



City of Warrenton Planning Commission
Regular Meeting Agenda
Thursday, January 8, 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 Secretary prior to the start of the meeting.
2. Via Zoom: Register with the Secretary, at planning@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 Secretary, at planning@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 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. **Approval of Minutes**
 - A. Planning Commission Regular Minutes - 12.11.2025
4. **Reports**
5. **Public Comment**
6. **Public Hearings**
 - A. CUP-25-5 Conditional Use permit to establish a vacation rental at 980 4th Ave in Hammond (taxlot 81005CD03505).
 - B. DCR-25-3 Development Code Revision to amend Chapter 16.152 Grading, Excavating, and Erosion Control Plans.
7. **Business Items**
8. **Discussion Items**
9. **Good of the Order**
10. **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 of Warrenton Planning Commission

Meeting Minutes

City Hall, 225 S. Main Warrenton, OR 97146

Thursday, December 11, 2025

City Commission meeting called to order at 6:00 pm and Pledge of Allegiance

Attendance

Commission Members	Present	Excused
Tony Faletti	X	
Dan Heath	X	
Brooke Terry	X	
Carla Gonzalez	X	
Chris Hayward		X
Colin Atkinson		X
Nicole Bian	X	

Staff Members Present	
City Manager Esther Moberg	Planning Commission Secretary Judith Stich

Elections

- A. Nominate and Motion to appoint a Chair and Vice Chair for the meeting and the 2026 calendar year.

Motion:	I make the motion appoint Tony Faletti as Chair and Nicole Bian as Vice Chair				
Moved:	Dan Heath				
Seconded:	Brooke Terry	Aye	Nays	Absent	Recused
Vote:	Faletti	X			
	Heath	X			
	Terry	X			
	Gonzalez	X			
	Hayward			X	
	Atkinson			X	
	Bian	X			
Passed:	5/0				

Approval of Minutes

A. Planning Commission Special Minutes and Planning Commission Regular Minutes 09.11.2025

Motion:	I motion to approve the minutes from the November 2025 meeting				
Moved:	Nicole Bian				
Seconded:	Dan Heath	Aye	Nays	Absent	Recused
Vote:	Faletti	X			
	Heath	X			
	Terry	X			
	Gonzalez	X			
	Hayward			X	
	Atkinson			X	
	Bian	X			
Passed:	5/0				

Public Comment – None

Public Hearings

A. RZ-23-1

Chair Faletti opened the hearing. Sam Huck of 3J Consulting presented the staff report. He spoke on the properties that were being rezoned from I-2, Water-Dependent Industrial Shorelands, to OSI, Open-Space Institutional, and R-M, Medium Density Residential. The rezoning is intended to match the current uses of the properties located at the sites to be rezoned.

After the staff report was given, the commissioners where then able to ask questions of staff. It was asked in what capacity the City had been working in conjunction with the landowners. Ms. Moberg answered stating that the owners were having issues selling their land due to the current zoning and mentioned that the City was at a surplus of I-2 land.

During the public testimony, a few members of the public spoke. Two of the members spoke for the proposed rezone, stating that the current zone is not conducive to the current uses. There was two members of the public that spoke in neutrality of the rezone. Ms. Moberg spoke to the questions that came from the members of the public. After all members of the public that wanted to speak were done, Chair Faletti closed the public testimony and the Commissioners deliberated amongst themselves.

Motion:	I propose that we approve the change to the comprehensive plan map and the zone change as described herein and move it to the City Commission				
Moved:	Dan Heath				
Seconded:	Nicole Bian	Aye	Nays	Absent	Recused
Vote:	Faletti	X			
	Heath	X			
	Terry	X			
	Gonzalez	X			
	Hayward			X	
	Atkinson			X	
	Bian	X			
Passed:	5/0				

Business Items - None

Discussion Items - None

Good of the Order

- A. Ms. Moberg briefly updated the Commissioners on the status of the Planning Department during the absence of a Director.

Adjournment

There being no further business, Chair Faletti adjourned the meeting at 6:54 pm.

Approved:

Attest:

Tony Faletti, Chair

Judith Stich, Secretary



City of Warrenton

Planning Department

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

Phone: 503.861.0920 Fax: 503.861.2351

STAFF REPORT

TO: The Warrenton Planning Commission
FROM: Judith Stich, Planning Technician
DATE: January 8, 2025
SUBJ: Conditional Use Permit CUP-25-5

BACKGROUND

C. Mark Hansen of Jetty Street LLC has applied for a conditional use permit to establish a vacation rental use at 980 Fourth Avenue in Hammond which is zoned C-MU Commercial Mixed Use. The subject property is developed as one of the units of a group of townhomes and is identified as Tax Lot 81005CD03505.

PUBLIC PROCESS, PROCEDURES & PUBLIC NOTICE

The application was submitted November 10, 2025 and was deemed complete December 17, 2025. We sent notice of the public hearing to adjacent property owners on December 18, 2025 and published notice in The Astorian on December 27, 2025.

CODE PROVISIONS, APPLICANT RESPONSES, AND FINDINGS

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

16.44.030 Commercial Mixed Use District Conditional Uses
16.208.050 Type III Procedure (Quasi-Judicial)
16.220 Conditional Use Permits

Chapter 16.44 Commercial Mixed Use (C-MU) District **16.44.030 Conditional Uses**

APPLICANT RESPONSE: None provided.

STAFF FINDING: This criterion is met. The proposed use would be allowed if CUP-25-1 is approved.

Chapter 16.208 Administration of Land Use and Development Permits **16.208.050 Type III Procedure (Quasi-Judicial)**

APPLICANT RESPONSE: None provided.

STAFF FINDING: This criterion is met.

Chapter 16.220 Conditional Use Permits

16.220.030 Review Criteria

APPLICANT RESPONSE: Please see attachment.

STAFF FINDING: The criteria in this section are met.

CONCLUSIONS AND RECOMMENDATION

The applicant has demonstrated that the proposed vacation rental satisfies the conditional use permit criteria to be in the C-MU Commercial Mixed Use zoning district. Accordingly, staff recommends approval of the request with the following conditions:

1. Submit a complete Short Term Rental (Homestay Lodging) application within 180 days of the approval of CUP-25-1.
2. The structure shall comply with all applicable provisions of Chapter 8.24 Homestay Lodging Standards while being used as a vacation rental.
3. All tenants shall be advised by the property owner(s) that the Warrenton Police Department will strictly enforce violations of city code, disturbances, or disorderly conduct, and owners will be notified of all issues.

RECOMMENDED MOTION

“Based on the findings and conclusions of the January 8, 2026, staff report, I move to approve CUP-25-5 subject to the conditions of approval included in the staff report.”

ATTACHMENTS

1. 1st Floor Plan - - Parking Diagram
2. 2nd Floor Units 4 5 6
3. 3rd Floor Units 4 5 6
4. 980 4th Ave - - Location Map
5. 980 4th Ave - - Parking Stall Diagram
6. A1.1 06-16-2021 Site Plan - - 980 4th Ave
7. Application
8. CUP Application Supporting Documentation



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Attachment to Conditional Use Application: 980 4th Avenue, Hammond, OR

Property

Address: 980 4th Avenue, Hammond, OR 97121

Tax Lot (s): 81005CD0 TL 3505

Zone: CMU **Flood Zone:** Zone X **Wetlands:** None

Applicant

Name (s): Jetty Street, LLC. **Manager:** C. Mark Hansen

Phone: 503-871-1319 **E-Mail Address:** hansen@alumus.com

Mailing Address: 1220 20th Street SE, Suite 310, Salem, OR 97302

Description of Proposed Land Use/Executive Summary

We are requesting a conditional use permit for a new, 3-story, 4-bedroom townhome at Jetty View Townhomes, 980 4th Avenue, Hammond OR 97121, for short-term vacation rental (STVR) or Vacation Dwelling Unit. The townhome complies with CMU zoning and Warrenton building codes, equipped with necessary smoke detectors, carbon monoxide detectors, and GFI outlets. The property is surrounded by the marina and greenspace to the North; short-term rental unit to the East; vacant lot approved for a 3-story townhome to the West and two residential dwellings to the South or the rear of the townhome. In comparison to other CMU and C-1 districts, this CMU district is the most suitable and desirable location for Vacation Dwelling Units in the City of Warrenton. The front entrances and outdoor spaces all face north towards the marina. The rear of the townhome only provides access to parking for the townhome, limiting the impact on the residential uses to the south. A site plan, parking plan, and elevations are provided, but a preliminary site plan and utility plan are not applicable as the physical improvements exist and they are not proposed.

The City of Warrenton has a limited supply of Vacation Dwelling Units, Homestay Lodging Units and hotels/motels and this supply is substantially inadequate to support tourism for the City of Warrenton. Tourists seeking fishing, boating, historical sites and local beaches are forced to find accommodation in Astoria, Seaside and Gearhart resulting in substantial economic losses for the business and jobs relying on tourism for their wellbeing.

As of 2023, Vacation Dwelling Units in the City of Warrenton contributed an estimated \$14,448,912 in economic activity in the local community, 174 jobs and \$656,769 in transient tax revenues. The proposed CUP for an additional Vacation Dwelling Unit in the City of Warrenton would generate \$162,347 per year of additional tourist spending on local businesses and generate approximately \$7,379 in additional transient tax revenues for the City.

The change of use for 1 unit to Vacation Dwelling Units (including CUP 980) will have no material impact on the residential housing supply in the City of Warrenton. The City of Warrenton has available buildable residential land to support the residential development beyond the next 30 years and they also have a substantial excess supply of employment-based buildable land over the next 20 years that could be rezoned for residential uses. Vacation Dwelling Units offer significant benefits that can support long-term residential development in Warrenton as well as the local economy. These properties provide a flexible housing stock that can easily adapt to changing

market demands, converting between short-term and long-term use as needed.

