



AGENDA

WARRENTON PLANNING COMMISSION
Regular Meeting | October 12, 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 – 9.14.23

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

- A. Development Code Revision DCR-23-2, Mini-warehouse Regulations, Ordinance No. 1267

6. BUSINESS ITEMS – None

7. DISCUSSION ITEMS

- A. Sign Code Task Force Report
- B. Draft Residential Poultry Regulations, Discussion

8. GOOD OF THE ORDER

9. ADJOURNMENT

Next Regular Meeting: November 9, 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
 September 14, 2023
 6:00 p.m.
 Warrenton City Hall - Commission Chambers
 225 S. Main
 Warrenton, OR 97146

Chair Hayward called the meeting to order at 6:01 p.m. and led the public in the Pledge of Allegiance.

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

Staff Present: Planning Director Jay Blake, Planning Technician Rebecca Sprengeler, Public Works Director Greg Shafer, Police Chief Mathew Workman, and Fire Chief Brian Alsbury

3. APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes – 8.10.23

A correction to the spelling of Commissioner Gaebel’s name was noted.

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

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

4. PUBLIC COMMENT ON NON-AGENDA ITEMS – None

5. PUBLIC HEARINGS

A. Continuation: Fort Pointe Planned Unit Development – Modification to Approved Plans and Conditions MC-23-3 for Fort Pointe Planned Unit Development PUD-20-2

Chair Hayward re-opened the hearing. He read the hearing script. No conflicts of interest or ex parte contacts were disclosed. All members visited the subject site. No one challenged the Commissioner’s impartiality.

Planning Director Jay Blake reviewed a presentation and the staff report noting new evidence: a traffic impact analysis and review comments from ODOT, the city-hired engineer, Clatsop County, Police Department, and Public Works Department. The consultant reviewer concurred with the TIA findings. New information also included a memo about open, space, density, parks, and ongoing discussions about the Wastewater Treatment Plant (WWTP) capacity.

Public Works Director Greg Shafer explained a consultant is reviewing expansion designs and capacity for the WWTP. The City is not in a place to deny new connections. There is a 12-to-18-month timeline gap between this development and the new plant. The new plant is in the design phase right now. A bond for the new plant is not an option until early 2027 when current bond sunsets. Construction is anticipated in 2027.

Commissioner Gaebel noted Clatsop County has committed \$250,000 for the sewer and water lines extension through the NW 11th St ROW. Mr. Blake explained this financing will help offset the project which will provide public benefits to Fort Stevens and Hammond. Commissioner Swanson asked about input from surrounding homes and businesses on the TIA. Mr. Blake reviewed the code section for a traffic impact analysis and explained the developer met all the requirements. Commissioner Gaebel asked about requiring the crosswalk on Ridge Rd as recommended by the County. Mr. Blake responded that the consultant engineer, County, and ODOT all recommend the crosswalk, making it a reasonable recommendation. Commissioner Hopper asked if the developer has considered alternative sewer options that could be integrated with the new WWTP. Mr. Blake noted it is an option that has been discussed but was opposed by previous city engineers.

Mark Tolley, applicant, noted the project will be built out over time over 7-10 years, not all at once. Their engineers estimate wastewater capacity for approximately 160 units. The primary focus will be the apartments in the third quarter of 2024. The construction period will be approximately 24 months. New utility connections are projected in mid-2026. They have previous approval for 316 units. They are open to exploring alternative wastewater options. He explained the traffic study process. The original scope was expanded as requested by the County, ODOT, and staff. It was reviewed by the City's third-party engineer who concurred with the results. Mr. Tolley was amenable to a crosswalk into Fort Stevens, trail system expansion, and deceleration lanes on Ridge Rd.

Commissioner Gaebel asked if the trails in the development will be open to the public. Mr. Tolley responded the development will not be gated and trails will be open to the public. These trails will be counted towards the required open space. Commissioner Gaebel asked about public access to the pool and pickleball courts. Mr. Tolley responded they will not be available to the public due to liability. Brief discussion about amenities continued. Commissioner Bridgens noted concern about the community impacts from the increase in dwelling units. Mr. Tolley explained the best-case scenario for the multifamily with HUD financing will be in mid-2026. The approval and ultimate buildout is expected over time, not immediately. Chair Hayward asked what trail amenities would be available within the first two years, especially the crosswalk and deceleration lane. Mr. Tolley responded that they will be completed in phases with the project starting at the northeast corner. Chair Hayward asked how many additional lots will be created from the increase in units. Mr. Tolley clarified that the additional units will primarily be a second story on the apartments. Commissioner Swanson asked if there will be affordable housing. Mr. Tolley clarified the housing will be market rate. A similar project in the area is the Cannery Lofts in Astoria. Commissioner Gaebel asked what percentage of single-family units would be owned versus built-to-rent (BTR). Mr. Tolley projects half of the 240 units will be for sale and half will be BTR. Commissioner Gaebel asked if they would accept a 25% minimum for owned single-family units. Mr. Tolley did not feel the restriction would be appropriate. Commissioner Hopper

asked if the remainder of the project will be sold to another company once the multifamily is built. Mr. Tolley noted they plan to sell the remainder of the project otherwise the build-out would be longer. Mr. Blake added that the conditions of approval will follow the project when sold and any significant changes would be brought to the Planning Commission for approval. Discussion continued about whether conditions on sale of the project would be appropriate. Commissioner Sollaccio asked if trail designs were available. Mr. Tolley explained the designs will be available during the final plat review. Commissioner Sollaccio would like to add language to conditions of approval P and Q that the trails be designed to the minimum City standards and that the final design be reviewed and approved by the Planning Commission. Discussion followed about code requirements for a tree management plan. Tree clearing is allowed with an approved Oregon Department of Forestry permit. New tree planting will be part of the landscape requirements. 200 acres of trees will be preserved in the wetlands.

Chair Hayward asked for public testimony. No one spoke in favor, opposition, or from a neutral position.

Commissioner Swanson asked about street widths, on-street parking, and egress for emergency vehicles. Mr. Blake added that the streets will be required to meet minimum engineering standards. There are new street light standards that will need to be addressed as well. Commissioner Bridgens asked if there were enough public safety staff to serve the increase in population. Police Chief Mathew Workman explained that staff numbers will need to grow with the development. Chair Hayward asked how many officers per 1,000 people are required. Chief Workman noted it is one to two officers per 1,000 people. This is met because the Chief and Sergeant respond to calls, otherwise they would have 10 officers. Fire Chief Brian Alsbury explained that there are not adequate fire staff for this development. Volunteers have been more difficult to find and retain. More fire staff will be needed as the development is built-out over the next 10 years. He explained the county-wide mutual aid program that offers support for fires.

Chair Hayward closed public hearing.

Commissioner Gaebel feels a 25% minimum of owned single-family homes is a reasonable condition. Commissioner Hopper feels there is a need for rentals right now and noted the unaffordable interest rates. Mr. Blake added this condition could be modified by the Planning Commission in the future if needed. In Black Diamond, Washington, staff observed that BTR properties were maintained about the same if not better than the owned homes. Mixed ownership styles would meet several needs in the market. Discussion followed about CC&R's and enforcement of conditions of approval. Enforcement can also be addressed in the development agreement.

Chair Hayward reopened the public hearing.

Mr. Tolley agreed to a condition for a minimum of 25% of single-family detached units to be for ownership.

Chair Hayward noted there is no guarantee that individual property owners will not rent the houses privately. Discussion followed.

Chair Hayward closed the public hearing.

Commissioner Gaebel made a motion to approve the Modification of Conditions for the Fort Pointe Development Group. The approval is based on information submitted by the applicant and its representatives, the applicable findings within the July 27, 2023, and September 14, 2023, staff reports and attachments, the discussion at the on-site inspection on July 27, 2023, and comments received during the public hearing for this application. The approval is subject to the conditions included in the staff report, the conditions provided by Clatsop County, and a condition that the trail plan be reviewed and approved by the Planning Commission. Motions was seconded and passed unanimously.

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

6. BUSINESS ITEMS – None

7. DISCUSSION ITEMS – None

8. GOOD OF THE ORDER

Mr. Blake noted a grant from the State for updating the residential zoning code.

Commissioner Gaebel asked staff to research removing the monthly meeting requirement when there is no business.

There being no further business, Chair Hayward adjourned the meeting at 8:00 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: Warrenton Planning Commission
 FROM: Jay Blake, Planning Director *Jay Blake*
 DATE: October 12, 2023
 SUBJ: Public Hearing: Ordinance 1267 – Type IV Review
 An ordinance defining mini-warehouse facilities and establishing a cap on the number of units within the City of Warrenton

The Warrenton Planning Commission is asked to conduct a public hearing on Ordinance 1267. Notice of hearing was published in the official newspaper of the City of Warrenton and on the City of Warrenton website.

Background:

City staff received numerous requests related to the construction of new mini-storage units (now-defined as mini-warehouse facilities) in the Commercial and Industrial zoning districts. The requests continued even after the adoption of new design and location standards were established by Ordinance 1242 in 2020.

The initial review of this topic, held in March and April of 2023 focused on tax receipts from current mini-storage in Commercial and Industrial zones relative to other types of uses in the same zones. Staff presented research that showed that tax receipts from mini-warehouse facilities was significantly lower than on other comparably sized developments. Staff also noted that the number of mini-warehouse sites and units in Warrenton far exceeded the number of sites in other cities in Clatsop County and even the entire county combined. Warrenton has become a hub of mini-storage units.

In May the planning Commission invited all mini-warehouse owners to a live and virtual meeting to review the issues. No one attended. Staff was then directed to examine employment created by these uses. Using the same properties from the tax analysis, staff found that eight (8) full-time equivalent (FTE) people were employed by the mini-warehouse sites based on City business license records. However, other

Commercial or Industrial uses (on similarly sized tracts) employed 162 FTE – twenty times higher employment rates than mini-warehouse facilities.

Staff noted that these facilities typically do not require the availability of municipal sewer or water services and could be served by on-site wells or septic systems. Staff supported the notion that our municipal systems should be reserved for higher tax-generating and employment-generating uses.

Staff worked with our legal counsel to develop a draft Ordinance for your consideration.

