



AGENDA

WARRENTON PLANNING COMMISSION
Regular Meeting | August 10, 2023 | 6:00pm
Warrenton City Hall Commission Chambers | 225 S Main Avenue, Warrenton, OR 97146

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

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

Meeting ID: 851 4280 5492 | Passcode: 12345 | Dial in number: 253-215-8782

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

2. ATTENDANCE

3. APPROVAL OF MINUTES

- A. Planning Commission Regular Minutes – 7.13.23
- B. Planning Commission Special Meeting Minutes – 7.27.23

4. PUBLIC COMMENT

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

5. PUBLIC HEARING – None

6. BUSINESS ITEMS - None

7. DISCUSSION ITEMS

- A. Fowl Regulations
- B. Shipping Container Regulations
- C. Draft RFP for Warrenton Development and Nuisance Code Audit, Discussion

8. GOOD OF THE ORDER

9. ADJOURNMENT

Next Regular Meeting: September 14, 2023

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

MINUTES
 Warrenton Planning Commission
 July 13, 2023
 6:00 p.m.
 Warrenton City Hall - Commission Chambers
 225 S. Main
 Warrenton, OR 97146

Vice Chair Bridgens called the meeting to order at 6:02 p.m. and led the public in the Pledge of Allegiance.

Commissioners Present: Kevin Swanson, Christine Bridgens, Mike Moha, Jessica Sollaccio, Karin Hopper, and Lylla Gaebel

Commissioners Absent: Chris Hayward

Staff Present: Planning Director Jay Blake and Planning Technician Rebecca Sprengeler

3. APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes – 6.8.23

Commissioner Gaebel made a motion to approve the meeting minutes for 6.8.23. Motion was seconded and passed unanimously.

Swanson–aye; Bridgens–aye; Moha–aye; Sollaccio–aye; Hopper–aye; Gaebel–aye

4. PUBLIC COMMENT ON NON-AGENDA ITEMS – None

5. PUBLIC HEARINGS

A. Conditional Use Permit CUP-23-3 Fort Stevens State Park

Mr. Blake presented the staff report for Conditional Use permit CUP-23-3 for modification, reconstruction, and expansion at Fort Stevens State Park. There are two sites involved. The first is renovation of the historic guardhouse on Pacific Dr and Russel Dr. The second is reconstruction of the sewer system in the park boundaries. Both properties are zoned OSI and are intended for passive and active recreation. Staff have been working with the architecture firm to create a conditional use application that meets both the city and applicant needs. Mr. Blake reviewed the application timeline. The original proposal included constructing a caretaker house that is no longer included. Not all the engineering was added to the packet because it will be reviewed by the city engineer. The guardhouse land is owned by ODOT and is outside the park boundaries; an address needs to be assigned. It is in the historic neighborhood, requiring Planning Commission review. The State Historic Preservation Office will approve the renovations; they have been involved in the preliminary review. Modifications include accessibility, landscaping, and renovations (structural, electrical, mechanical, and plumbing) to

make it a museum. Two adjacent property owners raised concerns about traffic and parking around the building. Mr. Blake reviewed photos of the existing roads around the site. Pacific Dr is wide enough for one lane only and should not have on-street parking. Russel Dr does not meet current standards and should not have on-street parking either. A part of Silverside Pl is wide enough for two to three on-street parking spaces. The applicant considered the possibility of leasing school district property across Russel Dr during early conversations. On-site parking should be considered first. Mr. Blake recommended revisiting the parking in one to two years to evaluate if parking needs are being met. He recommended marking Pacific Dr as a single lane or one-way street. Public Works has suggested one lane with no parking on either side. The intersection of Third Avenue, Pacific Dr, and Silverside Pl is concerning. There was discussion in the past about reconfiguring the roads there that would require property acquisition and road extensions. This is not currently in the city's Capital Improvements Program. Brief discussion about speed limits followed. Mr. Blake suggested engineering conduct a site review of the traffic conditions. A possibility to address parking is to have visitors park within the park. Sidewalks around the site are in poor condition and have varying widths; this will need to be addressed. Bicycle parking needs to be provided in the park or at the site. Final landscaping has not been proposed but should be a condition of approval that it meet the intent of the historic character of the neighborhood prior to final certificate of occupancy. The campground improvements are to restore the original capacity that was planned for in 2001 and 2006. The replacement is due to damage from trees and construction in the area. There is significant engineering involved for new infrastructure that will help the community by reducing inflow and infiltration into the city's system. There will also be accessibility improvements to shower facilities and the small amphitheater. All the improvements will be within the park's boundaries. Mr. Blake argued the applicable criteria are met and recommended conditions of approval for both the guardhouse and campground improvements. He suggested partial approval if more information is needed.

Vice Chair Bridgens opened the hearing for Conditional Use Permit CUP-23-3 for Fort Stevens State Park. She read the hearing script outlining the applicable code and procedures. No conflicts of interest or ex parte contacts were disclosed. No members of the audience challenged the commissioner's impartiality.

Mr. Blake asked if the applicant team had any information to add. Blair Gardener, Hennebery Eddy Architects, Inc., did not add any information.

Commissioner Swanson was concerned about narrow roads. Commissioner Hopper noted on-street parking may not be a possibility for the guardhouse, noting recent observations of fire and delivery trucks on Hammond streets. She likes the idea of leasing the school district property. Commissioner Swanson asked about minimum street widths. Mr. Blake noted street widths for new development can be between 50' – 100' depending upon the street classification. The roads in this area are platted at 15' and may not be able to be widened because structures are built up to the right-of-way. The right-of-way is not big enough to widen the pavement without buying land. There would be less impact by requiring minimal on-street parking and remaining parking in the park or on a leased site adjacent than requiring the road to be widened. Public Works has suggested no parking on Russel Dr and Pacific Dr. Commissioner Hopper feels it is ideal to encourage parking within the park and walking to the guardhouse. Commissioners Gaebel and Bridgens agreed. Commissioner Hopper suggested two ADA spaces next to the guardhouse on

Silverside Pl. Vice Chair Bridgens was concerned about increased parking enforcement here for police. Commissioner Gaebel agreed there is sufficient parking in the park. Commissioner Hopper added requiring parking in the park would also increase the park revenue for day-passes. Commissioner Sollaccio suggested a grant through the [Inflation Reduction Act](#) for parking improvements to recreation areas.

Charles Bergerson, resident, has lived in the area for a long time and expressed concerns about the intersection of Third Ave, Pacific Dr, and Silverside Pl. The intersection is dangerous and the increase in traffic will make it worse. He likes the idea of people parking in the park or a parking lot on the school property. He would like to see the street widened and Third Ave extended. Mr. Blake responded to Mr. Bergerson's concerns explaining that this will be reviewed by the city engineer. Commissioner Swanson asked how long the construction would take and what would cause a bottle neck in the area. Mr. Bergerson feels there is no room for construction and suggested the school property as a temporary construction site. He would like to see the state and school district work together.

