

"Making a difference through excellence of service"



CITY OF WARRENTON

AGENDA

CITY COMMISSION OF THE CITY OF WARRENTON
REGULAR MEETING
Sept. 13, 2016 – 6:00 P.M.
Warrenton City Commission Chambers – 225 South Main Avenue
Warrenton, Or 97146

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **COMMISSIONER COMMENTS/COMMUNICATIONS/AGENDA ADDITIONS**

PROCLAMATION – CONSTITUTION WEEK

5. **CONSENT CALENDAR**

- A. Commission Regular Meeting Minutes – 8.23.16
- B. Fire Dept. Activity Report – July

Items on the Consent Calendar have previously been discussed and/or are considered routine. Approval of the Consent Calendar requires a motion, a second, and no discussion, unless requested by a member of the City Commission.

6. **BUSINESS ITEMS**

- A. Discussion on Vacation Rental Policies/Code Update
- B. Consideration of License to Occupy – NW 17th Street
- C. Consideration of Proposal for Engineering Services for Development of Interim Agreement/Permit for Industrial Discharge and Business Oregon Grant for Project

7. **PUBLIC COMMENT**

At this time, anyone wishing to address the City Commission concerning items of interest not already on the Agenda may do so. The person addressing the Commission will, when recognized, give his or her name and address for the record. All remarks will be addressed to the whole City Commission and limited to 3 minutes per person. The Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

8. **EXECUTIVE SESSION**

Under the authority of ORS 192.660(2)(h); *to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.*

9. **ADJOURNMENT**

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 LINDA ENGBRETSON AT LEAST 48 HOURS IN ADVANCE OF THE MEETING

PROCLAMATION

WHEREAS, September 17, 2016 marks the two hundred and twenty-ninth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

WHEREAS, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

WHEREAS, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as constitution week;

NOW, THEREFORE, I, MARK KUJALA, MAYOR OF THE CITY OF WARRENTON, in the State of Oregon, do hereby proclaim September 17 through 23, 2016 to be

CONSTITUTION WEEK

In the City of Warrenton and ask our citizens to reaffirm the ideals of the Framers of the Constitution had in 1787.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Warrenton to be affixed on this 17th day of September, 2016.

Mark Kujala, Mayor

5-A

MINUTES
Warrenton City Commission
Regular Meeting – August 23, 2016
6:00 p.m.
Warrenton City Hall - Commission Chambers
225 S. Main
Warrenton, Or 97146

Mayor Kujala called the meeting to order at 6:02 p.m. and then led the public in the Pledge of Allegiance.

Commissioners Present: Mayor Mark Kujala, Rick Newton, Pam Ackley
Excused: Tom Dyer and Henry Balensifer

Staff Present: City Manager Pro tem Linda Engbretson, City Attorney Harold Snow, Police Chief Mathew Workman, Public Works Director Jim Dunn, Fire Chief Tim Demers, Finance Director April Clark, Community Development Director Skip Urling, Wastewater Superintendent Kyle Sharpsteen, Public Works Foreman Craig Walter and Administrative Assistant Dawne Shaw

COMMISSIONER COMMENTS

Commissioner Ackley noted the Wellville strategic planning was last week and there are a lot of good things coming up. They will be going back to Town Hall meetings and expanding services.

City Manager Pro tem Engbretson reminded the Commission of the upcoming LOC Conference and to let her know if they plan to attend.

Mayor Kujala noted that Collin Stelzig recently attended the Diking Summit in Portland regarding levee certification and flood plain issues. Mr. Stelzig gave a very good presentation on the status of the city's levees. Senator Johnson stated that we need to start lobbying to make sure we can be a part of the state programs and funding. Mayor Kujala also noted that the next work session is with Mr. Stelzig on tide gates and he would like to broaden the topic to include a discussion on funding sources and solutions for levee certification. He also requested an update on the 2nd street drainage issue. City Attorney Snow advised that we sent a proposal to Mr. Larson and are waiting to hear back from him.

CONSENT CALENDAR

- A. Commission Regular Meeting Minutes – 8.9.16
- B. Commission Work Session Minutes – 8.9.16
- C. Police Dept. Monthly Statistics – July 2016

Chief Workman reminded everyone about Family Movie Night on August 26th. Mayor Kujala thanked Chief Workman for the reminder and asked him to pass along appreciation to Officer Wirt for organizing the event. He also thanked the Warrenton Business Association for their involvement in the Regatta festivities, the rose planting and the concert in the park and hopes the city can do more activities like this in the future.

Commissioner Ackley made the motion to accept the consent calendar as presented. Motion was seconded and passed unanimously.

Newton – aye; Ackley – aye; Kujala - aye

BUSINESS

Community Development Director Skip Urling explained staff has had an increase in inquiries regarding vacation homes/short term rentals on where and how they should be operated. He asked the Commission for some direction or guidance on how to address this issue as it is not addressed in our current municipal code. The discussion continued on the desired regulations, noting that Seaside is a good example. Hammond resident Daryl Birney spoke in favor of regulating or licensing vacation homes, noting there is one next door to him. He stated that there have not been major problems but did note that having an absentee landlord has resulted in minor issues. Mayor Kujala stated that it sounds like people want a mechanism in place to license, regulate or permit vacation rental homes. The discussion continued and it was decided that Community Development Director Skip Urling would bring back a code change/standards for City Commission review before bringing it to the Planning Commission. Mr. Urling proceeded to discuss the shortage of affordable housing. He suggested allowing multiple-family development within the general commercial zone with a conditional use permit. Another suggestion was to stop allowing single family homes in high-density residential zones which would provide opportunities for more multiple-family dwellings. Also suggested was relaxing the rule for duplexes and multi-family dwellings carport or garage requirements.

Commissioner Ackley made the motion to send a letter on behalf of the City Commission to the Planning Commission in support of affordable housing options. Motion was seconded and passed unanimously.

Newton – aye; Ackley – aye; Kujala – aye

City Manager Pro tem Engbretson presented Resolution No. 2469, a resolution adopting standards, criteria and policy directives for hiring a city manager and noted that the Commission may take public comment on the matter.

PUBLIC COMMENT - Ken Yuill thanked the Commission for the ability to voice his opinion on

MINUTES

Warrenton City Commission
Regular Meeting – 8-23-16

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the city manager matter. He stated his support for making City Manager Pro tem Engbretson the new City Manager. Mayor Kujala noted that he has had discussions with Ms. Engbretson and things are going very well. He does not see a reason to hurry in the hiring process. The Commission discussed adopting the resolution but will postpone going out to a hiring firm.