As a Type IV application this requires a public hearing by the Planning Commission and at least one hearing by the City Commission.

The following items are included in the packet:

- Mini-storage density analysis for Clatsop County
- Tax and FTE Analysis

Optional Courses of Action:

I move that the Planning Commission recommends approval of Ordinance 1267 “An Ordinance Establishing a Cap on the number of Mini-warehouse sites within the city of Warrenton and amending the Warrenton Development Code.” This motion is based on information in the October 12, 2023 staff review memo and testimony received at the public hearing. The Ordinance his hereby forwarded to the Warrenton City Commission for consideration.

I move that the Planning Commission recommends denial Ordinance 1267 “An Ordinance Establishing a Cap on the number of Mini-warehouse sites within the city of Warrenton and amending the Warrenton Development Code. This motion is based on findings of fact and testimony received at the public hearing.

I move that the Planning Commission table Ordinance 1267 for further research or information.

Staff Recommendation:

Staff recommends approval of Ordinance 1267 and directing staff to present the findings to the Warrenton City Commission as required in the Warrenton Development Code.

ORDINANCE NO. 1267

INTRODUCED BY ALL COMMISSIONERS
AN ORDINANCE ESTABLISHING A CAP ON THE NUMBER OF MINI-
WAREHOUSE SITES WITHIN THE CITY OF WARRENTON AND AMENDING THE
WARRENTON DEVELOPMENT CODE

WHEREAS, the City of Warrenton has allowed mini-warehouse or mini-storage sites to be developed within the community; and

WHEREAS, there are currently ten (10) approved mini-warehouse or mini-storage sites within the city limits (See attachment A); and

WHEREAS, the per capita number of mini-warehouse sites is higher in the City of Warrenton than any other community in Clatsop County at one site per 640 people. This ratio is nearly double other areas within the County; and

WHEREAS, the number of actual rental units based on Clatsop County Tax records is 1,764 with an additional 489 in development review.

WHEREAS, Mini-warehouse units do not create significant numbers of jobs.; and

WHEREAS, recent tax analysis by the city indicates that the mini-storage properties pay a lower property tax per acre than other commercial or industrial uses within the city; and

WHEREAS, Section 3.330 of the Warrenton Comprehensive Plan states,

“It is the City’s policy to support the establishment of a variety of well-designed industrial facilities in appropriate locations in order to expand employment opportunities, make use of land best suited for industry, increase local tax base and insure a stable economy.”; and

WHEREAS, the city finds that mini-warehouse units do not need municipal sanitary sewer or water service and could be developed in areas outside of the Urban Growth Boundaries; and

WHEREAS, the 2023 data for the number of mini-storage units per resident indicates that the City of Warrenton has one (1) storage unit per 2.85 residents, compared to the rest of Clatsop County which has one (1) storage unit per 41.6 residents.

WHEREAS, the number of jobs created per site with mini-warehouse units is significantly lower than other commercial and industrial uses. A 2023 survey of jobs

indicates that only eight (8) full-time equivalent jobs are created by the ten (10) existing mini-warehouse sites in Warrenton. Other commercial or industrial uses have significantly higher employment rates.

Now, therefore, THE CITY OF WARRENTON ORDAINS AS FOLLOWS:

Section 1. The City of Warrenton hereby places a cap on the development of new mini-warehouse units within the city limits. The list of pre-existing mini-storage units is indicated on Attachment A.

Section 2. The following sections of the Warrenton Municipal Code are amended as follows:

~~Strike-through:~~ language removed from code

Bold – language added to the code

16.12 DEFINITIONS

Mini-warehouses or Mini-storage sites – means buildings or portions of buildings which are available for rental for the purpose of storing goods and where the average floor area rented to an individual customer does not exceed 600 square feet.

16.40 GENERAL COMMERCIAL (C-1) DISTRICT

16.40.030 Conditional Uses.

B. The following uses and their accessory uses are permitted in all other C-1 zoned area within the City Limits of Warrenton:

9. Mini-warehouses or similar storage uses, subject to the requirements in Section 16.116.030 (G). **In addition to the conditional use permit criteria in 16.220.030, for new mini-warehouses, the applicant shall be required to demonstrate that there is a deficit of mini-warehouses in the City. For purposes of this section, a deficit of mini-warehouses in the City shall mean that the total number of existing mini storage units within the City as compared to the City's current population, as estimated by Portland State University or another governmental source, does not exceed 1 mini-storage unit per 2.85 people. A mini-storage unit shall be defined as each space within a mini-warehouse that is designed to be made available to rent.**

16.60 GENERAL INDUSTRIAL (I-1) DISTRICT

16.60.030 Conditional Uses.

B. The following uses and their accessory uses and activities may be permitted in the I-1 zone when approved under Chapter 16.220, and subject to the provisions of 16.60.040, Development Standards:

9. New Mini-warehouses or similar storage facilities, **subject to the requirements in Section 16.116.030 (G) In addition to the conditional use permit criteria in 16.220.030, for new mini-warehouses, the applicant shall be required to demonstrate that there is a deficit of mini-warehouses in the City. For purposes of this section, a deficit of mini-warehouses in the City shall mean that the total number of existing mini storage units within the City as compared to the City's current population, as estimated by Portland State University or another governmental source, does not exceed 1 mini-storage unit per 2.85 people. A mini-storage unit shall be defined as each space within a mini-warehouse that is designed to be made available to rent.**

16.116.030 Architectural and Site Design Standards

G. ~~Storage Unit Facilities Mini-Warehouses.~~ Where **and when** allowed, ~~storage unit facilities mini-warehouses~~ shall be subject to the following design, siting, and location standards:

1. Setbacks. New ~~storage unit~~ facilities shall be constructed no closer than 100 feet from the East Harbor Drive right-of-way line. This setback area shall be used for landscaping, open space, public or private amenities, off-street parking, other businesses allowed in the zone; or a combination thereof.
2. Design Standards. New ~~storage unit~~ facilities shall be subject to the following design standards:
 - a. Building material requirements in Section 16.116.030(C)(3);
 - b. Building color standards in Section 16.116.030(C)(5);
 - c. Mechanical equipment, outdoor storage and service area standards in Section 16.116.030(C)(6);
 - d. Building mass requirements in Section 16.116.030(C)(7);
 - e. Outdoor lighting standards in Section 16.116.030(E); and
 - f. Other applicable design requirements of this section.

3. Location Requirements. New ~~storage unit~~ facilities may be constructed and operated where allowed by the zoning district, but not in the following areas:

- a. Along the South Main Avenue commercial corridor,
- b. Along the Pacific Drive commercial corridor. (Ord. 1242 § 2, 2020)

4. Size and Configuration. Nothing in this section will prevent a mini-warehouse owner from reconfiguring sizes of existing mini-storage rental units, although no additions to the structures will be allowed.

Section 4. Effective Date. This ordinance takes effect

Adopted by the City Commission of the City of Warrenton, Oregon this ____ day of _____, 2023.

First Reading:

Second Reading:

APPROVED:

Henry A. Balensifer III, Mayor

ATTEST:

Dawne Shaw, CMC, City Recorder

Ordinance #1267

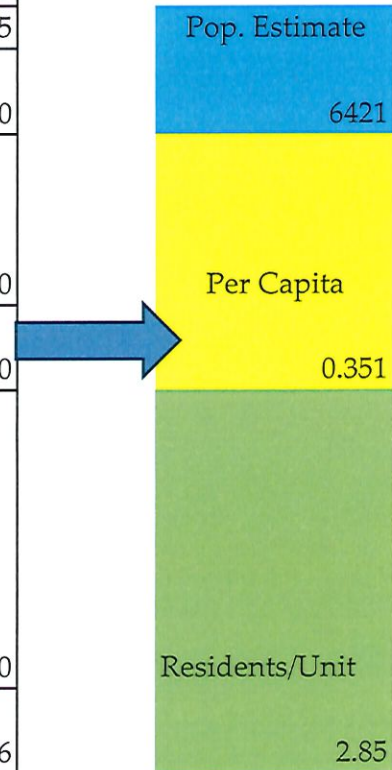
Attachment A

Warrenton

Site	Parcel Number	Number of Units
1983 SE Dolphin Avenue	81028D001600	498
605 SE Alt 101	81027BC02000, 81027BC02701	133
1805 South Main	81028CA03300	155
1240 SE Jetty Avenue	81027BA02001, 81027AB04900	30
51 NE Harbor Ct	81021AD02000, 81021AD02003, 81021AD08605, 81021AD08607	300
65 Iredale Street (Lease)	81022BD02780A01, 81022BD02680A01	100
1377 SE 11th St.	81027AA02200, 81027AA02700. 81027AA02900, 81027AA03100, 81027AA03200, 81027AA03400, 81027AA03600	340
120-150 NE 5th Street	81015C000601, 81015C000602	36
1211 Pacific Drive	81005CD05401	14
2395 SE Dolphin	81033A000600	120
1100 NW 11th Street	81016A000105	38
SE Warrior Way (In Development Review)	810340002301	489
		2253

Warrenton

Site	Parcel Number	Number of Units
1983 SE Dolphin Avenue (Safekeeping)	81028D001600	498
605 SE Alt 101 North Coast Mini Storage	81027BC02000, 81027BC02701	133
1805 South Main	81028CA03300	155
1240 SE Jetty Avenue	81027BA02001, 81027AB04900	30
51 NE Harbor Ct	81021AD02000, 81021AD02003, 81021AD08605, 81021AD08607	300
65 Iredale Street (Leitch Lease)	81022BD02780A01, 81022BD02680A01	100
1377 SE 11th St.	81027AA02200, 81027AA02700, 81027AA02900, 81027AA03100, 81027AA03200, 81027AA03400, 81027AA03600	340
120-150 NE 5th Street	81015C000601, 81015C000602	36
1211 Pacific Drive	81005CD05401	14
2395 SE Dolphin	81033A000600	120
1100 NW 11th Street (Alder Manor)	81016A000105	38
SE Warrior Way (In Development Review)	810340002301	489
		2253



Clatsop County (Rural)

Site	Number of Units
Jeffers Garden	30
Kompac Storage	100
Knappa Storage	120
Junction 26 Mini-storage	135
	385