Commissioner Hopper agreed the street signage needs to be addressed, the streets need striping and crosswalks would be helpful. Commissioner Sollaccio asked about closing the roads for pedestrian-only traffic. Mr. Blake said it is the only entrance to the area and could not be closed. Mr. Blake restated the application meets the conditional use permit criteria. He summarized possible conditions as discussed related to parking and traffic. Discussion about traffic continued.

Mr. Bergerson elaborated on parking concerns in the area. There was no other testimony in favor or opposition.

Commissioner Moha suggested changes to condition of approval F to read "The applicant will work with Warrenton Public Works to stripe pavement along Silverside Place for up to two handicap parking spaces. No parking will be allowed around the facility, except for the two parking spaces on Silverside Place, all parking will need to be inside the State Park. Within two years of the approval of the issuance of a certificate of occupancy for the guardhouse, the applicant and city shall review parking patterns from the proposed guardhouse and will decide if additional parking for the facility is necessary."

Commissioner Hopper suggested adding language to condition Q, "The applicant will replace the sidewalks around the perimeter of the guardhouse as well as crosswalks and traffic signs."

Commissioner Moha suggested changing condition G to "The applicant will install no parking signage as appropriate that falls under condition F."

Commissioner Hopper made the motion to approve the conditional use permit for the guardhouse and the campgrounds with the sewer with conditions that were outlined. Motion was seconded and passed unanimously.

Swanson-aye; Bridgens-aye; Moha-aye; Sollaccio-aye; Hopper-aye; Gaebel-aye

Discussion about street widening and Third Ave extension continued. Mr. Blake encouraged the Planning Commission to speak with the City Commission to direct this action.

B. Conditional Use Permit CUP-23-1 Utilities One Contractors Shop

The applicant sent a 120-day extension request until December 15, 2023, to supply more information requested by staff. Staff asked that the application be tabled rather than continued. Staff will renotify the property owners as needed.

Commissioner Moha made a motion to table the application to a date not specific at the applicant's request. Motion was seconded and passed unanimously.

Swanson-aye; Bridgens-aye; Moha-aye; Sollaccio-aye; Hopper-aye; Gaebel-aye

6. BUSINESS ITEMS – None

7. DISCUSSION ITEMS

A. Ministorage Code Amendment

Mr. Blake presented employment numbers on ministorage facilities. On average, the ministorage facilities in Warrenton supply less than half of a full-time equivalent (FTE) job per acre. He compared this to other commercial-industrial developments which had about 11.5 FTE jobs per acre. He added that ministorage facilities do not need sewer and water service and should not be developed in prime industrial, job-creating land. It is not the highest and best use for the property. The next step is to schedule a formal hearing in September after the city attorney reviews the ordinance. The consensus was in favor of the hearing. Commissioner Moha was not in favor of more rules and regulation. He felt the data is an effective way to deny an application under the current requirement for a conditional use permit. He was concerned about the ordinance being a ban. He would like to see different restrictions in C-1 along the commercial corridors than in industrial zones. Commissioner Swanson suggested increasing the tax revenue on new facilities. Commissioner Gabel asked about pending applications. Mr. Blake confirmed there is one that will be submitted soon. Commissioner Hopper would like to add a limit because of the current overabundance and would like to have resources to support future growth for jobs and housing. Vice Chair Bridgens asked where the new unit will go. Mr. Blake noted it was a pre-application for Industrial land off Warrior Way. Commissioner Swanson suggested creating a tax for ministorage customers that come from outside the city.

Commissioner Gaebel made a motion to schedule a public hearing regarding ministorage caps for the September meeting. Motion seconded and passed unanimously.

Swanson-aye; Bridgens-aye; Moha-aye; Sollaccio-aye; Hopper-aye; Gaebel-aye

8. GOOD OF THE ORDER

Mr. Blake is working on a bid for a code audit to address conflicting code sections and streamline processes. There will likely be a steering committee to guide the process. There will be a special meeting for the Fort Pointe application on July 27th. There will be a site visit at 6:00pm and a hearing at City Hall at 7:00pm. The hearing will be opened and continued because there have been delays in traffic impact study. A revised market study will be shared soon. The annexation of portions of Seafarer's Park will be completed at the end of July. Vice Chair Bridgens requested consideration of public safety in the Fort Pointe review noting concern about increase in population. Mr. Blake confirmed public safety will be included in the review and will comment on the application. It will be a 10-year build out. Mr. Blake encouraged the commission to consider the application against the facts, criteria, and good neighborhood design rather than specific engineering standards. The review is a modification to conditions to the existing planned unit development (PUD). The units will go from 316 to 450 due to Housing and Urban Development financing for income restrictions. Mr. Blake discussed a similar but much larger development in Black Diamond, Washington that staff visited. Mr. Blake is hoping this will spur economic development in Hammond. He discussed two grant proposals in the works for an economic impact study for downtown Hammond and for Portland State students to design connections from the Hammond Marina to downtown. Commissioner Gaebel asked about the logging on the Fort Pointe property. Mr. Blake noted this was done in line with the Oregon Department of Forestry regulations, otherwise it would have gone to the Planning Commission for site design review. He is adding in requirements for significant tree protection in the review. He continued discussing the number and types of units, the build to rent concept, and flexible landscaping requirements. Mr. Blake added that the North Coast Land Conservancy is working on a regional habitat masterplan.

There being no further business, Chair Hayward adjourned the meeting at 7:41 p.m.

APPROVED:

ATTEST:

Chris Hayward, Chair

Rebecca Sprengeler, Secretary

MINUTES
 Warrenton Planning Commission
 July 13, 2023
 6:00 p.m.
 Warrenton City Hall - Commission Chambers
 225 S. Main
 Warrenton, OR 97146

Chair Hayward called the meeting to order at 7:00 p.m. Commissioner Bridgens led the public in the Pledge of Allegiance.

Commissioners Present: Chris Hayward, Kevin Swanson, Christine Bridgens, Mike Moha, Jessica Sollaccio, Karin Hopper, and Lylla Gaebel

Staff Present: Planning Director Jay Blake, Planning Technician Rebecca Sprengeler, Building Official Christian Jensen, and City Manager Esther Moberg

3. PUBLIC HEARINGS

A. Modification to Conditions of Approval (MC-23-3) for Fort Pointe Planned Unit Development (PUD-20-2)

Chair Hayward opened the hearing for Modification to Conditions of Approval MC-23-3 for Fort Pointe Planned Unit Development PUD-20-2. He read the hearing script outlining the procedure and applicable code. No conflicts of interest or ex parte contacts were disclosed. All members visited the subject site before the meeting. No one challenged the commissioner's impartiality.

