

September 30, 2020

TO: Warrenton Planning Commission
FROM: Mark Barnes, Interim City Planner
RE: APP20-01, Scott Widdicombe; appeal from an administrative decision to extend approval SDR19-06 and CUP 19-02, Pacific Seafoods for construction of dormitory housing

Recommendation

Scott Widdicombe has appealed an administrative decision to extend Site Design Review and Conditional Use approvals for Pacific Seafoods to develop on-site employee housing at 1815 NW Warrenton Drive. Mr Widdicombe's appeal document is attached. Pacific Seafoods has requested that this hearing be delayed one month, until November 12. Pacific Seafoods' request for a continuance is attached.

Continuance: Staff recommends that the Planning Commission first consider the request from Pacific Seafoods for a continuance to November 12. If the continuance request is granted, the Planning Commission should open the hearing; continue it to Thursday November 12, 6:00 PM, Warrenton City Hall Council Chambers; and then adjourn the public testimony part of the hearing until that date and time.

The Appeal: Staff recommends that the Planning Commission uphold the administrative decision to extend SDR19-06 and CUP 19-02 to November 19, 2021.

Background

On November 19, 2019, the Planning Commission approved Pacific Seafoods' request for SDR19-06 and CUP19-02. These approvals authorize reuse of an existing 27,750 square foot building at 1815 NW Warrenton Drive (tax Lot 8109BA02702, 500, 600, 700, & 800) for employee housing. Pacific Coast Seafoods and Dulcich Realty, Inc are the listed property owners. The site is in the Water Dependent Industrial Shorelands (I-2) zone. The property is located as shown on the aerial photograph on the following page. The Planning Commission's 2019 decision was not appealed; it is the City's final decision on the underlying permits. A copy of the Planning Commission's 2019 approval document is attached.

On August 5, 2020, Pacific Seafoods applied for an extension to SDR19-06 and CUP19-02, which will expire on November 19, 2020. Permit extensions of this kind are administrative matters, approved or denied by the Planning Director (16.212.060.C and 16.220.070). A copy of the request for extension is attached.

On August 27, 2020, the requested extensions were administratively approved. Because the extension review criteria include subjective elements, the Interim Planning Director notified the public of the decision and provided an opportunity for appeal subject to the procedures in 16.208.040.E. A copy of the Planning Director's decision is attached.

On September 4, 2020, Scott Widdicombe filed an appeal of the administrative decision to extend the permits. The appeal documents are attached. It is this matter that is now before the Planning Commission.



Public Notice

Public notice was sent to adjacent property owners and interested parties on September 19, 2020; and published in *The Columbia Press* on September 25, 2020. The appellant, Mr Widdicombe, has submitted material in support of his appeal. Other than that, no other written public comments were received as of the date of this staff report.

Applicable Criteria

For the conditional use permit extension, the applicant must demonstrate “good cause for the delay” (16.220.070). For the site design review extension, the applicant must address the following criteria (16.212.060.C):

1. *No changes are made on the original approved site design review plan;*
2. *The applicant can show intent of initiating construction on the site within the extension period;*
3. *There have been no material changes to the applicable Code provisions on which the approval was based. If there have been material changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new site design review shall be required; and*

4. The applicant demonstrates that failure to obtain grading permits and/or building permits and substantially begin construction within the applicable approval period was beyond the applicant's control.

These are addressed in Pacific Seafoods' request for an extension; and in the administrative decision to approve the extensions.

Procedural Requirements

Appeals hearings are conducted under a type III procedure pursuant to 16.208.050. This is the same hearings procedure that the Planning Commission uses for conditional use permits, variances, site design reviews, and the like. The appellant should testify first. The underlying permit holder, Pacific Seafoods, should have an opportunity to present their case for permit extension, and the right to rebut any other testimony.

Discussion & Recommendation

The review criteria for an extension are not the same as the review criteria for the underlying permits. Applicable criteria for the extension, from 16.220.070 and 16.212.060.C, are excerpted in this staff report. The Planning Commission's 2019 decision on Pacific Seafoods' original requests is not under review in this appeal: that decision was not appealed, and is final. The subject of this appeal is the Planning Director's decision to extend the 2019 approvals for another year.