Pop. Estimate	14951
Per Capita	0.026
Residents/Unit	38.83



Gearhart/Seaside

Site	Number of Units
U-Haul	430
Avenue S Self Storage	111
Pacific1266 G St. (Gronmark)	184
1099 Pacific Way	17
Safekeeping Storage	199
North Coast Plaza	16
US 101 Mini Storage (Gronmark)	88
Gearhart Storage	93
	1138

Pop Estimate	9196
Per Capita	0.124
Residents/Unit	8.08



Astoria

Site	Number of Units
549 Hamburg Ave.	41

Pop. Estimate	10256
Per Capita	0.004
Residents/Unit	250.15



Cannon Beach

Site	Number of Units
354 Elk Creek Road	36

Pop. Estimate	1507
Per Capita	0.024
Residents/Unit	41.86



Non-Warrenton Clatsop County	
Total Units	1600

Pop. Estimate	35910
Per Capita	0.045
Residents/Unit	22.44



Mini Storage Tax /FTE Analysis

Site	Acreeage	Description	* 2020 Taxes	Zoning	FTE	
1983 SE Dolphin Avenue	2.28	Mini Storage	\$ 13,547.00	I-1	3	Mini-storage
605 SE Alt 101	2.00	Mini Storage	\$ 8,611.00	I-1	3	Average Taxes per Acre
1805 South Main	0.70	Enclosed Mini-Storage	\$ 7,318.00	C-1	0	\$ 6,797.49
1240 SE Jetty Avenue	0.99	Mini Storage	\$ 4,385.00	C-1	0	
51 NE Harbor Ct	0.85	Mini Storage	\$ 11,139.00	C-1	1	FTE Employment/Acre 0.456
Leitch Lease	2.98	Leased Mini Storage	\$ 353.00	I-2/RC	0	
Gronmark	3.14	Mini Storage	\$ 25,913.00	C-1	0	
King Fish, LLC	1.45	Boat Storage	\$ 18,574.00	I-1	0	
1211 Pacific Drive	0.23	Mini Storage	\$ 1,473.00	RH	1	
2385 SE Dolphin	0.67	Portable Mini Storage	\$ 24.00	I-1	0	
Warrenton Mini Storage	2.27	Mini Storage	\$ 28,027.00	I-1	0	
	17.56		\$ 119,364.00		8	
Site	Acreeage	Description	2020 Taxes	Zoning	FTE	
2320 SE Dolphin Avenue	2.00	LULU LLC	\$ 25,744.00	I-1	18	
1479 SE Discovery Lane	2.39	TJ Maxx	\$ 44,432.00	C-1	37	Other C/I Uses
595 SE Alt. 101	2.18	Restaurant Supply	\$ 14,042.00	I-1	10	Average Taxes per Acre
1630 SE Ensign	0.99	Alexandroff Dental	\$ 16,398.00	C-1	17	\$ 15,987.07
1167 SE Marlin Avenue	1.31	Les Schwab	\$ 15,911.00	C-1	13	
630 SE Marlin Avenue	0.76	Columbia Bank	\$ 15,531.00	C-1	7	
1649 SE Ensign Lane	0.69	O'Reilly Auto Parts	\$ 14,768.00	C-1	8	FTE Employment/Acre 11.594
1123 Alt. Highway 101	2.71	Tractor Supply	\$ 25,457.00	C-1	17	
1771 SE Ensign Lane	1.12	Fibre Fed Credit Union	\$ 16,521.00	C-1	6	
1609 East Harbor Drive	1.15	Shilo Inn	\$ 54,913.00	C-1	14	
1625 East Harbor	1.02	Walgreens	\$ 17,192.00	C-1	15	
	16.32		\$ 260,909.00		162	Heavy Industrial Use
						Average Taxes per Acre
Hampton Lumber	47.30		\$ 852,635.00	I-2	143	\$ 18,026.11

* 2020 Total Taxes Paid (All Districts)

FTE Employment/Acre 3.023



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: Warrenton Planning Commission
 FROM: Jay Blake, Planning Director *Jay Blake*
 DATE: October 12, 2023
 SUBJ: Sign Regulations – Update Process, Discussion

In January of 2023, the Mayor appointed a task force charged with reviewing the current city regulation on signs. The current code is significantly outdated and does not address many changes that have occurred in the city over the past 25 years. The task force met through the spring of 2023 and developed a series of recommendations for an updated sign code. A copy of their recommendations is included in this packet.

The next logical step is for the Planning Commission to review the recommendations and direct staff to prepare a code amendment that incorporates the report into a new set of regulations. Staff is proposing the following process:

October, 2023: Review Sign Task Force Report. Develop process for new code amendment. Review general findings and agree to adoption procedure.

November 2023: Review Definitions and Residential Sign District Draft

December 2023: Review Draft District Maps and Downtown Commercial District Requirements

January 2024: Review Highway Commercial District Requirements

February 2024: Review Industrial/Open Space District Requirements

March 2024: First Public Hearing on Draft Regulations

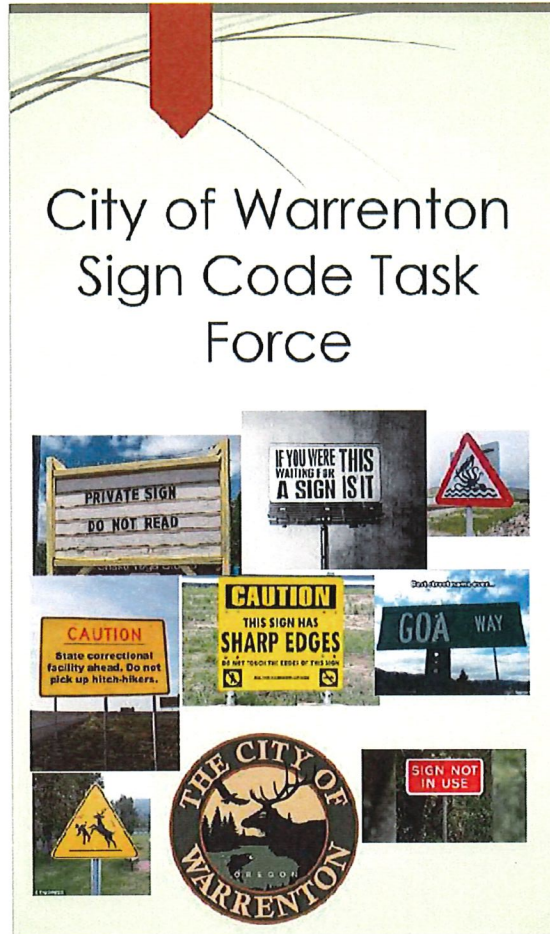
April 2024: Planning Commission Recommendation to City Commission

May 14, 2024: City Commission First Reading

May 28, 2024: City Commission Second Reading

Discussion Items:

1. Moving Sign Code to New Chapter of the Warrenton Development Code
2. Establishing Sign Code Districts
3. Public Involvement Process.



Preliminary Report to the Warrenton City Commission

Prepared by the Warrenton Sign Code Task Force

Project History

The City of Warrenton Development Code includes several sections that reference the regulation of signs. Most of the restrictions are outlined in Section 16.144. The listing of all current sign regulations can be found in Appendix A. These sign regulations have not been significantly updated since the initial adoption of the first City of Warrenton zoning ordinance in 1980 and the current development code in 2002. However, the character of the Warrenton community has changed dramatically since that time.

The population of the City of Warrenton has increased by over 3000 people since 1990 or about a 93% increase. The city has supported the development of a regional commercial retail center at the intersection of SE Ensign Lane and Highway 101. The area serves as a regional retail center for the north Oregon coast. New residential neighborhoods have expanded the range and types of housing available within the city. Change continues...

In January of 2023, Mayor Henry Balensifer appointed a Sign Code Task Force. In it, he cited the lack of clarity within regulations and the uneven interpretation resulting from the ambiguous language.

“The sign code in Warrenton is unfair to off-site businesses, and is incongruous—or at least antinomic—with the design standards purpose statement found in WMC 16.116.010. In other cases, the sign code is cumbersome to enforce. New sign design standards are needed.”

Henry Balensifer – Sign Standards Task Force Statement

The challenges related to the current sign regulations are three-fold. The regulations are very broad and terms are undefined. This creates issues for staff by creating confusion on terms and the potential for changing interpretations with changing staff. For the development community and land owners it is difficult to plan for sign costs with the lack of clarity. Staff also finds it difficult to create fair and even-handed interpretations of the code resulting in a large number of signs that do not meet the code as it stands today.

The Warrenton Sign Task Force began meeting in January and met monthly through the completion of this report. In January, the Task Force reviewed, the tasking statement, baseline definitions, current code requirements (or the lack thereof), sample code requirements from similar cities in Oregon, and set a schedule for future meetings. The committee agreed to look at other communities with similar development patterns,

including Brookings, Oregon, McMinnville, Oregon, and Port Townsend, Washington. The task force learned about sign regulations, definitions, and sign types. In March a draft report was presented and modifications made prior to review by other affected groups. Comments received during the process will be incorporated into the final report.

Committee Membership

The following community members and interested parties were appointed to the Warrenton Sign Code Task Force:

Jessica Sollaccio, Task Force Chair and Warrenton Planning Commissioner

Christy Coulombe, Saltaire Coastal Homes and Warrenton Urban Renewal Advisory Board

Camille Bone, RTG Property Management/Youngs Bay Plaza

Kevin Leahy, Clatsop Economic Development Resources

David Reid, Astoria-Warrenton Chamber of Commerce

Staff: Jay Blake, Warrenton Planning Director

Meetings were held at Warrenton City Hall on January 30, 2023, February 27, 2023, March 27, 2023, and June 26, 2023. Copies of the draft report were mailed to interested parties in May. The list included all Warrenton members of the Astoria Chamber of Commerce, Port of Astoria and Camp Rilea.

Project Recommendations:

Sign Code General Recommendations:

- The Warrenton Sign Code should be written in a manner that is easy to understand and easily accessible to the general public.
- The Warrenton Sign Code should support the goals and policies found in the Warrenton Comprehensive Plan, and Urban Renewal Plans for the downtown neighborhoods.
- Signs types that are regulated, or exempt from regulations should be clearly defined.