Planning Director Jay Blake reviewed a presentation. He discussed approval history and noted the modification request to increase the number of units from 316 to 450. Staff also requested a third access point onto Ridge Rd and two fire connections to NW 11th. He requested the hearing be continued to the September meeting due to delays with the Traffic Impact Analysis (TIA). The previous conditions of approval were for engineering and should be removed. He identified applicable codes and the review process. It will be important to coordinate wastewater treatment plant improvements with the public utility improvements. He reviewed the three zoning districts and discussed the transfer of development rights on the property. Concurrence for the wetland delineation is in review with the Department of State Lands. There may be better areas for the bike trail than through the wetlands. He reviewed the affected road designations and site plan. There were some concerns from the Commission about the increase in traffic and impacts of the transportation district not being available. They also requested more information about alternative transportation options such as cycling. Mr. Blake reviewed the summary and findings in the staff report and provided an overview of the attachments. He discussed the build-to-rent (BTR) concept and noted staff visited an example in Black Diamond, WA. It was noted the BTR units will be long-term rentals. Staff would like to see a mix of housing and ownership options. The complete market study was requested by the Commission.

Commissioner Bridgens asked for a presentation from the Fire and Police departments at the next meeting. Commissioner Swanson would like a presentation about public infrastructure capacity. Commissioner Moha asked about changing from build-to-rent to single ownership in the future. Mr. Blake suggested negotiating a transition plan. Commissioner Sollaccio saw about a 10 year buy-hold strategy in her research. Mr. Blake discussed Black Diamond's development agreement and design standards.

Mark Tolley, Mission Development Group, explained their goal is to have a variety of housing products with new urbanist designs. He discussed the market analysis. In 2020 it showed a 2% vacancy rent. The updated study showed a 0.2% rental vacancy rate. He compared this to Austin, TX with an 8% vacancy rate. They are requesting an increase in density to help address the need for housing. There will be sewer and water improvements that will benefit the community by creating a looped system in Hammond. He agreed 10 years is typical for BTR financing. The BTR units are meant for working families. They will be 3-to-4-bedroom homes with yards. He explained the housing styles and agreed engineering conditions of approval can be consolidated.

Seth Hague, MAG-AMB Development, is from the coast and is excited to bring more housing to the area.

Commissioner Swanson asked if the applicant owns any BTR's. Mission Development Group does not, but there are many examples throughout the country. Commissioner Swanson was concerned that only part of the project would be completed due to financing. Mr. Tolley explained that part of the funding is from Housing and Urban Development. They support critical mass projects and are predictable. Mission Development Group will maintain ownership and hire professional management companies. Commission Hopper noted new urbanism focuses on walkability and mixed use; the proposal is isolated and not walkable to the rest of the community. Mr. Blake clarified mixed use is not allowed here and agreed the review should focus on walkability and bike-ability over time. Mr. Tolley feels the housing is needed to spur commercial development in other areas. They are proposing parks, walkways, and rear-loading alleys.

Miguel Saldana, B&A Architects, discussed the preliminary plans noting the rear-loading garages. The front doors will open to shared park spaces that will be connected with sidewalks. He feels this project will benefit the community.

Commissioner Hopper favored the garages in the back. Commissioner Sollaccio noted 30% of the community is rent burdened. She asked for a distribution of available housing stock by income level. Mr. Tolley noted it is in the market study; it will be market rate housing and will be more affordable than others on the coast. Commissioner Sollaccio requested the full market study from staff. Discussion followed about the street widths. Discussion followed about the proposed amenities: pickleball courts, linear and side parks, and sidewalk connections. Mr. Blake added that Black Diamond had shared courtyard/parks with chairs and firepits at the house entrances. He restated that this approval is for the applicant to go into final engineering and design. More details will come back in the final PUD. Discussion followed about an estimated timeframe for project start and completion for the multifamily. Commissioner Moha asked about

an east-west connection through 11th Street. Mr. Blake and Mr. Tolley responded it would be challenging because of the wetlands and that it has not been part of the development discussions.

Chair Hayward asked for public comment. No one spoke in support, neutrally, or in opposition.

Chair Hayward closed the public testimony portion of the hearing.

Commissioner Gaebel made the motion to continue the application for modification to conditions of approval for the Fort Pointe development group to the September 14, 2023, Planning Commission meeting. The applicant shall submit the requested additional information to allow the Planning Commission to make an appropriate decision on the application: completed traffic impact analysis that addresses ODOT and Clatsop County concerns. Motion was seconded and passed unanimously.

Hayward-aye; Swanson-aye; Bridgens-aye; Moha-aye; Sollaccio-aye; Hopper-aye; Gaebel-aye

Mr. Blake added that additional information will be reviewed by engineering. Public Works and public safety will be asked to participate at the September 14th meeting.

There being no further business, Chair Hayward adjourned the meeting at 8:45 p.m.

APPROVED:

ATTEST:

Chris Hayward, Chair

Rebecca Sprengeler, 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: Jay Blake, Planning Director *Jay Blake*
 DATE: August 10, 2023
 SUBJ: Keeping of Chickens in Warrenton, Ordinance Update

BACKGROUND:

The city staff is working with an antiquated set of regulations regarding the keeping of fowl (Chickens and similar animals) within the city. Our current regulations read as follows:

Section 16.12.010 Definitions

Livestock. Domestic animal types customarily raised or kept on farms.

Section 16.24.020 Permitted Uses in R-40 Low Density Residential District

G. Farming, grazing, truck gardening, orchards and production of nurse stock.

Section 16.28.020 Permitted Uses in R-10 Intermediate Density Residential District

G. Farming, grazing, truck gardening, orchards and production of nurse stock.

Chapter 16.196 Agriculture, Horticulture, and livestock

16.196.010 Standards.

The City provides for agriculture, horticulture, and livestock uses, subject to the following standards which are intended to provide buffering between these uses and residences:

A. **Minimum Lot Size.** No livestock shall be kept on any lot less than one acre in area, unless otherwise approved by the Planning Commission.

B. New Farm Structures. New barns, stables, and other buildings or structures used to house livestock shall not be developed closer than 25 feet to any property line.

C. Livestock Enclosure Required. All livestock shall be contained by appropriate fencing and any pens, cages, stables, or barns for maintenance of livestock or poultry or piles of manure, feed and bedding shall be located a minimum of 25 feet from any street or residential lot line in order to minimize odor and nuisance problems.

D. Compliance Required. In addition to these standards and other applicable standards of this Code, adherence to all City, county, and state laws, including the City's public nuisance ordinance, is required.

E. Horticulture. Gardens, orchards, and crop cultivation is permitted in all zones unless restricted by other applicable provisions of this Code or other laws of the City of Warrenton. Sales areas or retail businesses operated on the premises in conjunction with horticulture operation shall be prohibited unless specifically permitted by the development standards of the applicable zoning district(s).