The inclusion of Vacation Dwelling Units in the CMU district, subject to appropriate safety regulations, supports the Warrenton Comprehensive Plan's goals of economic development, housing diversity, community character preservation, and balanced growth. This approach allows the City to harness the benefits of expanding the economy while maintaining control over potential impacts on the community.

Conditional Use Permit Review Criteria.

1. The proposed use is in conformance with the Comprehensive Plan.

The inclusion of vacation rental dwellings subject to safety regulations in Section 8.24.030 within the Commercial Mixed Use (CMU) district aligns with several key objectives of the Warrenton Comprehensive Plan:

Economic Development and Tourism

Vacation rentals in the CMU district support Warrenton's economic development goals by:

- . **Enhancing tourism infrastructure:** Providing diverse lodging options for visitors contributes to Warrenton's appeal as a destination.
- . **Generating revenue:** Vacation rentals bring in transient lodging tax revenue, supporting the City of Warrenton's local government services and infrastructure improvements. The Property, as a vacation rental, will generate, conservatively, over \$5,000 per year in annual transient lodging revenues for the City of Warrenton.
- . **Stimulating local businesses:** Visitors staying in vacation rentals will patronize nearby shops, restaurants, and attractions, boosting the local economy.

Housing Diversity and Flexibility

The CMU district's allowance for vacation rentals supports housing goals by:

- a. **Expanding housing options:** Vacation rentals add to the mix of housing types available in Warrenton, addressing the plan's goal of providing diverse housing options.
- b. **Promoting mixed-use development:** Integrating vacation rentals into commercial areas supports the creation of vibrant, multi-use neighborhoods.

Community Character and Livability

Vacation rentals in the CMU district can enhance community character by:

- a. **Supporting walkability:** Visitors staying in mixed-use areas are more likely to explore the neighborhood on foot, contributing to a pedestrian-friendly environment.
- b. **Preserving neighborhood integrity:** By concentrating vacation rentals in mixed-use areas, the plan helps protect the character of existing residential neighborhoods.
- c. **Encouraging property maintenance:** Warrenton Safety regulations ensure that vacation rental properties are well-maintained, contributing to overall neighborhood quality.

Balanced Growth and Land Use

The inclusion of vacation rentals in the CMU district supports balanced growth by:

- a. **Efficient land use:** Allowing residential uses like vacation rentals in commercial areas promotes more efficient use of land and infrastructure.
- b. **Flexibility in development:** The CMU district's allowance for various uses, including vacation rentals, provides flexibility for property owners and developers to respond to market demands.

While the Comprehensive Plan recognizes the potential benefits of Vacation Dwelling Units, it also acknowledges the need for regulation to mitigate potential negative impacts. The safety regulations in Section 8.24.030 help ensure that vacation rentals operate in a manner consistent with community standards and do not adversely affect neighboring properties or the overall character of the area.

In conclusion, the inclusion of vacation rental dwellings in the CMU district, subject to appropriate safety regulations, supports the Warrenton Comprehensive Plan's goals of economic development, housing diversity, community character preservation, and balanced growth. This approach allows the city to harness the benefits of expanding the economy while maintaining control over potential impacts on the community.

2. The location, size and design, and operating characteristics of the proposed use are such that the development will be compatible with, and have a minimal impact on surrounding properties.

The townhome was designed and built with the specific intention of having a minimum impact on the surrounding properties with the primary focus of mitigating negative influences on the adjacent residential uses to the south. With respect to the conditional use as a Vacation Dwelling Unit, the Property faces the Hammond Marina with all out-door spaces facing the marina mitigating any impact on the quiet enjoyment of the two adjacent residential homeowners to the south. There will be no impact on these homeowners to access the back of their properties because Jetty Street Homeowners Association Bylaws do not allow any parking on the right-of-way servicing these two homes as well as the other owners in the Jetty View Townhome subdivision.

The intent of the CMU zone is to be a buffer zone between residential and commercial uses. Uses in the Hammond Marina or RC zone include: convenience store/bait shop, boat storage facilities, commercial fish processing, boat ramp, camping, vehicle/boat trailer parking lots, public park, boat ramp, which are higher intensity uses under the RC zone than the proposed Vacation Dwelling Unit use. The proposed use as a Vacation Dwelling Unit will provide a buffer zone between these commercial uses to the north and the residential uses immediately to the south as was the intent under the Warrenton Comprehensive Plan.

The Property provides adequate parking (4 stalls each). In addition, there is ample parking along 4th Ave, the frontage of the townhomes. The Hammond Marina, adjacent to the North, also allows overnight parking for cars as well as boats with the purchase of a permit that is readily available at the kiosks in the marina.

Finally, located adjacent to the east of the property, are two additional vacation rentals, owned and managed by the applicant, Jetty Street, LLC. Since receiving a CUP and business license to operate these two units in October and November of 2024, the applicant's individual bookings

at these two properties totaled 46 without a single complaint.

3. The use will not generate excessive traffic, when compared to traffic generated by uses permitted outright, and adjacent streets have the capacity to accommodate the traffic generated.

Vacation rentals generate substantially less vehicle traffic than the majority of the outright permitted uses in the CMU zone including but not limited to: homestay lodging, clubs, lodges, public parking lots, community centers, medical offices, amusement enterprises, theaters, bowling alley, technical, professional, vocational and business schools, eating and drinking establishments, hotels, motels and other tourist accommodation including a bed and breakfast.

There is no specific data available on traffic volumes for vacation rentals. The best comparison is hotels and motels. According to the data from the 11th Edition of the Trip Manual Guide by the Institute of Transportation Engineers, motels and hotels generate 9 to 10 trips per day per available room. This compares to a restaurant (eating and drinking establishments) that generates 104 trips per day per 1,000 square feet or a medical office generating 33 to 43 trips per day per 1,000 square feet. According to AirDNA (www.airdna.co), one of the leading short-term rental data analytics firms, vacation rentals generate substantially less traffic than hotels and motels due to longer average stays, less frequent turnover and cooking facilities in the unit. The use as a Vacation Dwelling Unit will result in substantially less vehicle traffic than many of the outright permitted uses in the CMU Zone.

Jetty Street and 4th Avenue improvements were expanded and improved as a requirement for the construction of Jetty View Townhomes to support this 9-unit subdivision but also included the expansion of main sewer, water and storm systems beyond what was necessary for the 9-unit subdivision allowing for additional expansion of commercial and residential uses in the neighborhood. The vacation rental use of the Property will have no measurable impact on the adjacent street capacity.

4. Public facilities and services are adequate to accommodate the proposed use.

The approval of Jetty View Townhome Subdivision included the upgrade of the Warrenton main water lines, storm sewer, sewage lines and streets, not only to accommodate the development of the 9 townhomes, but to provide the necessary utility infrastructure and street improvements for the expansion of additional commercial and residential units in neighborhood.

5. The site's physical characteristics, in term of topography, soils and other pertinent considerations are appropriate for the use.

Prior to construction, the Site Design Review and Preliminary Plan were approved by the City of Warrenton to build the Jetty View Subdivision. Vacation rentals are a form of residential use and as such the site's physical characteristics, in terms of topography, soils and other pertinent considerations, are appropriate for the use.

6. The site has an adequate area to accommodate the proposed use. The site layout has been designed to provide for the building, parking, landscaping, driveway, on-site

circulation, public areas, loading areas, storage facilities, setbacks, buffers, and utilities which are required by City ordinances.

Prior to construction, the Site Design Review and Preliminary Plan were approved by the City of Warrenton to build the Jetty View Subdivision. It was built based on these development standards and specifications receiving all necessary “as complete” approvals by the City of Warrenton.

The vacation rental includes 4 parking spaces, which meets the City Ordinance of 1 parking space per guest bedroom for use as Vacation Dwelling Unit.

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

a) Accessibility for users (such as customers and employees).

The Property is located on 4th Avenue across the street to the south of the Hammond Marina in a CMU District. The location is ideal for vacation rentals. Users of the Property will have pedestrian access to the Hammond Marina, Seafarers’ Park, convenience store and bait shop to the North as well as local restaurants and convenience stores to the south. Vehicle access is at the rear of the property with 4 parking spaces providing adequate vehicle access and parking for customers. There will be no employees tied to the use as a Vacation Dwelling Unit but parking and vehicle access provides adequate access for the housekeepers that will clean the unit after a guest stay.

b) Availability of similar existing uses.

The City of Warrenton has a limited supply of Vacation Dwelling Units, Homestay Lodging Units and hotels/motels and this supply is inadequate to support tourism for the City of Warrenton. Tourists seeking fishing, boating, historical sites and local beaches are forced to find accommodation in Astoria, Seaside and Gearhart resulting in substantial economic losses for the business and jobs relying on tourism for their wellbeing.

The following table provides key metrics tied to tourism for Warrenton and nearby communities in Clatsop County. This information was provided by the Environmental Systems Research Institute (ESRI), the leading demographics and geographic information system in the United States.

Key Tourism Economic Comparisons (2024)				
Metric	Seaside	Astoria	Gearhart	Warrenton
Lodging Sales Per Household	\$6,624	\$1,953	\$2,630	\$699
Eating and Drinking Sales Per Household	\$3,755	\$3,254	\$1,885	\$1,532
Avg. Household Income	\$69,130	\$91,901	\$140,241	\$90,402

Warrenton compared to its neighbor cities has the lowest lodging sales. Given the relative strong average household income in Warrenton, the lack of available lodging is the main contributor to the low eating and drinking sale volumes.

