

MINUTES
Warrenton Planning Commission
May 9, 2024
6:00 p.m.
Warrenton City Hall - Commission Chambers
225 S. Main
Warrenton, OR 97146

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

Commissioners Present: Kevin Swanson, ~~Christine Bridgens, Mike Moha~~, Chris Hayward
Jessica Sollaccio, Karin Hopper, and Cynthia O'Reilly

Absent: *Christine Bridgens, Mike Moha**

Staff Present: Planning Director Matthew Ellis, Secretary Judith Stich, and Secretary Paige Stump

3. APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes – 4.11.24

Commissioner Swanson asked if the correction to the meeting minutes from the March 14, 2024, Planning Commission Meeting had been made. The secretary confirmed that the correction had been made.

Mr. Swanson made a motion to approve the minutes as presented. Motion was seconded and passed unanimously.

Swanson–aye; Hayward–aye; Sollaccio–aye; Hopper–aye; O’Reilly–aye

4. PUBLIC COMMENT ON NON-AGENDA ITEMS – None

5. PUBLIC HEARINGS

A. SDR-24-1 & CUP-24-1 Mini-Storage Warehouse on Tax lot 810340002301

Chair Hayward opened the hearing for the proposed Mini-Storage Warehouse. Planning Director, Matthew Ellis, went over the Staff Report. It was mentioned by Mr. Ellis that the commission is still considering a cap on mini storage in Warrenton for the future, but that has not gone into effect yet and therefore should not be considered. The applicant has submitted sufficient materials to the Planning Department, and both the Site Design Review requirements and the Conditional Use Permit requirements have been met. Some conditions are being recommended by the Planning Department for approval. Staff feels that this this an appropriate use for the area, and recommends approval based on the recommended conditions.

Mr. Swanson asked about the sewer and water to the site and why the conditional use permit was being used rather than a permanent use. Mr. Ellis responded to the water and sewer by saying that they would be placed alongside the corridor that they are planning to dedicate the road

coming from Warrior Way to the City. Part of the conditions include the applicant asking permission from the School District to access the road in the right of way. Mr. Ellis then spoke to the Commercial Zoning district that the proposed site is to take place in requires a Conditional Use Permit for mini-storage facilities. Mr. Swanson followed up by asking if the applicant owned the access to be able to build the road. Mr. Ellis responded that they owned the majority and that only about 20 feet was not owned by the applicant.

At this point in the hearing, Chair Hayward stopped the hearing to get a bearing on the format of the hearing. Chair Hayward mentioned that he was used to having two separate items and not one hearing for both. Mr. Ellis responded that we would have two separate hearings for the items, to which Chair Hayward responded that the basic rules were the same. Chair Hayward started over and asked if anyone wished to speak to fill out a testimony sign up form. He then asked how many people were there to speak to item 5A, to which only the applicant responded. Chair Hayward asked how many people were there to speak to items 5B through 5E, to which there were a few responses from the attendees. Chair Hayward then reopened the hearing for SDR-24-1 and CUP-24-1.

Chair Hayward asked if there were any conflicts of interest, from the Commissioners present, where the Mini-Storage was concerned. Mr. Swanson answered that he had driven to the site but there were no conflicts of interest. Chair Hayward then brought the hearing back to the Staff Report. The Planning Director then opened for questions from Commissioners regarding item 5A.

Commissioner Hopper stated concern over the age of the liquification reports. Mr. Ellis responded that the Building Department would determine if the reports were still valid and if there were any unstable soils; that would have to be amended.

There were no other questions, and the floor was opened for the Applicant to present his case. The Applicant introduced himself as John Nygaard; spoke to working with the city for a better part of a year for this project and that they were also working with the School District for completion of the road to be dedicated once completed. Buildings were designed with the school district and the business on the other side of the property in mind. The Mr. Nygaard proceeded to talk about a greenspace that would create a setback between the Storage Units and the School District. The sidewalk between Warrior Way and Dolphin would be completed in addition to the shared road. The Applicant then asked the Commission if they had any questions.