- The following signs should not require permits: Temporary Signs, Signs that are not visible from the public right-of-way, or Signs that advertise within a facility and are not designed to be seen from off-site locations.

Sign Code Location:

- The Warrenton sign code should be moved from the Development Code to a stand-alone section of the Warrenton Municipal and be independent of State review.

Sign Code Provisions

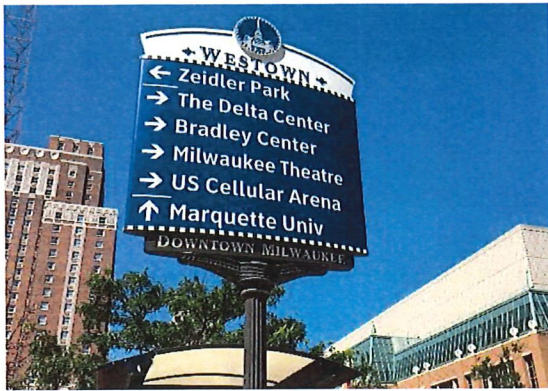
- Because visibility and traffic patterns, different areas within the city should have different sign standards. The Warrenton Sign Code should establish sign districts, including Residential, Downtown Commercial, Highway Commercial, Industrial, and Special Districts.
- The following signs should be exempt from regulation: Garage Sale Signs, Real Estate Signs, Incidental/Directional Signs, Window Signs, Public Signs, Seasonal Decorations, Governmental Flags, Public Service (Entrance/Rest Room) Signs, Historical Monument Signs, Political Signs, Signs not visible from right-of-way, Signs within an athletic field, Hand-held signs, Drive-up Menu Board, Public Art.
- Billboards and temporary changeable reader board signs should not be allowed within the city.

Downtown Commercial / Mixed Use Neighborhoods:

- The City of Warrenton should establish sign design standards for both the Downtown Warrenton and Historic Hammond neighborhoods. These standards should be driven by business and property owners from the respective areas.
- Sign sizes and heights in the downtown districts and mixed-use neighborhoods should reflect a more pedestrian oriented design, reflecting slower traffic speeds, and pedestrian-oriented development.
- The city should authorize the use of temporary sandwich board signs in the downtown commercial and mixed-use districts ensuring that the signs are removed during non-business hours and do not block or create an accessibility hazard on the sidewalks.

Downtown Commercial /Mixed Use Sign Types:

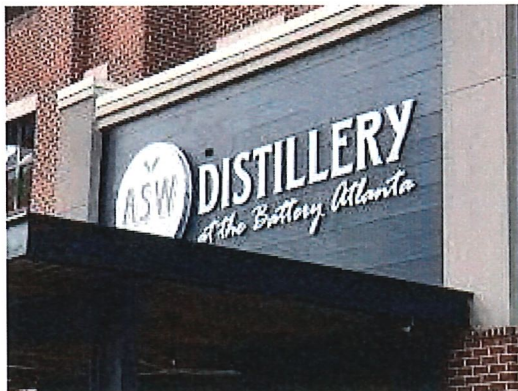
Directional Pylon Signs



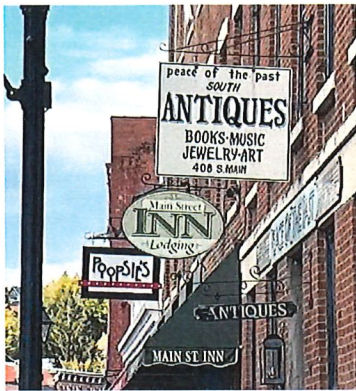
Monument (Area) Signs



Wall Signs (Based on Façade Size)



Projecting Signs (Based on Façade Size)



Public Signs



Sandwich Board Signs

- Restricted by sidewalk width for Americans with Disability Act compliance
- Not left out over night or during non-business hours



Highway Commercial District Signs:

- Highway Commercial sign sizes and heights in the highway commercial districts should reflect the higher traffic speeds and auto-oriented development patterns.
- Highway Commercial sign size regulations should be based on a percentage of the building façade sizes for wall attached commercial signs.
- Separate size and height restrictions should be set for detached pylon or commercial center signs based on front footage of the property.
- The City should require a sign master plan for connected commercial developments.
- Traffic control, public safety, parking or other incidental signs should not be considered as part of the overall commercial signage plan.

Highway Commercial Sign Types:

Monument Signs



Wall Signs (Based on Façade Size)



Pylon Signs (Based on Front Footage)



Changing Message/Reader Board Signs
Permanent (Not mobile or temporary)



Directional Signs



Residential Districts:

- Residential signs should not detract from the residential character of the neighborhood. Where mixed use developments are proposed, the Planning Commission should review the sign plans for the development.
- The City should allow temporary signs for garage/yard sales, real estate sales, during the political season. Temporary signs should not cause traffic or safety concerns.

Temporary Signs

Garage Sale



Real Estate (On-site and provisions for allowing off-site real estate signage)



Political Signs



Home Occupation Signs



Directional Signs



Industrial (non-aquatic) Districts

- Industrial signs should provide clear direction for deliveries and heavy traffic.
- Where feasible an area/monument signs should be developed to direct heavy industrial traffic.

Industrial Districts Sign Types:

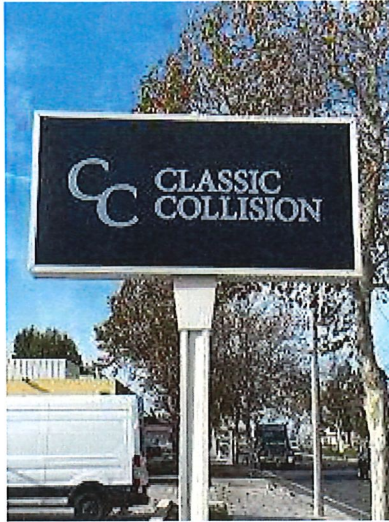
Monument / Area Signs



Wall Signs (Based on Façade Size)



Pylon Signs (Based on Front Footage)



Changing Message/Reader Board Signs

Permanent



Directional Signs

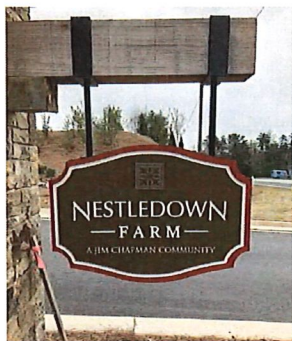


Special Districts:

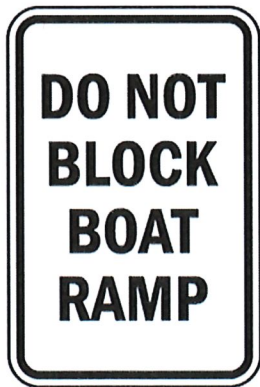
- Special Districts include the following zoning districts Open Space Institutional (OSI), Recreational Commercial, Aquatic Development, Aquatic Conservation, and Shoreland Overlay District.
- Sign restrictions should reflect the goals and policies of the underlying zoning classification. Sign size, lighting and location limitations should be based on surrounding uses and land use zones.

Special District Sign Types:

Monument/Area Signs



Public Signs



Wall Signs (Based on Façade Size)



Off-Site Advertising Signs:

- The City of Warrenton does not want to allow the proliferation of large billboard type advertising signs along the major transportation corridors within the city. The City prefers small off-site directional signs for local businesses. These signs should be considered by conditional use permit by the Planning Commission.
- Off-site advertising signs should be located in Highway Commercial or Industrial sign districts and not in Residential sign districts
- Typical billboard signs range in size from 72 sf to 672 sf. These signs are distracting to the natural beauty of the area and should not be allowed.

Allowed



Not Allowed (Based on size restrictions)



Sign Types	Sign District				
	Residential	Downtown Commercial	Highway Commercial	Industrial	Special Districts
Billboards	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Changing Message Boards	Not Allowed	Allowed	Allowed	Allowed	Not Allowed
Directional Signs	Allowed	Allowed	Allowed	Allowed	Allowed
Home Occupation Sign	Allowed	Allowed	Not Allowed	Not Allowed	Not Allowed
Monument Sign	Allowed	Allowed	Allowed	Allowed	Allowed
Off-Site Sign	Not Allowed	Allowed	Allowed	Allowed	Not Allowed
Projecting Sign	Not Allowed	Allowed	Allowed	Allowed	Allowed
Pylon Sign	Not Allowed	Allowed	Allowed	Allowed	Not Allowed
Public Signs	Allowed	Allowed	Allowed	Allowed	Allowed
Temporary Signs	Allowed	Allowed	Allowed	Allowed	Allowed
Wall Sign	Allowed	Allowed	Allowed	Allowed	Allowed



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: October 12, 2023
 SUBJ: Keeping of Residential Poultry in Warrenton, Ordinance Update

BACKGROUND:

At the August 2023 Planning Commission meeting staff introduce the regulation of chickens within the City of Warrenton. There are some ambiguities in our current language and the keeping of small poultry or fowl in residential areas has increased dramatically over the past 25 years. The Commission asked staff to prepare some initial regulations for discussion.

I have a browser history full of searches relating to chickens and the keeping of small animals in residential zones. I believe the following links would be helpful to you as we look at this issue in more depth.

<https://www.thepetzealot.com/2023/08/cities-that-allow-backyard-chickens-in-75.html?m=1>

<https://extension.oregonstate.edu/collection/poultry-resources-small-farms>

I have included related information from the following places in Oregon:

- City of Keizer
- City of Eugene
- City of Gresham
- City of Troutdale
- City of Sherwood

Using the Sherwood ordinance as a model I also drafted a first draft of an ordinance amending Chapter 6 of the Warrenton Development Code and a simple permit application form.

This item is being reviewed by the City Attorney and Police Department and their involvement in the ordinance development process will be eggs-tremely important.



The standards in [Eugene Code \(EC\) 9.5250](#) allow for increased opportunities for residential urban animal keeping and farming within the city limits, while encouraging compatibility within the urban environment. Animal keeping is the practice of raising domesticated animals that are used primarily as food or product sources. These standards are intended to improve the way animals are cared for, while increasing the likelihood that neighbors will accept your property uses and food choices.

