employment growth through 2040.

The proposed comprehensive plan map amendment and corresponding zone change would remove approximately 25 acres from the Water-Dependent Industrial inventory. Even with this amount of land removed, the City would retain a surplus of approximately 416.5 acres of industrially zoned land available for development, which substantially exceeds projected demand. Therefore, the proposed Comprehensive Plan map amendment and rezone remains consistent with the overall goals and policies of the Comprehensive Plan, including those that ensure adequate industrial land supply and efficient land use.

This standard is met.

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

Finding: This narrative demonstrates compliance with all applicable standards and criteria of the Title 16 Development Code. This standard is met.

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

Finding: There is evidence of change in the neighborhood, which is shown in the existing zoning map. Multiple properties around the subject properties have been rezoned out of the Water Dependent Industrial (I2) zoning designation, to either Medium Density Residential (RM) or Open Space Institutional (OSI). Amending the comprehensive plan map designation and rezoning the subject properties on Sites A, B, and C would better align with the surrounding properties existing zoning designations, and provide a more consistent zoning pattern for the area and existing land uses.

The Applicant has not identified any mistake or inconsistency in the comprehensive plan or land use district map regarding the properties for which is the subject of this application, but has provided evidence through Figures 3, 5, and 7 that there has been changes in the zoning designations of the immediate neighborhood and community surrounding the subject properties. The provisions of Section 16.232.060 have been addressed further in this narrative. This standard is met.

§ 16.232.040. Conditions of Approval.

A quasi-judicial decision may be for denial, approval, or approval with conditions. A legislative decision may be approved or denied.

Finding: The Applicant understands and acknowledges that the quasi-judicial decision for this application could be denied, approved, or approved with conditions.

§ 16.232.050. Record of Amendments.

The Community Development shall maintain a record of all amendments to the Comprehensive Plan text and/or map, rezones, and Development Code in a format convenient for public use.

Finding: The Applicant understands and acknowledges that the Community Development department will maintain a record of all amendments to the Comprehensive Plan map and amendments to the zoning map in accordance with this criteria.

§ 16.232.060. Transportation Planning Rule Compliance.

A. When a development application includes a proposed Comprehensive Plan amendment, rezone, or land use regulation change, the proposal shall demonstrate it is consistent with the adopted transportation system plan and the planned function, capacity, and performance standards of the impacted facility or facilities. The proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060. See also Chapter 16.256, Traffic Impact Study. Where it is found that a proposed amendment would have a significant effect on a transportation facility, the City will work with the applicant and, where applicable, with the roadway authority to modify the request or mitigate the impacts in accordance with the TPR and applicable law.

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

Finding: The proposed Comprehensive Plan Map Amendment and Zone Change applications are subject to the Transportation Planning Rule (TPR). The proposal has been reviewed for consistency with the City's adopted Transportation System Plan (TSP) and the planned function, capacity, and performance standards of affected transportation facilities. As further supported by the following findings under Chapter 16.256 (Traffic Impact Study), the proposal does not significantly affect a transportation facility.

The Site is currently designated in the Warrenton Comprehensive Plan Map as Urban Development ESWD (Especially Suited for Water-Dependent Development Shorelands) and is zoned Water-Dependent Industrial (I2). The proposal would amend the Comprehensive Plan designation to Urban Development Other Shorelands and rezone a majority of the properties to Medium Density Residential (RM) and several properties Open Space Institutional (OSI), depending on location.

Access to Sites A and B is provided by NW Warrenton Drive (Fort Stevens Highway No. 104) and access to Site C is provided by Enterprise Street. NW Warrenton Drive is classified as an Urban Major Collector in the City's TSP and is also a State Highway (District Highway under the Oregon Highway Plan) and Low Volume Road (LVR) pavement route under ODOT classification. Enterprise Street is classified as a Local Road. Both facilities are intended to accommodate the types and levels of travel associated with residential and institutional land uses.

The proposed change from industrial to residential (RM) and institutional (OSI) zoning designations will result in lower overall vehicle trip generation and a shift away from the potential of truck and freight-related traffic to local passenger vehicle trips. As a result, the proposed amendment reduces overall traffic demand on the transportation system and does not create new or conflicting access patterns.

The proposal does not:

1. Change the functional classification of any transportation facility;
2. Change the standards implementing a functional classification system;
3. Allow types or levels of land use that would result in travel or access inconsistent with the functional classification of a transportation facility; or
4. Reduce the level of service of any facility below the minimum acceptable level identified in the TSP.

Because the proposed change is likely to reduce total potential vehicle trips and does not affect roadway classification, standards, or performance, the amendment does not significantly affect a transportation facility as defined in OAR 660-012-0060(1).

This standard is met.

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

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

Finding: As demonstrated in the above finding for 16.232.060.A, the proposal does not significantly affect a transportation facility, and will allow land uses that are consistent with the function, capacity, and level of service of the transportation facilities identified in the Transportation System Plan. Therefore, none of the above are required to be proposed with this application.

Chapter 16.256. TRAFFIC IMPACT STUDY

§ 16.256.030. When Required.

A traffic impact study will be required to be submitted to the City with a land use application, when the following conditions apply:

A. The development application involves a change in zoning or a plan amendment designation; or,

B. The development shall cause one or more of the following effects, which can be determined by field counts, site observation, traffic impact analysis or study, field measurements, crash history, Institute of Transportation Engineers Trip Generation Manual; and information and studies provided by the local reviewing jurisdiction and/or ODOT:

- 1. An increase in site traffic volume generation by 300 average daily trips (ADT) or more; or**
- 2. An increase in ADT hour volume of a particular movement to and from the state highway by 20% or more; or**
- 3. An increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day; or**
- 4. The location of the access driveway does not meet minimum sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the state highway, creating a safety hazard; or**

5. A change in internal traffic patterns that may cause safety problems, such as back up onto the highway or traffic crashes in the approach area.

Finding: The subject sites are currently zoned Water Dependent Industrial (I2) with a Comprehensive Plan designation of Urban Development (ESWD – Especially Suited for Water-Dependent Development Shorelands). The proposal would rezone portions of the site to Medium Density Residential (RM) and Open Space Institutional (OSI), with corresponding Comprehensive Plan designations of Urban Development (Other Shorelands) and Conservation. The sites A and B have frontage on NW Warrenton Drive (Fort Stevens Highway No. 104), classified as an Urban Major Collector, State Highway, District OHP Highway Classification, and Low Volume Road (LVR) Pavement Route, and Site C has frontage on Enterprise Street, classified as a Local Road.

The proposed map amendments will not directly result in any new development or changes to site access. Therefore, there will be no immediate impact on the transportation system and the proposal does not meet the definition of an application for development, as defined in Section 16.12.101 of the Warrenton Development Code.