Chickens are by default defined as livestock (domestic animals typically kept on a farm). As such, we require a minimum of one acre of land, enclosures at least 25 feet from the lot line. The Planning Commission appears to have authority to approve some other lot size requirements, but no criteria are given as to how the PC might do this on a fair and impartial basis. There is also a vague reference to the nuisance section of the Code Sections 8.16 and 8.28. We could declare these animals as nuisances if they impact pollution of a waterbody or as an "unenumerated" nuisance.

The evolution of the keeping of chickens and similar "fowl" has caused a number of residents to question the very narrow view we have of these animals. There are some clear concerns that need to be addressed - smell and noise are the first to come to mind. We have received complaints from neighbors about noise associated with the fowl and in one case, free-range chicken trespassing.

Staff is requesting direction from the Planning Commission on how you want to approach the subject. We have hatched some ideas on how the community could look at the problem.

1. **Do not make any changes to the current code**. Continue to require one acre and fencing. Legal staff is recommending that the loose definition of livestock might be challenged if we do go to court over any violations. Chickens are no longer just restricted to being raised on farms.

2. Consider updating the code to allow a limit based on number of poultry per property or per acre. The city of Salem, and other cities have established density limits for animals to address anticipated concerns.
3. Consider a permitting process for the keeping of poultry. Cities have established an annual or 5-year permit that is inspected by the city for compliance with code requirements. This would afford more flexibility to address site specific conditions.
4. Require neighboring property owners to sign off on the keeping of poultry. The City of Sherwood, Oregon has a permitting process that also requires a neighborhood sign-off on the keeping of these animals.

How did the chicken with no legs cross the road? In a KFC bucket.

Don't get me started! – JB

Ok, one more

A man runs to the psychiatrist and says, "Doctor, you've got to help me. My wife thinks she's a chicken!"

The psychiatrist asks, "How long has she had this condition?"

"Two years," says the man.

"Then why did it take you so long to come and see me?" asked the psychiatrist.

The man shrugs his shoulders and replies, "We needed the eggs."

Raising Chickens in Urban Environments

EM 9089 • October 2013

James Hermes

Raising small flocks of chickens within city limits is becoming a popular pastime for many families. Urban residents keep chickens in their backyards for many of the same reasons as rural residents. Some urban residents want to produce eggs or meat for their families to save money, live more sustainably, or simply know where their food comes from; others keep “fancy” or ornamental chickens (standard-bred birds of specific breeds or colors or both) to exhibit. Some urban residents have chickens to eat insects in the lawn and garden; others simply appreciate watching the birds in their yard, which can be a relaxing and sometimes comical sight.

Chickens can offer insights into the basic life processes and simple behaviors of another species. They provide companionship and the potential for social interaction with other chicken owners. In recent years, issues regarding sustainability and animal welfare, organic food and local food production, and the carbon footprint of large industry groups have increased people’s interest in raising chickens in urban environments.

Because of their small size, chickens are ideal for urban environments, especially when compared to other livestock species such as sheep, goats, pigs, and cattle. In urban settings, livestock-type animals do not receive the same reception from neighbors and city authorities as domestic pets like dogs and cats. Most cities have restrictions that ban most livestock, but a few chickens in the backyard are usually tolerated as long as policies (such as numbers of chickens, property line setbacks, and the absence of crowing roosters) are followed. However, there are some cities that do not allow any livestock.



Photo by: Lynn Ketchum, © Oregon State University

The city chicken hobbyist must remember that chickens are regulated in urban settings because not everyone enjoys chickens. Therefore, it is important that small flocks of chickens not infringe on neighbors who may be sensitive to or who simply dislike the noise, odor, flies, rodents, and unsightliness that can accompany a small chicken flock. Careful consideration of the animals’ facilities and management can reduce the potential to irritate neighbors. Most cities don’t have “chicken police”; complaining neighbors are the only way that the authorities learn there are chickens in a backyard. With proper facilities and management, in addition to some occasional friendly gestures—such as sharing eggs—you can reduce the potential for complaints, which could result in losing your flock of chickens.

Basic Guidelines

Following these guidelines can help you avoid conflicts with neighbors and help prevent the authorities from developing ordinances that ban chickens within city limits.

Location, health, and safety of your chickens

As the owner of chickens in an urban setting, you must consider carefully:

- Location of animal facilities in relation to residences
- Location of feed storage to avoid rodent problems
- Fly control
- Sanitation management
- Safe disposal of animal waste

You must also take into account the health and well-being of your animals. The chickens must be given adequate space, proper nutrition, sufficient attention, and a place to seclude themselves. An enclosure (coop) is necessary to provide protection from the elements and predators (Figure 1).

- **Site chicken facilities, whether enclosed or outdoor runs, as far from property lines as feasible.** Check local codes to determine whether there are setback requirements. Typical setbacks range from 10 to 25 feet.
- **Provide a minimum of 1 square foot of floor space (for permanent indoor confinement areas) per pound of body weight.** Most hens weigh from 4 to 6 pounds (bantams are smaller), so each hen needs from 4 to 6 square feet of ground space. In addition, when chickens are kept in enclosed spaces, there should be at least 3 cubic feet of air space per pound of body weight to ensure safe air quality and minimize odors. Enclosed facilities require regular air changes; vents or exhaust fans may be required in these facilities. In Oregon, cold temperatures are not usually a problem for chickens. However, heat lamps or other heat sources may be needed if winter temperatures dip into the single digits or below.
- **Allow chickens to roam in the backyard for at least part of the day.** These “free ranging” chickens will eat large amounts of insects,



Photo by: Eric Allix Rogers, Creative Commons license

Figure 1. A chicken enclosure (coop) can be a simple construction. Coops should be adequately sized for the flock and kept orderly.

grasses, and seeds. They will also eat ornamental and vegetable plant gardens in their search for insects. Chickens will scratch up the garden and lawn grass. Restrict chickens to their own yard to reduce damage to desirable plants.

- **Provide a prepared diet (not scratch).** Even though chickens enjoy insects and seeds found in the yard, and most kitchen waste, hens also need a prepared diet to thrive and lay eggs. This prepared diet must be formulated to contain all the required nutrients. To discourage rodent populations, store feed in a container and immediately clean up any spills.
- **Clean enclosed animal facilities and any ranging areas on a regular basis.** Dispose of manure and litter promptly and properly. Used litter and manure are especially good for garden composting because of their high nitrogen content.
- **Identify a local veterinarian who is familiar with chickens and their diseases, and keep their contact information available.** Occasionally, chickens will become ill. Most often, sick chickens appear lethargic; they fluff up and sit in a corner with their eyes closed. Most chicken diseases do not affect people, so there is a low probability that sick chickens can transfer their disease organisms to you. Normal personal hygiene, including hand washing after touching chickens, is recommended.