Commissioner Ackley made the motion to adopt Resolution No. 2469; A Resolution Adopting Standards, Criteria and Policy Directives for Hiring a City Manager for the City of Warrenton and Repealing Resolution No. 2327. Motion was seconded and passed unanimously.

Newton – aye; Ackley – aye; Kujala – aye

City Manager Pro tem Engbretson explained the easement in the meeting packet is from Martin Nygaard granting the City a sixty foot wide easement across the tidelands fronting the Skipanon Peninsula for the Core Conveyance project. This easement has been granted at no cost to the City. An additional easement with the Department of State Lands is also required and we are hoping to reduce the \$9,659.03 fee.

Commissioner Newton made the motion to authorize the Mayor’s signature on the Nygaard and State Easements for the Core Conveyance Project. Motion was seconded and passed unanimously.

Newton – aye; Ackley – aye; Kujala – aye

Commissioner Ackley made the motion to send a letter to DSL requesting a fee reduction on the easement for the Core Conveyance project. Motion was seconded and passed unanimously.

Newton – aye; Ackley – aye; Kujala – aye

City Manager Pro tem Engbretson opened the discussion on the League of Oregon Cities Annual Conference Voting Delegate noting that the meeting is the Saturday morning at end of the conference. The discussion continued on who to appoint as the voting delegate.

Commissioner Newton made the motion to appoint Commissioner Balensifer as the City’s voting delegate and Mayor Kujala as alternate for the League of Oregon Cities Annual Membership Meeting on Oct. 1, 2016. Motion was seconded and passed unanimously.

Newton – aye; Ackley – aye; Kujala – aye

There being no further business Mayor Kujala adjourned the meeting at 6:54 p.m., and

announced an executive session, authorized under ORS 192.660(2)(h); *to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.* He stated the Commission would not be returning to regular session to take action on any item discussed during the executive session.

APPROVED:

Mark Kujala, Mayor

ATTEST:

Dawne Shaw, Administrative Assistant

5-B



Warrenton Fire Department

P.O. Box 250 Warrenton, OR 97146-0250 503/861-2494 Fax 503/861-2351

STAFF REPORT

Date: August 23, 2016
To: The Members of the Warrenton City Commission
 Linda Engbretson, City Manager Pro-tem
From: Tim Demers, Fire Chief
Re: Fire Department Activity Report for **July, 2016**

July, 2016 Emergency Response Activity -

The Warrenton Fire Department responded to 98 emergency calls during the month of July, 2016. The department responded to 73 EMS (emergency medical service) calls, 10 motor vehicle crashes, and 9 service calls. There were Six (6) reportable fires during the month. Service calls include alarm activations with no fire, false alarms, hazardous conditions, good intent calls, public assists, etc. An average of 5 volunteers responded per call throughout the month. During the month of July, 2016, 60.2%, or 59 of the calls were during daytime hours between 6:00 a.m. and 6:00 p.m. The other 39 calls, or 39.8%, were during the night, between the hours of 6:00 p.m. and 6:00 a.m.

July, 2016 Training –

The department held 4 regularly scheduled Wednesday evening training sessions during the month of June, with an average attendance of 14 volunteers per drill. The department offered 3 additional training sessions during the month of July.

6th EMS – Zoll Heart monitor and AED review

Instructor: Lt. Daugherty

Association business meeting

13th Driver skill course, Warrenton Airport

Evaluators: FF Watson, FF Ely

Rescue airbag training, Hammond Marina

Instructor: Capt. Shepherd

20th Driver skill course, Warrenton Airport

Evaluators: Capt. Nyberg, TBA

Rescue airbag training, Hammond Marina

Instructor: Capt. Shepherd

27th Hydrant location & maintenance

Instructors: Company Officers

Recruit firefighter training – hydrants, fire streams

Instructor: Capt. Shepherd

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"Making a difference through excellence of service"



CITY OF WARRENTON

AGENDA MEMORANDUM

TO: The Warrenton City Commission
FROM: Skip Urling, Community Development Director
DATE: For Agenda of September 13, 2016
SUBJ: Vacation Rentals

A handwritten signature in blue ink, appearing to be 'S. Urling', located to the right of the 'FROM' line.

SUMMARY

At the last City Commission meeting, we discussed the need for regulating vacation rentals to ensure they operate as good neighbors and maintain safe and secure accommodations for the transient public. The methods that the City of Seaside uses were suggested as a potential model on which to build regulations and standards for Warrenton.

Attached are several items from Seaside. Included are the city's vacation rental code, a basic checklist of requirements for the applicant to follow and city inspectors to verify, Good Neighbor Rules, a basic land use application, an application for vacation rental approval, a complaint form and procedures, and an occupancy reduction request form. Vacation rentals are treated as conditional uses with an administrative decision unless they would be located in an area where 20 percent or more of the structures within 100 feet are also vacation rentals; those applications are reviewed by the Planning Commission.

We would like guidance from the City Commission as to whether the Seaside model is direction you wish to go on this issue. If so, staff will begin the code amendment process.

RECOMMENDATION/SUGGESTED MOTION

None

ALTERNATIVE

Additional research

FISCAL IMPACT

Approved by City Manager:

A handwritten signature in blue ink, reading "Linden Egghetson", written over a horizontal line.

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.

Section 6.114 Production from an open pit or the removal of sand and gravel shall not leave a slope exceeding one foot (1') horizontal for one foot (1') vertical.

Section 6.115 An open pit or sand and gravel operation shall be enclosed by a fence suitable to prevent unauthorized access.

Section 6.116 A rock crusher, washer, or sorter shall not be located nearer than 500 feet to a residential or commercial zone. Surface mining equipment and necessary access roads shall be constructed, maintained and operated in such a way and manner as to eliminate, as far as is practicable, noise, vibration or dust which is injurious or substantially annoying to persons living in the vicinity.

Section 6.120 JUNK, WRECKING YARD, CONTRACTORS YARDS

In considering a conditional use application for a junk or wrecking yard, the Planning Commission shall require that it be enclosed by a sight-obscuring fence not less than six feet high.