The City Manager and Community Development Director have reviewed the proposal and determined that a Transportation Impact Study is not required at this time.

Future development of any of the sites will be reviewed for consistency with applicable transportation standards, and the Applicants understand that a TIS may be required if new development is expected to generate additional traffic that may affect the surrounding street network.

This criterion is therefore not applicable.

SUMMARY AND CONCLUSION

Based upon the materials submitted herein, the Applicant respectfully requests approval from the City of Warrenton Planning Commission and City Commission for this Comprehensive Plan map amendment and Zone Change and application.

ORDINANCE NO. 1300

INTRODUCED BY ALL COMMISSIONERS

AN ORDINANCE AMENDING THE CITY OF WARRENTON ZONING MAP TO RECLASSIFY ZONING OF TAX LOTS Site A from Water Dependent Industrial to Open Space Institutional: Tax Lots 81009BD03000, 81009BD04100, 81009BD04200, 81009BD04300, 81009BD04400, 81009BD02800, Site B from Water Dependent Industrial to Medium Density Residential : 81009B001800, 81009B001801, 81009B001802, 81009B001900, 81009BD05000, 81009BD05100, 81009BD05200, 81009BD05300, 81009BD05400, 81009BD05500, 81009BD05600, 81009BD05800, 81009B002601, 81009B001901, 81009BD05700 and Site C from Water Dependent Industrial to Medium Density Residential: 81009BB00900, 81009BB01000.

WHEREAS, 3J Consulting has applied on behalf of the property owners to rezone the listed properties along Warrenton Drive to allow for residential development; and

WHEREAS, the Warrenton Planning Commission conducted a public hearing on the proposal on December 11th, 2025 and forwarded a recommendation of approval to the City Commission based on the findings and conclusions of the December 11th, 2025 presentation by 3J which staff concurred with and public testimony; and

WHEREAS, the Warrenton City Commission conducted a public hearing on the recommendation on January 13th, 2026, and has determined that the recommendation is consistent with the Comprehensive Plan and meets the applicable criteria in the Warrenton Municipal Code based on the findings and conclusions of the December 11, 2025 presentation, public testimony, and the Planning Commission findings;

NOW THEREFORE, the City of Warrenton ordains as follows:

Section 1. The City of Warrenton Zoning Map is amended to reflect the rezone herein described as Exhibit 1 based on the findings and conclusions referenced above.

Section 2. This ordinance shall take full force and effect 30 days after its adoption by the Commission of the City of Warrenton.

First Reading:

Second Reading:

ADOPTED by the City Commission of the City of Warrenton, Oregon this _day of _, 2026

APPROVED:

Henry A. Balensifer III, Mayor

ATTEST:

Hanna Bentley, City Recorder



City Commission Agenda Memo

Meeting Date: January 13, 2026
From: Hanna Bentley, City Recorder
Item Name: Consideration of Board, Committee, and Commission Appointments

Summary:

Several terms on city volunteer Boards, Committees and Commissions ended on December 31, 2025. The City Commission has made various appointments to the City Boards, Committees and Commissions. Attached are resolutions confirming the appointments and setting the terms of office for City Advisory Boards, Committees and Commissions. The remaining board and committee vacancies are as follows:

- Budget Committee Position 5, term end 12/31/2028
- Community Center Advisory Board Position 2, term end 12/31/2029
- Community Center Advisory Board Position 3, term end 12/31/2026
- Community Center Advisory Board Position 5, term end 12/31/2027
- Parks Advisory Board Position 3, term end 12/31/2028
- Marinas Advisory Committee Position 2, term end 12/31/2027

Recommendation/Suggested Motion:

"I move to adopt Resolution No. 2713, authorizing appointments to fill positions on the Warrenton Budget Committee and setting terms of office."

"I move to adopt Resolution No. 2714, setting terms of office on the Warrenton Community Center Advisory Board."

"I move to adopt Resolution No. 2715, authorizing appointments to fill positions on the Warrenton Planning Commission and setting terms of office."

"I move to adopt Resolution No. 2716, authorizing appointments to fill positions on the Warrenton Parks Advisory Board and setting terms of office."

"I move to adopt Resolution No. 2717, authorizing appointments to fill positions on the Warrenton Community Library Board and setting terms of office"

"I move to adopt Resolution No. 2718, authorizing appointments to fill positions on the Marinas Advisory Committee and setting terms of office."

Alternative:

Other action as deemed appropriate by the City Commission

Fiscal Impact:

NA

Attachments:

1. Resolution No. 2713
2. Resolution No. 2714
3. Resolution No. 2715
4. Resolution No. 2716
5. Resolution No. 2717
6. Resolution No. 2718

Resolution No. 2713

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE WARRENTON BUDGET COMMITTEE AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Warrenton Budget Committee Members and their terms of office are as follows:

Position 1	Grant	Lehman	Term Ending:	December 31, 2028
Position 2	Dan	Sollaccio	Term Ending:	December 31, 2026
Position 3	Carla	Gonzalez	Term Ending:	December 31, 2027
Position 4	Flint	Carlson	Term Ending:	December 31, 2027
Position 5	Vacant		Term Ending:	December 31, 2028

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2715

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE WARRENTON PLANNING COMMISSION AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Warrenton Planning Commission Members and their terms of office are as follows:

Position 1	Tony	Faletti	Term Ending: December 31, 2028
Position 2	Dan	Heath	Term Ending: December 31, 2028
Position 3	David	Burkhart	Term Ending: December 31, 2029
Position 4	Carla	Gonzalez	Term Ending: December 31, 2026
Position 5	Colin	Atkinson	Term Ending: December 31, 2026
Position 6	Brooke	Terry	Term Ending: December 31, 2027
Position 7	Nicole	Bian	Term Ending: December 31, 2027

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2717

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE WARRENTON COMMUNITY LIBRARY BOARD AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Warrenton Community Library Board Members and their terms of office are as follows:

Position 1	Abbie	Johnson	Term Ending: December 31, 2027
Position 2	Aggie	Cooley	Term Ending: December 31, 2027
Position 3	Kelsey	Balensifer	Term Ending: December 31, 2028
Position 4	Gregory	Bian	Term Ending: December 31, 2028
Position 5	Karyn	Grass	Term Ending: December 31, 2029
Position 6	Amanda	Donovan	Term Ending: December 31, 2026
Position 7	Andrew	Walker	Term Ending: December 31, 2026

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 26-01

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE WARRENTON URBAN RENEWAL ADVISORY COMMITTEE AND SETTING TERMS OF OFFICE

Be it resolved, by the Warrenton Urban Renewal Agency that the Warrenton Urban Renewal Advisory Committee members and their terms of office are as follows:

Position 1	Amy	Atkinson	Term Ending:	August 8, 2027
Position 2	Vacant		Term Ending:	August 8, 2027
Position 3	Tony	Faletti	Term Ending:	August 8, 2027
Position 4	Tess	Chedsey	Term Ending:	August 8, 2027
Position 5	Vacant		Term Ending:	August 8, 2027
Position 6	Nicole	Bian	Term Ending:	August 8, 2027
Position 7	Kelly	Mcguffin	Term Ending:	August 8, 2027

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2714

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE COMMUNITY CENTER ADVISORY BOARD AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Community Center Advisory Board Members and their terms of office are as follows:

Position 1	Carla	Gonzalez	Term Ending:	December 31, 2028
Position 2	Vacant		Term Ending:	December 31, 2029
Position 3	Vacant		Term Ending:	December 31, 2026
Position 4	Debbie	Little	Term Ending:	December 31, 2028
Position 5	Vacant		Term Ending:	December 31, 2027

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2716

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE WARRENTON PARKS ADVISORY BOARD AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Warrenton Parks Advisory Board Members and their terms of office are as follows:

Position 1	Jason	Lambert	Term Ending: December 31, 2027
Position 2	Ron	Dyer	Term Ending: December 31, 2027
Position 3	Vacant		Term Ending: December 31, 2028
Position 4	Bert	Little	Term Ending: December 31, 2028
Position 5	Shane	Hall	Term Ending: December 31, 2026
Position 6	Sara	Long	Term Ending: December 31, 2026
Position 7	Brooke	Terry	Term Ending: December 31, 2026

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2718

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE MARINAS ADVISORY COMMITTEE AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Marinas Advisory Committee Members and their terms of office are as follows:

Position 1	Russ	Leavitt	Term Ending:	December 31, 2027
Position 2	Vacant		Term Ending:	December 31, 2027
Position 3	Jennifer	Fowler	Term Ending:	December 31, 2027
Position 4	Larry	Ausman	Term Ending:	December 31, 2026
Position 5	Mike	Balensifer	Term Ending:	December 31, 2026

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2714

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE COMMUNITY CENTER ADVISORY BOARD AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Community Center Advisory Board Members and their terms of office are as follows:

Position 1	Carla	Gonzalez	Term Ending:	December 31, 2028
Position 2	Vacant		Term Ending:	December 31, 2029
Position 3	Vacant		Term Ending:	December 31, 2026
Position 4	Debbie	Little	Term Ending:	December 31, 2028
Position 5	Vacant		Term Ending:	December 31, 2027

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2716

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE WARRENTON PARKS ADVISORY BOARD AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Warrenton Parks Advisory Board Members and their terms of office are as follows:

Position 1	Jason	Lambert	Term Ending: December 31, 2027
Position 2	Ron	Dyer	Term Ending: December 31, 2027
Position 3	Vacant		Term Ending: December 31, 2028
Position 4	Bert	Little	Term Ending: December 31, 2028
Position 5	Shane	Hall	Term Ending: December 31, 2026
Position 6	Sara	Long	Term Ending: December 31, 2026
Position 7	Brooke	Terry	Term Ending: December 31, 2026

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2718

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE MARINAS ADVISORY COMMITTEE AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Marinas Advisory Committee Members and their terms of office are as follows:

Position 1	Russ	Leavitt	Term Ending:	December 31, 2027
Position 2	Vacant		Term Ending:	December 31, 2027
Position 3	Jennifer	Fowler	Term Ending:	December 31, 2027
Position 4	Larry	Ausman	Term Ending:	December 31, 2026
Position 5	Mike	Balensifer	Term Ending:	December 31, 2026

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2715

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE WARRENTON PLANNING COMMISSION AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Warrenton Planning Commission Members and their terms of office are as follows:

Position 1	Tony	Faletti	Term Ending: December 31, 2028
Position 2	Dan	Heath	Term Ending: December 31, 2028
Position 3	David	Burkhart	Term Ending: December 31, 2029
Position 4	Carla	Gonzalez	Term Ending: December 31, 2026
Position 5	Colin	Atkinson	Term Ending: December 31, 2026
Position 6	Brooke	Terry	Term Ending: December 31, 2027
Position 7	Nicole	Bian	Term Ending: December 31, 2027

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2717

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE WARRENTON COMMUNITY LIBRARY BOARD AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Warrenton Community Library Board Members and their terms of office are as follows:

Position 1	Abbie	Johnson	Term Ending: December 31, 2027
Position 2	Aggie	Cooley	Term Ending: December 31, 2027
Position 3	Kelsey	Balensifer	Term Ending: December 31, 2028
Position 4	Gregory	Bian	Term Ending: December 31, 2028
Position 5	Karyn	Grass	Term Ending: December 31, 2029
Position 6	Amanda	Donovan	Term Ending: December 31, 2026
Position 7	Andrew	Walker	Term Ending: December 31, 2026

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 26-01

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE WARRENTON URBAN RENEWAL ADVISORY COMMITTEE AND SETTING TERMS OF OFFICE

Be it resolved, by the Warrenton Urban Renewal Agency that the Warrenton Urban Renewal Advisory Committee members and their terms of office are as follows:

Position 1	Amy	Atkinson	Term Ending:	August 8, 2027
Position 2	Vacant		Term Ending:	August 8, 2027
Position 3	Tony	Faletti	Term Ending:	August 8, 2027
Position 4	Tess	Chedsey	Term Ending:	August 8, 2027
Position 5	Vacant		Term Ending:	August 8, 2027
Position 6	Nicole	Bian	Term Ending:	August 8, 2027
Position 7	Kelly	Mcguffin	Term Ending:	August 8, 2027

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2714

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE COMMUNITY CENTER ADVISORY BOARD AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Community Center Advisory Board Members and their terms of office are as follows:

Position 1	Carla	Gonzalez	Term Ending:	December 31, 2028
Position 2	Vacant		Term Ending:	December 31, 2029
Position 3	Vacant		Term Ending:	December 31, 2026
Position 4	Debbie	Little	Term Ending:	December 31, 2028
Position 5	Vacant		Term Ending:	December 31, 2027

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2716

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE WARRENTON PARKS ADVISORY BOARD AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Warrenton Parks Advisory Board Members and their terms of office are as follows:

Position 1	Jason	Lambert	Term Ending: December 31, 2027
Position 2	Ron	Dyer	Term Ending: December 31, 2027
Position 3	Vacant		Term Ending: December 31, 2028
Position 4	Bert	Little	Term Ending: December 31, 2028
Position 5	Shane	Hall	Term Ending: December 31, 2026
Position 6	Sara	Long	Term Ending: December 31, 2026
Position 7	Brooke	Terry	Term Ending: December 31, 2026