Where are farm animals allowed?

Farm animals are allowed in the following zones:

- Agricultural (AG)
- Public Land (PL)
- Residential (R-1, R-2, R-3, R-4)
- Chase Node (S-C/HDR/MU & S-C/HDR)
- Downtown Westside (S-DW)
- Elmira Road (S-E)
- Royal Node (S-RN/LDR & S-RN/MDR)
- Whiteaker (S-W)

To determine the zone of your property go to <http://www.eugene-or.gov/zoningmap>.

You may have Covenants, Conditions, and Restrictions (CC&R's) that may be more restrictive than these standards. You can obtain a copy of the CC&R's from Lane County Deeds and Records, your active homeowners association, or your landlord.

What animals am I allowed to have?

If the property is less than 20,000 square feet in area, any two of the following four categories of animals are allowed:

1. **Chickens and Domestic Fowl** (quails, pheasants, ducks, pigeons, and doves). Up to 6 over six months of age and 6 under six months of age. No roosters, geese, peacocks, or turkeys allowed.
2. **Rabbits**. Up to 6 over six months of age and 6 under six months of age.
3. **Miniature Goats** (pygmy, dwarf, and miniature goats). Up to 3 provided that males are neutered.
4. **Miniature Pig**. One up to 150 pounds.

If the property is 20,000 square feet or greater in area, please contact Land Use staff at 541-682-8336 or landuseinfo@eugene-or.gov for additional animal allowances, honey beehive allowances, and setback requirements.

Can I have honey beehives?

Yes, if the development site is less than 20,000 square feet in area, you can have up to three hives as long as they are located at least 5 feet from all property lines, pointed toward the center of the property, and a water source must be provided on site within 15 feet of each hive.

Do I have to live on site?

The person responsible for keeping an animal must reside on or adjacent to the property the animal is kept. There is an exception for school and religious uses.

What are the sanitation requirements?

Animal manure cannot be allowed to accumulate and should be disposed of so as not to create an odor issue that is detectable beyond property lines. Compost piles that contain manure and bedding must be located at least 5 feet from all property lines and be confined within a container or bin enclosed on all sides and covered to deter flies, rodents, and other pests.

Composting raw manure from backyard animals should be done with caution. Manures contain pathogens that can make people sick and should be composted with care. Most backyard methods are not sufficient to kill all pathogens. Any dumping, leaching, or disposal of pet waste in any open waterway or the Stormwater system is strictly prohibited.

How do I prevent a rodent problem?

The person responsible for keeping animals must not allow conditions to exist that are likely to attract, feed, or harbor rats or mice per EC 6.015. Food must be stored in metal or other rodent-proof containers. Good practice is to feed amounts that can be consumed in a 15 minute period morning and evening.

www.eugene-or.gov/farmanimals

Am I required to provide fencing?

Yes, fencing is required and must be designed and constructed to confine all animals on the site. The fence location and height are those required by the zone that the property is located in. Animals are free to roam or graze up to the property line as long as fences keep animals on the owner’s property.

What about animal enclosures?

An enclosure is required to provide shelter from the weather for all animals kept outdoors and must be roofed and have at least two solid sides. The height of the enclosure must comply with the requirements for accessory structures in the applicable zone. Structures used to provide shelter for all animals must be located at least 10 feet from all property lines, including any covered animal runs (unless an adjacent property owner authorizes in writing that the enclosure can be located closer to their property).

Do I need a permit for the enclosure?

A building permit is not required for an enclosure 200 square feet or less in area and that is no more than 10 feet high. Other permits (electrical, plumbing) may be required depending on the scope of the work.

Please contact a residential plan reviewer at residentialpermitinfo@eugene-or.gov or 541-682-5611 for any building code related questions.

Are there noise regulations?

Yes, any animal which makes sounds frequently or for a long duration creating a noise disturbance is prohibited per EC 4.083, 4.084, and 4.430. Animals make noises through the course of their day and some noise is to be expected. However, chickens squawking or the crying of a goat for longer than 15 minutes might qualify as unreasonable noises in a residential neighborhood. A good neighbor will not let these vocalizations continue for long durations of time.

Is animal care regulated?

Yes, no person shall subject any animal to cruel mistreatment or neglect per EC 4.335 and 4.340. This includes, but not limited to; depriving any

Note: This document should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this document.

animal of necessary food, drink, shelter, sanitation, space, exercise, and veterinary treatment; abandonment of any animal; and willfully torturing and inflicting inhumane injury or pain on any animal.

Is my yard big enough?

Not every property is big enough to house the maximum number of animals and meet the required standards. It is important to confine animals to the owner’s property, provide shelter to protect animals from predators and harm, and to provide enough room for animals to move freely as intended. Additional covered area may be necessary to store animal bedding, animal feed, tools, and, if desired, a compost area.

Can I harvest animals on site?

Only chickens, domestic fowl, and rabbits can be harvested on the same development site in which they live. Harvesting must be done out of view of any public area or any adjacent property, in a humane and sanitary manner, and not for commercial purposes.

How does the City regulate these requirements?

If you are not meeting these standards your neighbor has the right to submit a complaint to City staff. At this time there is no licensing requirement. It is recommended that some form of identification be on your animals in the event they get loose and need to be returned.

How to be a good neighbor?

It is best to inform neighbors in advance and be proactive about your urban animal keeping intentions. Letting neighbors know that you are aware of the regulations regarding the keeping of urban animals is recommended. Let neighbors know that you intend to be a good neighbor and that concerns will be addressed in a timely manner.

Please contact Land Use staff at 541-682-8336 or landuseinfo@eugene-or.gov for information related to these standards. See the City of Eugene web page for community resources.

Backyard Chicken Permit Application

For City Use Only	
Application # _____	_____
Date Issued _____	Date Expires _____
Associated Permit Pin # _____	

Any person may keep three or fewer adult chickens (roosters excluded) on any one lot or parcel if the person resides in a single family dwelling on the lot or parcel. A permit must be secured from the City of Gresham prior to keeping any chickens.

Permit fee is \$50.00 for a 2-year permit.

Property/Owner Information

<i>Name</i>	_____		
<i>Address</i>	_____		
<i>City</i>	_____	<i>State</i>	<i>Zip</i>
<i>Mailing Address (if different):</i>	_____		
<i>City:</i>	_____	<i>State</i>	<i>Zip</i>
<i>Phone</i>	_____		
<i>E-Mail</i>	_____		

By signing below, the applicant agrees to comply with all provisions in Article 7.17 of the Gresham Revised Code (copy provided).

- May keep of up to three adult hens on residential property with a single family dwelling.
- No roosters are allowed.
- The chickens must be kept in a covered, enclosed coop from 10 p.m. to 7 a.m. At all other times, the chickens must be kept in the coop or run.
- The coop must be kept at least 25 feet from residences on a different lot or parcel and 10 feet from the property line. The coop must have at least two feet of floor space per adult chicken.
- The run must be kept at least 10 feet from the property line.
- The coop and run may only be located in the rear yard.
- The chickens, coop and run must be well maintained so that they do not violate the City's nuisance code for noise, odor, damage or threats to public safety.

Applicant Signature

Date

TITLE 6 – ANIMALS

(...)

CHAPTER 6.08 – KEEPING OF CHICKENS

6.08.010 – Short Title.

TMC Chapter 6.08 may be cited as the Troutdale Chicken Code.

6.08.020 – Definitions.

In addition to the definitions set forth in TMC 1.04.010, for purposes of the Troutdale Chicken Code, the following definitions apply:

- A. “Chicken” means the common domestic fowl (Species: *gallus gallus domesticus*).
- B. “Coop” means a small enclosure for housing chickens.
- C. “Dawn” means a thirty (30) minute time period before sunrise on a particular day.
- D. “Detached Single-Family Dwelling” as defined by the Troutdale Development Code.
- E. “Dusk” means a thirty (30) minute time period after sunset on a particular day.
- F. “Dwelling Unit” as defined by the Troutdale Development Code
- G. “Rear Yard” as defined by the Troutdale Development Code.
- H. “Rooster” means a male chicken at least four (4) months old or older. This definition includes cockerels between four (4) to twelve (12) months old and capons regardless of age.
- I. “Run” means an enclosed area where chickens may feed or exercise.

6.08.030 – Keeping of Chickens.

- A. A person may keep six (6) or fewer chickens with a permit on any one lot or parcel. The person must reside in a dwelling on the same lot or parcel where the six (6) or fewer chickens are kept.
- B. Only chickens at least four (4) months old or older count towards the total of six.
- C. No person shall keep roosters.

6.08.040 – Enclosures.

- A. Chickens must be kept in an enclosed coop or run at all times, except for allowing up to two consecutive hours of open-air time per day that is monitored by the keeper. The coop and run shall be located in the rear yard of the lot or parcel. Variances to the rear yard siting provision may be considered by the Troutdale Planning Commission through a Type III Special Variance application and procedure as identified within the Troutdale Development Code.

- B. The coop shall be located at least fifteen (15) feet from dwelling units on a different lot or parcel and shall maintain property setback standards for residential accessory structures as defined in Chapter 5 of the Troutdale Development Code.
- C. The run shall be located at least three (3) feet off all property lines.
- D. Chickens must be kept in a covered, enclosed coop between the end of dusk to the start of dawn.
- E. The coop shall have at least four (4) square feet of floor space per grown chicken.
- F. The run shall have at least eight (8) square feet of space per grown chicken.
- G. The coop and run must be kept in good repair, capable of being maintained in a clean and sanitary condition, free of vermin, and obnoxious smells and substances.
- H. The coop and run and chickens therein shall not violate chapters contained within Title 8 of this Code or disturb neighboring residents due to noise, odor, damage, or threats to public health.
- I. Chicken feed or any other supplement to support chicken health shall be stored in a sealed container that is not penetrable by rodents or other animals at all times and shall be moved into an indoor setting at night.

6.08.050 – Inspection.

The manager is authorized to make inspection of property to effectuate the purposes and public benefits of the Troutdale Municipal Code and enforce this Chapter. Authorization to inspect shall be pursuant to Section 8.28.080 of this Code, irrespective of whether a permit has been granted.

6.08.060 – Permit Requirements.