Commissioner O'Reilly asked Mr. Nygaard if there were any plans for them to fix the bump in the road in the intersection of Warrior Way and Dolphin. Mr. Nygaard raised the questioning if that was something that would be his responsibility, Mr. Ellis broke in and responded that would be a question better directed to the Public Works department. Chair Hayward asked if there were any questions. Mr. Nygaard thanked the Commission for their time and ended his remarks.

Chair Hayward asked if there was anyone there to speak in favor of the application, there was no response. Chair Hayward asked if there was anyone there to speak in opposition of the application, but there was no response. At that point in time, the Public Hearing was closed by the Chair, and discussion was opened.

Mr. Swanson started the discussion by mentioning the amount of Mini Storage there are currently in the city. Chair Hayward brought up that they were there to determine whether the criteria were met for a Conditional Use Permit, and Mr. Swanson mentioned that he was okay with that but was concerned that Warrenton has too many of the Mini Storage Units statistically. Mr. Ellis brought up that the cap on Mini Storage would be revisited in the future and that it was one of the things that was put on his agenda by the previous Planning Director.

Ms. Hopper made a motion to approve SDR-24-1 & CUP-24-1 with conditions. Motion was seconded and passed unanimously.

Swanson-aye; Hayward-aye; Sollaccio-aye; Hopper-aye; O'Reilly-aye

B. CUP-24-3 Short-Term Rental at 976 Fourth Avenue, Hammond

Chair Hayward asked if items B through E would be combined. Mr. Ellis replied that each application warranted its separate hearing. Mr. Ellis wanted to reiterate something that Chair Hayward had mentioned regarding comments or remarks that might be the same and carry throughout the other hearings and to endorse what was said so the hearings can be quickly proceeded. A question was asked by an attending citizen to clarify if their comments were made on the first hearing item, that they would be considered on the subsequent hearing items if they were stated as such. Mr. Ellis confirmed and added that the assumption was the four hearings were similar in nature.

Mr. Ellis then proceeded to present the Staff Report for CUP-24-3 to establish a Short-Term rental at 976 Fourth Avenue, which is the middle unit in a series of three townhomes. Mr. Ellis mentioned that all four of the applications come out of the Jetty Townhome Development. The Development is three buildings of three townhomes in each building. Mr. Ellis stated that the other three hearing items on the agenda were all located in one of the buildings in the development, that Item A was standalone in their application and located in unit 5 out of the 9 townhome units. Mr. Ellis noted that the applicant did not submit response criteria for the use or the Type III procedure, to which they were required to hold pre application conference, but staff does not feel that holding such conference would contribute to the findings in the Staff Report nor would it have changed their application. Mr. Ellis noted that if Items C, D, and E were looked at; the responses are all very similar except for the application from a different owner. Mr. Swanson asked if all the applications were different owners, to which Mr. Ellis replied that one was a separate owner than the other three, but one of the three other applications for the properties was being transacted upon by the applicant. Mr. Ellis spoke to the confusion and remarked that was a reason for taking the applications on an individual basis.

Mr. Ellis continued to speak on the Staff Report, stating that the only internal comments that were received came from the Police Chief, which is included in Condition of Approval Three, they are expected to complete a short term application within the first one hundred and eighty days, the structure must comply with our homestay lodging standards, as well as all tenants being informed that the Warrenton Police Department will be strictly enforcing all code, which will include parking, disturbances and disorderly conduct. Mr. Ellis then concluded his findings and asked if there were any questions from the Commission.

Chair Hayward asked if the applicant owned the units themselves. Mr. Ellis responded that the applicant for this hearing did not currently own the unit, but based off conversations with the applicant they could purchase it. Chair Hayward further asked if the applicant required private parking due to the comments made by the Police Chief regarding the 2 spaces in the garage and two spaces in the driveway. Mr. Ellis responded agreeingly that was a standard for the units. Chair Hayward then proceeded to call the Applicant to speak.