Figure 2. A well-maintained chicken facility helps keep chickens healthy and neighbors tolerant of small backyard flocks.

Appearance and property values

The appearance of urban poultry facilities and equipment, including external runs that are visible to neighbors, should not detract from the appearance of the surrounding neighborhood (Figure 2). Exteriors of sheds and other structures should be kept painted and well-maintained. Weeds and trash should be removed from around the facilities. Proper landscaping can provide screening and also help muffle sounds. Old and unkempt structures surrounded by weeds and piles of trash are unsightly and unsanitary. Provide a privacy fence or shrub screening (at least 4 feet high) around any outdoor chicken enclosure.

Sounds and odors

All animals and birds have characteristic sounds and odors. Owners are obliged to house animals so that sounds are no louder than the normal, adult speaking voice and odors are not offensive. Owners can achieve this by insulating the chicken coop, providing adequate ventilation, and using good sanitation practices.

Conclusion

Diplomacy and cooperation with neighbors can help avoid conflicts. If you have chickens in an urban environment, follow these suggestions and you can reduce complaints and have a long and happy relationship with your neighbors. Happy neighbors mean that chickens will remain an animal that can be raised successfully and legally in urban environments.

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Published October 2013.

Salem, OR

Poultry Keeping Rules

In Salem, you can any domesticated bird for eggs or meat including chicken, duck, guinea fowl, pheasant, pigeon, quail, partridge, dove, or similar bird for personal use as long as you follow the city guidelines. Geese, turkey, emu, ostrich, or similar sized bird are prohibited. No permit or license is needed. You must maintain your poultry facility in a condition that does not produce noise or odor that creates a nuisance for other properties.



Property Types

You can keep poultry at:

- A home
- Community garden
- School-owned property
- Property owned by a religious organization

How Many Poultry You Can Have

- A maximum of twelve poultry total per property
- Roosters are not allowed

You may keep up to six hens and ducks total in Salem without a permit or license.

Poultry Facilities

A “poultry facility” includes a coop and runway. A coop is a roofed shelter which may not be more than 120 square feet. A runway is a fully enclosed fenced area connected to the coop. The coop and runway create an indoor and outdoor environment for the chickens.

When ducks are present, a facility must also include a water source. A “water source” is a clean supply of water in a pond, wading pool, tub or other container large enough for the duck to fit its entire body and deep enough to submerge its head.



- Poultry must remain confined at all times within the facility, except when under control of an owner or custodian
- Facility must not produce noise or odor that creates a nuisance for neighbors

Planning Commission Packet 8.10.23



City of Warrenton

Planning Department

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

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STAFF REPORT

TO: The Warrenton Planning Commission
 FROM: Rebecca Sprengeler, Planning Technician
 DATE: August 10, 2023
 SUBJ: Shipping Container Code Amendment

BACKGROUND:

There are many shipping / cargo containers throughout Warrenton on both private and commercial properties. The Planning Department has received a handful of requests to utilize and complaints about shipping containers both in commercial and residential zones. The primary concerns include the number of containers, location, and condition. Staff would like to work with the Warrenton Planning Commission to create a clear process to permit and enforce the use of shipping containers.

The Warrenton Planning Commission had an initial discussion in March of 2023. At this meeting, concerns about the unsightliness of existing containers were expressed. There was also concern about placing too much restriction on the creative uses of shipping containers. The Planning Commission suggested standards that the containers be painted to match the associated structure. It was also suggested that they be prohibited in residential zones except when moving. The draft shipping container ordinance was discussed again at the May 11, 2023, Planning Commission meeting. A draft ordinance was presented, and the feedback was that there should be a clear process for removal of unsightly containers and an expanded definition of the containers.

Attached is the updated ordinance for discussion. The Planning Commission can direct staff to do additional research and bring back more information, direct staff to have the ordinance reviewed by legal and schedule a hearing as soon as October 12, 2023, or other direction as deemed appropriate by the Planning Commission.

ORDINANCE NO. 12XX
Introduced By All Commissioners

**AN ORDINANCE AMENDING WARRENTON MUNICIPAL CODE TITLE 16,
DEVELOPMENT CODE, DIVISION 1 – DEFINITIONS, DIVISION 3 DESIGN
STANDARDS, AND DIVISION 4 APPLICATIONS AND REVIEW PROCEDURES TO
CREATE STANDARDS FOR SHIPPING CONTAINERS IN WARRENTON**

Section 1. Amend the Warrenton Municipal Code Section 16.180 to read as follows:

16.12.010 Definitions

Shipping container. A unit originally used for the transport, shipping, or hauling of materials or goods by land, sea, or air; capable of being moved or mounted by rail, truck, or boat. This definition includes steel sea or oceangoing containers marked with the American Bureau of Shipping's emblem or meeting the International Standard Organization's standards which can be detached from a trailer, chassis or frame, and which were formerly used for transporting sea or oceangoing cargo. This definition includes the terms "portable moving/storage unit/container/pod, cargo/oceangoing/transport container, portable moving storage pod, and tractor trailers." In addition, this definition applies to any structure designed to imitate the look of a shipping container.

**Chapter 16.180 ACCESSORY STRUCTURE, ACCESSORY DWELLING, GARAGE,
CARPORT, AND SHIPPING CONTAINER DESIGN STANDARDS**

16.180.050 SHIPPING CONTAINERS

The purpose of these standards is to establish regulations to limit the use of storage containers to avoid unsightly conditions and degradation of community character. The goal is to reduce or eliminate the presence of shipping containers within residential zones and view from the public right-of-way. This section also allows for temporary and/or ongoing use of shipping containers subject to certain design, screening, and placement requirements.

Shipping containers located on any property within the City of Warrenton shall comply with the regulations set forth in this chapter.

- A. Shipping containers as storage facilities or empty structures. Shipping containers as defined in WMC 16.12.010 are permitted within all zones (except R-40, R-10, R-M, RH), pursuant to the regulations set forth below.
1. All containers shall:
 - i. Be used as a storage facility, or placed as an empty structure, appurtenant to the primary use; such primary use being situated in an enclosed adjoining building;
 - ii. Be placed on concrete, asphalt, or level, compacted, hard surface at all times;

- iii. Be painted so as to blend in with the buildings to which they are associated;
 - iv. Be protected from rust and corrosion and kept free from holes, breaks, and any other conditions which might admit rain or dampness to the interior portions of the walls;
 - v. Not be visible to the motoring public or from residential neighborhoods adjacent to the property where located unless other measures are employed to mitigate the visual impacts of such containers;
 - vi. Abide by all setback requirements applicable to the zone in which they are located;
 - vii. The shipping container must comply with the site and building design regulations identified in the underlying zone including use of materials, screening by screened fencing or vegetation, and landscaping; and
 - viii. On a case-by-case basis, the Community Development Director may allow for flexibility in site and building design regulations if the underlying design regulations in a zone conflict with the shipping container regulations; and
 - ix. The container shall not be placed on vacant property.
2. Only one shipping container may be permitted per site unless approved by conditional use permit by the Planning Commission.
 3. Shipping containers shall not be stacked.