According to AirDNA (www.airdna.co), one of the leading data analytics companies for short-term rentals, Airbnb guests generate more than 80 billion dollars in visitor spending in the United States. They generate more than 24 billion dollars in taxes for governments. For every 100 dollars spent on an Airbnb stay, guests spent 264 dollars on other goods and services on local business, restaurants, attractions, shops and more. They support jobs across multiple industries and contribute substantial tax revenue for local governments. In Oregon, Airbnb in 2023, contributed 1.30 billion dollars in gross domestic product, 15,700 total jobs and 379 million dollars in total tax revenue.

The following table provides vacation rental demand statistics ([Airbnb Data for Vacation Rentals in Oregon, US](#)) for Warrenton in comparison to the US, Astoria and Seaside/Gearhart.

2024 AirDNA Short Term Vacation Rental Demand Statistics							
Region	STVR Listings	2022 Households	STVR Per Household	Avg Annual Revenue	Annual Occupancy	Annual ADR	Performance Score
US	1,655,220	NA		NA	54.8%	\$284.00	NA
Astoria	213	4490	0.047	\$30.8K	49.0%	\$261.70	62
Warrenton	89	2517	0.035	\$41.4K	54.0%	\$312.00	94
Seaside/Gearhart	1,414	4823	0.293	\$38.2K	58.0%	\$314.90	71

STVR-- Short-term vacation rentals
 ADR-- average daily rate
 U.S. Census Bureau (2023), American Community Survey 5-year estimates, Households
 AirDNA data for City of Warrenton but also includes adjacent unincorporated areas.
 AirDNA data for for City of Seaside includes City of Gearhart as well as adjacent unincorporated areas.
 AirDNA data for City of Astoria but also includes unincorporated areas adjacent to Astoria.

Warrenton’s AirDNA statistics indicate an under supply and strong demand for additional vacation rental units. The short-term vacation rental per household is only 0.035 indicating significant additional demand in comparison to Astoria and Seaside/Gearhart at 0.047 and 0.293 short term vacation rentals per household. A household is one or more individuals sharing living quarters. The average daily rate and the average revenue per short term vacation rental unit in Warrenton exceed Astoria and the Nation and, it is similar to Seaside, indicating demand exceeds supply for vacation rentals in Warrenton.

As presented above, Warrenton’s overall performance score at 94 ties Arch Cape, Oregon as the 4th best place In Oregon for vacation rentals. Only 3 areas have higher performance scores in Oregon: Seal Rock and Mount Angel at 97 and South Beach,

Newport at 96. Warrenton’s AirDNA performance rating is driven by high demand, high revenue growth and high short term vacation rental regulations limiting the supply of future short-term vacation rentals. The City of Warrenton has strict land use regulations governing the use of Vacation Dwelling Units. They are only allowed outright in C-1 zones and by conditional use approval in CMU zones. These strict zoning ordinances will restrict future Vacation Dwelling Unit supply in the City of Warrenton.

Warrenton Economic Impact Analysis

The recent Economic Impact Analysis (EOA) for the City of Warrenton (9/24/2021), recognizes the positive importance of tourism as on the local economy. It does not address the biggest challenge impacting tourism in the City of Warrenton, which is the severe lack of tourist accommodations as discussed above.

The following table summarizes the positive economic impact on the City of Warrenton tied to Vacation Dwelling Units. This information was obtained from AirDNA.

Warrenton Economic Impact Analysis -- Vacation Dwelling Units		
Warrenton STVR ADR		\$312.00
Occupancy		54.0%
Units		89
Economic Impact Per \$100 spent on STVR		\$264
Local Economy Impact		\$14,448,912
Tax Revenues(Warrenton Transient Tax Rate)	12.0%	\$656,769
Total Jobs Supported		174
STVR Growth Opportunity		
Growth in STVR	1.34	30
Additional Economy Impact		\$4,935,901
Additional Tax Revenues	12.0%	\$224,359
Additional Jobs		60
1 STVR Unit Analysis -- Economic Impact Study		
Warrenton ADR		\$312.00
Occupancy		54.0%
Units		1
Economic Impact Per \$100 spent on Rental		\$264
Local Economy Impact		\$162,347
Tax Revenues	12.0%	\$7,379

Currently, Vacation Dwelling Units in the City of Warrenton contribute \$14,448,912 in economic activity in the community, 174 jobs and \$656,769 in transient tax revenues. If the City of Warrenton allowed for the growth of 30 more Vacation Dwelling Units in the city, equal to the same per capita amount of Vacation Dwelling Units in Astoria, it would

generate an additional \$4,935,901 of economic growth to the local economy or businesses outside of the revenues from short-term vacation rental. It would create 60 additional jobs tied to this growth and tax transient revenues of \$224,359.

The proposed CUP for an additional Vacation Dwelling Unit in the City of Warrenton would generate \$162,347 per year of tourist spending on local businesses and generate approximately \$7,379 in additional tax revenues for the City.

Hotels/Motels

There are only two hotels/motels in the City of Warrenton, Shilo Inns Warrenton with 63 rooms and the South Jetty Inn with 9 rooms. This is only a total of 72 rooms for a population of 6,297 ([Warrenton, OR - Profile data - Census Reporter](#), U.S. Census Bureau). In comparison, there are 8 hotel/motels in Astoria with 450 to 550 rooms with a population of 10,162 or approximately 3.9 times as many hotel/motel rooms per capita at the low end of the estimated range. The number of hotel and motel rooms in Seaside/Gearhart far exceed both Warrenton and Astoria.

Impact on Long-Term Housing

The impact of one additional Vacation Dwelling Units in the City of Warrenton will have measurable impact on the supply of long-term housing in the City of Warrenton. According to U.S. Census Bureau (2023 [Warrenton, OR - Profile data - Census Reporter](#)), as of 2022, there were 2,772 housing units in the City of Warrenton. Of these units, 91 percent were occupied and 61 percent were owner occupied. Of these housing units, only 1 percent were nonpermanent structures like boats, RVs, or vans. This indicates a balance of housing units currently exists in the City of Warrenton. The conversion of 1 unit to a Vacation Dwelling Unit would represent only 0.036 percent or 3.6 percent of 1 percent of the existing housing supply.

The only available data outlining the buildable residential land in the City of Warrenton is the current Comprehensive Plan. The City of Warrenton's most recent Economic Opportunities Analysis (EOA) published in September of 2021 excluded an analysis of the availability of residential land as part of their analysis. The EOA did determine that supply for employment land (commercial, industrial and mixed-use) when considering impacts of wetlands substantially exceeds employment demand for the next 20-years. Some of this land could be rezoned for residential uses increase the availability of residential land in the City.

Wetlands have a major impact on the buildable land in the City of Warrenton. Wetlands in the City were inventoried in 1998 by the Oregon State Department of Lands. This information was incorporated into the Warrenton Comprehensive Plan indicates approximately 465 acres of buildable land that could support residential development after adjustment for roads and other public facilities as of 2006. The projected housing units were 3,172 based on a population of 6,481 and a vacancy rate of 15 percent as of 2027. The total land necessary to meet this forecast was 188.3 acres for the development of 1,147 residential units or 6.09 units per acre. This would leave 277 acres for residential development beyond 2027 or excess capacity for 1,687 residential units.

Between 2006 and 2022, total housing grew by 747 new housing units. The City of Warrenton has residential land available for the construction of 2,087 residential units based on 2,772 housing units as of 2022. According to the U.S. Census Bureau, the total number of households was 2,517 as of 2022 or 91 percent of housing units. According to ESRI, providing demographic forecasts, the number of households is expected to grow by 6.6 percent over the next 5 years resulting in a total need of 2,964 housing units by 2027 or 192 additional residential units. This leaves an excess supply of land available for residential housing in excess of housing demand to support 1,895 residential units over the next three years as of 2027. There is sufficient vacant residential land to support residential housing units in excess of 30 years.

The change of use of 1 unit to Vacation Dwelling Units will have no material impact on the needed residential housing units in the City of Warrenton. It currently only represents 0.036 percent or 3.6 percent of 1 percent of the current residential housing units in Warrenton.

Vacation Dwelling Units offer significant benefits that can support long-term residential development in Warrenton. These properties provide a flexible housing stock that can easily adapt to changing market demands, converting between short-term and long-term use as needed. The additional income generated for homeowners can increase overall home ownership bringing down the cost of home ownership and stimulate property improvements, enhancing the quality of the local housing stock. By boosting the local economy and providing these diverse advantages, vacation rentals, when properly managed, can play a positive role in shaping Warrenton's residential landscape over time.

c) Availability of other appropriately zoned sites.

There are three CMU zoning districts in the City of Warrenton and five C-1 zoning districts. The 1st CMU zoning district is located in Hammond along Pacific Drive. It is bordered on the north by the Hammond Marina (RC zone) and the south by a high-density residential district. As intended by the Warrenton Comprehensive Plan, this CMU district buffers an RC district to the north and RH districts to the east and west. The Property is located in this CMU district.

The 2nd CMU district is located along S Main Avenue, south of SW 4th St and west of SW Main Ct. As intended, it buffers OSI and RH uses to the west and A1 and RH uses to the east and C-1 uses to the west. The 3rd CMU district lies to the east of Highway 104 Spur just north of SE Ensign Lane and to the west of Highway 101.

The five C-1 districts include: 1) downtown district of Warrenton generally south of E Harbor View Drive with commercial uses to the east and west of S. Main Avenue. 2) This C-1 district lies along E Harbor View Drive east of the Skipanon River and west of Highway 101. 3) The largest C-1 district lies to the west and east of Highway 101 extending south from Youngs Bay to SE Dolphin Avenue to the south. 4) A 4th small C-1 district lies to the east and west of SE Dolphin Avenue south of Highway 101. 5) Another small C-1 district lies generally along South Main Avenue at the intersection of Delaura Beach Lane.