Mr Widdicombe's appeal addresses OSHA (Occupational Safety & Health Administration) requirements and their applicability to the project. The City's decisions on this appeal and on the underlying permits do not exempt or relieve Pacific Seafoods from meeting applicable OSHA requirements. As a general rule, the City does not enforce OSHA regulations; just as OSHA does not enforce City zoning requirements. As a practical matter, City staff would cooperate with an applicant's design team and with OSHA staff to make sure that any design and occupancy approved by the City meets all applicable requirements.

Recommendation: that the interim Planning Director's decision to extend SDR19-06 and CUP 19-02 for one year be upheld.

Attachments

- 1) Planning Commission decision on SDR19-06 and CUP 19-02
- 2) Pacific Seafoods request for extension
- 3) Interim Planning Director's decision extending SDR19-06 and CUP 19-02
- 4) Scott Widdicombe's appeal



NOTICE OF DECISION & ORDER
Pacific Seafoods Dormitories Conditional Use Permit

Applicant: Pacific Seafoods

Applications: Conditional Use Permit (CUP 19-2) | Site Design Review (SDR 19-6)

Location: 1855 NW Warrenton Drive

Application Date: July 10, 2019

Application Complete: August 12, 2019

120 Day Deadline: December 12, 2019

Criteria: Warrenton Municipal Code Chapters
WDC 16.64 I-2 Industrial Shorelands Development Standards
16.208.050 Type III Procedure (Quasi-Judicial)
16.220 Conditional Use Permits
16.120 Access & Circulation Design Standards
16.124 Design Standards for Landscaping, Street Trees, Fences, and Walls
16.128 Design Standards for Vehicle and Bicycle Parking
16.132 Design Standards for Clear Vision Areas
16.140 Stormwater and Surface Water Management Standards
16.144 Design Standards for Signs
16.201 Transit Access and Supportive Improvements

Hearing & Record: The Planning Commission held a public hearing October 10, 2019 and reached a decision on November 14 to approve a conditional use permit with the following conditions:

1. A dense evergreen hedge shall be landscaped along the east property line to buffer the NW 17th Ave residential neighborhood. All lighting proposed for security shall not shine into the residential area or make any noticeable noise such as sodium halide type lighting. The buffer shall be completed prior to a Certificate of Occupancy.
2. The driveway shall be paved 20 ft wide to accommodate two-way access and emergency response. A red curb and other signage and/or markings shall indicate no parking to maintain free and clear access. Directional arrows shall be installed with thermoplastic material.

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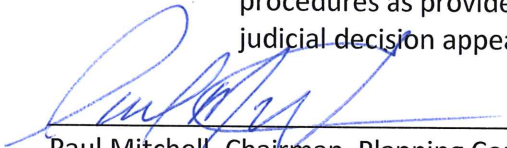
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2. The driveway shall be paved 20 ft wide to accommodate two-way access and emergency response. A red curb and other signage and/or markings shall indicate no parking to maintain free and clear access. Directional arrows shall be installed with thermoplastic material.

Any appeal of this decision shall be pursuant to Warrenton Municipal Code 16.208.050 H.
The deadline for an appeal of this decision is 5:00 p.m., December 3, 2019.

Notice of appeal. Any person with standing to appeal may appeal a Planning Commission Decision by filing a Notice of Appeal according to the following procedure:

1. Time for filing. A notice of appeal shall be filed with the Community Development Director within 14 days of the date the Notice of Decision was mailed. **A notice of appeal must be received in the Warrenton Community & Economic Development Department by 5:00 p.m., December 3, 2019;**
2. Content of notice of appeal. The notice of appeal shall contain:
 - a. an identification of the decision being appealed, including the date of the decision;
 - b. a statement demonstrating the person filing the notice of appeal has standing to appeal;
 - c. a statement explaining the specific issues raised on appeal;
 - d. if the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period; and
 - e. filing fee.
3. Scope of Appeal. The appeal of a Type III quasi-judicial decision shall be limited to the specific issues raised during the written comment period or at the public hearing, as provided under Subsection ii.D above, unless the City Commission allows additional evidence or testimony concerning any other relevant issue. The City Commission may allow such additional evidence if it determines that such evidence is necessary to resolve the case. Written or oral comments received during the comment period or public hearing will usually limit the scope of issues on appeal. Only in extraordinary circumstances should new issues be considered by the City Commission on appeal of a Type III Quasi-Judicial Decision.
4. Appeal Procedures. Type III notice as provided in this section and hearing procedures as provided by Section 16.208.060 shall be used for all Type III quasi-judicial decision appeals.