- A. No person shall keep chickens under the provisions of this article without first obtaining a permit to keep chickens on their lot or parcel, and paying the permit fee prescribed.
- B. The permit shall be valid for a two-year period with the permit period commencing on the first day of the month a permit is issued and ends on the first day of the same month two years later.
- C. The permit may be revoked by the manager for any violation of the provisions of this article.
- D. The permit fee shall be established by council resolution.
- E. The permit fee may be changed at any time by the city, and all permit fees required shall be payable in advance at the time of application or renewal.
- F. The permit fee is not refundable under any circumstance.
- G. Applications for a permit shall be made to the city on forms prescribed by the Manager. The application shall include a signed statement acknowledging the property owner's knowledge and consent of the application if the applicant is not the property owner and a signed statement that the applicant will comply with the provisions of this Chapter. The manager shall issue a permit when application has been approved and payment of the required fee has been received. The permit shall be exhibited to a peace officer upon demand.

6.08.070 – Penalty.

Violation of any provision of this article may be subject to a fine or penalty in the maximum amount of \$1,000.



ORDINANCE 2022-001

AMENDING TITLE 6 OF THE MUNICIPAL CODE AS IT RELATES TO THE REGULATION OF CHICKENS

WHEREAS, the City Council believes it is in the best interest of the health, safety and welfare of the citizens of Sherwood to establish regulations concerning raising chickens; and

WHEREAS, the substantive changes specifically seek to allow the raising of backyard chickens in residential zones, establishing proper licensure procedures and standards for their care and compatibility with other residential uses in the neighborhoods; and

WHEREAS, in 2015 the Planning Commission helped guide the development of proposed amendments after public outreach and opportunity for public input; and

WHEREAS, after public hearings by the Planning Commission and City Council, it was determined not to adopt the code amendments that had been developed which would have allowed for the raising of backyard chickens subject to specific regulations; and

WHEREAS, since that time, staff and Council have continued to hear from community members wishing to have a simpler process for allowing raising of chickens than the current conditional use process; and

WHEREAS, on October 5, 2021, Council held a work session to discuss the issue of allowing the raising of chickens; and

WHEREAS, during the course of the discussion, it was requested that the language that had previously been developed provided a framework and process that would adequately regulate the raising of backyard chickens without the need for a new project to develop code language; and

WHEREAS, the City Council held a public hearing on February 1 and 15, 2022 and determined that the proposed changes to the Municipal Code should be adopted.

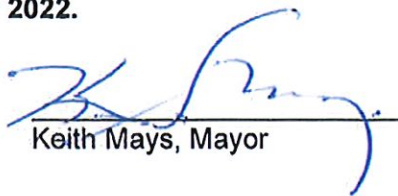
NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. Title 6 of the Sherwood Municipal Code is amended to include a new chapter 6.03 as set forth in Exhibit A, attached to this Ordinance.

Section 2. The City Recorder is hereby directed to enter a copy of this Ordinance in the record of the proceedings of this Council and to take such other actions necessary to effectuate this addition to the Municipal Code.

Section 3. This ordinance shall become effective the 30th day after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this 15th of February 2022.


Keith Mays, Mayor

2/15/2022
Date

Attest:


Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Griffin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brouse	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Garland	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rosener	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mays	<input checked="" type="checkbox"/>	<input type="checkbox"/>

MUNICIPAL CODE TITLE 6-ANIMALS

Chapter 6.03 Chickens

6.03.010 Purpose: Residents of the City may be allowed to keep chickens, subject to the requirements of this Chapter.

6.03.20. Number of Chickens Licensed

- A. Up to three (3) hens are allowed on properties at least 7000 square feet in size.
- B. Up to five (5) hens are allowed on properties at least 10,000 square feet in size.
- C. No roosters are allowed within the City.
- D. Chicks up to 12 weeks old are allowed indoors and are not subject to the limitations of (A) and (B) above.

6.03.30 Location Requirements

- A. Chickens are only allowed on property that is occupied by a detached single-family dwelling.
- B. Chickens are only allowed on property that is the principal residence of the owner of the chickens.
- C. Chickens and chicken enclosures are not to be located in any area between the primary dwelling and the front property line.
- D. Chicken enclosures must be at least ten (10) feet from the property line and at least twenty-five (25) feet from any dwelling unit on an abutting property.

6.03.040. Ongoing Conditions of License

- A. Chicken Enclosures
 - 1. Chickens must be kept within a secure enclosure at night. During daylight hours, chickens must be kept within a secure enclosure unless under direct supervision within a fenced yard.
 - 2. Allowing chickens to enter adjoining properties is prohibited.
 - 3. Enclosures must be kept clean, dry, in good repair and not cause an odor that is unreasonably offensive or annoying to residents within the immediate vicinity.

4. Enclosures must be designed to prevent the entry of rodents and predators and must effectively contain and protect the chickens.
 5. Enclosures must be designed so that they are not a breeding place or likely breeding place for rodents, flies or other pests.
- B. Chickens must be kept for personal, non-commercial use only. No person licensed under this Chapter may sell eggs or engage in chicken breeding or fertilizer production for commercial purposes.

6.03.050 Procedure for Obtaining a Chicken License

- A. In a residential zone, a resident who wants to raise chickens per the requirements of this Chapter must apply for a license, demonstrate compliance with the above standards, and pay a processing fee in an amount determined by Council by resolution. The City will issue a license after determining compliance with this chapter.
- B. Tenants and renters of property are permitted to keep chickens only with the written permission of the property owner included with the license application.
- C. Licenses issued under this chapter are issued to a specified individual for the keeping of chickens on specified property where the individual resides, are non-transferable, and are valid for a period of five (5) years. Licenses may be renewed for successive five (5) year terms.
- D. Neighbor Notice Requirements
1. The City will provide written notice within fourteen (14) calendar days after issuance of a license by first class mail to all property owners and known residents immediately abutting the license holder's property.
 2. Contents of Neighborhood Notice
 - a. Name and address of the license holder.
 - b. A copy of this chapter.
 - c. Contact information for City enforcement of this chapter and the process for filing complaints.
 - d. The current dollar amounts for penalties for violations of this chapter.

6.03.060 Penalties

The provisions of this chapter are in addition to and not in lieu of any other requirements imposed under any other code provision, City ordinance, law or regulation having application in the City. If a conflict occurs with another code provision or regulation, the most restrictive provision or regulation shall apply.

- A. Violation of this Chapter constitutes a Class C violation, except that keeping of chickens without a license is a Class A violation.
- B. Each violation of a separate provision of this Chapter shall constitute a separate violation, and each day that a violation of this chapter is committed or permitted to continue constitutes a separate violation.
- C. In addition to any other remedy provided by law, a person that commits more than two violations of this Chapter within any six-month period may have his or her license revoked for up to one year. During the period in which a license is revoked under this subsection, no other resident of a dwelling in which a person whose license has been revoked resides may be licensed to keep chickens under this chapter.

6.03.070 Rules

The City Manager is authorized to adopt rules to implement this chapter.

Chapter 6.12 – Keeping of Residential Poultry

6.12.010 - Purpose.

Residents of the city may be allowed to keep residential poultry subject to the requirements of this chapter.

6.12.015 – Definitions

Residential Poultry – Small fowl kept in a residential setting, limited to chickens, ducks, quail, guinea fowl, and partridges.

Hen – Female residential poultry more than twelve (12) weeks in age.

Rooster – Male residential poultry more than twelve (12) weeks in age.

6.12.020 - Number of residential poultry licensed.

- A. Up to two hens are allowed on properties at least five thousand (5,000) square feet in size.
- B. One hen per two thousand (2,000) square feet beyond five thousand (5,000) square feet in size is allowed up to a total of six (6) hens
- C. No roosters are allowed within the city.
- D. Chicks up to twelve (12) weeks old are allowed indoors and are not subject to the limitations of (A) and (B) above.

6.12.030 - Location requirements.

- A. Residential poultry are only allowed on property that is occupied by a detached single-family dwelling.
- B. Residential poultry are only allowed on property that is the principal residence of the owner of the residential poultry.
- C. Residential poultry and related enclosures are not to be located in any area between the primary dwelling and the front property line.

- D. Enclosures must be at least ten (10) feet from the property line and at least twenty-five (25) feet from any dwelling unit on an abutting property.

6.12.040 - Ongoing conditions of license.

- A. Residential poultry enclosures.
 - 1. Residential poultry must be kept within a secure enclosure at night. During daylight hours, residential poultry must be kept within a secure enclosure unless under direct supervision within a fenced yard.
 - 2. Allowing residential poultry to enter adjoining properties is prohibited.
 - 3. Enclosures must be kept clean, dry, in good repair and not cause an odor that is unreasonably offensive or annoying to residents within the immediate vicinity.
 - 4. Enclosures must be designed to prevent the entry of rodents and predators and must effectively contain and protect the residential poultry.
 - 5. Enclosures must be designed so that they are not a breeding place or likely breeding place for rodents, flies or other pests.
- B. Residential poultry must be kept for personal, non-commercial use only. No person licensed under this chapter may engage in residential poultry breeding or fertilizer production for commercial purposes. The roadside sale of eggs is allowed.

6.12.050 - Procedure for obtaining a residential poultry license.

- A. In a residential zone, a resident who wants to raise residential poultry per the requirements of this chapter must apply for a license, demonstrate compliance with the above standards, and pay a processing fee in an amount determined by the City Commission by resolution. The city will issue a license after determining compliance with this chapter.
- B. Tenants and renters of property are permitted to keep residential poultry only with the written permission of the property owner included with the license application.
- C. Licenses issued under this chapter are issued to a specified individual for the keeping of residential poultry on specified property where the

individual resides, are non-transferable, and are valid for a period of five years. Licenses may be renewed for successive five-year terms.

- D. Neighbor notice requirements.
 - 1. The city will provide written notice within fourteen (14) calendar days after issuance of a license by first class mail to all property owners and known residents immediately abutting the license holder's property.
 - 2. Contents of neighborhood notice.
 - a. Name and address of the license holder.
 - b. A copy of this chapter.
 - c. Contact information for city enforcement of this chapter and the process for filing complaints.
 - d. The current dollar amounts for penalties for violations of this chapter.