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2718

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE MARINAS ADVISORY COMMITTEE AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Marinas Advisory Committee Members and their terms of office are as follows:

Position 1	Russ	Leavitt	Term Ending:	December 31, 2027
Position 2	Vacant		Term Ending:	December 31, 2027
Position 3	Jennifer	Fowler	Term Ending:	December 31, 2027
Position 4	Larry	Ausman	Term Ending:	December 31, 2026
Position 5	Mike	Balensifer	Term Ending:	December 31, 2026

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2716

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE WARRENTON PARKS ADVISORY BOARD AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Warrenton Parks Advisory Board Members and their terms of office are as follows:

Position 1	Jason	Lambert	Term Ending: December 31, 2027
Position 2	Ron	Dyer	Term Ending: December 31, 2027
Position 3	Vacant		Term Ending: December 31, 2028
Position 4	Bert	Little	Term Ending: December 31, 2028
Position 5	Shane	Hall	Term Ending: December 31, 2026
Position 6	Sara	Long	Term Ending: December 31, 2026
Position 7	Brooke	Terry	Term Ending: December 31, 2026

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2718

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE MARINAS ADVISORY COMMITTEE AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Marinas Advisory Committee Members and their terms of office are as follows:

Position 1	Russ	Leavitt	Term Ending:	December 31, 2027
Position 2	Vacant		Term Ending:	December 31, 2027
Position 3	Jennifer	Fowler	Term Ending:	December 31, 2027
Position 4	Larry	Ausman	Term Ending:	December 31, 2026
Position 5	Mike	Balensifer	Term Ending:	December 31, 2026

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2717

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE WARRENTON COMMUNITY LIBRARY BOARD AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Warrenton Community Library Board Members and their terms of office are as follows:

Position 1	Abbie	Johnson	Term Ending: December 31, 2027
Position 2	Aggie	Cooley	Term Ending: December 31, 2027
Position 3	Kelsey	Balensifer	Term Ending: December 31, 2028
Position 4	Gregory	Bian	Term Ending: December 31, 2028
Position 5	Karyn	Grass	Term Ending: December 31, 2029
Position 6	Amanda	Donovan	Term Ending: December 31, 2026
Position 7	Andrew	Walker	Term Ending: December 31, 2026

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder

Resolution No. 2718

Introduced By: All Commissioners

AUTHORIZING APPOINTMENTS TO FILL POSITIONS ON THE MARINAS ADVISORY COMMITTEE AND SETTING TERMS OF OFFICE

Be it resolved, by the City Commission that the Marinas Advisory Committee Members and their terms of office are as follows:

Position 1	Russ	Leavitt	Term Ending:	December 31, 2027
Position 2	Vacant		Term Ending:	December 31, 2027
Position 3	Jennifer	Fowler	Term Ending:	December 31, 2027
Position 4	Larry	Ausman	Term Ending:	December 31, 2026
Position 5	Mike	Balensifer	Term Ending:	December 31, 2026

This Resolution shall take effect immediately upon its passage.

ADOPTED, by the City Commission of the City of Warrenton, Oregon, this 13th day of January 2026.

Approved:

Attest:

Henry A. Balensifer III, Mayor

Hanna Bentley, City Recorder



City Commission Agenda Memo

Meeting Date: January 13, 2026
From: Hanna Bentley, City Recorder
Item Name: Consideration of Ordinance No. 1301; Amending WMC Chapter 2.24 Urban Renewal Advisory Committee

Summary:

The Urban Renewal Agency, Warrenton Urban Renewal Advisory Committee (WURAC) and City Commission recently amended the Warrenton Urban Renewal Advisory Committee bylaws. This Ordinance is a housekeeping measure to update the Warrenton Municipal Code to match the amendments made to the bylaws.

Recommendation/Suggested Motion:

"I move to conduct the first reading, by title only, of Ordinance No. 1301; An Ordinance Amending Warrenton Municipal Code Chapter 2.24.010, Section A, and Amending Ordinance No. 1117-A, Sections 2 and 7."

Alternative:

None recommended

Fiscal Impact:

None

Attachments:

1. Ordinance No. 1301

Ordinance No. 1301
Introduced by All Commissioners

An Ordinance Amending Warrenton Municipal Code Chapter 2.24.010, Section A, and Amending Ordinance No. 1117-A, Sections 2 and 7.

Whereas, the City of Warrenton adopted the Warrenton Urban Renewal Plan in 2007, by Ordinance No. 1112-A; and

Whereas, the Urban Renewal Advisory Committee was established, and terms were set by Ordinance No. 1117-A(exhibit A), and are also outlined in the committee bylaws; and

Whereas, the current urban renewal district will sunset August 28, 2027; and

Whereas, on October 28, 2025, the Urban Renewal Agency unanimously voted to amend the committee bylaws to suspend term lengths and maintain the current roster through the sunset of the district, pending resignations or removals; and

Whereas the bylaws will also be updated to reflect the suspension of term limits.

Now, therefore, the City of Warrenton ordains as follows:

Section 1. Warrenton Municipal Code, Chapter 2.24.010 Urban Renewal Advisory Committee, Sections 2 and 7 is hereby amended as follows: (Key: new, ~~remove~~)

Section 2: The Urban Renewal Advisory Committee shall consist of seven (7) members.

All members of the board ~~appointed thereafter~~ shall serve until the sunset of the Urban Renewal District.
~~a term of two (2) years.~~

~~Position Numbers 1, 2, & 3 shall expire on December 31, 2008.~~

~~Position Numbers 4, 5, 6, & 7 shall expire on December 31, 2009.~~

Section 7: ~~At its first meeting, the Committee shall elect a chair and a secretary to serve through December 2008. The Committee shall thereafter annually elect the chair and~~ vice chair ~~secretary~~ in December to serve one year terms .

Section 2. This ordinance becomes effective immediately after its adoption.

First Reading: January 13th, 2026

Second Reading: January 27th, 2026

ADOPTED by the City Commission of the City of Warrenton, Oregon this 27th day of January 2026.

APPROVED

Henry A. Balensifer, Mayor

Attest:

Hanna Bentley, City Recorder



City Commission Agenda Memo

Meeting Date: January 13, 2026
From: Dale McDowell, Interim Public Works Director
Subject: Iredale Culvert Project – Phase II Change Order

Summary:

During the July 22nd 2025 City Commission, the Iredale Culvert Project – Phase II was awarded to Big River Construction, Inc, in the amount of \$841,240.00 with no contingency stated. During construction of the project, additional pipe had to be ordered along with the required pipe wrap. Big River Construction, Inc. is seeking payment for this additional material.

Recommendation/Suggested Motion:

"I move to approve Change Order #1 for the Iredale Culvert Project – Phase II to Big River Construction, Inc. in the amount of \$1,678.17.