Section 6.130 SIGNS

In the case of a conditional use, the sign limitation of a zone may be exceeded to allow one indirectly illuminated sign or non-illuminated sign not more than six square feet in area on each side of a structure abutting a street.

Section 6.135 BED & BREAKFAST ESTABLISHMENTS

The following conditions shall apply to all bed and breakfast establishments in R-2, R-3 and R-C Zones, plus any other conditions the Planning Commission feels necessary in order to preserve the residential character of the neighborhood.

1. Maximum number of rental units shall be two (2), with a total occupancy of no more than five (5) persons.
2. Establishment shall be owner occupied.
3. One (1) off-street parking space shall be provided for each rental unit plus the two (2) spaces for the residential unit.
4. Annual fire inspection.
5. Signing is limited to a 1 1/2 square foot nameplate, non-illuminated.

Section 6.136 Variance Procedure For Bed & Breakfast Establishments. A variance for additional units may be considered if the following criteria are met:

1. Abutting property owners are in agreement.
2. House has architectural design that would accommodate the use without changing the character of the neighborhood.
3. Adequate approved parking is provided.
4. Building meets Fire & Life Safety Code with annual inspection required.

Section 6.137 VACATION RENTAL DWELLING (VRD)

1. **Purpose.** The Vacation Rental Dwelling Permit is in recognition of the desire of many people to rent their property on a short term basis. These standards and procedures are in addition to City ordinances and Federal and State laws and regulations.
2. **Standards.** In all zones allowing Vacation Rental Dwellings, a permit shall be issued as an accessory use in accordance with the administrative conditional use provisions provided the applicant can demonstrate by written application that all of the following standards are met:
 - A. **Parking.** One 9' x 18' off-street space will be provided for each bedroom in the unit, but in no event shall fewer than two spaces be provided.
 - B. **Number of Occupants.** The maximum number of occupants cannot exceed three persons (over the age of three) per bedroom. The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations.

The number of overnight renters or the maximum number of occupants may be reduced by the Code Enforcement Officer or Fire Marshal at the time of inspection for valid code reasons.
 - C. **Residential yard areas.** Front, side, and rear yards must maintain a residential appearance by limiting off street parking within yard areas. At least 50% of each yard area which is not occupied by buildings must be landscaped in some fashion so that parking will not dominate the yard.
 - D. **Local responsible party.** A local responsible party that permanently resides within the county must be identified by the owner. The responsible party will serve as an initial contact person if there are questions regarding the operation of the VRD. The owner shall provide the telephone number of the local contact person to the City, and to the immediate neighbors within the notification area (within 100' of the subject property).
 - E. **Spatial distribution requirements.** Within the medium density residential (R-2) zones and high density residential (R-3) zones, not more than 20% of the properties within 100' of the subject property can be currently licensed for VRD use without Planning Commission review.

Failure to meet this standard will require a public hearing and review by the Planning Commission under the provisions of Subsection 5.
3. **Notice and Administrative Decision.** Upon submittal of a complete application, notice of the request shall be mailed to all property owners within 100 feet in accordance with Section 10.031 (2). The notice and final decision by the Planning Director must comply with the provisions in Section 10.032 through Section 10.035 of the Ordinance.
4. **Appeals.** Within fifteen (15) days of the administrative decision, the decision may be appealed in accordance with the provisions in Section 10.037 and 10.040 of the Ordinance
5. **Planning Commission review.** The Planning Commission will review VRD's which do not conform with the provisions of Subsection 2.E., in accordance with the conditional use procedures in Section 6.30 through 6.50 of the Ordinance. The

applicant must address the following criteria in addition to the standards in Subsection 2.A-D of this Section. A decision by the Commission to approve a VRD request may include conditions that would restrict the number of renters or total occupants in the VRD.

- A. The use of the property as a VRD will be compatible with the surrounding land uses.
- B. The VRD will not contribute to excessive parking congestion on site or along adjacent streets.

6. Approval conditions. All approval must include the following conditions:

- A. Vacation rentals must comply with City ordinances regarding noise, smoke, dust, litter, odor, and solid waste collection. Weekly solid waste pick-up is required during all months.
- B. Prior to issuance of a vacation rental dwelling permit, the building in question must be inspected and be in substantial compliance with the Uniform Housing Code.
- C. It is the property owner's responsibility to assure that the vacation rental dwelling remains in substantial compliance with Oregon State requirements for the following: Health, Safety, Building, and Fire Codes, and Traveler's Accommodation Statutes, and with the Uniform Housing Code.
- D. Vacation rental dwelling permits are personal in nature and accordingly are not transferable. Upon transfer of the property, the new owner, if he or she so desires, may apply for a new permit in accordance with this Section.
- E. A City Business License is required and all transient room tax provisions apply to VRD's. The business license must be obtained prior to any rental of the property. Renewals must be made in January of the permit year. If the business license fee or the transient room tax payments are thirty (30) days past due, the VRD Permit will be revoked unless a written extension is granted by the Finance Director.
- F. Upon receipt of two written complaints from two or more occupants of different residences who claim to be adversely affected by the use of the property as a vacation rental dwelling, or by notice from the City Code Compliance Officer that requirements or conditions of approval are not being met, the Planning Department will work with the parties involved to settle any conflicts. If the problems are not resolved, the permit will be reviewed by the Planning Commission as provided in Subsection 5 of this Section. Failure on the applicant's part to meet the standards or conditions will result in denial of the application

7. Prior Approvals. Vacation rental dwellings approved under prior standards shall comply with the provisions of Section 6.137; 2B., 2D., & 6A. within one year of the amendments in this Section.

(Amending Ordinance No., 2000-09, adopted 11-27-2000)

8. Complaints. Any complaint procedures concerning violations of the VRD Provisions are in addition to the "Remedies" specified in Article 12 of the Zoning Ordinance.

Section 6.140 PRIVATE SPORTS COMPLEX

BASIC CHECKLIST (2016)
VACATION RENTAL DWELLING OR CONDOMINIUM TRANSIENT RENTAL
(Additional Requirements May Apply)

Address _____

Owner _____ Phone# _____

Local Contact _____ Phone # _____

OCCUPANT LOAD PROPOSED FOR THIS BUILDING: _____ BEDROOMS: _____

Note: Up to three occupants per bedroom can be counted towards the occupant load. No occupancy over 10 will be allowed unless the building is protected by an approved sprinkler system.