6.12.060 - Penalties.

The provisions of this chapter are in addition to and not in lieu of any other requirements imposed under any other code provision, city ordinance, law or regulation having application in the city. If a conflict occurs with another code provision or regulation, the most restrictive provision or regulation shall apply.

- A. Violation of this chapter shall be punishable by a fine not to exceed \$250, except that keeping of residential poultry without a license shall be punishable by a fine not to exceed \$1,000.
- B. Each violation of a separate provision of this chapter shall constitute a separate violation, and each day that a violation of this chapter is committed or permitted to continue constitutes a separate violation.
- C. In addition to any other remedy provided by law, a person that commits more than two violations of this chapter within any six-month period may have his or her license revoked for up to one year. During the period in which a license is revoked under this subsection, no other resident of a dwelling in which a person whose license has been revoked resides may be licensed to keep residential poultry under this chapter.

6.12.070 – Rules.

The City Manager is authorized to adopt rules to implement this chapter.



Urban Chicken & Ducks (Section 2.203.02D)

Chickens and ducks are only permitted consistent with the following standards:

1. Chickens and ducks shall only be kept upon property occupied by a detached single family dwelling or duplex.
2. No more than 6 hens or ducks in total may be kept on any one parcel or lot.
3. The keeping of roosters is prohibited.
4. Chickens and ducks shall be kept for personal, non-commercial use only. No person shall sell eggs or engage in breeding or fertilizer production for commercial purposes.
5. Chickens and duck must be kept in a coop and runway, which shall only be located in a side or rear yard. A runway is a fully enclosed fenced area connected to the coop. Chickens and ducks must remain confined to the coop and runway at all times, except when under control of an owner or custodian.
6. Coops shall comply with Accessory Structure requirements in Section 2.313 as follows:
 - The maximum allowable height is 24 feet, except that the accessory structure shall not exceed the height of the primary building.
 - An accessory structure less than 8 feet in wall height including gabled ends may be located at the property line provided it is constructed consistent with building and fire code regulations. For each 1 foot increase in the wall height above 8 feet, the setback shall increase 1 additional foot.
 - An accessory structure shall be separated from the primary building by a minimum of 6 feet. An accessory structure that is less than 6 feet from the primary structure, or is connected to the primary structure by a fully enclosed walkway which is architecturally compatible with the architecture of the primary structure, will be subject to the setback requirements of the primary structure.
 - Accessory structures greater than 200 square feet in area shall be compatible with the existing residential structure. Metal siding other than horizontal lap siding that is residential in character shall be prohibited.
7. Coops and runway areas shall be kept clean, dry, free of noticeable odors, and in good repair.

**CITY OF WARRENTON
PLANNING AND BUILDING DEPARTMENT**

**Keeping of Residential Poultry
PERMIT APPLICATION**

(Must include a drawing of the property showing the location of enclosure and all structures on subject and adjoining properties with setback distances)

OFFICE USE ONLY	
FILE # _____	FEE \$250 _____
RECEIPT # _____	ZONING _____
DATE RECEIVED _____	

Parcel Number of Subject Property: _____

Parcel size in Square Feet: _____

Street address of the property: _____

WE THE UNDERSIGNED OWNER, APPLICANT OR AUTHORIZED AGENT, AFFIRM BY MY/OUR SIGNATURE(S) THAT THE INFORMATION CONTAINED IN THE FOREGOING APPLICATION AND ASSOCIATED SUBMISSIONS IS TRUE AND CORRECT.

APPLICANT:

Printed Name: _____

Signature: _____ Date: _____

Address: _____ Phone: _____

E-mail: _____

City/State/Zip: _____ Fax: _____

PROPERTY OWNER (if different from Applicant)

Printed Name: _____

Signature: _____ Date: _____

Address: _____ Phone: _____

City/State/Zip: _____ Fax: _____

DEFINITION OF RESIDENTIAL POULTRY

Residential Poultry includes the following animals that may be allowed on residential property within the City of Warrenton: Chickens, Ducks, Geese, quail, guinea fowl, and partridges as defined in Section 6.12.15 of the Warrenton Development Code

GENERAL INFORMATION

1. Number of Residential Poultry Proposed on-site: _____
2. Types of Residential Poultry: _____
3. Listing of all adjoining property owners:
Name: _____ Address: _____

Standards for Keeping Residential Poultry (Warrenton Municipal Code Chapter 6.12)

I acknowledge that I have read the applicable Standards for Keeping Residential Poultry and understand that I must demonstrate to the City review authorities my compliance with these standards prior to approval of my request.

I certify that my residential poultry enclosures will continually conform to the standards of the Warrenton Municipal Code Chapter 6.12.

I understand that failure to comply with these standards may result in a fine of \$250 for each violation. Multiple violations may result in a revocation of the license for up to one year.

Applicant's Signature Date

This license is valid for 5 years and may be renewed for an additional 5 years.

Planning Staff Approval

Name Date

Return to: City of Warrenton
Planning and Building Department
PO Box 250
225 S. Main Street
Warrenton, Oregon 97146
Phone: 503-861-0920
Fax: 503-861-2351



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Blocked by Wall Street: How homebuyers are being outbid in droves by investors

Ko Lyn Cheang and Claire Rafford, USA TODAY NETWORK

Updated Fri, September 29, 2023 at 9:42 AM PDT · 15 min read



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This is the first in a series investigating the imp



homeowners and renters of corporations that buy up large numbers of homes and convert them into rentals.

First-time homebuyers Michael Wathen and his fiance thought they'd found their future home in a spacious brick three-bedroom bungalow in Decatur Township, Indiana. They'd fallen in love. She was moving from Cincinnati. He lived with his parents, saving for two years to afford a hefty down payment for their dream.

Then, like thousands of other Indianapolis families, they were outbid by a real estate investment company that bought their dream home for 5% more than the listing price of \$170,000. Now, what could have been their first home as a married couple is being rented out by Progress Residential, one of Indianapolis' largest companies that rent houses.

"There's no way you can ever succeed with this," Wathen said. "If you play by the rules, it's like somebody else has a cheat code while you have your regular cards to play with. It was very difficult."

Save, splurge, (don't) stress: How Gen Z is putting their spin on personal finances

How younger workers redefine success: 'They can't buy into that American Dream'

An investigation by the Indianapolis Star, part of the USA TODAY Network, into institutional investor-owned houses in Marion County found five of the biggest real estate investment companies and their apparent affiliated limited liability companies control at least 5,943 of Indianapolis' homes as

least 1,521 more.

The largest owners are mostly out-of-state companies:

Indianapolis' rental housing market has been especially affected by these mega-investors. As of June 2023, 17% of houses for rent in the Indianapolis metropolitan area are owned by investors that own more than 1,000 homes in the city, according to data from [John Burns Research and Consulting](#), compared with just 3% nationwide.

These investors are buying up homes en masse in Indianapolis with often unbeatable cash offers, pricing out low- to moderate-income homebuyers, and flipping them to rent. That squeezes housing supply in neighborhoods on the far east side, Lawrence, the west side and the southeast side where investors are dominant and where there's already a shortage of affordable homes.

It also makes homeownership more expensive, Ball State University economics professor [Michael Hicks](#) said. The research shows increased investor activity in neighborhoods drives up how much of someone's income they spend on housing, especially for entry-level, lower-cost homes.

The cost is more than a title deed lost. It is the foreclosure of the American dream of homeownership for low- to moderate-income families. The homeownership rate in Indianapolis has decreased to 54% since 2010, even though the number of homes in the city has increased, [according to a 2022 report by the Fair Housing Center](#).

The challenge is particularly acute for Black and Hispanic families. The Black homeownership rate in Indianapolis has dropped 30% from 1970 to 2019, the same report found.

'We are a broken people': [The importance of Black homeownership and why the wealth gap is widening](#)

Investment companies, rental providers and industry representatives interviewed by IndyStar pointed out that large institutional owners of rental housing, or those that own more than 1,000 homes, control a small fraction of Indianapolis' overall housing supply – the estimates range from 2% to 6%, depending on the statistics you use – and that it's implausible that they could drive up home prices in the city overall. Instead, they argue that they provide rental opportunities for people who cannot afford to buy a house to live in neighborhoods of their choice.

institutional investors owning Indianapolis homes is problematic. Although the city is unable to compete with such large investors, Bennett said, there are solutions Indianapolis has pursued to keep homeownership affordable, such as creating a community land trust.

"It takes what were probably historical affordable homeownership opportunities off the market, converting them to rental," he said.

How Wall Street came to rent homes

Wall Street hasn't always been in the house rental business at such a huge scale.

After the 2007 to 2010 foreclosure crisis, Wall Street private equity firms and institutional investors started increasingly buying up foreclosed and distressed homes lost by homeowners and "mom and pop" landlords.

"The excess supply of housing we had in 2008 was gobbled up by these trusts," Hicks said. "And they haven't necessarily let go of them."

Today, the majority of large investment companies buy homes on the regular market, not at foreclosure sales, said [David Howard](#), executive director of the National Rental Home Council, a nonprofit representing the interests of the industry.

These well-capitalized firms can buy dozens of homes in one fell swoop, sometimes in a single day, and do business under relatively opaque LLCs, real estate investment trusts and the like.

But the trend of investors squeezing limited housing supply has intensified in Indianapolis particularly in the past decade and exploded to a fever pitch as pandemic-time demand for homes and [mortgage rates hitting a 20-year high](#) made it even [harder for average families to afford](#) a home.

Indianapolis has long been seen as an affordable haven for families wanting to buy a home to raise children, but the relatively lower housing costs here compared with other major cities is also the very thing that has attracted out-of-state investors in droves.

"For us, affordability is declining, but when the rest of the country looks inward to the Midwest, they can't believe the value they're seeing and size of home they get for the price," real estate agent [Rochelle Perkins](#) said.

Investors take advantage of affordability crisis

continued success of their business model, profiting from rent checks, relies on the ever-increasing cost of homeownership.

Those in the industry have argued they have nothing to do with driving up housing prices. Their rationale goes: Prices are already high and companies are giving an opportunity for people to rent houses they can't afford to buy.