Commented [RS1]: Language from the nuisance code related to exterior walls and exposed surfaces (WMC 8.28.050.E)

B. Exceptions for temporary placement of shipping containers in residential zones. A temporary permit for the placement of one shipping container per residential lot may be issued once in a calendar year, temporarily for a maximum of 6 months within residential zones (R-40, R-10, R-M, RH) only, for the purposes of temporarily storing or shipping personal property in association with moving or property improvement.

1. Temporary shipping containers must be placed on the designated driveway of a residential lot;
2. Temporary shipping containers may not be placed within the public right-of-way, and may not be placed in such a manner as to obstruct or impair the free and full use of the sidewalk or street by the public, or obstruct the view of pedestrians or users of vehicles thereon or interfere with the wires, poles or fixtures lawfully maintained thereon;

3. Temporary shipping containers shall be at least three feet away from the residential structure, and shall allow for at least five feet of clear access on one side or the other between the structure and the property line.

C. Exceptions for placement of shipping containers on construction sites in conjunction with an active building permit. A temporary permit for the placement of shipping container(s) may be issued in conjunction with an active building permit for a construction site in all zones, subject to the following standards:

1. The temporary shipping container permit will be valid until the building permit expires or certificate of occupancy is issued;
2. Temporary shipping containers must be removed before the expiration or final approval of the associated active building permit **or within 14 days of certificate of occupancy;**
3. Temporary shipping containers may not be placed within the public right-of-way, and may not be placed in such a manner as to obstruct or impair the free and full use of the sidewalk or street by the public, or obstruct the view of pedestrians or users of vehicles thereon or interfere with the wires, poles or fixtures lawfully maintained thereon;
4. All temporary shipping containers must be placed on the construction site associated with the active building permit;
5. All temporary shipping containers must be placed a minimum of five feet away from all adjacent property lines and public rights-of-way;
6. Temporary shipping containers shall not be stacked;
7. Temporary shipping containers must be secured at nighttime and maintained in good condition.

D. Existing violations – Resolution time frame. All property owners within the City, who are currently in violation of the regulations set forth in this chapter, shall have 120 calendar days from the effective date of the ordinance codified in this chapter to bring their properties into full compliance with the regulations set forth in this chapter. After this time period, violations of this chapter **shall may** be enforced in conjunction with this section and Chapter 16.16 Enforcement.

Commented [RS2]: Inventory of existing containers needed

E. Conflicts with existing code sections. In the occasion a conflict exists between the regulations of this chapter and other code or ordinance sections of the Warrenton Municipal Code, the terms and provisions of this chapter shall take precedence.

F. Shipping containers used as permanent structures. Nothing in this chapter shall prevent the use of a shipping container or a similar container from being utilized as a permanent

structure provided, that such structure complies with all applicable Building Codes, City regulations, and City design or development standards, as applicable.

- G. Enforcement. The Community Development Director or designee may visit and inspect the site of shipping containers in accordance with this chapter periodically to ensure compliance with all applicable regulations, during normal business hours, and with reasonable notice. Code violations shall be processed in accordance with Chapter 16.16, Enforcement.

Commented [RS3]: Establish an annual inspection/permit renewal fee?

DRAFT



AGENDA MEMORANDUM

TO: The Warrenton Planning Commission
 FROM: Jay Blake, Planning Director *Jay Blake*
 DATE: August 10, 2023
 SUBJ: Warrenton Development Code Audit, Discussion

BACKGROUND:

Staff prepared a draft request for proposals (RFP) for a Development Code Audit and is requesting Planning Commission input on any additional parameters it would like included in the code audit process. This item was included in the 2023-24 budget.

The following general issues of concern are proposed to be addressed:

- Code Organization
- Code Clarity and Removal of Conflicting Sections
- Streamlining Development Review Procedures

The following are some of the specific issues identified by staff that should be addressed:

- Definition of and Regulations of Short-term Rentals – There are five types listed in our development code.
- Clarification on Dirt-fill and Wetland Regulations
- General Commercial – Downtown vs. General Commercial Highway – setbacks and parking requirements.
- Incorporating the Sign Task Force Recommendations
- Updating Home Occupation Definitions and Regulations
- Clarification on Housing Densities

Staff is requesting input from the Planning Commission on additional concerns they would like included in the review. Additionally, staff is recommending that a task force be established to monitor and guide the successful consultant with the local review process. If you have an interest in serving on the task force, please let the Mayor and City Commission know of your interest.

RFP for City of Warrenton Development Code Audit

Deadline for Receipt of Proposal: 3:00 p.m. September, 22, 2023
Name of Contact Person and Title: Jay Blake, Planning Director
Location for Receipt of Proposal: Planning Department
Warrenton City Hall
255 South Main Avenue
Warrenton, OR 97146

Signed Electronic Delivery of Proposal by email attachment permitted at jblake@ci.warrenton.or.us

Section Index:

1. General Project Description
2. Planning Background
3. Scope of Work
4. Proposal Submittal
5. Proposal Requirements and Selection
6. Award of Contract
7. Objections to Proposed Contract; Public Contract Information; Right to Cancel RFP

1. GENERAL PROJECT DESCRIPTION

The City of Warrenton is seeking an experienced consultant team to perform an audit of the Warrenton Development Code (WDC) and related chapters to identify code problems and define an approach for creating a more user-friendly code. The audit is intended to be a technical analysis that generates an overall strategy for streamlining the code and identifies content and policy issues that the City should adopt.

The audit should focus on problems with organization, readability, ease of use, exceptions and interpretations, and the identification of content and policy questions that includes the City's overall system of zoning and land use regulation and barriers to sustainable and efficient development reviews. The code audit will create the framework and approach for streamlining the code and is intended to result in a new code or new code language during this initial phase of work.

2. BACKGROUND

The WDC implements the City's Comprehensive Plan and governs the development of real property within the corporate limits of the city. The WDC and related codes have been amended and expanded numerous times over the years and are complex in terms of their content, and organization, making it difficult for the user to navigate and understand.

Community members, planning staff, and appointed and elected officials have all expressed concerns about the complexity of the WDC and related chapters. As a result, the City Commission has requested that staff undertake a code audit that will establish a framework to address this issue with the goal of creating a more user-friendly code.

The City Commission has appointed a Community Code Review Committee (CCRC) to assist the consulting team with local input and perspective. It is anticipated that the CCRC will oversee the process with assistance from the Planning Department staff and forward a recommendation for code amendments to the Planning Commission, City Commission and Department of Land Conservation and Development to review.