1. GENERAL REQUIREMENTS

- A. The address must be visible from the street.
- B. A NOAA Radio – along with an informational sheet that summarizes the warning capabilities of the radio must be posted.
- C. 50% of the required front yard must be landscaped.
- D. The off-street required parking spaces must be paved or provided with an approved surface as permitted by the Planning Director.
- E. Exterior lighting fixtures must be shielded in a manner to prevent glare from being visible from the surrounding properties when having bulbs exceeding 450 lumens (equivalent to a 40 watt bulb).

2. WEATHER PROTECTION

- A. No broken windows or damaged doors and in condition to provide a weather resistive barrier.
- B. Doors must be weather-stripped, have working locks, and openable from the inside without a key or special knowledge.
- C. Roof and exterior wall coverings must be in good shape. There must be no excessive chipped or peeling paint.
- D. All dwelling units shall be mold free.

3. MECHANICAL/ELECTRICAL

- A. Chimneys serving wood fireplaces and stoves shall be lined and have the proper clearances to combustibles (interior chimneys 2-inches & exterior chimneys 1-inch). Chimneys must be cleaned each year. If a fireplace does not have a chimney in compliance with code, it must be secured or signed “not for use” in addition to installing architectural feature such as a planting to deter the use. The fireplace can also be converted for use of a gas appliance when it is installed under a permit and according to its listing.
- B. An openable window or an approved mechanical venting system is required in bathrooms and kitchens.
- C. Electrical Panels shall be accessible to the tenants and be provided with 36 inches clearance in front of the panel.

4. SANITATION & HEATING

- A. Provide two garbage cans with lids, and suitable storage. Weekly garbage service is required.
- B. An approved heating source for all habitable spaces shall be provided.

5. SAFETY

- A. Smoke alarms are required in all sleeping areas, the hallway serving them, and every floor.
- B. Carbon Monoxide Alarms – shall be located in each bedroom or within 15 ft of each bedroom door. Bedrooms on separate floor levels in a structure shall have separate carbon monoxide alarms serving each story.
- C. Basements and all sleeping rooms shall be provided with an approved egress opening directly to the outdoors large enough for escape from a fire as determined by the Building Official.
Exception: Basements used only to house mechanical equipment not exceeding 200 sq. ft.
- D. All stairs, decks, and balconies over 30" above grade, shall have a guardrail, 36" in height, with intermediate rails spaced so a 4 inch sphere cannot pass through.
- E. All stairs with four or more risers shall have a handrail, not less than 34", or more than 38" high. The gripping surface shall comply with R311.7.7 of the State Dwelling Code. Handrail ends shall and be returned against a wall or post. Stairs are required to have a clearance at a plane above the nose to any overhead finish of approximately 6 feet 8 inches.
- F. A fire extinguisher having a minimum rating of 2:A 10:BC must be mounted so the handle is 3-4 ft. above the floor in the kitchen area approximately 5 – 10 ft. from the cooking stove.

6. PARKING REQUIREMENTS

- A. A minimum of two off street parking spaces shall be available, plus one additional for each bedroom over two. **NOTE: On-street parking is not allowed**
- B. Required off street parking must be paved.

7. POSTINGS REQUIRED

- A. Good neighbor rules and maximum number or occupants must be posted inside the front door.
- B. Tenants are required to park in the spaces provided on-site. These sites must be identified on a parking map posted in the rental unit with a statement noting *on-street* parking by the occupants is not allowed at this location.
- C. The owner shall post or otherwise provide a tsunami evacuation map in a conspicuous location within the rental unit.
- D. The business license noting the maximum occupants (over age of 3).

Please note that this is just a basic checklist, additional requirements may apply. An inspection must be scheduled at the Community Development Department. A reinspection is required if any corrections are noted. There can be additional notification and administrative action needed to complete the approval process.

VACATION RENTAL DWELLING

GOOD NEIGHBOR RULES

This home is available for short term rental by virtue of a permit which may be revoked if renters violate parking, occupancy, and general noise limitations. Because these rentals are permitted within residential neighborhoods, all renters should minimize their potential impacts on the neighboring properties by following rules of common decency and respect for your neighbors. These would include but they are not limited to:

- No excessive noise at any time. Although the City's noise ordinance regulates loud, disturbing, and unnecessary noise; renters should always consider how their actions are impacting the neighboring property owners.
- Only utilize the off-street parking that is provided for the rental. In many areas, on-street parking is very limited and utilizing this parking can have a negative impact on the surrounding residents.
- In general, be considerate of the residents that live around the rental dwelling you are staying in. Treat your neighbors the way you would like to be treated if you lived next door. Keep in mind that an agreement to rent a dwelling in Seaside is a privilege and it is not an authorization to annoy, disturb, or disrupt the local residents.



City of Seaside, Planning Department

989 Broadway, Seaside, OR 97138 (503) 738-7100 Fax (503) 738-8765

Land Use Application

Kevin Cupples, Director

PLEASE PRINT OR TYPE

NAME OF APPLICANT	ADDRESS	ZIP CODE
STREET ADDRESS OR LOCATION OF PROPERTY		

ZONE	OVERLAY ZONES	TOWNSHIP	RANGE	SECTION	TAX LOT

PROPOSED USE OF PROPERTY AND PURPOSE OF APPLICATION(S):

(PLEASE INCLUDE THE APPROPRIATE PLOT PLAN.
IF ADDITIONAL SPACE IS NEEDED OR SUPPLEMENTAL INFORMATION IS REQUIRED PLEASE ATTACH)

OWNER:	APPLICANT/REPRESENTATIVE (OTHER THAN OWNER):
PRINT NAME OF PROPERTY OWNER	PRINT NAME OF APPLICANT/REPRESENTATIVE
ADDRESS	ADDRESS
PHONE / FAX / EMAIL	PHONE / FAX / EMAIL
SIGNATURE OF PROPERTY OWNER	SIGNATURE OF APPLICANT/REPRESENTATIVE

FOR CITY USE ONLY - DO NOT WRITE BELOW THIS LINE

CHECK TYPE OF PERMIT REQUESTED:

- | | | | |
|--|---|--|--|
| <input type="checkbox"/> CONDITIONAL USE | <input type="checkbox"/> NON CONFORMING | <input type="checkbox"/> SUBDIVISION | <input type="checkbox"/> ZONING CODE AMENDMENT |
| <input type="checkbox"/> LANDSCAPE/ACCESS REVIEW | <input type="checkbox"/> PLANNED DEVELOPMENT | <input type="checkbox"/> TEMPORARY USE | <input type="checkbox"/> ZONING MAP AMENDMENT |
| <input type="checkbox"/> MAJOR PARTITION | <input type="checkbox"/> PROPERTY LINE ADJUSTMENT | <input type="checkbox"/> VACATION RENTAL | <input type="checkbox"/> APPEAL |
| <input type="checkbox"/> MINOR PARTITION | <input type="checkbox"/> SETBACK REDUCTION | <input type="checkbox"/> VARIANCE | <input type="checkbox"/> |

PLANNING DEPARTMENT USE:	
DATE ACCEPTED AS COMPLETE	BY
CASE NUMBER (S)	
HEARING DATE	P.C. ACTION

OFFICE USE:	
FEE	RECEIPT
DATE FILED	BY

**CITY OF SEASIDE
VACATION RENTAL DWELLING (VRD) APPLICATION**

The City of Seaside requires approval for short term (less than 30 day) rental of certain types of residential property. These uses are referred to as vacation rental dwellings (VRDs) and they must be approved in accordance with the conditional use provision in Chapter 6.137 of the Seaside Zoning Ordinance (see attached). Although most requests can be reviewed by the Planning Director; in some cases, the requests require a public hearing before the City Planning Commission. In both cases, VRD applicants must provide the following information.

In addressing the following questions, additional information and supporting evidence can be referenced and attached to the submittal.

SUBMITTAL INFORMATION

1. **Applicant's Name:** _____
2. **Mailing Address:** _____
3. **Telephone #:** Home _____, Work _____, Fax _____
4. **If the applicant is not the current owner, the applicant must also submit a signed statement from the owner that authorizes the VRD application.**
5. **VRD Street Address:** _____
6. **Tax Map Ref.:** Township ____, Range ____, Section _____, Tax lot # _____
7. **What is the total number of off-street parking spaces (9' X 18') that will be available for VRD occupant use?** _____ *The VRD ordinance states: One 9' X 18' off-street space will be provided for each bedroom in the unit, but in no event shall fewer than two spaces be provided.*
8. **How many bedrooms are in the dwelling?** _____ **Is the applicant requesting that all the bedrooms be used to calculate the maximum occupancy, and if not, how many are being proposed?** _____ **Please multiply the last number by three (3) to indicate the requested maximum occupancy for the VRD** _____. *The VRD ordinance states: The maximum number of occupants cannot exceed three persons (over the age of three) per bedroom; however, regardless of the number of bedrooms, no more than 10 can be allowed unless the building is protected by an approved sprinkler system. The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations. The number of overnight renters or the maximum number of occupants may be reduced by the Code Enforcement Officer or Fire Marshal at the time of inspection for valid code reasons.*
9. **All off street parking spaces must be clearly indicated on the applicant's site plan. Will the existing parking spaces or any planned expansion of parking take up more than 50% of the property's yard areas?** _____. *The VRD ordinance states: Front, side, and rear yards must maintain a residential appearance by limiting off street parking within yard areas. At least 50% of each yard area which is not occupied by buildings must be landscaped in some fashion so that parking will not dominate the yard.*
10. **Who will be acting as the local responsible party for the VRD owner?**
Name: _____ **Phone #** _____.

Address: _____ . The VRD ordinance states: A local responsible party that permanently resides within the county must be identified by the owner. The responsible party will serve as an initial contact person if there are questions regarding the operation of the VRD. The owner shall provide the telephone number of the local contact person to the City, and to the immediate neighbors within the notification area (within 100' of the subject property).

11. What is the zone designation of subject property? _____. The VRD ordinance states: Within the medium density residential (R-2) zones and high density residential (R-3) zones, if more than 20% of the dwelling units within 100' of the subject property are currently licensed for VRD use, a public hearing and review by the Planning Commission is required.

12. Provide a site plan, drawn to scale, which indicates the following: the actual shape and dimensions of the lot, the sizes and locations of buildings and off street parking spaces (existing & proposed). In addition to the site plan, a floor plan(s) must be included which clearly indicates the intended use of all interior areas (e.g. bedrooms, kitchen, living room, storage etc.).

13. The following is a list of standard conditions that apply to VRDs:

- **Vacation rentals must comply with City ordinances regarding noise, smoke, dust, litter, odor, and solid waste collection** Weekly solid waste pick-up is required during all months.
- **Prior to issuance of a vacation rental dwelling permit, the building in question must be inspected and be in substantial compliance with the Uniform Housing Code.**
- **It is the property owner's responsibility to assure that the vacation rental dwelling remains in substantial compliance with Oregon State requirements for the following: Health, Safety, Building, and Fire Codes; and Traveler's Accommodation Statutes, and with the Uniform Housing Code.**
- **Vacation rental dwelling permits are personal in nature and accordingly are not transferable. Upon transfer of the property, the new owner, if he or she desires, may apply for a new permit in accordance with the VRD ordinance.**
- **A City Business License is required and all transient room tax provisions apply to VRD's. The business license must be obtained prior to any rental of the property. Renewals must be made in January of the permit year. If the business license fee or the transient room tax payments are thirty (30) days past due, the VRD Permit will be revoked unless a written extension is granted by the Finance Director.**
- **Upon receipt of two written complaints from two or more occupants of different residences who claim to be adversely affected by the use of the property as a vacation rental dwelling, or by notice from the City Code Compliance Officer that requirements or conditions of approval are not being met, the Planning Department will work with the parties involved to settle any conflicts. If the problems are not resolved, the permit will be reviewed by the Planning Commission as provided in the VRD ordinance. Failure on the applicant's part to meet the standards or conditions will result in denial of the application. This would be in addition to any violation procedures specified in Article 12 of the Seaside Zoning Ordinance.**

Has the owner or the duly authorized applicant read all the standard conditions and answered all of the questions honestly based on their understanding of the VRD request?

_____.

By signing this application, the applicant is also acknowledging that if the request requires review by the Planning Commission (Ordinance Provision 6.137E), the Applicant or a duly Authorized representative must attend the Public Hearing.

Applicant's Signature: _____ Date: _____.