Alternative:

None recommended

Fiscal Impact:

Funding Source 028-430-620088

Attachments:

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

- Change Order breakdown

Approved by City Manager: Esther Moberg

North Coast Civil Design

35240 Tohl Ave
Nehalem, OR 97131

Cell: (503) 812-3732

**CHANGE ORDER**

Change Order Number: 1

TO:	Ryan Lampi
	Big River Construction, Inc.
	35064 Hwy 101 Business
	Astoria, Oregon 97103
TEL:	(503) 338-3878

NCCD Job No:	25004War	Date:	12/14/25
Project Name:	Iredale Culvert Project - Phase II		
Project Location:	Hammond OR		
Owner/Client:	City of Warrenton, Oregon		
Job Phone No:	(503) 338-3878	Date of Existing Contract/Proposal:	July 2025

WE HEREBY agree to make the change(s) specified below:

ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT COST	TOTAL
<i>Contract Bid Price</i>					
<i>Ancillary Items</i>					
CO-1.1	Additional 36" pipe, Contractor needed additional pipe, invoice attached	1	LS	\$18,645.58	\$18,645.58
CO-1.2	Additional Shrink Wrap for special 36" dual 18" fitting, invoice attached	1	LS	\$4,153.39	\$4,153.39
CO-1.3	Additional Item 3 - Asphalt and Concrete demo	122	SY	\$17.10	\$2,086.20
CO-1.4	Additional Item 12 - Asphalt paving (6" SECTION, 2-3" LIFTS)	32.35	TONS	\$380.00	\$12,293.00
CO-1.5	Reduced Item 9 - Wood beam removal, bid 115, used 24 CY	91	CY	(\$200.00)	(\$18,200.00)
CO-1.6	Reduced Item 11 - CDF backfill, bid 100 CY, used 59 CY	41	CY	(\$300.00)	(\$12,300.00)
CO-1.7	Reduced Item 18 - Reconstruct 4" Dia Swr Svc Lateral, reduced to 0	1	EA	(\$5,000.00)	(\$5,000.00)
() Indicates negative value				Subtotal:	\$1,678.17
				TOTAL	\$1,678.17

NOTE: This Change Order becomes part of and in conformance with the existing contract. The above change to the project warrants a <u>0</u> day time extension.	
WE AGREE hereby to make changes specified above at this price	\$1,678.17
Date:	Previous Contract Amount: \$841,240.00
Authorized Signature (Contractor):	Revised Contract Amount: \$842,918.17
ACCEPTED: The above prices and specifications of the change order are satisfactory and are hereby accepted. This change order amount and extension of time constitutes total compensation for the change, including compensation for all impacts and delays relating to the change and their cumulative effect on the project to date. All work shall be performed under same terms and conditions as specified in original contract unless otherwise stipulated.	Date of Acceptance:
	Owner Signature:

Twyla Vittetoe

From: Hanna Bentley
Sent: Thursday, August 14, 2025 9:29 AM
To: Twyla Vittetoe
Cc: Kevin Gorman
Subject: Iredale Culvert Phase 2 Contract
Attachments: 20250812150302441.pdf

Good morning Twyla!

I wanted to let you know that when the commission approved this contract, they did not include a 10% contingency. Please let me know if there is anyone else I should inform about this. Finance informed me that they do not keep track of this information.

Best,

Hanna Bentley

Deputy City Recorder

Office : 971-286-2006

Fax : 503-861-2351

P.O. Box 250 | 225 S. Main Ave.

Warrenton, OR 97146

Warrentonoregon.us | [facebook.com](https://www.facebook.com)



"Making a difference through excellence of service"

This message may contain confidential and/or proprietary information, and is intended for the person/entity to which it was originally addressed. If you have received this email by error, please contact the City and then shred the original document. Any use by others is strictly prohibited.

From: Hanna Bentley <hbentley@warrentonoregon.us>
Sent: Tuesday, August 12, 2025 2:48 PM
To: Nikolas Haines <nhaines@warrentonoregon.us>
Cc: Dawne Shaw <dshaw@warrentonoregon.us>; Jessica Barrett <jbarrett@warrentonoregon.us>
Subject: Iredale Culvert Phase 2 Contract

Best,

Hanna Bentley

Deputy City Recorder

Office : 971-286-2006
Fax : 503-861-2351
P.O. Box 250 | 225 S. Main Ave.
Warrenton, OR 97146
Warrentonoregon.us | facebook.com



"Making a difference through excellence of service"

This message may contain confidential and/or proprietary information, and is intended for the person/entity to which it was originally addressed. If you have received this email by error, please contact the City and then shred the original document. Any use by others is strictly prohibited.

From: copier@warrentonoregon.us <copier@warrentonoregon.us>
Sent: Tuesday, August 12, 2025 3:03 PM
To: Hanna Bentley <hbentley@warrentonoregon.us>
Subject: Message from "RNP583879484079"

This E-mail was sent from "RNP583879484079" (IM C6000).

Scan Date: 08.12.2025 15:03:02 (-0700)
Queries to: copier@warrentonoregon.us



City Commission Agenda Memo

Meeting Date: January 13, 2026

From:

Item Name: Authorization to Expend Funds for Disposal of Contaminated Soil

Summary:

Recommendation/Suggested Motion:

"I move to..."

Alternative:

Fiscal Impact:

Attachments:

1. Authorization to Expend Funds for Disposal of Contaminated Soil



City Commission Agenda Memo

Meeting Date:

January 13th 2026
December 23rd, 2025

From:

Dale McDowell, Interim Public Works Director

Subject:

Authorization to Expend Funds for Disposal of Contaminated Soil

Summary:

Petroleum-impacted soil was encountered during construction of the Raw Waterline Replacement RP-2 project and temporarily stockpiled on site while laboratory testing and disposal approvals were completed. The City coordinated with Oregon DEQ regarding the material and submitted an application for Independent Cleanup. DEQ subsequently confirmed that a formal cleanup process was not required for this soil disposal but requested that all disposal documentation and landfill receipts be provided once the material is removed and disposed of at an approved facility.

Based on the volume of material, Waste Management required the City to obtain approval to dispose of the soil at the Hillsboro Landfill. That approval has now been received, allowing the soil to be disposed of as Alternate Daily Cover. The Hillsboro Landfill is the closest permitted facility that accepts petroleum impacted soil of this type.

The estimated quantity of contaminated soil is approximately 931 cubic yards. Disposal costs are based on unit pricing and will be invoiced to the City based on actual landfill scale tickets. Using the approved rates, the planning-level estimate for disposal costs is approximately \$90,000 to \$95,000, depending on final tonnage and applicable energy surcharges.