The applicants approached and gave their names as John and Mary Bastin. Mr. Bastin mentioned that they had their final walkthrough today and were expecting to close on the property next week. Chair Hayward then stopped the applicant for them to repeat their name and to state their address for the Commission. Mr. Bastin then proceeded to state the names again and give their address for the record. There was some slight confusion as to what address they needed to state, the one on the application or the one where they received their mail. Mr. Bastin spoke to how they hoped to be good neighbors and that they planned to use the property periodically themselves. Mr. Bastin mentioned that they had been in the long-term rental business for many years, that they had just sold a long-term rental and that they still own a duplex that they maintain themselves. Mr. Bastin talked to looking for management for the property on the application for when they are not in the direct area. The Applicant for the other three properties was mentioned by Mr. Bastin as giving permission for them to submit the application before taking ownership of the property. Then Mr. Bastin brought up the application process and how helpful the department had been in answering questions, that he wanted to be here in person to give a face to the name, and if there were any questions that he could answer them.

Chair Hayward had a question regarding the intended core clientele of the property. Mr. Bastin answered that they were looking to management to create a multi-phase format that would include different vendors like Airbnb, Booking.com and VRBO to market their property and that their price point would be high enough that it would attract only the best renters. Mr. Bastin followed up that they would not be doing single night rentals, that might attract a party crowd, and they were hoping for families that would contribute to the community. Mr. Swanson then asked what the plan would be if the property was to receive visitors of one couple per bedroom and what that would mean for the parking situation. Mr. Bastin responded that he did not anticipate that would happen but if needed, there was additional parking at the end of the street. Ms. Hopper then stated that they had fifteen to twenty cars on occasion at the house right next to hers. To which Mr. Bastin replied that there would be a limit on the number of cars allowed and they would be monitored. Ms. Bastin mentioned that the Hammond Marina had parking available for rent and that they would be speaking with them about a possible parking option.

Mr. Bastin asked if there were any more questions for him, Chair Hayward asked if any of the Commissioners had any other questions, and Ms. Hopper spoke up regarding the parking situation. Ms. Hopper mentioned that during fishing season, the six rentals near her had to have realistic goals about driveways and bringing trailers or campers. Ms. Hopper also mentioned that in her one-bedroom homestay, there had to be parking spaces for two cars, but they would still receive requests for four cars. Mr. Bastin replied that it was written in their bylaws that they were not allowed to have trailers, boats or boat trailers to be parked on the property. Mr. Swanson asked about the front side of the unit that was on a street that had no parking. It was determined

that one side of the street had parking and Mr. Bastin stated that there would still be emergency access available. The emergency lane was mentioned by Mr. Swanson and Mr. Bastin reiterated that it was only there to be used in an emergency and would remain as such. Mr. and Ms. Bastin then thanked the Commission and sat back down.

Chair Hayward asked if there was anyone there to speak in favor of the application. There was no one there to speak in favor so Chair Hayward moved on to those who were in opposition. Sammi Beechan stood to speak in opposition. Ms. Beechan thanked the Commission for hearing her speak and listening to her comments regarding CUP-24-3. Ms. Beechan stated that she was a proud resident of Hammond, that she was on the Parks Advisory Board and that the town was a fantastic place to live but she would like to state her opposition due to how the property has been thus far. Ms. Beechan then clarified that she was there in opposition of and to speak on items B, C, D and E. Ms. Beechan went into detail about the problems that had arose during the construction of the property, siting trash, improper drainage, noise, and dirt as common occurrences. Ms. Beechan then mentioned the people that came to work on the property throughout the project were not good stewards of the property nor of the town and she further mentioned that was something that she would hope for people coming to our town that they are good stewards of the area. Ms. Beechan took a moment to recognize a couple of neighbors that did have short-term rentals that were being good stewards to the neighborhood and highlighted that both properties mentioned had management on site to mitigate any issues that might arise. Ms. Beechan also brought up concern for the properties as they currently remain unsold, and only one has a resident currently living inside. Ms. Beechan then ran out of the three minutes of time but was allowed to continue to speak asking if the approvals from the conditional use permits would transfer to new owners or how the process worked. Ms. Beechan wanted to bring attention to the City's website information on short-term rentals as her last statement.