-----**For Office Use Only**-----

At the time of submittal, the applicant must pay the annual business license fee based on the proposed occupancy of the VRD: 1-5 occupants \$75.00, 6-10 occupants \$100.00, 11+ occupants 150.00. This fee must be accompanied by a one time filing fee of \$20.00.

In addition to the business license fee, a \$430.00 planning review fee must be submitted with this application. If the surrounding density of VRDs (see question 11) requires a Planning Commission review, an additional fee of \$240.00 must be paid before staff will schedule the public hearing to review the application.

If the VRD application is not approved, only the business license fee will be refunded.

Submittal Date: _____ Amount Paid: _____

-----**For Community Development Use**-----

Date application was received at Community Development: _____.

File Reference # _____ Date determined to be complete: _____

If applicable, date for Planning Commission Hearing: _____

CITY OF SEASIDE

VACATION RENTAL DWELLING (VRD) COMPLAINT PROCEDURE

1. When there is an alleged or perceived VRD permit violation, the citizen/neighboring property owner is advised to contact the local responsible party/property manager for the VRD. The complainant will need to provide the VRD address and the nature of the complaint (e.g. over occupancy, parking issue, noise, trash, etc.). If they would like to be contacted concerning a response to the complaint, they will need to provide their name, address, or phone number to the local responsible party /property manager for the VRD and clearly indicated when a follow-up phone call would be appropriate. VRD contact numbers are included in the notice of decision and they are available at the Community Development Department (503) 738-7100, City Hall (503) 738-5511, or after business hours at the Seaside Police Department (503) 738-

Please Note: If the complaint concerns unreasonable noise, disturbing the peace, disorderly conduct, or some other non VRD specific city code infraction, the Police may be contacted directly at (503) 738-6311, or in case of an emergency, call 911.

2. In addition to (or as an alternative to 1. above) the citizen/neighboring property owner should file a verbal or written complaint at City Hall by providing the information necessary to complete a "Vacation Rental Dwelling Complaint Form" pertaining to the VRD (e.g. VRD address, nature of complaint, date & time of alleged violation, contact information, & indication if/when responsible party/property manager was contacted). VRD Complaint Forms are available on line, at City Hall, and at the Community Development Dept.
3. Once City Hall Staff receives the completed form, a copy will be forwarded to the Community Development Dept. for follow-up.
4. If the citizen/property owner declines to provide their contact information, they will not be provided with any further follow-up information.
5.
 - A. The Community Development Department Staff will confirm the existence of an alleged violation and or verify appropriate follow-up by the local responsible party/property manager for the VRD and abatement of any substantiated violation. A log of the actions taken by the Department will be noted on the copy of the violation form along with any written correspondence, citations, or abatement measures taken by the Department or the local responsible party/property manager.
 - B. If the violation cannot be resolved within a reasonable period of time or staff finds that a pattern of ongoing violations warrant further action by the Planning Commission, the complaint information and a report will be forwarded to Planning Commission for review during a public hearing pursuant to the notification and review procedures in Article 6 and 10 of the Seaside Zoning Ordinance.
6. Upon resolution of the complaint, a copy of the complaint form will be kept in the street file in the Department for future reference and it will be noted on the Annual VRD Complaint Log. A copy of the complaint log will be provided to the citizen/property owner if the contact information was provided at the time the initial complaint was filed.

Please Note: These are intended to be used as general procedures applicable to VRD complaints. They are to be used as guidelines for administrative action and they do not limit the City's actions to gain compliance with the zoning ordinance or the Code of Seaside.

EXAMPLE CONDITIONS ROUTINELY APPLIED TO VACATION RENTAL DWELLINGS

The conditions of approval are as follows:

- 1. Compliance Inspection:** The proposed vacation rental dwelling (VRD) must pass a compliance inspection conducted by the Community Development Department prior to any transient rental. This inspection will verify compliance with all VRD standards and conditions of approval and the applicant is hereby advised that failure to meet certain standards can result in a reduction in the maximum occupancy. The final occupancy will be noted in land use file (**12-000VRD**) and reflected on the City of Seaside Business License. The license is not valid until the appropriate occupancy has been established by the approval of a final compliance inspection by the Community Development Department.
- 2. Parking spaces: THREE (3) off-street parking spaces (9' X 18' per space) are required on site.** These spaces shall be permanently maintained and available on-site for use by the vacation rental occupants. Vacation Rental Dwelling (VRD) tenants are required to park in the spaces provided on site for the VRD. No on-street parking associated with this VRD is allowed at this location. Vehicles parked at VRDs may not project over the sidewalk and block pedestrian traffic. A parking map shall be posted inside the dwelling for the VRD tenants.
- 3. Maximum number of occupants: NINE (9) persons over the age of three years.** The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations. If the number of occupants is less than the original number requested, it may have been reduced for valid code reasons.
- 4. Applicability of Restrictions:** Properties licensed for VRD use will be expected to adhere to the VRD standards and rules throughout the entire year even when they are not being rented for profit. This will not apply to the dwellings when members of the owner's family are present.
- 5. Open Yard Areas:** Front, side, and rear yards must maintain a residential appearance by limiting off street parking within yard areas. At least 50% of each yard area that is not occupied by buildings must be landscaped in some fashion so parking will not dominate the yard.
- 6. Vacation Rentals Management Inc. (000 N. Roosevelt Dr.; Seaside, OR 97138) will be the local manager for the VRD. Jon Doe will be the local contact for the VRD and he can be reached at **503-738-0000** during normal business hours and **503-440-0000** after hours. The contact person must be available 24 hours a day to address compliance issues while the property is rented. Upon any change in the local contact, the owner must provide formal notice of the updated contact information to the City and all of the neighboring property owners within 100'. Managers are encouraged to notify the City any time they stop representing a VRD.**

Local contact information is available at the Community Development Department (503) 738-7100, City Hall (503) 738-5511, or after business hours at the Seaside Police Department (503) 738-6311.