Hauling and loading of the contaminated soil will be procured under a separate contract through an informal competitive quote process. This approach allows the City to track hauling quantities and disposal documentation separately, as requested by DEQ, and ensures proper cost control and recordkeeping.

Recommendation/Suggested Motion:

"I move to authorize expenditure of funds, not to exceed \$100,000, for disposal of petroleum-impacted soil associated with the Raw Waterline RP-2 project at Waste Management's Hillsboro Landfill."

Alternative:

Other action as deemed appropriate by the City Commission

OR

None recommended

Fiscal Impact:

The Raw Water Upstream RP-2 project is funded through the Water Fund Capital Reserves and has sufficient budget to cover this cost.

Attachments:

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

- Waste Management Waste Profile Approval for Petroleum Impacted Soil (Profile No. 146213OR)
- Waste Management Disposal Pricing Exhibit for Hillsboro Landfill

Approved by City Manager:

Esther Molberg



Non-Hazardous WAM Approval

Requested Management Facility: Hillsboro Landfill

Profile Number: 146213OR Waste Acceptance Expiration Date: 11/25/2026
 Common Name: Petroleum impacted soil WM Regulatory Volume Limit: NA ☒ NA

APPROVAL DETAILS

Approval Decision: ☒ Approved ☐ Not Approved Profile Renewal: ☐ Yes ☒ No

Management Method: Alternate Daily Cover (ADC)

Generator Name: City of Warrenton

Profile Expiration Date: 11/25/2026

Periodic Testing Due Date: NA ☒ NA

Other Due Date: NA ☒ NA (Specify) _____

Management Facility Precautions, Special Handling Procedures or Limitation on approval:

Generator Conditions

- Shall not contain free liquids.
- Waste manifest or applicable shipping document must accompany load.
- The waste profile number must appear on the shipping papers.

WM Authorization Name: Donald Lavrinc Title: Waste Approval Manager
 WM Authorization Signature: Donald Lavrinc Date: 11/25/2025
 Agency Authorization (if Required): _____ Date: _____

THINK GREEN®

QUESTIONS? CALL 800 963 4776 FOR ASSISTANCE

Last Revised January 25, 2018
 ©2018 Waste Management

Exhibit A

Sales person: 335

B. CUSTOMER BILLING INFORMATION

1. Name: City of Warrenton

2. Address: PO Box 250
City: Warrenton
State: OR ZIP code: 97146

3. Contact name: Twyla Vittetoe

4. Email: Tvittetoe@warrentonoregon.us

5. Phone: (503) 861-2233 6. Fax: _____

7. P.O. number: _____

C. FACILITY

☐ See Attached

1. Name(s): Hillsboro Landfill

D. MATERIAL

1. Name: Petroleum impacted soil

2. Anticipated volume: 931 Cubic Yards

E. CHARGES

☐ See Attached[illegible]

Other services not listed above will incur additional charges that vary by location and are subject to change without notice. Payment of invoice represents agreement of such charges.

PLEASE REVIEW SECTION F WHICH CONTAINS IMPORTANT COMMENTS REGARDING YOUR WASTE STREAM.

QUESTIONS? CALL 800 963 4776 FOR ASSISTANCE

Last revised on December 12, 2016
©2016 Waste Management



Industrial Waste & Disposal Services Agreement

Exhibit A

F. COMMENTS

☐ See Attached

- The Company reserves the right to refuse any load or discontinue any waste stream should such waste pose a threat to human health or safety, prove to be operationally challenging, or is in violation of any Company permit.
- All loads must be accompanied by proper shipping paper.
- If the Company received authorization to make changes to your waste profile during the approval process, your acceptance and execution of this Exhibit A confirms the accuracy of the changes.
- If WM (or a WM contracted hauler) is not providing the transportation services, you must ensure that the transporter is licensed and approved to haul the applicable Special Waste and/or Hazardous Waste. All third-party transporters must comply with WM safety requirements and procedures (including without limitation, wearing a hard hat, safety glasses, steel-toe boots, and safety vest). If transporting to a Chemical WM facility, a Tyvek suit and respirator are also required. Please review and abide by safety information by visiting WMSolutions.com/safety.
- Prices quoted herein are valid for 30 days. Unless WM is hired for this project prior to the expiration of this 30 day period in which case pricing remains valid in accordance with the terms of the Service Agreement.
- Pricing is based on the information provided on your profile and the representative data previously submitted. Charges incurred for additional services not listed above will be subject to standard rates and, payment of the invoice represents mutual agreement of those charges.
- The Energy Surcharge percentage can fluctuate on a weekly basis; please see www.wm.com/esc for more information on the Energy Surcharge and its calculation and historical values. The actual percentage rate applied to the total project invoice will be determined on the date each load is received.
- For profiled waste, facility and generator conditions will be listed in Industrial and Hazardous Waste Solutions | WMSolutions.com Account under the WAM Approval Form upon final approval confirmation. All completed profile approval form(s) including any generator conditions and special handling instructions in such form(s) also shall be part of this Industrial Waste & Disposal Services Agreement and binding upon Customer. Your execution of this Exhibit A confirms that you have read, understand, and agree to such generator conditions and special handling instructions.

The work contemplated by this Exhibit A is to be done in accordance with the terms and conditions of the Industrial Waste & Disposal Services Agreement or other contractual agreement between the parties dated: 02/17/2017

YOUR ACCEPTANCE OF THESE TERMS CREATES A BINDING AGREEMENT AS FOLLOWS: (I) TYPE OR SIGN YOUR NAME AND TITLE WHERE INDICATED BELOW OR (II) YOUR TENDER OR DELIVERY TO COMPANY OF THE INDUSTRIAL WASTE DESCRIBED IN THE COMPANY APPROVED PROFILE SHEET AND (IF APPLICABLE) CONFIRMATION LETTER SHALL CONSTITUTE YOUR ACCEPTANCE OF THESE TERMS WITHOUT YOUR SIGNATURE.