Mr. Swanson then asked Ms. Beechan about the problems during construction and whether it had subsided since the construction. Ms. Beechan responded that minor construction was ongoing, and due to the shared easement with the properties in this hearing making it an issue; she is still picking up trash that gets blown from an open dumpster and dealing with workers that are not respectful of the property lines.

Ms. Hopper asked about homestay lodging wording, and whether it would apply in this matter with the criteria that were already put forth. Chair Hayward said that that could be talked about later during the Discussion. Commissioner Sollaccio then asked Ms. Beechan what were the properties' other characteristics that made them good stewards. Ms. Beechan mentioned a coffee shop that was put in by one property, stating that it brought more people together. The other property was brought up and mentioned as an owner-occupied duplex. Ms. Beechan confirmed and spoke to the duplex as being owner occupied, the reason why they feel there have been no issues, and that it is concerning that the townhomes would not be owner occupied. Chair Hayward then dismissed Ms. Beechan.

Matthew Higgins spoke in opposition and clarified that he was there to speak against all four motions for the vacation rentals. He mentioned that he agreed with all that Ms. Beechan said and could confirm what she said. Mr. Higgins stated that when the properties were proposed, the assumption was that the properties would be owner-occupied residences. Mr. Higgins is

concerned that he will not be able to develop relationships with short-term renters. Mr. Higgins then turned the microphone back over and Chair Hayward called the next person.

John Carriere approached and spoke in opposition to the proposed vacation rental. Mr. Carriere mentioned that it was not supposed to be a motel. He also spoke to the street and noted that boats would be encumbering. Mr. Carriere worries that people coming into town that do not have a vested interest in the property would not follow the rules. Mr. Carriere mentioned that they felt misled and that they thought they were getting neighbors and not short-term renters. Mr. Carriere was finished, and Chair Hayward called Julie Carriere to speak. She did not approach but stated that she was Mr. Carriere's wife and shared his sentiments.

Chair Hayward asked if the Applicant would like to rebut at this time, to which Mr. Bastin replied that the questions had been answered. Mr. Bastin had been looking for awhile to find a suitable residence that could be used as a short-term rental. He spoke to the concerns of those in opposition, stating that they took no part in the construction and that they planned to hire management that was local; able to respond immediately. Mr. Bastin also mentioned the potential for them to lose their view in the future if anything was ever developed on the property in front of them. Mr. Bastin further mentioned that would be at the property often enough to get to know his neighbors.

Chair Hayward then closed the public hearing portion of Item B and opened it up for discussion among the Commission. Chair Hayward asked to start the discussion with clarification of on-site. Mr. Ellis agreed that there were two different definitions and mentioned that Ms. Hopper was correct regarding homestay lodging. Homestay lodging is where someone is living onsite, and that property is their primary residence. Mr. Ellis clarified that homestay lodging was an outright permitted use in some residential and commercial mixed-use zones. Vacation rentals are defined as not owner occupied and not rented for more than 30 days. Those are typically prohibited in residential zones and do require conditional use permits. Ms. O'Reilly asked if the applicant was to sell the property in the future, if the permit would stay with the property or would another application be needed. Mr. Ellis responded that no, that there would be one more step. Each owner would need permission. Ms. O'Reilly then asked for further clarification regarding the zoning and how many vacation rentals could be allowed within the zone. Mr. Ellis then responded that there was no minimum or maximum density for the use. Ms. O'Reilly mentioned that the Commission would be setting an example for future vacation rentals that would want to come in to Commercial Mixed Use zones. Mr. Ellis responded that all vacation rentals would come to the commission as a conditional use permit and that they would have then have the chance to review them individually and decide on each application. It was then asked if the approval was tied to the applicant or the property to which Mr. Ellis replied that it was tied to the property. Some more discussion ensued regarding the approval and if it was tied to the applicant or the property. An example was used but Mr. Ellis reiterated that the approval remains with the property. Ms. Beechan tried to comment but was told that the Public Hearing had closed. Chair Hayward asked Ms. Beechan if she would the Public Hearing to be reopened to ask a question, and a no response was received. Ms. Sollaccio asked if there was a complaint mechanism for vacation rentals if the neighbors had to complain. Mr. Ellis responded that the process would be the same as any residence in the city, through code violations and police emergency and non-emergency response. More discussion ensued regarding what could be done about violations