7. **Compatibility:** A VRD will be compatible with the surrounding land uses and shall not contribute to excessive parking congestion on site or along adjacent streets.
8. **Ordinance Compliance & Solid Waste Pick-up:** All vacation rentals must comply with City ordinances regarding noise, smoke, dust, litter, odor, and solid waste collection. Weekly solid waste pick-up is required during all months.
9. **Required Maintenance:** It is the property owner's responsibility to assure that the vacation rental dwelling remains in substantial compliance with Oregon State requirements for the following: Health, Safety, Building, and Fire Codes, Traveler's Accommodation Statutes, and with the Uniform Housing Code. **Owners are hereby advised that Carbon Monoxide detectors must be installed and maintained in all newly established transient rental occupancies.**
10. **Permit Non-transferability:** Vacation rental dwelling permits are personal in nature and accordingly are not transferable. Upon transfer of the property, the new owner, if he or she so desires, may apply for a new permit in accordance with City Ordinance.
11. **Business License, Room Tax Requirements, & Revocation for Non Payment:** A City Business License is required and all transient room tax provisions apply to VRD's. The business license must be obtained prior to any rental of the property. Renewals must be made in January of the permit year. If the business license fee or the transient room tax payments are thirty (30) days past due, the VRD Permit will be revoked unless a written extension is granted by the Finance Director.
12. **Conflicts & Potential Denial for Non Compliance:** Upon receipt of two written complaints from two or more occupants of different residences who claim to be adversely affected by the use of the property as a vacation rental dwelling, or by notice from the City Code Compliance Officer that requirements or conditions of approval are not being met, the Planning Department will work with the parties involved to settle any conflicts. If the problems are not resolved, the permit will be reviewed by the Planning Commission as provided in Subsection 5 of this Section. Failure on the applicant's part to meet the standards or conditions will result in modification or denial of the permit.
13. **Complaints:** Applicants are hereby advised the City Code Compliance Officer routinely follows-up on individual complaints if there is a valid code issue that needs to be addressed by the owner and/or manager of a VRD. Staff does not wait until the occupants of two different residences submit written complaints before they take action to achieve compliance. The VRD complaint procedures are outlined in an attachment to the notice of decision and the forms can also be

accessed on the City of Seaside's web site

<http://www.cityofseaside.us/sites/default/files/docs/VRD-COMPLAINTFORM.pdf> This should be used to report alleged violations that are not being addressed by the local contact or property manager.

- 14. Time Period for Approval, Required Re-inspection:** This VRD approval shall be limited to 5 calendar years unless the dwelling is re-inspected (subject to the applicable fee) for compliance with the VRD policies and ordinances applicable at the time of the re-inspection. Re-inspection notices will be provided to the owners at the time business licenses are issued for the 5th calendar year. If the re-inspection is not completed during the 5th year, the permit will expire and a new VRD application must be approved prior to obtaining a new business license for the 6th calendar year. Compliance with the re-inspection requirements will reauthorize the VRD for an additional 5 calendar years.
- 15. Tsunami Information & Weather Radio:** The owner shall post or otherwise provide a tsunami evacuation map in a conspicuous location within the VRD. In addition, a NOAA weather radio, with automatic alert capabilities, must be permanently affixed in a central part of the VRD along with an informational sheet that summarizes the warning capabilities of the radio in the event of a distant tsunami.
- 16. Grace Period:** If a currently licensed VRD sells to another party, staff is allowed to grant a temporary grace period of not more than 60 days in which current bookings can be cleared without being recognized as a violation. The manager or owner must provide staff with a list of the bookings during the grace period and no additional bookings can be taken during that time.

The aforementioned conditions include the standards applicable to vacation rental dwellings (VRDs) identified in the Seaside Zoning Ordinance and they include specific conditions that are intended to reduce potential impacts to the adjacent properties.

Adherence to these conditions is a matter of compliance with the Seaside Zoning Ordinance. Violations can be subject to the penalties identified in Article 12 of the Ordinance.

CITY of SEASIDE

OREGON'S
F A M O U S
A L L - Y E A R
R E S O R T

COMMUNITY DEVELOPMENT
LOCATION: 1387 AVE U
MAIL: 989 BROADWAY
SEASIDE, OREGON 97138
(503) 738-7100

VACATION RENTAL DWELLING OCCUPANCY REDUCTION REQUEST

Property Owner: _____

Property Address: _____

Property Map & Tax Lot: _____

Current Occupancy: _____

New Reduced Occupancy: _____

The undersigned hereby acknowledges this is a permanent change in the allowed occupancy for their Vacation Rental Dwelling Permit. The new occupancy is a reduction and will be the maximum number of occupants for this permit.

To increase the occupancy, the owner will be required to make application for new Vacation Rental Dwelling Permit and meet the current requirements of Section 6.137 of the Seaside Zoning Ordinance.

Print Name: _____

Owner Signature: _____

Date: _____

Current Local Contact: _____

Address: _____

Phone #: _____

6-B

"Making a difference through excellence of service"



CITY OF WARRENTON

AGENDA MEMORANDUM

TO: The Warrenton City Commission
FROM: Skip Urling, Community Development Director 
DATE: For Agenda of September 13, 2016
SUBJ: Eric Williamson License to Occupy

SUMMARY

Eric Williamson owns property at 1680 NW Warrenton Drive, Tax Lot 810009B002200, adjacent to the unimproved right-of-way (ROW) of NW 17th Street. Mr. Williamson operates an automotive repair and customization shop on his property and has need to store vehicles awaiting service or pick up after the work is completed.

Mr. Williamson has requested a license to occupy a portion of the NW 17th Street ROW to store automobiles for short periods of time as part of his business. The parking area would be graveled and vehicles would be moved on and off as part of his business operations.

Staff believes that a layer of gravel and temporary but regular storage of automobiles in the right-of-way adjacent to Mr. Williamson's business will not cause any harm or obstruction, but there needs to be a mechanism that recognizes the proposed use in the public record, and that all affected parties are or can be made aware that the city has the authority and responsibility to require the discontinuance of the use as the need for NW 17th Street to function as a city street arises. A license to occupy the ROW provides that mechanism

RECOMMENDATION/SUGGESTED MOTION

I move to approve the license to occupy that portion of the NW 17th Street right-of-way adjacent to 1680 NW Warrenton Drive, also identified as Tax Lot 81009B002200, by Eric Williamson for the temporary but regular storage of automobiles associated with the conduct of his business, Extreme Automotive.

ALTERNATIVE

None recommended

FISCAL IMPACT

None.

Approved by City Manager:

A handwritten signature in blue ink, reading "Linda Engbreton", is written over a horizontal line. The signature is cursive and extends slightly above and below the line.

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.

License to Occupy

AN AGREEMENT, made and entered into this ____ day of _____, 2016, between the City of Warrenton, a municipal corporation of the State of Oregon, hereinafter referred to as "City", and Eric Williamson, hereinafter referred to as "Applicant".