Signed by:		Signed by:	
COMPANY		CUSTOMER	
By: <u>Olivia Arquero</u>	Date: <u>11/26/2025</u>	Signature: <u>Twyla Vittetoe</u>	Date: <u>11/26/2025</u>
Name: <u>Olivia Arquero</u>		Name: <u>Twyla Vittetoe</u>	
Title: <u>Technical Service Representative</u>		Title: <u>Civil Engineering Technician</u>	



Requested Facility: Hillsboro Landfill ☐ Unsure Profile Number: 146213OR
☐ Multiple Generator Locations (Attach Locations) ☐ Request Certificate of Disposal ☐ Renewal? Original Profile Number: _____

A. GENERATOR INFORMATION (MATERIAL ORIGIN)

- Generator Name: City of Warrenton
- Generator Site Address: 86645 Lewis & Clark Rd
(City, State, ZIP) Astoria OR 97103
- County: Clatsop
- Contact Name: Twyla Vittetoe
- Email: Tvittetoe@warrentonoregon.us
- Phone: (503) 861-0912 7. Fax: _____
- Generator EPA ID: _____ ☒ N/A
- State ID: _____ ☒ N/A

C. MATERIAL INFORMATION

- Common Name: Petroleum impacted soil
Describe Process(es) Generating Material: ☐ See Attached

Excavated soil from Raw Waterline (RP-2) installation. Material appeared clean but was rejected at a local disposal site, prompting testing that identified petroleum contamination. Contamination is believed to be historical from prior site
- Material Composition and Contaminants: ☐ See Attached

1. Native Soil	100 %
2.	
3.	
4.	
Total comp. must be equal to or greater than 100% ≥100%	
- State Waste Codes: _____ ☒ N/A
- Color: Brown
- Physical State at 70°F: ☒ Solid ☐ Liquid ☐ Other: _____
- Free Liquid Range Percentage: _____ to _____ ☒ N/A
- pH: _____ to _____ ☒ N/A
- Strong Odor: ☐ Yes ☒ No Describe: _____
- Flash Point: ☐ <140°F ☐ 140°-199°F ☒ ≥200° ☒ N/A

E. ANALYTICAL AND OTHER REPRESENTATIVE INFORMATION

- Analytical attached ☒ Yes
Please identify Lab Report(s) and list specific representative Sample ID#s:

Apex Laboratories, LLC - Analytical Report A5G1050 (Report ID: A5G1050 - 07 17 25 1250) 07/08/2025 Project: Warrenton Pipeline ENV-01 (A5G1050-01) ENV-02 (A5G1050-02)
- Other information attached (such as SDS)? ☒ Yes

G. GENERATOR CERTIFICATION (PLEASE READ AND CERTIFY BY SIGNATURE)

By signing this Waste Management ("WM") Profile, I hereby certify that all information submitted in this and all attached documents contain true and accurate descriptions of this material, and that all relevant information necessary for proper material characterization and to identify known and suspected hazards has been provided. Any analytical data attached was derived from a sample that is representative as defined in 40 CFR 261 - Appendix 1 or by using an equivalent method. All changes occurring in the character of the material (i.e., changes in the process or new analytical) will be identified by the Generator and be disclosed to WM prior to providing the material to WM. I am aware that there are significant penalties for knowingly submitting false information.

- ☐ I am authorized to sign on behalf of the Generator and I have confirmed with the Generator that information contained in this profile, as well as supporting documents provided, are accurate and complete.
- ☒ I am a duly authorized employee of Generator holding a position of technical responsibility with direct knowledge of the waste stream and the information contained in this profile, and I confirm that information contained in this profile, as well as supporting documents are accurate and complete.

QUESTIONS? CALL 800 963 4776 FOR ASSISTANCE

B. BILLING INFORMATION

☐ SAME AS GENERATOR

- Billing Name: City of Warrenton
- Billing Address: PO Box 250
(City, State, ZIP) Warrenton OR 97146
- Contact Name: Twyla Vittetoe
- Email: Tvittetoe@warrentonoregon.us
- Phone: (503) 861-2233 6. Fax: _____
- P.O. Number: _____
- Payment Method: ☒ Credit Account ☐ Cash ☐ Credit Card at Gate

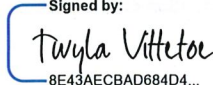
D. REGULATORY INFORMATION

- EPA Hazardous Waste? ☐ Yes* ☒ No
Code: _____
 - State Hazardous Waste? ☐ Yes ☒ No
Code: _____
 - Is this material non-hazardous due to Treatment, Delisting, or an Exclusion? ☐ Yes* ☒ No
 - Contains Underlying Hazardous Constituents? ☐ Yes* ☒ No
 - Does the material contain benzene? ☐ Yes* ☒ No
 - Facility remediation subject to 40 CFR 63 GGGGG? ☐ Yes* ☒ No
 - CERCLA or State-mandated clean-up? ☐ Yes* ☒ No
 - NRC, State-regulated, NORM or TENORM waste? ☐ Yes* ☒ No
- *If Yes, see Addendum (page 3) for additional questions and space.**
- Contains PCBs? → If Yes, answer a, b and c. ☐ Yes ☒ No
 - Regulated by 40 CFR 761? ☐ Yes ☐ No
 - Remediation under 40 CFR 761.61? ☐ Yes ☐ No
 - Were PCBs imported into the US? ☐ Yes ☐ No
 - Regulated and/or Untreated Medical/Infectious Waste? ☐ Yes ☒ No
 - Contains Asbestos? ☐ Yes ☒ No
→ If Yes: ☐ Non-Friable ☐ Non-Friable - Regulated ☐ Friable
 - Contains Dioxins? (If Yes, please attach analysis) ☐ Yes ☒ No

F. SHIPPING AND DOT INFORMATION

- ☒ One-Time Event ☐ Repeat Event/Ongoing Business
- Estimated Annual Quantity/Unit of Measure: 931
☐ Tons ☒ Yards ☐ Drums ☐ Gallons ☐ Other _____
- Container Type and Size: _____
- USDOT Proper Shipping Name ☒ N/A
- Estimated Start Date _____
- Transportation Needed? ☒ Yes* ☐ No

Name (Print): Twyla Vittetoe
Title: Civil Engineering Technician
Company: City of Warrenton
Date: 11/25/2025
Certification Signature

Signed by:

8E43AECBAD684D4...



EZ Profile™ Addendum



Only complete this Addendum if prompted by responses on EZ Profile™ (page 1) or to provide additional information. Sections and question numbers correspond to EZ Profile™.

Profile Number: 146213OR

C. MATERIAL INFORMATION

Describe Process Generating Material (Continued from page 1):

If more space is needed, please attach additional pages.

use (former log yard/equipment maintenance), not from current construction.

Material Composition and Contaminants (Continued from page 1):

If more space is needed, please attach additional pages.

5.	
6.	
7.	
8.	
9.	
Total composition must be equal to or greater than 100%	
	≥100%

D. REGULATORY INFORMATION

Only questions with a "Yes" response in Section D on the EZ Profile™ form (page 1) need to be answered here.

1. EPA Hazardous Waste

a. Please list all USEPA listed and characteristic waste code numbers:

b. Is the material subject to the Alternative Debris standards (40 CFR 268.45)?

☐ Yes ☐ No

c. Is the material subject to the Alternative Soil standards (40 CFR 268.49)? → If Yes, complete question 4.

☐ Yes ☐ No

d. Is the material exempt from Subpart CC Controls (40 CFR 264.1083)?