All 7 of these C-1 and CMU districts have either existing residential dwellings that could be converted to Vacation Dwelling Units or vacant lots that could be utilized for Vacation Dwelling Units.

d) **Desirability of other suitably zoned sites for the intended use**

The most desirable amenities for Vacation Dwelling Units in coastal communities is pedestrian access to coastal amenities like state parks, hiking/walking trails with water-focused amenities, open space and nearby restaurants and other local attractions. Of all the CMU and C-1 districts in the City of Warrenton, the CMU district where the Property resides is the most suitable and desirable location for Vacation Dwelling Units meeting all the most desirable needs of tourists looking for coastal experiences.

The C-1 districts are generally not ideally suited or desirable for Vacation Dwelling Units as these commercial districts are not desirable for people seeking a quiet and scenic location for a coastal vacation and only one is suitable for pedestrian traffic. The C-1 Warrenton downtown district along S. Main Avenue is the most desirable of these C-1 districts as it provides pedestrian access to several restaurants and shops. The north portion of this C-1 district across N Main Avenue is suitable being near the Warrenton Marina but less suitable due to the lack of improved pedestrian walkways and open space.

The 3 CMU districts are suitable for Vacation Dwelling Units. The 2nd CMU district is not highly desirable because of the lack of pedestrian access to coastal tourist amenities and its lack of scenic views. Some of the sites do have views of the Skipanon River. The 3rd CMU district is the least desirable with limited scenic views and limited pedestrian access to coastal tourist amenities.

Of the three CMU districts, CMU District 1, adjacent to south of the Hammond Marina, is most suitable and desirable for Vacation Dwelling Units. This CMU district is a quiet and scenic district with restaurants, convenience store, marina, state and city parks, Columbia River beaches, bait shop, open spaces all accessible via pedestrian travel. It provides pedestrian access to: state parks, hiking/walking trails with water-focused amenities, river beaches, marina, boat ramp, open space and nearby restaurants and other local attractions. It is the only C-1 or C-MU district with all the most desirable amenities for tourists seeking coastal experiences.



1 FIRST FLOOR PLAN
0' 1' 2' 4' 8' 12' 1/4" = 1'-0"





IN THE EVENT CONFLICTS ARE DISCOVERED BETWEEN THE ORIGINAL SIGNED AND SEALED DOCUMENTS PREPARED BY THE ARCHITECTS AND/OR THEIR CONSULTANTS, AND ANY COPY OF THE DOCUMENTS TRANSMITTED BY MAIL, FAX, ELECTRONICALLY OR OTHERWISE, THE ORIGINAL SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

PROJECT # 2020-190
DATE: 6 MAY 2023
REVISIONS

NEW MULTI FAMILY DEVELOPMENT:
JETTY VIEW TOWNHOMES
444 JETTY STREET BLDG B WARRENTON, OREGON

SHEET

A2.3

GENERAL NOTES:

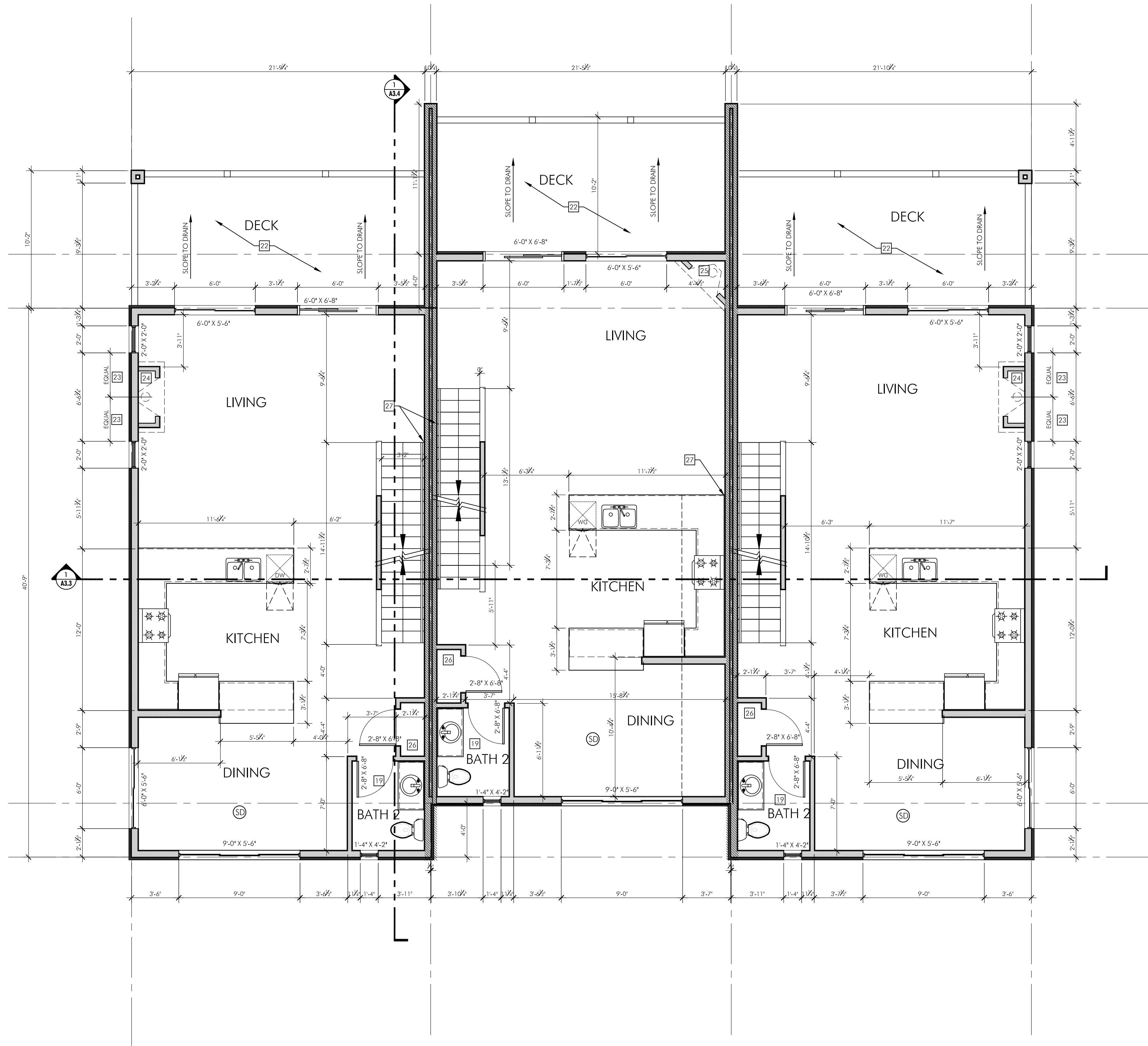
- GENERAL NOTES APPLY TO ALL DRAWINGS.
- DIMENSIONS ARE TO FACE OF FRAMING, STRUCTURAL SHEATHING, EXTERIOR SHEATHING OR GRID LINES. DIMENSIONS STATED AS "CLEAR" ARE TO FACE OF FINISH, UNLESS OTHERWISE NOTED.
- SEE ELEVATIONS FOR DESCRIPTION OF EXTERIOR WALL MATERIALS.
- DRAWINGS ARE DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED. NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES OR QUESTIONABLE DIMENSIONS PRIOR TO PROCEEDING WITH AREA OF REQUIRED WORK.
- ALL BEAMS AND HEADERS SHALL HAVE ONE 2X BEARING AND ONE 2X KING POST AT EACH END UNLESS OTHERWISE NOTED ON PLAN.
- ALL WALLS SEPARATING CONDITIONED SPACES FROM UNCONDITIONED SPACES SHALL BE THERMALLY INSULATED.
- ALL THERMALLY INSULATED WALLS TO BE 2x6 FRAMING WITH R-23 BATT INSULATION.
- PROVIDE SOLID 2X BLOCKING FOR TOWEL BARS, CABINETS, COUNTERS W/ KNEE SPACES, DOOR STOPS AND DRAPERIES WHERE REQUIRED.
- ATTIC VENTILATION REQUIREMENTS PER 806.1
- CRAWL SPACE VENTILATION REQUIREMENTS PER 409.1

PLAN LEGEND:

- 2x6 WOOD STUD WALL @ 16" O.C. (R-23 BATT AT EXTERIOR)
- 2x4 WOOD STUD WALL @ 16" O.C.
- RATED WALL ASSEMBLY
- HOSE BIBB
- DOWNSPOUT, OVERSIZE WHERE VALLEYS ABOVE OCCUR
- ELECTRICAL PANEL

PLAN NOTES:

- CONCRETE STEM WALL PER STRUCTURAL
- TRASH/RECYCLE BINS
- 8 X 16 FOUNDATION VENTS - LOCATE 12" CLEAR (MIN) FROM HOLD DOWNS AND ANCHOR BOLTS
- 4" GARAGE FLOOR SLAB, SLOPE TO DRAIN 3" FALL FROM FRONT TO GARAGE DOOR OPENING
- CONCRETE STEPS, MAX 8" RISE AND 10" TREAD
- FOUNDATION WALL ADJACENT TO CONCRETE DECK
- CONCRETE DECK
- BLOCK OUT FOUNDATION WALL FOR FURNACE DUCTING
- ELECTRIC SLIDE IN RANGE WITH EXHAUST HOOD ABOVE
- EQUAL STAIR RISERS, NOT TO EXCEED 8" RISE, RUN 9" PROVIDE, ENSURE HANDRAIL ONE SIDE
- CLOSET ROD AND SHELF
- ELECTRIC WATER HEATER, 50 GALLON, PROVIDE SEISMIC STRAPPING
- WASHER AND DRYER WITH 16" DEEP SHELF ABOVE
- FRIDGE WITH ICE MAKER
- CRAWLSPACE ACCESS HATCH 18" x 24"
- GUARD RAIL AT 36"
- ATTIC ACCESS HATCH 22 X 30
- FIRE PLACE FLUE TO ROOF
- GREEN BOARD GYP AT WALLS IN BATHROOMS.
- PROVIDE BLOCKED OUT AREA FOR DUCT RUNS WITHIN TRUSSES UNDER INSULATION
- SOFFIT CEILING DOWN OVER TUB, DUCT ROUTING ABOVE
- SLOPED CONCRETE DECK OVER WOOD FLOOR JOISTS
- COORDINATE SIZE AND CONFIGURATION OF FIREPLACE, PRIOR TO LOCATING WINDOWS, FIREPLACE TO BE CENTERED BETWEEN WINDOWS, FIELD VERIFY
- GAS FIREPLACE, DIRECT VENT SIDE WALL, VERIFY
- GAS FIREPLACE CORNER PLACEMENT, VENT TO ROOF ABOVE, VERIFY REQUIRED CLEARANCES AND LOCATION OF WINDOW
- PROVIDE LAMINATE SHELVES AT PANTRY (6) EQUALLY SPACED
- HANDRAILS SHALL OCCUR ON ONE SIDE AND SHALL NOT PROJECT MORE THAN 4 1/2", HANDRAILS SHALL HAVE A DISTANCE OF 1 1/2" FROM THE WALL, HANDRAILS SHALL HAVE AN OUTSIDE DIAMETER OF NOT LESS THAN 1 3/4" AND NOT GREATER THAN 2". HANDRAILS SHALL RUN THE FULL LENGTH OF THE FLIGHT FROM A POINT DIRECTLY ABOVE THE TOP RISER OF THE FLIGHT TO A POINT DIRECTLY ABOVE THE LOWEST RISER OF THE FLIGHT. HANDRAIL ENDS SHALL BE RETURNED OR SHALL TERMINATE IN NEWEL POSTS OR SAFETY TERMINALS.



1 SECOND FLOOR PLAN
0 1' 2' 4' 8' 12' 1/4" = 1'-0"



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PROJECT # 2020-190 DATE: 6 MAY 2023 REVISIONS

NEW MULTI FAMILY DEVELOPMENT: JETTY VIEW TOWNHOMES 444 JETTY STREET BLDG B WARRENTON, OREGON

SHEET A2.4

GENERAL NOTES:

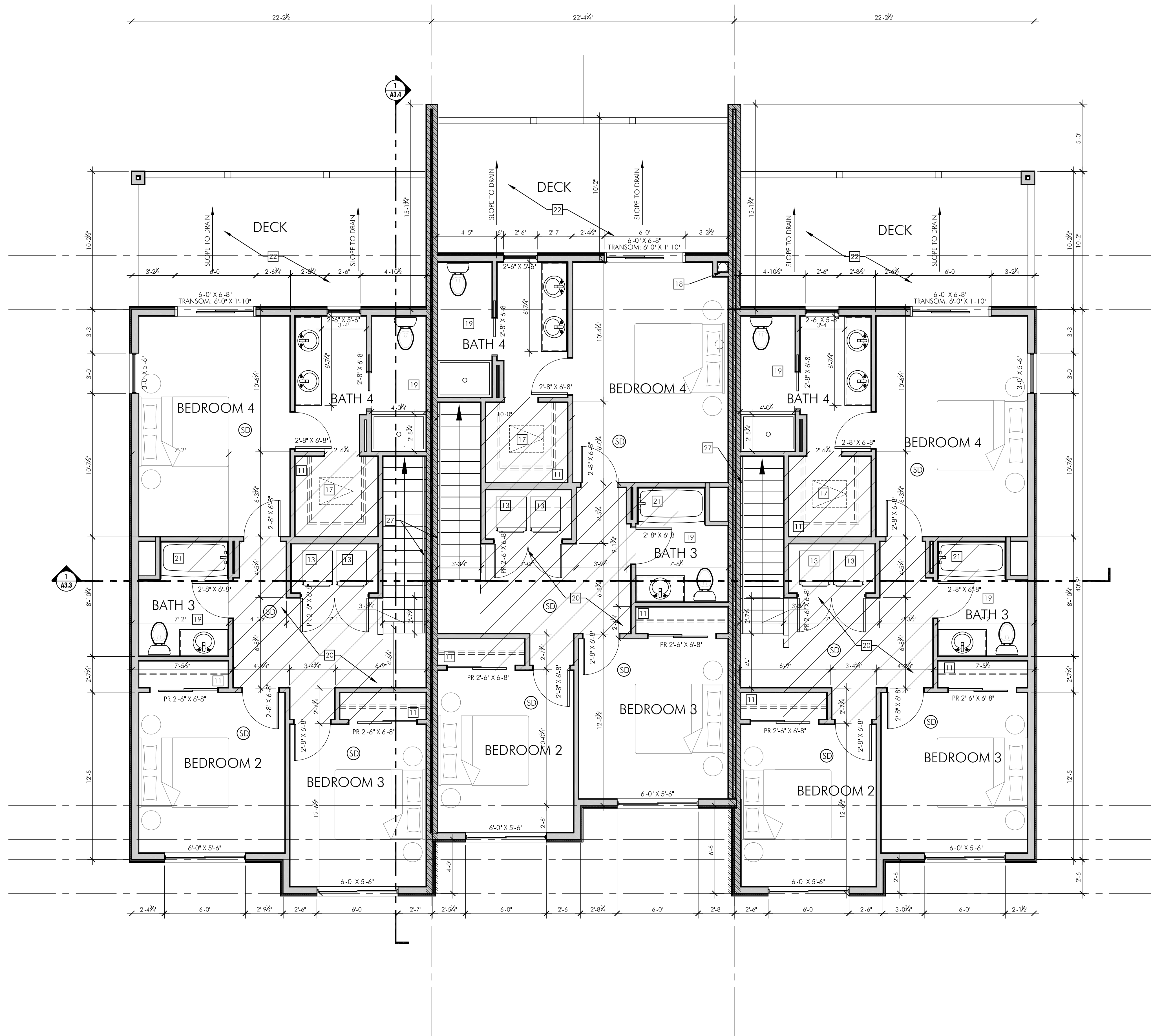
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- 2x6 WOOD STUD WALL @ 16" O.C. (R-23 BATT AT EXTERIOR) 2x4 WOOD STUD WALL @ 16" O.C. RATED WALL ASSEMBLY HOSE BIBB DOWNSPOUT, OVERSIZE WHERE VALLEYS ABOVE OCCUR ELECTRICAL PANEL

PLAN NOTES:

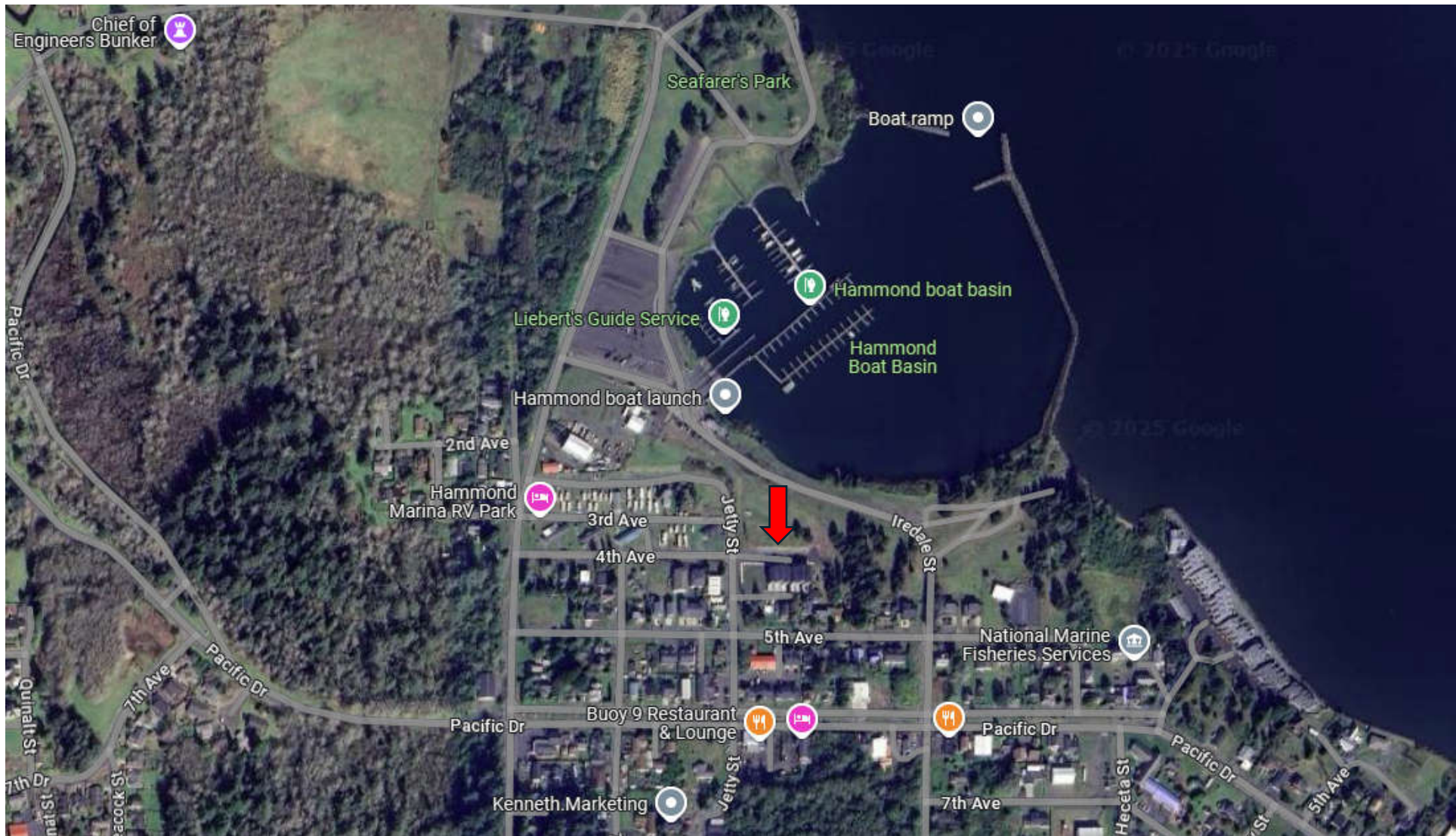
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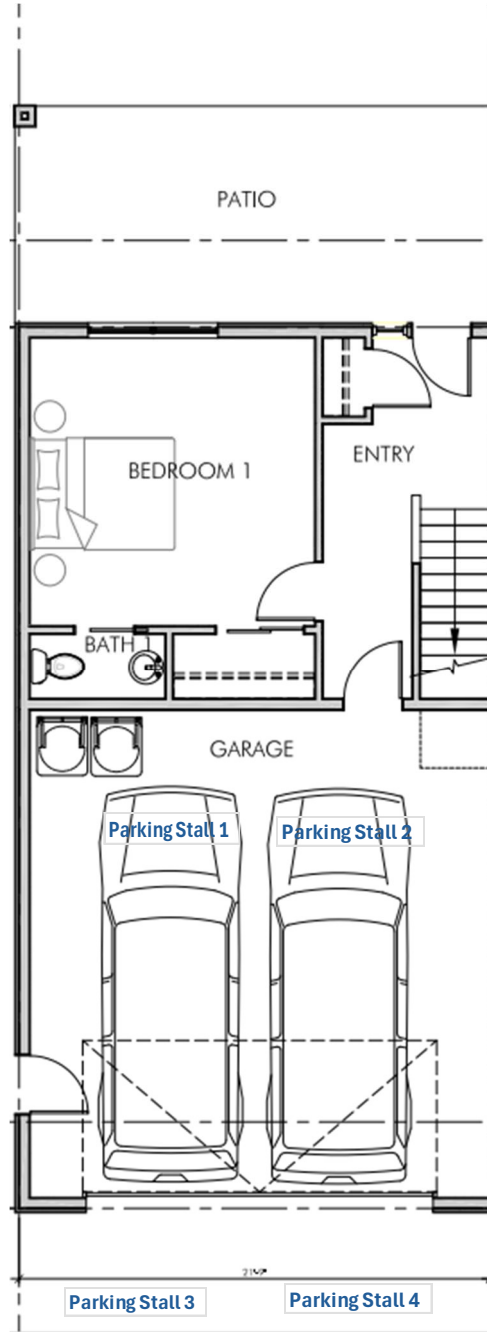
1 THIRD FLOOR PLAN 1/4" = 1'-0"



Red arrow identifies the location of 980 4th



980 4th Ave – Parking Diagram

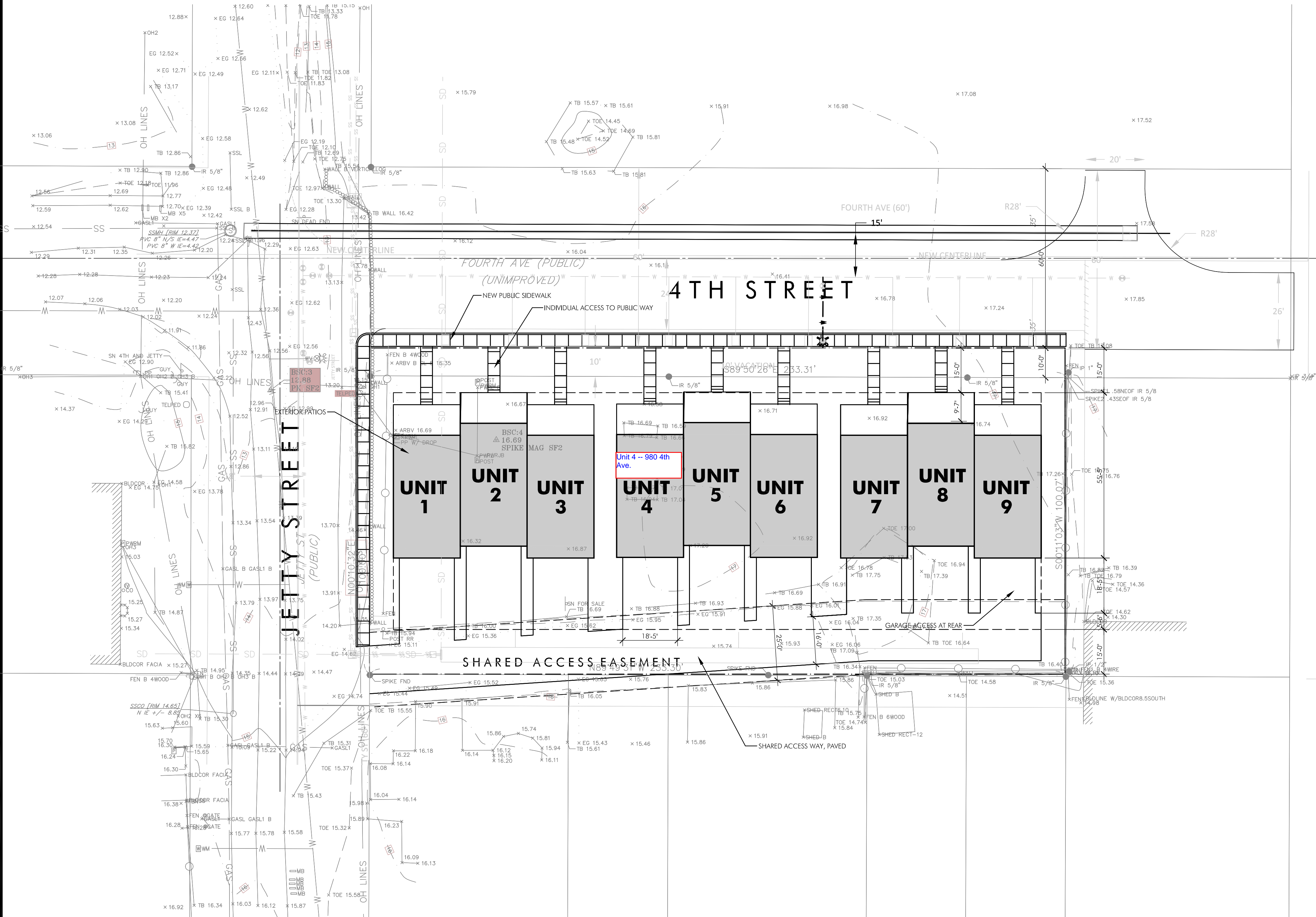


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ELECTRONICALLY OR OTHERWISE, THE ORIGINAL
SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

PROJECT # 2020-190
DATE: 17 JUNE 2021
REVISIONS

NEW MULTI FAMILY DEVELOPMENT:
JETTY VIEW TOWNHOMES
4th AVE WARRENTON, OREGON

SHEET
A1.1



1 SITE PLAN
0 5 10 20 40 60 1:20





City of Warrenton

Planning Department

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

Phone: 503.861.0920 Fax: 503.861.2351

STAFF REPORT

TO: The Warrenton Planning Commission
FROM: Esther Moberg, City Manager
DATE: December 11, 2025
SUBJ: Ordinance 1274 Amending Wording of WMC 16.152 Grading Excavation and Erosion Control Plans (DCR-25-3)

BACKGROUND

As reviewed and recommended at the last City Commission meeting under discussion items, the following is the amended code WMC 16.152 Grading Excavation and Erosion Control Plans as requested by the City Commission during the fill work session previously this year brought forward for approval by the Planning Commission.

the intent of the amendment is as follows:

- 1) To make the code requirements more easily understandable
- 2) to make it clear when more extensive fill permits are required
- 3) to mitigate prior issues and anticipate future problems when improper grading/fill causes flooding into neighboring properties.

PUBLIC PROCESS, PROCEDURES & PUBLIC NOTICE

The proposed ordinance was reviewed by city legal staff in August 2023. Notice was provided to DLCD on November 13, 2023. Public hearing notice was published in The Astorian December 30, 2023. No public comments were received as of the date of this report.

CODE PROVISIONS, APPLICANT RESPONSES, AND FINDINGS

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

CONCLUSIONS AND RECOMMENDATION

Based on previous discussion with the Planning Commission and feedback from legal counsel, and findings, staff recommend the Planning Commission recommend approval of Ordinance No. 1266 to the City Commission for final adoption.

RECOMMENDED MOTION

“Based on the findings and conclusions of the December 11, 2025 staff report, I move to recommend changes to the Development Code as described in DCR 20-1, draft an ordinance, and forward to the City Commission for a proposed public hearing with a recommendation to adopt.”