Paul Mitchell, Chairman, Planning Commission

11-19-19

Date

Distribution: Applicant
Scott Widdicombe

August 5, 2020

Michael C. Robinson

Admitted in Oregon

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VIA E-MAIL

Mr. Mark Barnes, Interim City Planner
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PO Box 250
Warrenton, OR 97146

RE: Pacific Seafood; One-Year Extension of Approval of City of Warrenton File Nos.
CUP19-02 and SDR19-06 (the "Decisions")

Dear Mr. Barnes:

This office represents Pacific Seafood, the Applicant for the above-referenced permit. This letter requests a one-year extension of the Conditional Use Permit (the "CUP") approval and the Site Design Review ("SDR") approval. I understand that an application form and application fee are not required.

Warrenton Development Code ("WDC") 16.220.070 provides that the CUP expires one year after approval unless substantial construction has occurred but the CUP may be extended by the Community Development Director (the "Director"). The CUP and the SDR became effective on November 19, 2019 and expire on November 19, 2020. WDC 16.212.060(B) and (C) apply to the SDR approval and its extension.

The Applicant requests a one-year extension of the CUP approval. WDC 16.220.070 provides for an extension upon written request and the showing of good cause for the delay in substantial construction. Substantial construction has not occurred in the past year because of the need for planning for the commencement of construction and because of the COVID-19 emergency which has inhibited and delayed construction. The Director can find that this is good cause for a one-year extension of the CUP.

The Applicant also requests a one-year extension of the SDR approval. WDC 16.212.060.C allows an extension of the SDR approval if WDC 16.212.060.C.1-4 are satisfied. The Director can find that WDC 16.212.060.C.1-4 are satisfied for the following reasons:

- a. C.1 No changes have been made to the approved site design review plan.
- b. C.2 The Applicant intends to start construction within the one-year extension period.

Mr. Mark Barnes, Interim City Planner
August 5, 2020
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c. C.3 There have been no material changes to the applicable WDC provisions on which the approval was based.

d. C.4 Failure to commence construction is due to the reasons explained above and are beyond the Applicant's control.

Please let me know if you have any questions regarding this request.

Very truly yours,



Michael C. Robinson

MCR:jmhi

cc Mr. Michael Miliucci (*via email*)

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**Administrative Decision Extending Previous
Approvals SDR19-06 and CUP19-02 For
An Additional Year, To November 20, 2021**

Applicant: Pacific Seafoods

Location: 1815 NW Warrenton Drive; 81019B00500

Request: Extend previous approvals SDR19-06 and CUP19-02 for an additional year

Background: Pacific Seafoods was granted approval of SDR19-06 and CUP19-02 on November 19, 2019. These approvals expire November 20, 2020 (Warrenton Municipal Code 16.212.060.B; 16.220.070). Applicant seeks a one-year extension of these approvals.

SDR19-06 and CUP19-02 authorized reuse of a vacant office building (27,750 SF) at 1815 NW Warrenton Drive (Tax Lot 8109BA02702, 500, 600, 700, & 800) for employee housing. The property owner is listed under Dulcich Realty, Inc. The property is in the Water Dependent Industrial Shorelands (I-2) zone. Additional information about the original proposal can be obtained from the Warrenton Community Development Department (503 861 0920; cityplanner@ci.warrenton.or.us).

Procedure: The requested extensions are approved or denied by the Planning Director (16.212.060.C and 16.220.070). Because the extension review criteria include subjective elements, the City is notifying the public of this decision and providing an opportunity for appeal subject to the procedures in 16.208.040.E.

Applicable Criteria: For the conditional use permit extension, the applicant must demonstrate "good cause for the delay" (16.220.070). For the site design review extension, the applicant must demonstrate the following (16.212.060.C):

- 1. No changes are made on the original approved site design review plan;*
- 2. The applicant can show intent of initiating construction on the site within the extension period;*
- 3. There have been no material changes to the applicable Code provisions on which the approval was based. If there have been material changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new site design review shall be required; and*

4. The applicant demonstrates that failure to obtain grading permits and/or building permits and substantially begin construction within the applicable approval period was beyond the applicant's control.

These criteria are addressed in the applicant's extension request (August 5, 2020 letter from Michael Robinson), and in this decision document. The original CUP and SDR approval criteria are not addressed here because they are not applicable to a decision to extend the approvals.