☐ Yes ☐ No

→ If Yes, please check one of the following:

☐ Waste meets LDR or treatment exemptions for organics (40 CFR 264.1082(c)(2) or (c)(4))

☐ Waste contains VOCs that average <500 ppmw (CFR 264.1082(c)(1)) – will require annual update.

e. Form Code:

f. Source Code:

2. State Hazardous Waste → Please list all state waste codes:

3. For material that is Treated, Delisted, or Excluded → Please indicate the category, below:

☐ Delisted Hazardous Waste

☐ Excluded Waste under 40 CFR 261.4 → Specify Exclusion:

☐ Treated Hazardous Waste Debris

☐ Treated Characteristic Hazardous Waste → If checked, complete question 4.

☐ Other Excluded Waste (i.e. state-excluded) → Specify Regulatory Citation:

4. Underlying Hazardous Constituents → Please list all Underlying Hazardous Constituents:

5. a. Are you an industry regulated under Benzene NESHAP? (Petroleum refineries, chemical manufacturing plants, coke by-product, and TSDFs.)

☐ Yes ☐ No

b. Are you a TSDF? → If yes, please complete Benzene NESHAP questionnaire. If not, continue.

☐ Yes ☐ No

c. What is the flow weighted average benzene concentration?

ppmw

d. What is your facility's current total annual benzene quantity in Megagrams?

☐ <1 Mg ☐ 1–9.99 Mg ☐ ≥10 Mg

e. Is this waste soil from a remediation?

☐ Yes ☐ No

1. If yes, what is the benzene concentration in remediation waste?

ppmw

f. Does the waste contain >10% water/moisture?

☐ Yes ☐ No

g. Has material been treated to remove 99% of the benzene or to achieve <10 ppmw?

☐ Yes ☐ No

h. Is material exempt from controls in accordance with 40 CFR 61.342?

☐ Yes ☐ No

→ If yes, specify exemption:

i. Based on your knowledge of your waste and the BWON regulations, do you believe that this waste stream is subject to treatment and control requirements at an off-site TSDF?

☐ Yes ☐ No

6. 40 CFR 63 GGGGG → Does the material contain <500 ppmw VOHAPs at the point of determination?

☐ Yes ☐ No

7. CERCLA or State-Mandated clean up → Please submit the Record of Decision or other documentation with process information to assist others in the evaluation for proper disposal. A "Determination of Acceptability" may be needed for CERCLA wastes not going to a CERCLA approved facility.



Additional Profile Information

Profile Number: 146213OR

F. SHIPPING AND DOT INFORMATION

4. USDOT Proper Shipping & Technical Name (Continued from page 1):

2.	☐ N/A
3.	☐ N/A
4.	☐ N/A
5.	☐ N/A
6.	☐ N/A
7.	☐ N/A
8.	☐ N/A
9.	☐ N/A
10.	☐ N/A
11.	☐ N/A
12.	☐ N/A
13.	☐ N/A
14.	☐ N/A
15.	☐ N/A
16.	☐ N/A
17.	☐ N/A
18.	☐ N/A
19.	☐ N/A
20.	☐ N/A
21.	☐ N/A
22.	☐ N/A
23.	☐ N/A
24.	☐ N/A
25.	☐ N/A
26.	☐ N/A
27.	☐ N/A
28.	☐ N/A
29.	☐ N/A
30.	☐ N/A
31.	☐ N/A
32.	☐ N/A
33.	☐ N/A
34.	☐ N/A
35.	☐ N/A
36.	☐ N/A
37.	☐ N/A
38.	☐ N/A
39.	☐ N/A
40.	☐ N/A

7. Transportation Requested: ☐ WM Hauled ☒ Third Party

8. Contact Name: _____

9. Email: _____



Informal Request for Competitive Quotes

Project Location: 86645 Lewis & Clark Rd, Astoria OR 97103

Return Quotes no later than: December 30th, 2025, at 2PM

The Warrenton Public Works Department is seeking competitive quotes for the loading, hauling and transport of petroleum impacted soil from a City project site (Raw Waterline RP-2, 86645 Lewis & Clark Rd, Astoria OR 97103) to Waste Management's Hillsboro Landfill.

The contaminated soil was generated during the Raw Waterline Replacement RP-2 project. Construction activities have been completed, and the soil has been stockpiled on site pending laboratory testing. Testing has now been completed, and the soil is approved for off site disposal.

Contractors must be licensed and bonded. Selected contractor will be required to sign a contract with the City of Warrenton; a copy of this contract is available for review upon request. Selected contractor must provide proof of insurance, with the City of Warrenton named as the additional insured. Contractor shall ensure each driver carries a copy of the approved Waste Management Non-Hazardous WAM Approval for the waste profile listed below with each load. A bill of lading or waste manifest is not required by the disposal facility for this profile. Contractor shall comply with all applicable safety and PPE requirements required by Waste Management and the disposal facility.

If the total bid exceeds \$50,000.00 the contract will be subject to Prevailing Wage Statute ORS 279C.800 to 279C.870. The contract is NOT subject to federal prevailing wage rates under the Davis-Bacon Act (40 U.S.C. 3141 et seq).

The City contact for this project is Twyla Vittetoe, Engineering Technician. Quotes will be accepted at PO Box 250, Warrenton, OR 97146 until 2:00 p.m. on December 30th, 2025. Quotes can be submitted either through hard copy (mail, parcel post), or electronically submitted to bids@warrentonoregon.us

Project Description:

- Load approximately 931 cubic yards of stockpiled petroleum impacted soil at the project site.
- Transport contaminated soil to Waste Management's Hillsboro Landfill.
- Deliveries must occur during landfill receiving hours, 6:00 AM- 4:00 PM, Monday through Friday.
- Obtain landfill scale tickets and load receipts for each delivered load and provide copies to the City upon request.

The material is non-hazardous petroleum impacted soil approved for disposal at Waste Management's Hillsboro Landfill as Alternate Daily Cover under Waste Profile No. 146213OR. Disposal fees will be billed directly to the City of Warrenton by Waste Management under the approved profile.

Load Requirements:

- Load shall not contain visible free liquids.
- Soil must be dry enough to be stackable. Loads that self-level when dumped will be rejected by the landfill.
- The landfill does not require soil loads to be tarped or truck boxes to be lined. If the soil is sticky, the contractor may elect to line truck boxes with 6 mil visqueen to prevent material from sticking.
- If Waste Management labor or equipment is required to remove a stuck load, additional charges may apply. Any costs associated with stuck loads or additional unloading services shall be the responsibility of the contractor.

Selection Criteria:

- The City of Warrenton will award the contract to the **lowest responsive and responsible contractor** whose quote meets the project requirements. The City reserves the right to reject any or all quotes if doing so is found to be in the public interest.

Stockpile



"Making a difference through excellence of service"