An AMH statement to IndyStar said large house rental operators own less than 3% of houses in Marion County, and "it would be implausible to conclude that homeownership dynamics in the market are driven by the single-family rental industry."

But Hicks said that while investor ownership isn't enough to significantly affect prices across the Indianapolis metropolitan area, the ownership is probably concentrated in a few neighborhoods and drives up prices in those areas.

One thing renters, affordable housing advocates and the rental housing industry agree on is that it is becoming increasingly more costly to pay a mortgage than it is to write a rent check.

"It's very difficult to secure houses when investors are active in the area," said [Steven Meyer](#), CEO of Intend Indiana, an affordable-housing nonprofit.

Cash in hand, sight unseen

The vast majority of regular homebuyers can't afford a home without a mortgage loan. But private equity firms can.

Since 2020, more than 42% of residential sales recorded in Marion County were made with cash, the Fair Housing Center found, based on analyzing Marion County Recorder's Office data.

From 2018 to 2022, out-of-state investors paid in cash in for more than 70% of their real estate transactions compared with a third for Indianapolis-based homebuyers, the center found.

"What we are seeing with cash sales is an outrageous reminder of the power and money displacing those without power or money," said [Amy Nelson](#), executive director of the Fair Housing Center of Central Indiana.

The investor business model is to buy in cash, "sight unseen," or without seeing the home first.

makes purchases only in cash, she said.

A cash offer is near unbeatable. Sellers prefer cash. Well-capitalized investors can also make offers much higher than the asking price and make up for appraisal gaps that can come with conventional mortgages.

"They're coming in like gangbusters," said [Delores Kennedy](#), president of the [Central Indiana Realist Association](#), which works with low-income buyers.



Five homebuyers [IndyStar](#) interviewed all said they became disheartened after being outbid time and time again.

Wathen burned through an entire checkbook on offers for at least 30 homes for which they were then outbid. Void, void, void, he wrote over and over again.

"It was very difficult," he said.

Cedric Hill, 54, and Rakesha Hill, 50, know that better than anyone. They lost their first home in the aftermath of the 2008 housing crisis. Their lender, Countrywide Financial Corp., was [accused by the Department of Justice](#) of mortgage discrimination and giving out subprime mortgages to Black and Hispanic homebuyers.

Maybe that's why it hurt so much, almost a decade and a half later, to repeatedly lose their chance at their dream home when they were outbid in a market dominated by real estate corporations that similarly were out for the buck, Rakesha said, at the expense of middle-class homebuyers.

After painstakingly working to improve their credit score, the Hills qualified for mortgage loans only to realize they were up against



Toronto-based Tricon Residential outbid the Hills by \$50,000 on a stone house in Raymond Park, property records show. Tricon owns 36,000 rentals in the United States and Canada.

The Hills were also outbid by \$40,000 on an east side home with a large front porch and a tree swing that reminded Hill of her childhood.

"You just felt like we were not even in the running. You can't compete with that," Rakesha said.

Frustrated to the brink of quitting, they finally settled on a home without the porch and backyard deck of Rakesha's dreams. She said corporate investors take opportunities away from people, especially from first-time homebuyers.

"They're not invested in who's actually in the community," she said. "They don't care."



Neighborhood impact

Some neighborhoods have been hit harder than others. Large swaths of the Far Eastside, Martindale-Brightwood and Riverside are now renters' neighborhoods.

Many disinvested neighborhoods that have historically lower property values because of [redlining, the discriminatory practice in which residents were denied bank loans simply because their neighborhood was majority-Black](#), have become easy pickings for investors looking after their bottom line.

More than 7 out of 10 home sales in the past five years in Martindale-Brightwood, Meadows and Riverside were cash transactions, the Fair Housing Center analysis found.

"It was just low-hanging fruit for investors to go in and buy it," Meyer said.

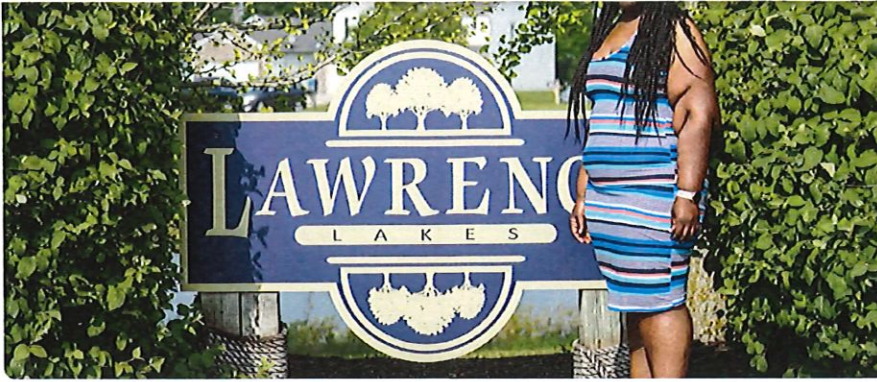
Nelson described it as a "dogpile of investors," pointing to the center's data that shows nearly half of the properties in the [gentrifying Martindale-Brightwood and Riverside neighborhoods](#) changed hands in the past three years.

Aggressive cash offers from institutional investors also take homes out of the hands of potential homeowners, for whom owning their own house could make a world of difference.

For Kindra Lesure, 33, a single mom of three kids, owning a home would mean safety and peace of mind she cannot find in her east side apartment complex. Her car has been shot at. Her family went two weeks without air conditioning this summer. She's afraid to let her kids go outside.

She has been searching fruitlessly for a home for two years, having looked at 20 to 30 homes. She wants to stay in Lawrence to be close to her job and her kids' schools. But she's finding it hard to secure a home within her \$200,000 price range.

"I'm still looking, but now I'm kind of giving up hope," she said. "I don't want to continue to stay here, but at the same time, I don't have a choice."



Indianapolis' largest investors, like VineBrook and SLB Investments LLC, said there is an upside to flipping houses to rentals: giving options to renters.

"It provides an option for people who want to be in a single-family home and one day know that they want to be homeowners, but they're saving for a down payment," Howard said. "Or maybe they want to be in a neighborhood in proximity to quality schools because they have kids. They either don't want to be a homeowner or they're not ready to be a homeowner."

Investor activity drives up home prices

Investor activity in home markets across the nation tends to increase housing prices and worsen affordability, especially for entry-level houses, a [2021 paper by economists](#) Carlos Garriga, Pedro Gete and Athena Tsouderou found.

"These are usually starter homes that otherwise would be purchased by young households," the paper said.

Meanwhile, Indianapolis' median home sale prices have continued to reach historic highs, reaching a record high of \$300,000 for the fourth month in a row in August, [according to MIBOR data](#).

Corporate investors declare the ever-increasing cost of homeownership to be advantageous to them. In [AMH's June 2023 investor presentation](#), the company said that the increased cost of homeownership benefits the company's single-family rental "value proposition" and that the national housing shortage and growing number of people who rent houses is part of a "favorable supply landscape."

But purchasing houses in droves isn't the only investor activity that drives up home prices.

of property records, which drives up the “comps” – or the value of comparable properties in the area the investor is active in.

“They’re securing the investment that they’ve made in real estate by having self-dealings that raise the value of what they already control,” said Meyer, who noticed this trend when his organization started a multi-year affordable housing investment on the far east side.

For instance, one house in Valley Mills in Decatur Township saw a \$15,000 increase in price as it changed hands between LLCs all affiliated with Conrex Residential Property Group, according to property records and a purchase agreement. Conrex’s property management company responded to IndyStar by saying the transactions were between independent funds and individuals.

Indianapolis’ affordable housing developers are also feeling the squeeze.

In 2014, Habitat for Humanity of Greater Indianapolis started to buy homes in need of repair to rehabilitate into affordable housing, but noticed they were increasingly competing against out-of-state real estate investors buying homes in cash and making offers above asking price, the president and CEO, [Jim Morris](#), said.

“We didn’t have that kind of negotiating leverage that was there for them to pay higher,” Morris said.

Up against well-capitalized corporate competitors, Greater Indy Habitat for Humanity was pushed out of the homebuying market and now focuses on buying infill lots on which to build new homes, Morris said.

Looking to solutions

Indianapolis has implemented anti-displacement strategies that allow people to age in their homes, including [a property tax break pilot program in Riverside](#). Also in the works is [a city community land trust](#), a novel idea in which home resale prices are kept permanently affordable.

“It would be difficult for any city to compete at the scale of those investors,” Bennett said. “Where we’ve tried to focus is neighborhood-based solutions.”

Some homeowners’ associations have taken matters into their own hands, creating rental restrictions in their covenants to prevent investment companies from buying homes in the neighborhood. But that’s only a

In 2020, [the homeowners of Burton Crossing on the southeast side voted to amend the covenants](#) to require a 10-year waiting period before a homeowner can lease or rent their home, with the intention of dissuading corporate investors from buying homes in their neighborhood. Burton Crossing now has no corporate rentals.

The homeowners association president, [Brian France](#), told IndyStar that corporate rentals have always been the biggest problems for the neighborhood and found they don't have the same vested interest in keeping up the homes as owner occupants do. France said problems ranged from 12-inch-tall grass to broken gutters that go unrepaired.

"Corporations, I hate to say it, are out for the dollar," he said. "They'll drain as much rent as they can and put as little in it."

Without obvious legal, regulatory or free-market solutions, aspiring homebuyers say the homebuying market feels like a game that's rigged.

When Wathen and his fiancée eventually scored a home of their own, it felt like pure luck. They had been on the verge of giving up.

"My fiancée was telling me: 'We don't need a house. We know we're still going to move in together. We could do it with an apartment, it doesn't matter,'" he said.

They made one last offer for \$175,000 on a home. They were initially outbid by another buyer, but after two weeks, the competitor's offer fell through. The Wathens were the next best offer.

"It was a miracle," he said.

Contact IndyStar reporter [Ko Lyn Cheang](#) at kcheang@indystar.com or 317-903-7071. Follow her on Twitter: [@kolyn_cheang](#).

Contact business reporter [Claire Rafford](#) at 317-617-3402 or email crafford@gannett.com. Follow her on X [@clairerafford](#).

This article originally appeared on Indianapolis Star: [Real estate: Why corporate investors are buying up thousands of homes](#)

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