Findings, CUP19-02:

The Community Development Director may grant additional extensions upon written request if the applicant demonstrates good cause for the delay. (16.220.070)

The applicant addresses this criterion as follows:

Substantial construction has not occurred in the past year because of the need for planning for the commencement of construction and because of the COVID-19 emergency which has inhibited and delayed construction. The Director can find that this is good cause for a one-year extension of the CUP.

"Good cause" is not defined in the City's development code or land use documents. For purposes of applying this subjective standard to the current request, "good cause" can be understood to mean that there are sufficient grounds to act. The Covid-19 pandemic is cited by the applicant as a good cause for the delay in construction. The pandemic has delayed many development projects in Warrenton and elsewhere for a variety of reasons related to public health, workplace safety, and economic uncertainty. For these reasons, the applicant has demonstrated good cause for the delay, and a one-year extension of CU19-02 can be granted.

Findings, SDR19- 06:

No changes are made on the original approved site design review plan (16.212.060.C.1).

The applicant addresses this criterion with the following: "No changes have been made to the approved site design review plan." The applicant has yet to apply for a building permit, which would be the City's first opportunity to check for any deviations from the plan approved by the City in 2019. Any design changes from the approved plans, other than minor modifications per 16.228.040, would need to be reviewed and approved by the Planning Commission at a public hearing. Based on the applicant's representation, this criterion is met.

The applicant can show intent of initiating construction on the site within the extension period (16.212.060.C.2).

This is addressed by the applicant as follows: “The Applicant intends to start construction within the one-year extension period.” Neither the development code nor the City’s other land use documents provide any guidance on how to determine the applicant’s intent. “Start of Construction” is defined in the development code as follows:

Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building. (WDC Chapter 16.12)

The one-year extension requested by the applicant is a feasible timeframe from the City’s point of view, taking into account the time needed for plan review prior to issuing building permits. Based on the applicant’s representation, the proposed extension meets criterion C.2.

There have been no material changes to the applicable Code provisions on which the approval was based. If there have been material changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new site design review shall be required (16.212.060.C.3).

The applicant addresses criterion C.3 as follows: “There have been no material changes to the applicable WDC provisions on which the approval was based.” This is correct: No code amendments affecting the project have been adopted by the City since the proposal was originally approved in 2019. The following Municipal Code amendments have been adopted by the City in the months since Pacific Seafoods sought approval for this project:

- Ordinance 1239, adopted 4/28/2020: Updated business license and business development policies.
- Ordinance 1238, adopted 4/28/2020: Referencing the most currently adopted state building codes.

- Ordinance 1237, adopted 4/14/2020; Approving an amendment to the Warrenton Urban Renewal Plan.
- Ordinance 1236, adopted 2/25/2020: Amends police officer training fees.
- Ordinance 1235, adopted 2/11/2020: Related to sanitary sewer cross-connection and backflow control.
- Ordinance 1234, adopted 2/11/2020: Comprehensive plan and zoning ordinance amendments to implement cottage cluster housing, increase density in selected residential zones, allow duplexes and triplexes in selected residential zones, and encourage affordable housing.
- Ordinance 1233, adopted 2/11/2020: Related to the Chelsea Gardens neighborhood.
- Ordinance 1232, adopted 12/10/2020: Amends sidewalk standards in chapter 16.136.
- Ordinance 1231, adopted 12/10/2019: Amends planned unit development standards to allow a school campus master plan.
- Ordinance 1230, adopted 11/12/2019; Urban Renewal Plan amendment.
- Ordinance 1229, adopted 3/12/2019; Derelict buildings.
- Ordinance 1228, adopted 3/12/2019; Spur 104 rezone.
- Ordinance 1227, adopted 1/22/2019; Cable franchise.
- Ordinance 1226, adopted 1/22/2019; Clatsop County street vacation.
- Ordinance 1225, adopted 2/12/2019; TSP and related code amendments.
- Ordinance 1224, adopted 1/22/2019; Homestay lodging program.
- Ordinance 1223, adopted 2/12/2019: Related to Pacific Seafoods employee housing (this is the ordinance that allowed SDR19-06 and CUP19-02 to go forward).

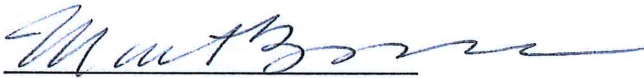
Based on this, and on the applicant's statement, there have been no material changes to applicable Municipal Code provisions on which the original approval was based.