from the vacation rentals, if a representative could be owner-appointed to field complaints, and what could be done by the Commission. A clarifying question was asked about items C, D and E.

Commissioner O' Reilly made a motion to approve CUP-24-3 with conditions. Motion was seconded and passed unanimously.

Swanson-aye; Hayward-aye; Sollaccio-aye; Hopper-aye; O'Reilly-aye

Chair Hayward then made a motion to approve conditions that a responsible party could be reached within 12 hours to address any concerns at the property. Motion was seconded and passed unanimously.

Swanson-aye; Hayward-aye; Sollaccio-aye; Hopper-aye; O'Reilly-aye

C. CUP-24-4 Short-Term Rental at 960 Fourth Avenue, Hammond

Chair Hayward opened the Public Hearing for Item C. Mr. Ellis stated that the conditional use permit was not much different than Items B, D, and E. Mr. Ellis stressed that the applicants' answers were different, but the outcome was not different, and therefor staff was recommending approval based on the same factors as Item B.

Chair Hayward then recognized the applicant, who was joining via zoom, to speak. The applicant identified himself as Mark Hansen, owner of the units with his father and a friend. Mr. Hansen mentioned that his intent was to secure these properties as vacation rentals for future owners. Mr. Hansen spoke on the units being a part of an HOA and following those rules along with abiding by the City as well. Mr. Hansen then went in to easing the concerns of those that had commented in opposition to Item B by stating how he would amend those concerns. He detailed the HOA and stated that vacation rental allowances could be revoked for violations of the agreement. He spoke in length about the rules of the HOA bylaws and how they coincide with what the opposition to Item B would like to see. Mr. Hansen then thanked the Commission for allowing him to speak.

Chair Hayward then asked if there were any questions for the Applicant. Mr. Carriere stated that he had a question and Chair Hayward asked him to approach and speak. Mr. Carriere stated his name for the record and asked Mr. Hansen if there was a minimum number of days' stay required for the rentals. Mr. Ellis broke in to say that Mr. Hansen would listen to all the opposition first and then would have the chance to rebut. That was Mr. Hansen's only comment, and he stepped down.

Chair Hayward asked if there were any other questions, and there was a response from the room. Julie Carriere approached and stated her name for the record. Ms. Carriere asked about overflow parking for the units and if it was supposed to go in front of houses. Ms. Carriere then stepped down and Chair Hayward thanked her for her comment. There were no other comments or questions from the public at that time. Chair Hayward gave Mr. Hansen his chance to rebut and answer the questions. Mr. Hansen stated that the minimum stay was governed by the conditional use permit, and he didn't believe it to be a land use issue. Mr. Hansen addressed the parking by stating that there was no parking allowed on the easement and that there were other parking

opportunities in the area. Mr. Ellis spoke up regarding the minimum stay and whether there were requirements. He stated that there was a maximum allowance, which was 30 days, but there was no minimum allowance. Chair Hayward then closed the public hearing on Item C and opened the discussion among the commission. There were no discussion items and Chair Hayward asked if there was a motion.

Commissioner O' Reilly made a motion to approve CUP-24-4 with conditions. Motion was seconded and passed unanimously.