ALTERNATIVE MOTION

None Recommended

ATTACHMENTS

None

Approved by City Manager: _____

Ordinance No. 1274

Introduced by All Commissioners

AN ORDINANCE AMENDING CHAPTER 16.152 of the WARRENTON MUNICIPAL CODE TO MODIFY REGULATIONS ON GRADING, EXCAVING, AND EROSION CONTROL PLANS

WHEREAS, the City Commission recognizes that public health, safety, and general welfare necessitate the reasonable regulation of grading within Warrenton;

WHEREAS, the current City code has resulted in unintended adverse impacts on neighboring properties which these regulations are designed to address;

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

Section 1. Section 16.152 of the Warrenton Municipal Code is hereby amended as follows:

16.152.040 Exempted Work.

A grading permit is not required for the following:

- A. When approved by the ~~building official~~ **Building Official or their designee**, grading in an isolated, self-contained area if there is no danger **or potential impacts** to private or public property. **The Building Official or their designee may elect to identify proposed minor grading applications as exempt if the applicant is able to convince the reviewer that there is no potential hazard or impacts to the neighbors or the general public (i.e., grading is not adjacent to any property lines, no habitat or vegetation impacts, no changes to existing drainage patterns, no increase in stormwater drainage volumes, no floodplain impacts, no natural resource impacts, or no additional impacts based on criteria as identified in the Engineered Grading or Regular Grading requirements). Erosion control measures shall still be utilized.**
- B. ~~An excavation below finished grade for basements and footings of a building, retaining wall, or other structure authorized by a valid building permit. This shall not any fill made with the material from such excavation or exempt any structure having unsupported height greater than five feet after completion of such structure.~~ **Agricultural grading related to farm practices as defined ORS 30.930.**
- C. ~~Cemetery graves.~~ **Homeowner landscaping activities such as tree/shrub plantings or removal, gardening, landscaping (placement of soil amendments, topsoil, bark or rock coverings) and other similar activities. Grading volumes for such landscaping activities shall be less than 10 cubic yards per year and less than 1-foot in depth/thickness.**
- D. ~~Refuse disposal sites controlled by other regulations.~~ **Cemetery graves.**
- E. ~~Excavations for wells, tunnels, or utilities.~~ **Refuse disposal sites controlled by other regulations; applicants shall follow all applicable Oregon Revised Statutes (ORS) requirements.**

- F. ~~Mining, quarrying, processing, stockpiling of rock, sand, gravel, aggregate, or clay where established and provided for by law, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.~~ **Excavations for wells, tunnels, or utilities; applicants shall follow all applicable Clatsop County and/or Oregon Revised Statutes (ORS) requirements.**
- G. Exploratory excavations under the direction of **geotechnical (soil)** engineers or engineering geologists.
- H. ~~An excavation which: (1) is less than two feet in depth; or (2) which does not create a cut slope greater than five feet in height and steeper than one unit vertical in one and one-half units horizontal (66.7% slope).~~
- I. ~~A fill less than one foot in depth and placed on natural terrain with a slope flatter than one unit vertical in five units horizontal (20% slope), or less than three feet in depth, not intended to support structures, that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course.~~

~~Exemption from the permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter or any other chapter of this Code, or other laws or ordinances of the City of Warrenton.~~ **The building official reserves the right to redefine an exempt grading determination and require a grading permit if hazards or potential impacts to neighbors are identified in the future.**

16.152.050 Hazards.

Whenever the ~~building official~~ **Building Official or their designee** determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use, or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt in writing from the ~~building official~~ **Building Official or their designee**, shall within the time period specified therein eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this Code.

16.152.060 Grading Permit Requirements.

- A. ~~Permits Required. Except as exempted in Section 16.152.040, no person shall do any grading without first obtaining a grading permit from the building official. A separate permit shall be obtained for each site, and may cover both excavations and fills.~~ Application. To obtain a grading permit, the applicant shall file an application in writing to the City of Warrenton on a form furnished by the **Building Official or their designee**. Every such application shall contain:
 1. Identification and description of work to be covered by the permit for which the application is made, including estimated quantities of work involved **and identified erosion control measures**.
 2. Description of the land on which the proposed work is to be done by legal description, street address, assessor parcel number, or similar description that will readily identify and ~~definitely~~ locate the proposed building or work.
 3. Indication of the use or occupancy for which the proposed work is intended.

4. Plans, diagrams, computations, and specifications, and other data as required by this chapter. Plans and specifications shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed, and show in detail that it will conform to all provisions of this Code and relevant laws, ordinances, rules, and regulations of the City.
 5. Applicant's signature.
 6. Other data as required by the **Building Official or their designee.**
- B. ~~Application. To obtain a grading permit, the applicant shall file an application in writing to the City of Warrenton on a form furnished by the building official. Every such application shall contain:~~**Engineered Grading. The following shall be designated as "engineered grading" and require an approved grading plan prepared by a civil engineer:**
1. ~~Identification and description of work to be covered by the permit for which the application is made, including estimated quantities of work involved.~~**Grading activities with cumulative depths greater than one foot, over a five-year period.**
 2. ~~Description of the land on which the proposed work is to be done by legal description, street address, assessor parcel number, or similar description that will readily identify and definitely locate the proposed building or work.~~**Grading activities within an Area of Special Flood Hazard as identified on the effective Flood Insurance Rate Maps (FIRMs). Such grading activities shall also be subject to a floodplain development permit.**
 3. ~~Indication of the use or occupancy for which the proposed work is intended.~~**Grading activities subject to a removal-fill permit from the Oregon Department of State Lands.**
 4. ~~Plans, diagrams, computations, and specifications, and other data as required by this chapter. Plans and specifications shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed, and show in detail that it will conform to all provisions of this Code and relevant laws, ordinances, rules, and regulations of the City.~~**Grading activities related to a plat or land partition application.**
 5. ~~Applicant's signature.~~**Grading activities for public improvements.**
 6. ~~Other data as required by the building official.~~

Grading activities which are designated as engineered grading shall conform to the currently adopted Oregon Structural Specialty Code Appendix J, as may be amended.

- C. ~~Regular Grading Designation. Grading in excess of 5,000 cubic yards shall be permitted in accordance with~~**activities which require a permit but do not fall into the approved grading plan prepared by a civil engineer, and shall be designated as "requirements of "engineered grading"** ~~Grading involving less than 5,000 cubic~~

yards shall be designated as "regular grading" unless the permittee chooses to have the grading performed as engineered grading, or the ~~building official~~**Building Official or their designee** determines that special conditions or unusual hazards exist, ~~in which case.~~ **In such cases**, grading shall conform to the requirements of engineered grading.

- D. ~~Engineered Grading~~ **Application** Requirements. ~~As required by the currently adopted Oregon Structural Specialty Code Appendix J, as may be amended.~~ Each application for a grading permit shall be accompanied by a plan ~~in~~ **of** sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the name of the owner, and the name of the person who prepared the plan. The plan shall include the following information:
1. General vicinity of the proposed site.
 2. Limiting dimensions and depth of cut and fill.
 3. Location of any buildings or structures where work is to be performed, and the location of any buildings or structures within 15 feet of the proposed grading.
- E. ~~Regular Grading~~ Requirements. ~~Each application for a grading permit shall be accompanied by a plan in sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the name of the owner, and the name of the person who prepared the plan. The plan shall include the following information:~~
1. ~~General vicinity of the proposed site.~~
 2. ~~Limiting dimensions and depth of cut and fill.~~
 3. ~~Location of any buildings or structures where work is to be performed, and the location of any buildings or structures within 15 feet of the proposed grading.~~

Issuance.

1. The application, plans, specifications, computations, and other data filed by an applicant for a grading permit shall be reviewed by the ~~building official~~. **Building Official or their designee**. Such plans may be reviewed by other City departments to verify compliance with any applicable laws of the City. ~~The building official~~ **The Building Official or their designee** may require that grading operations and project designs be modified if delays occur which incur weather generated problems not considered at the time the permit was issued. The provisions of UBC Section 106.4 are applicable to grading permits.
2. The ~~building official~~ **Building Official or their designee** may require professional inspection and testing by the soils **geotechnical** engineer. When the ~~building official~~ **Building Official or their designee** has cause to believe that geologic factors **hazards or geotechnical concerns** may be involved, the grading will be required to conform to engineered grading. **The Permittee shall be responsible for all fees associated with such professional services.**

16.152.070 Grading Inspection.

- A. General. Grading operations for which a permit is required shall be subject to inspection by the ~~building official~~. **Building Official or their designee**. Professional inspection of grading operations, **including erosion control measures**, shall be provided by the civil engineer, ~~soils~~ **geotechnical** engineer, and the engineering geologist retained to provide such services in accordance with this section for engineered grading and as required by the ~~building official for regular grading~~ **Building Official or their designee for regular grading. The Permittee shall be responsible for all fees associated with such professional services.**
- B. Civil Engineer. The civil engineer shall provide professional inspection within such engineer's area of technical specialty, which shall consist of observation and review as to the establishment of line, grade, and surface drainage of the development area. If revised plans are required during the ~~course of the work~~, they shall be prepared by the civil engineer.
- C. **Soils Geotechnical** Engineer. The ~~soils~~**geotechnical** engineer shall provide professional inspection within such engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The ~~soils~~**geotechnical** engineer **or its representative** shall provide sufficient observation during preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this chapter. Revised recommendations relating to conditions differing from the approved ~~soils~~ **geotechnical** engineering and engineering geology reports shall be submitted to the permittee, ~~building official~~ **Building Official or their designee**, and the civil engineer.
- D. Engineering Geologist. The engineering geologist shall provide professional inspection within such engineer's area of technical specialty, which shall include professional inspection of the bedrock excavation to determine if conditions encountered are in conformance with the approved report. Revised recommendations relating to conditions differing from the approved engineering geology report shall be submitted to the ~~soils~~ **geotechnical** engineer.
- E. Permittee. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this Code, and the permittee shall engage consultants, if required, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the consultants, the contractor, and the ~~building official~~. **Building Official or their designee**. In the event of changed conditions, the permittee shall be responsible for informing the ~~building official~~ **Building Official or their designee** of such change and shall provide revised plans for approval.
- F. Building Official. The ~~building official~~**Building Official or their designee** shall inspect the project at the various stages of work requiring approval to determine that adequate control is being exercised by the professional consultants.
- G. Notification of Noncompliance. If, ~~in the course of~~**while** fulfilling their respective duties under this chapter, the civil engineer, the ~~soils~~**geotechnical** engineer, or the engineering geologist finds that the work is not being done in conformance with this chapter or the

approved grading plans, the discrepancies shall be reported immediately in writing to the permittee and the ~~building official~~ **Building Official or their designee**.