The following chapters are the subject of the code audit:

- **Warrenton Community Development Code (WMC Chapter 16)** – This chapter includes Introduction, Land Use Districts, Design Standards, Application and Review Procedures and exceptions to the Code Standards
- **Health and Safety Title 8 (Section 8.16, 8.24, and 8.28)** – This chapter includes Nuisance Procedures, Homestay Lodging Standards, Property Maintenance, Vacant Building and Chronic Nuisances

3. DRAFT SCOPE OF WORK

The Draft Scope of Work below represents the City's best estimate of the work needed to accomplish the objectives for this project. The City is open to a suggested approach that may deviate from this scope to better meet project objectives.

Task 1 - Overview

Review City codes to get an overview of organizational structure, content, and complexity. In addition to the Warrenton Community Development Code, the consultant shall examine related codes listed in Section 2.

Product: None

Task 2 – Stakeholder Input

Solicit feedback from stakeholders to identify problems and issues with the current code. The consultant is encouraged to conduct interviews with groups or individuals, hold a public workshop, and perform an online survey. At a minimum, feedback should be solicited from the following stakeholder groups:

- Planning Department - Director and Technician
- Building and Administrative Staff;
- City Attorney;
- Planning Commission;
- Development Review Committee;
- Neighborhood Groups; and
- Development Representatives – Builders, Developers,
- Business Community Members

At a minimum, the interviews shall explore the following code issues:

- Organization and ease of use;
- Readability and clarity;
- Use of graphics;
- Land use decision process;
- Exceptions and interpretations;
- System of zoning and regulation;
- Content and policy issues.

Product: Tabular or narrative report outlining the results of the stakeholder input. The report shall include an evaluation of the issues identified, including the consultant's assessment of whether issues are unique to Warrenton or whether they are common code problems that are found in many other communities.

Task 3 – Check Point

The consultant shall meet with the Community Code Review Committee for the project and review the findings from Task 2. Based on the results of the feedback and issues, the scope of work may be revised to better address the identified problems.

Product: One meeting with the Community Code Review Committee. Scope revisions, if necessary.

Task 4 – Code Examples/Research

The consultant shall provide the CCRC with examples from development codes of other communities that illustrate how codes have been structured to address the problems identified in Warrenton. These examples shall primarily focus on organization and readability and not necessarily focus on content or policy issues.

The consultant shall conduct research regarding the use of graphics in codes and the use of electronic technology to illustrate codes. Research shall also explore innovations in the use of electronic technology to disseminate code information or to provide easier access to code information.

Product: A brief memorandum regarding the research highlighting the best examples. The memorandum should include hard copy examples that illustrate key points and website links to the best examples.

Task 5 – Code Audit

A minimum of four meetings with the CCRC team shall be held to review the consultant's research and findings during the preparation of the code audit. The audit involves eight subtasks as set forth below. The product description for each subtask is for description purposes only; it is not intended for each chapter to be submitted separately. The final product of this task is a comprehensive report that addresses all the subtasks.

A. Code Organization: The consultant shall develop a framework for reorganizing the Warrenton Development Code. The framework will focus on ease of use and clarity. It should allow users to navigate through the code in such a way that relevant standards and procedures are easy to find and obvious that they apply to a particular piece of property. The reorganization strategy may suggest that new graphics, maps, or technologies are needed.

Product: A chapter in the final report presenting an outline for the reorganization of the code. A table of contents, description of a durable numbering system and a sample article of the Warrenton code shall be provided to illustrate the proposed organization, layout and format of the code.

B. Readability and Clarity: The consultant shall prepare a strategy for making the code more user friendly in terms of readability and clarity. This shall include an assessment of the readability of each article or chapter of the Community Development Code in which each article or chapter is graded on a scale according to magnitude of changes that are necessary to improve readability and clarity. The assessment shall include general suggestions for how each article or chapter may be improved.

Product: A chapter in the final report recommending ways in which the code can be clarified, including an assessment of each article or chapter of the code and a sample chapter or article of the code illustrating simplified language and/or graphics that would improve readability and clarity.

- C. **Technology:** The consultant shall suggest ways in which the development code can use innovative technologies for dissemination of information, access by the public, mapping, graphics, etc.

Product: A chapter in the final report discussing ways in which innovative technology is being used in at least three other jurisdictions to improve public access to and understanding of the development code. The chapter shall also include a list of recommendations for the City of Warrenton.

- D. **System of Zoning and Use Regulation:** The consultant shall evaluate and describe the City's current system of zoning and use regulation and describe other zoning and use regulation models that are available. The consultant shall make recommendations as to whether another approach to zoning and use regulation should be considered and whether there is a better way in which to organize, list, and describe the uses allowed in a particular zone. This discussion should include consideration of both performance-based and form-based approaches.

Product: A chapter in the final report that briefly defines Euclidian, performance, and form-based land use regulation approaches, describes the city's current approach to land use regulation, and recommends ways the current system of zoning and use regulation can be improved.

- E. **Graphics:** The consultant shall suggest ways to improve the code through the use of simple yet effective graphics. The audit work shall also evaluate existing graphics and suggest ways to clarify or modify graphics that are confusing.

Product: A chapter in the final report recommending ways to make the code more user friendly through graphics. An example article or chapter of the Warrenton development code shall be provided to illustrate how graphics can be effectively incorporated to improve the understanding of code language.

- F. **Land Use Decision Process:** The consultant shall evaluate the land use decision making process and suggest ways in which to clarify, modify, and streamline the process. This shall include examining the types of decisions and the processes used to make those decisions.

Product: A chapter in the final report recommending ways to improve the land use decision process.

- G. **Exceptions, Adjustments, and Interpretations:** The consultant shall examine the various exceptions and adjustments (including variances) in the WDC and related chapters in terms of organization, clarity, and ease of use. The consultant shall review other city codes and identify alternative ways to provide clear and objective standards yet also provide the flexibility to address unique situations.

The consultant shall also examine the types of code interpretations that are necessary for use of the code. The consultant shall make suggestions for ways to 1) Eliminate unnecessary

interpretations and 2) Make the interpretation process more transparent and understandable.

Product: A chapter in the final report recommending ways to address exceptions, adjustments, and interpretations.

H. Content and Policy Issues: Based on the stakeholder input gathered from Task 2 and the consultant's understanding of best planning practices, the consultant shall compile a list of content and policy issues in the WDC and related chapters that the city should explore further. This will involve a review of the entire code and shall include a preliminary analysis of whether the code is consistent with Metro requirements and State of Oregon statutes and rules. The consultant shall also review and discuss the experiences of other cities that have undertaken a comprehensive code rewrite in terms of timeline, costs, and best practices. The overall purpose of this subtask is to flag areas of the code that are outdated in terms of current best practices and laws and to gain an understanding of the issues, timeline, and costs that would be associated with substantive code changes prior to initiating a comprehensive code rewrite.