Swanson–aye; Hayward-aye; Sollaccio–aye; Hopper–aye; O'Reilly-aye

D. CUP-24-5 Short-Term Rental at 964 Fourth Avenue, Hammond

Chair Hayward opened the Public Hearing for Item D. Mr. Ellis stated that the conditional use permit was the same as before. Mr. Ellis stated that the applicant did not go through the pre-application process but that did not hinder the findings of the report.

Mr. Hansen was invited to speak again by Chair Hayward but stated that his previous testimony carried throughout the applications and that the desired outcome was to secure these properties as vacation rentals for future owners adding that future owners would be subject to the HOA. Mr. Hansen finished his comments and Chair Hayward asked if there was anyone present that would like to speak in favor or in opposition of Item D but received no response. Chair Hayward closed the public hearing and opened for discussion. Ms. O'Reilly stated that she felt bad for those opposed but gave reasons as to why the motion should be approved. A short discussion ensued about revenue from vacation rentals. Chair Hayward asked for a motion.

Commissioner O' Reilly made a motion to approve CUP-24-5 with conditions. Motion was seconded and passed unanimously.

Swanson–aye; Hayward-aye; Sollaccio–aye; Hopper–aye; O'Reilly-aye

E. CUP-24-6 Short-Term Rental at 968 Fourth Avenue, Hammond

Chair Hayward opened the Public Hearing for Item E. Mr. Ellis stated that the conditional use permit was the same as before with the same criteria being met. Mr. Ellis stated that there was not much more to say that hadn't already been covered with the previous items' reports.

Mr. Hansen was invited to speak again by Chair Hayward and stated that he would like to reaffirm the testimony made on the previous hearing. Chair Hayward asked if there was anyone present that would like to speak in favor or in opposition of Item E but received no response. Chair Hayward closed the public hearing and opened for discussion. No discussion was made by the Commission and Chair Hayward asked for a motion.

Commissioner O' Reilly made a motion to approve CUP-24-6 with conditions. Motion was seconded and passed unanimously.

Swanson–aye; Hayward-aye; Sollaccio–aye; Hopper–aye; O'Reilly-aye

6. BUSINESS ITEMS

A. Fee Schedule Assessment

Mr. Ellis brought before the Commission an assessment of the planning fees schedule, something he mentioned that was given to him by Jay Blake. Mr. Ellis mentioned that the assessment investigated the surrounding cities' fees, and that Mr. Ellis had compiled what he had been given with his new research leading to the fees document that the Commission had before them. Mr. Ellis mentioned that the Commission did not need to hear this item, but it was more for awareness and an opportunity to weigh in on the fees. Mr. Ellis asked only for a recommendation on Exhibit A from the Commission. A question about the Poultry Permit was asked and Mr. Ellis replied that the packet had gone out prior to the new development of not moving forward with the permit requirement. There were some questions regarding the price of some of the fees and where they were yearly or for the life of the permit. Mr. Ellis was able to confirm the life of the permits. Some questions were asked about when the new fees would be heard by the City Commission and when they would go into effect. Mr. Ellis stated that the Commission had the power to recommend or not the new fees schedule and that the new fees schedule would take effect in the new fiscal year. The question of the permits for chickens was raised again but Mr. Ellis clarified that it should have been stricken from the record. The fees were discussed again briefly but no recommendation was made.

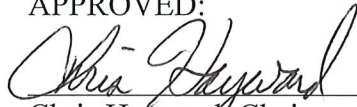
7. DISCUSSION ITEMS – None

8. GOOD OF THE ORDER

Mr. Ellis spoke to the residential code audit advisory committee that positions were being appointed and if anyone was interested, they needed to speak with the mayor. It would be two additional meetings of about a couple of hours in length. There were no other items spoken of.

There being no further business, Chair Hayward adjourned the meeting at 7:56 p.m.

APPROVED:


Chris Hayward, Chair

ATTEST:


Judith Stich, Secretary