- H. Transfer of Responsibility. If the civil engineer, the ~~soils~~ **geotechnical** engineer, or the engineering geologist of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the ~~building official~~ **Building Official or their designee** in writing of such change prior to the recommencement of such grading.

16.152.090 Bonds.

~~The building official~~ **The Building Official or their designee** may require bonds in such form and amounts as may be deemed necessary to assure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions. In lieu of a surety bond, the applicant may file a cash bond or instrument of credit with the ~~building official~~ **Building Official or their designee** in an amount equal to that which would be required in the surety bond.

16.152.110 Fills.

- A. General. Unless otherwise recommended in the approved ~~soils~~ **geotechnical** engineering report, ~~fills~~ **fill activities** shall conform to the provisions of this section. In the absence of an approved ~~soils~~ **geotechnical** engineering report, these provisions may be waived for minor fills not intended to support structures.
- B. Preparation of Ground. Fill slopes shall not be constructed on natural slopes steeper than one unit vertical in two units horizontal (50% slope). The ground surface shall be prepared to receive fill by removing vegetation, noncomplying fill, topsoil, and other unsuitable materials, scarifying to provide a bond with the new fill, and, where slopes are steeper than one unit vertical in five units horizontal (20% slope) and the height is greater than five feet, by benching into sound bedrock or other competent material as determined by the ~~soils~~ **geotechnical** engineer. The bench under the toe of a fill on a slope steeper than one unit vertical in five units horizontal (20% slope) shall be at least 10 feet wide. The area beyond the toe of the fill shall be sloped for sheet overflow or a paved drain shall be provided. When fill is to be placed over a cut, the bench under the toe of the fill shall be at least 10 feet wide but the cut shall be made before placing the fill and acceptance by the ~~soils~~ **geotechnical** engineer or engineering geologist or both as a suitable foundation for fill (**see; Figure 1 - Slope Calculation Matrix**).

Slope Ratio	Decimal Equivalent	Percentage Grade	Angle (degrees)
1:1	1.0	100.0%	45.00°
1:2	0.5	50.0%	26.57°
1:3	0.33	33.3%	18.43°
1:4	0.25	25.0%	14.04°
1:5	0.20	20.0%	11.31°

1:6	0.17	16.7%	9.46°
1:7	0.14	14.3%	8.13°
1:8	0.13	12.5%	7.13°
1:9	0.11	11.1%	6.34°
1:10	0.10	10.0%	5.71°

Figure 1 - Slope Calculation Matrix

- C. **Fill Material.** Detrimental amounts of organic material shall not be permitted in fills. Except as permitted by the ~~building official~~ **Building Official or their designee**, no rock or similar irreducible material with a maximum dimension of greater than 12 inches shall be buried or placed in fills. The ~~building official~~ **Building Official or their designee** may permit the placement of larger rock when the ~~soils engineer~~ properly devises a method of placement and continuously inspects its placement and approves the fill stability. The following conditions shall also apply: ~~(1) prior to issuance of a grading permit, potential rock disposal areas shall be delineated on the grading plan; (2) rock sizes greater than 12 inches in maximum dimension shall be 10 feet or more below grade, measured vertically; and~~
1. **Prior to issuance of a grading permit, potential rock disposal areas shall be delineated on the grading plan;**
 2. **Rock sizes greater than 12 inches in maximum dimension shall be 10 feet or more below grade, measured vertically; and.**
 3. **Rocks shall be placed so as to assure filling of all voids with well-graded soil.**
- D. **Compaction.** All fills shall be compacted to a minimum of 90% of maximum density **or as directed by the geotechnical engineer of record for the project.**
- E. **Slope.** The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes shall be no steeper than one unit vertical in two units horizontal: **(see; Figure 1 - Slope Calculation Matrix).**
- F. **Fill Compaction Report.** The engineer or its representative shall provide a copy of a fill compaction report to the **Building Official or their designee.**

16.152.120 Setbacks.

- A. **General.** Cut and fill slopes shall be set back from site boundaries in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the site boundary.
- B. **Top of Cut Slope.** The top of cut slopes shall not be made nearer to a site boundary line than one-fifth the vertical height of cut with a minimum of two feet and a maximum of 10 feet. The setback may need to be increased for any required interceptor drains.
- C. **Toe of Fill Slope.** The toe of fill slope shall be made not nearer to the site boundary line than one half the height of the slope with a minimum of two feet and a maximum of 20 feet. Where a fill slope is to be located near the site boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the work as the

~~building official~~**Building Official or their designee** deems necessary to protect adjoining property from damage as a result of such grading. These precautions may include, but are not limited, to ~~(1) additional setbacks; (2) provisions for retaining or slough walls; (3) mechanical or chemical treatment of the fill slope surface to minimize erosion; and (4) provisions for the control of surface waters~~ **the following:**

- 1. Additional setbacks.**
- 2. Provisions for retaining walls.**
- 3. Mechanical or chemical treatment of the fill slope surface to minimize erosion.**
- 4. Provisions for the control of surface waters.**

D. Modification of Slope Location. The ~~building official~~**Building Official or their designee** may ~~approve~~**require** additional setbacks. The ~~building official~~**Building Official or their designee** may **also** require investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this section has been satisfied. **A report of such investigation shall be provided to the Building Official or their designee.**

16.152.130 Drainage and Terracing.

- A. General. Unless otherwise indicated on the approved grading plan, drainage facilities and terracing shall conform to the provisions of this section for cut or fill slopes steeper than one unit vertical in three units horizontal (33.3% slope; **see Figure 1 - Slope Calculation Matrix**).
- B. Terraces.
1. Terraces at least six feet in width shall be established at not more than 30-foot vertical intervals on all cut or fill slopes to control surface drainage and debris except that where only one terrace is required, it shall be a mid-height. For cut or fill slopes greater than 60 feet and up to 120 feet in vertical height, **at least** one terrace at approximately mid-height, shall be 12 feet in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet in height shall be designed by a civil engineer and approved by the ~~building official~~**Building Official or their designee**. Suitable access shall be provided to permit proper cleaning and maintenance.
 2. Swales or ditches or terraces shall have a minimum gradient of five percent and must be paved with reinforced concrete not less than three inches in thickness or and approved equal paving. They shall have a minimum depth at the deepest point of one foot and a minimum paved width of five feet.
 3. A single run of swale or ditch shall not collect runoff from a tributary **drainage area** exceeding 13,500 square feet (projected) without discharging into a down drain.
- C. Subsurface Drainage. Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.
- D. Disposal.
1. All drainage facilities shall be designed to carry waters to the nearest practicable drainage way approved by the ~~building official~~**Building Official** or other

appropriate ~~jurisdiction as~~ **designee** as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of non-erosive down-drains, **riprap**, or other devices.

2. Building pads shall have a drainage gradient of two percent toward approved drainage facilities unless waived by the ~~building official~~ **Building Official or their designee**. The gradient from the building pad may be one percent if all of the following conditions exist throughout the permit area: (a) no proposed fills are greater than 10 feet in maximum depth; (b) no proposed finish cut or fill slope faces a vertical height in excess of 10 feet; and (c) no existing slope faces, which have a slope face steeper than one unit vertical in 10 units horizontal, have a vertical height in excess of 10 feet.
- E. Interceptor Drains. Paved interceptor drains shall be installed along the top of all cut slopes where the tributary drainage area above slopes toward the cut and has a drainage path greater than 40 feet measure horizontally. Interceptor drains shall be paved with a minimum of three inches of concrete or gunite and reinforced. They shall have a minimum depth of 12 inches and a minimum paved width of 30 inches measured horizontally across the drain. The slope of the drain shall be approved by the ~~building official~~ **Building Official or their designee**.

16.152.150 Completion of Work.

Upon completion of the rough grading work and at the completion of the work, the following reports and drawings and supplements thereto are required for engineered grading or when professional inspection is performed for regular grading, as applicable:

- A. An as-built grading plan prepared by the civil engineer retained to provide such services in accordance with Section 16.152.070 showing original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and of the outlets of subsurface drains. As-constructed locations, elevations, and details of subsurface drains shall be shown as reported by the ~~soils~~ engineer. Civil engineers shall state that to the best of their knowledge the work within the specified area of responsibility was done in accordance with the final approved grading plan.
- B. A report prepared by a ~~soils~~ **geotechnical** engineer **or its representative** retained to provide such services in accordance with Section 16.152.070, including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during grading and their effect on recommendations made in the approved soils engineering investigation report. ~~Soils~~ **Geotechnical** engineers shall submit a statement **to the Building Official or their designee** that, to the best of their knowledge, the work within their area of responsibilities is in accordance with the approved ~~soils~~ **geotechnical** engineering report and applicable provisions of this chapter.

Section 2. This Ordinance will take effect 30 days after its adoption by the Warrenton City Commission.

First Reading:

Second Reading:

ADOPTED by the City Commission of the City of Warrenton, Oregon this day of 2025.

APPROVED

Henry A. Balensifer, Mayor

Attest:

Dawne Shaw, CMC, City Recorder