Product: A chapter in the final report outlining code content and policy issues that the City should explore further and a discussion of the various issues, including timeline and costs, associated with a comprehensive code rewrite.

Task 6 – Reporting

Upon completion of the draft code audit described in Task 5, the consultant shall submit a draft report to the Planning Director. The Director shall provide comments and the consultant will then create a discussion draft for public review.

The consultant will present the discussion draft in a public meeting in Warrenton. Public comments will be documented. The consultant shall hold two work sessions with the CCRC and Planning Commissions (joint meetings). The discussion draft and a summary of comments from the public meeting will initially be presented to the Commissions.

Based on CCRC and Planning Commission and staff comments, the consultant shall prepare a final audit report for review and approval by the Management Team for the project.

Product: A draft report for staff review; a discussion draft for public review; a final report incorporating staff and the CCRC and Planning Commissions comments. One public meeting and two joint CCRC and Planning Review Commission work sessions.

4. PROPOSAL SUBMITTAL AND SCHEDULE

Proposal Submittal

Parties interested in submitting a proposal should contact Jay Blake as provided below to indicate their interest in submitting a proposal and specify the manner to receive any amendments to the RFP.

Questions or comments regarding the Request for Proposals should be directed to Jay Blake, phone (503) 861-0920; or email jblake@ci.warrenton.or.us. Any amendments to this RFP will be in writing and will be issued to all persons or businesses that have indicated an interest to receive RFP amendments. No proposal will be considered if it is not responsive to any issued amendments.

Seven copies of the proposal shall be submitted by the date and time stated on Page 1. Proposals can be mailed or hand-delivered to the Planning and Building Department at Warrenton City Hall.

No faxed materials will be accepted. Postmarks are not considered proof of delivery. If the proposal is hand delivered, it must be delivered to and stamped by personnel at the City of Warrenton's Planning and Building Department.

*Asterisk * indicates approximate dates*

Schedule for RFP Process

September 22, 2023	RFP Due
October 2, 2023	Interview Notification
Week of October 16, 2023	Interviews
November 2023*	Final Contract Executed (<i>work to begin immediately thereafter</i>)
November 2024*	Final Product

5. PROPOSAL REQUIREMENTS AND SELECTION

Proposal Requirements

Please organize your proposal corresponding to the following outline:

1. Project Approach and Understanding - Detailed description of the Consultant's proposed approach demonstrating how the City's objectives will be accomplished as outlined in the above Scope of Work. Clearly describe and explain the reason for any proposed modifications to the methods, tasks and products identified in the Scope of Work outlined in Section 4 of this RFP.
2. Project Organization and Team Qualifications - Provide information regarding all personnel assigned as team members to this project including names, prior experience, position, role and level of responsibility in the project. The City reserves the right to reject any proposed firm or team member or to request their reassignment. The project manager shall be identified by name and shall not be changed without written approval by the City. The principal consulting firm must assume responsibility for any sub-consultant work and shall be responsible for the day-to-day management and direction of the project.
3. Project Timeline - Proposed timeline for accomplishing the project, including critical paths and milestones, and specific consulting staff by task based on the Scope of Work.
4. Project Coordination and Monitoring - Process for ensuring effective communication between the Consultant and the City and for monitoring progress to ensure compliance with approved timeline, budget, staffing and deliverables.
5. Proposed Cost of Services - Budget summary broken down by task, time, personnel, and hourly rate, number of hours and cost for each team member including any employed by subcontractors. Fee information should be formatted to correspond to tasks identified in this RFP; however, this format may be modified to suit the consultant's approach to this project. The summary shall include a budget for reimbursable expenses. The final cost of consulting services may be based on a negotiated detailed scope of work. The budget summary shall also include all required materials and other direct costs, administrative support, overhead and profit that will apply.
6. Similar Project Experience - Specific examples of comparable work which best demonstrate the qualifications and ability of the team to accomplish the overall goals of the project under financial and time constraints. Provide names, addresses and telephone numbers of clients associated with each of these projects. Through submission of a proposal, all respondents specifically agree to and release the City of Warrenton to solicit, secure and confirm information provided.

Proposal Selection

Proposals will be evaluated based on the following criteria:

- Project understanding and approach for accomplishing the City's objectives
- Qualifications of project manager and project team, and proven ability to successfully complete projects of similar scope and complexity

- Thoroughness, quality and conciseness of submittal ◦
- Proposed cost of services
- Availability and accessibility of individuals assigned to the project ◦
- References from past and present clients

6. AWARD OF CONTRACT

Subject to the City's right to cancel this Request for Proposals and to reject any and all proposals, and to the procedure for Objections to Proposed Contract, City will award the contract to the responsible proposer whose proposal the City determines is the most advantageous to the City based on the evaluation process and evaluation factors described in this Request for proposals, applicable preferences described in ORS 279A.120 and 279A.125 and, the outcome of any negotiations authorized by this Request for Proposals.

7. OBJECTIONS TO PROPOSED CONTRACT; PUBLIC CONTRACT INFORMATION; RIGHT TO CANCEL RFP

The Proposer should include in the proposal any objections to the form or terms of the Contract. Any objections shall be considered after a determination of the apparent highest ranked responsive, responsible Proposer is made, and the terms shall be subject to negotiation. The Project Manager, in consultation with the City Attorney, shall determine if any proposed modifications to the form of Contract are acceptable to the City and that they do not present material risk to the City or increase the City's costs. If the final negotiated terms are not acceptable to the apparent highest ranked responsive, responsible Proposer, that Proposer shall be declared not to be responsive, and the next apparent highest ranked responsive, responsible Proposer's proposal and objections to form of Contract, if any, shall be considered, and so forth in order, until a responsive, responsible Proposer agreeable to execution of a form of Contract acceptable to the City and to the Proposer is ascertained.

Public Contract Rules: Except as modified by the terms of this Request for Proposal, the terms and procedures of the Warrenton Public Contract Rules shall apply.

Notice of Intent to Award / Protest: Notice of Intent to Award the contract shall be provided to each Proposer. Any protest of the intended award of contract must be submitted in accordance with state rules.

Confidentiality of Proposals: Proposals will be confidential until either a contract is awarded, or a notice of intent to award a contract is issued, whichever occurs first. If any part of the proposal is proprietary and is claimed exempt from disclosure, the Proposer should separately submit that material along with the Proposal, in an envelope marked "Proprietary Information Enclosed; Confidentiality Requested".

Cancellation / Rejection of Proposals: The City may cancel this Request for Proposals or reject any or all proposals, in accordance with ORS 279B.100.