The applicant demonstrates that failure to obtain grading permits and/or building permits and substantially begin construction within the applicable approval period was beyond the applicant's control. (16.212.060.C.4)

The applicant addresses this requirement as follows: "Failure to commence construction is due to the reasons explained above and are beyond the Applicant's control." These reasons are primarily related to the pandemic. The economic and public health-related consequences of the pandemic are entirely beyond the applicant's control. Based on this, the applicant has demonstrated that the criterion in C.4 has been met.

Conclusion: Based on these findings, the approvals granted for SDR19-06 and CUP19-02 are extended for a year beyond the original expiration date, to November 20, 2021.

Appeal: This decision is subject to appeal to the Warrenton Planning Commission by filing an appeal notice no later than 5:00 PM on September 10, 2020. Additional information about the appeal process can be obtained from the Warrenton Community Development Department (503 861 0920; cityplanner@ci.warrenton.or.us). This decision will become effective on September 11, 2020, unless appealed to the Warrenton Planning Commission. Unless the appellant (the person who files the appeal) is the applicant, the hearing on the appeal shall be limited to the specific issues identified in the appeal. Additional evidence related to the notice of appeal may be submitted by any person during the appeal hearing, subject to any rules of procedure adopted by the Planning Commission.



Mark Barnes, Interim City Planner

8/27/2020

Date

APPEAL OF EXTENSION OF PACIFIC SEAFOOD
CONDITIONAL APPLICATION FOR PAC FAB BUILDING

The issue before this commission is to approve an extension for the Pacific Seafood conditional application to remodel a portion of the Pac Fab building so that they can create housing for their seasonal workers between the months of May and November. These workers would be required to pay a fee to live in this housing provided by Pacific Seafood.

Oregon Occupational & Safety Administration (OSHA) has regulations that apply directly to this type of building modification. These regulations exist to protect all seasonal workers when they live in employer-provided housing where they must pay a fee to live there.

If these regulations did not exist, employers would be able to provide housing to their workers on a take it or leave it basis as these workers have no other viable options because of the cost of housing in this area.

Oregon public meetings guidelines have a major goal of allowing the public to be directly involved in all discussions concerning actions to be taken by any government body making decisions about public policy, such as approval of this conditional application extension.

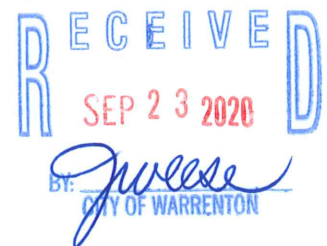
The public cannot reasonably participate in this unless the people responsible for administering this process inform this commission of any information relevant to this subject before a final decision on this request is made.

The former Warrenton planner never informed this commission that Oregon OSHA had regulations that applied directly to the Pacific Seafood application under consideration. This is not a minor oversight. The building codes required by OSHA are much more demanding for Pacific Seafood to comply with than the regulations for dormitories.

I am here to make public all of the information I have learned in the last two years that prove to me that the current conditional application process is flawed based on the comments made later in this appeal.

I need to maintain my appeal standing in order to continue to appeal my specific complaints to the highest legal authority I can reach in the state of Oregon.

The following is information this commission should have been made aware of back when the original code text change was considered. If I had known then what I know now, this is how I believe the process would have unfolded.



The Pacific Seafood application required a building code text change to include the words dormitory/hotel as condition for this application to go forward. The state text code change requirement was always going to force this application to be conditional.

I did not know at the time that all conditions would be locked in place at the time the text code change was approved by the Warrenton City Commission. If I had known this at the time, I would have requested the planning commission consider adding a condition of OSHA building codes be a mandatory condition for the text code change to be approved.

If the planning commission denied my request to add a condition on the application to require Pacific Seafood to comply with Oregon OSHA regulations as they apply to seasonal worker housing, I would have appealed to the Warrenton City Commission.

If the Warrenton City Commission decided to deny my request to make OSHA building codes for seasonal worker housing a condition for text code change approval, I would have a legitimate reason to appeal the text code change directly to LUBA based on the fact that this change would lock out the OSHA codes as a condition of the text code change.

I do not know how LUBA would rule, I only know the OSHA codes exist specifically for the situation that Pacific Seafood is applying for their permit, and I cannot imagine how LUBA would deal with multiple building code requirements.

Pacific Seafood wishes to house 70 – 90 people in approximately 7,600 sq. ft. The OSHA regulations call for much greater spacing of bunk beds plus much more seating space for the dining room area along with other specific issues determined by how many beds are used in the facility in relation to dormitory building codes. I have studied OSHA requirements very carefully, and I do not believe 70 people can be housed in the available space under OSHA regulations.

I have discussed these regulations in great detail with the Oregon OSHA state employee (Jeff Carlson, 350 Winter Street NE, Salem, Tel. # 503-947-7407) responsible for explaining to the public the reasons for these regulations.

Mr. Carlson reviewed all of the information that was public in August of 2019, including the draft floor plan submitted by Pacific Seafood for the remodel application. He informed me his opinion was that this remodel would need to comply with OSHA building codes when it was completed.

I attended a public commission meeting on 11/18/18 and a town hall meeting on 12/4/18 where 4 separate Pacific Seafood representatives described the Pac Fab remodel as being created for housing to be used by seasonal workers.

I informed the planning commission in writing of the OSHA requirements in August of 2019. The Pacific Seafood architect working on the final floor plan for the housing of their workers immediately sent a letter that is currently in the planning commission files denying their workers are seasonal as far as Pacific Seafood is concerned and Pacific Seafood will not be complying with the OSHA requirements.

It is hard for me to imagine Warrenton residents would believe that Pacific Seafood workers to be housed in the Pac Fab building are not seasonal workers. However, I know that at least 6 different homeowners in the area directly adjacent to the Pac Fab building will be complaining to Oregon OSHA as soon as the facility is remodeled and workers are actually living in that facility.

We will leave it up to OSHA to go out and inspect the facility based on our complaints and it will be up to OSHA to decide if these workers are seasonal or not. Public comments made by Pacific Seafood representatives at 2 separate meetings referred to their workers as seasonal and explained that their working season is May to November. The Warrenton recorder has digital recordings of these meetings on file which can be obtained from the recorder if you doubt the statements made in this appeal.

Ultimately, I am going to appeal to my state representative, my state senator, and the Oregon governor to consider changing the conditional application process so that if new information presents itself during the process of seeking final approval from a local planning commission to be issued a permit to start working on their remodeling project, the planning commission can seek new conditions to be added to the application before the permit is approved based on new information not previously noted in public meetings.

Pacific Seafood has still not submitted a final floor plan or a final operational document that explains how the new housing will look or work. The conditional part of the process should not end until such time as the public can see what the final result will be and how it will work.

It is a statewide goal for all government actions to include the public in viewing all information that will be considered before final decisions are made on anything.

It is fundamentally unfair to allow anyone to submit applications that do not include all relevant information before they are allowed to start working on a project if they are seeking a building permit on a conditional application.

Floor plans and operational rules are all vital information the public should be aware of before a final vote of the planning and city commissions. The public may want to seek additional conditions from the planning commission prior to granting a final permit on any conditional application.

The Pacific Seafood application is unusual in that it required a code text change to occur that was aimed at HOTEL/DORMITORY building codes with no consideration of potential Oregon OSHA regulations. This is not a minor oversight.

This may be a one-time special situation for Pacific Seafood. However, all conditional applications are subject to similar types of problems because floor plans are commonly not included before all specific conditions are publicly discussed.

The average resident is not going to understand land use rules and regulations, let alone the fact that sometimes multiple jurisdictions or building codes may be involved as is the case with Pacific Seafood.

Until the public knows the full story of what is possible, there needs to be the opportunity for the planning commission to decide if they want to add one or more new conditions on the application before they vote for final acceptance.

This is an attempt to go around Oregon OSHA regulations so they can house many more people than OSHA would allow under their seasonal worker regulations based on the size of the space available.

I feel the original Pacific Seafood application process was very flawed because the Warrenton planner at the time informed no one of the Oregon OSHA regulations concerning seasonal worker housing provided by the employer who charges these workers a fee to live there.

This is a failure of government by a key Warrenton employee to inform all interested parties of an important Oregon regulation.

I feel that this commission should consider asking Pacific Seafood to agree to abide by Oregon OSHA building codes as they apply to employer-provided housing for seasonal workers where the employer charges a fee for those workers to live in that housing.

Scott Widdicombe

27 NW 17th Place, Warrenton, Or. 97146