WITNESSETH:

WHEREAS, Applicant is the owner of certain real property in Warrenton, Oregon, hereinafter referred to as the "Applicant's property", and more particularly described as 1680 NW Warrenton Drive, Tax Lot 81009B002200 in the City of Warrenton, County of Clatsop and State of Oregon, and

WHEREAS, City is the owner of public street rights-of-way adjacent to and abutting the Applicant's property, hereinafter referred to as "NW 17th Street right-of-way", and

WHEREAS, Applicant wants to place gravel on a portion of the NW 17th Street right-of-way as it abuts the Applicant's property.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND PROMISES CONTAINED HEREIN, IT IS AGREED AS FOLLOWS:

- 1) City grants permission to Applicant and Applicant accepts City's to occupy a portion of NW 17 Street right-of-way as shown on the attached aerial photograph.
- 2) City grants permission to place and compact gravel for automobile parking.
- 3) Applicant may have non-exclusive use of this area.
- 4) License area shall be kept clean and free of trash and debris. There shall be no loose items stored in the approved License area.
- 5) Applicant's use of the NW 17th Street right-of-way is not "adverse" or contrary to the City in any way. Neither Applicant nor any subsequent owner of the adjacent property will acquire any prescriptive rights in the NW 17th Street right-of-way.
- 6) City may revoke its permission for Applicant's continued use of the right-of-way for any reason upon sixty days prior written notice to Applicant. Upon such notice, Applicant or subsequent owner shall, at Applicant or subsequent property owner's sole expense restore the right-of-way to a

condition acceptable to the City.

- 7) Applicant or his successor shall forever defend, indemnify and hold City harmless from any and all claim, loss or liability arising out of or in any way connected with Applicant's use of the NW 17th Street right-of-way. Applicant's conduct with respect to the same, or any condition thereof, in the event of any litigation or proceeding brought against City arising out of or in any way connected with any of the foregoing events or claims, Applicant or successor shall, upon notice from City, vigorously resist and defend against such actions or proceedings through legal counsel reasonably satisfactory to City.
- 8) The provision, covenants and agreements of this license shall be binding upon and inure to the benefit of the heirs, personal representatives, successors and permissible assigns of the parties hereto.
- 9) In the event suit or action is instituted to enforce any of the terms of this license agreement, the prevailing party shall be entitled to recover from the other party such sum as the Court may adjudge reasonable as attorney fees at trial or on appeal of such suit or action, in addition to all other sums provided by law.

City of Warrenton, a
Municipal Corporation of
the State of Oregon,

CITY:

Mark Kujala, Mayor

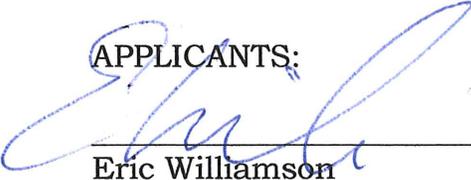
Date

ATTEST:

Linda Engbretson
City Recorder

Date

APPLICANTS:


Eric Williamson


Date



6-C

"Making a difference through excellence of service"



CITY OF WARRENTON

AGENDA MEMORANDUM

TO: The Warrenton City Commission

FROM: Jim Dunn, Public Works Director

DATE: September 13, 2016

SUBJ: Kennedy/Jenks Consultants Proposal for Engineering Services
Development of interim agreement/permit for Pacific Seafood Group

SUMMARY

This is a proposal from Kennedy/Jenks Consultants (KJ) for professional engineering services. KJ will develop a wastewater industrial user agreement between the City of Warrenton and Pacific Seafood Group. Before Pacific Seafood Group can construct new facilities they will need to estimate start up and operating costs. The agreement will provide information about a rate structure that covers the city's costs associated with treating Pacific Seafood Group's wastewater. The agreement will provide cost information that will be used to determine the feasibility

and cost effectiveness of various re-build scenarios. With this information, Pacific Seafood Group will be able to design and rebuild their Warrenton Processing Plant. The proposal also includes services for preliminary design of the fourth Sequential Batch Reactor (SBR) and development of a local limits sampling schedule.

RECOMMENDATION/SUGGESTED MOTION

Staff recommends the following motions;

“I move to approve the Kennedy Jenks Consultants proposal for engineering services contingent on grant funding through the Business Oregon Infrastructure Finance Authority”

ALTERNATIVE

None recommended

FISCAL IMPACT

Funding Assistance From IFA	\$42,330
City Matching Funds	\$7,470
Total	\$49,800

Approved by City Manager:



Kennedy/Jenks Consultants
Engineers & Scientists

421 SW 6th, Suite 1000
Portland, Oregon, 97201
503-423-4000
FAX: 503-295-4901

06 September 2016

Jim Dunn - Public Works Director
City of Warrenton, OR
45 SW 2nd St.
Warrenton, OR 97146

Subject: Proposal for Engineering Services
Development of interim agreement/permit for industrial discharger(s)
K/J Proposal No. [16048]

Jim,

Please find below our proposal for engineer services to develop an industrial discharge agreement between Pacific Seafoods (PS) and the City of Warrenton (City) that permits PS to discharge wastewater directly to the City for treatment at the City's wastewater treatment plant (WWTP).

Project Background:

Following a fire in 2013 at the PS processing facility in Warrenton, operations were relocated. As the largest fish processing plant in Clatsop County, impacts to the community included lost jobs, stress to the local fishing industry, and lost revenue for the City.

PS has started the planning process to rebuild their facility in Warrenton to resume operations. One major impediment is the expiration of their NPDES permit. Without the ability to discharge wastewater, PS will not be able to resume operations in Warrenton. An alternative for PS is to discharge wastewater directly to the City's sewer collection system for treatment at the City WWTP.

Before this can occur, there are several issues the City must understand:

- Does the wastewater treatment plant have capacity to take the additional flows and loads?
- When factoring the projected growth rate of the City, when will the wastewater treatment plant need to be expanded?
- Will the additional flow change the City's classification to a major discharger?
- Will the city be required to implement an Industrial Pretreatment Program?
- What are the added operational costs for Warrenton from wastewater discharged by PS?

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31 August, 2006
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PS resuming operations in Warrenton will provide major economic benefits in the region that include construction jobs, processing jobs, potentially new residents, improved fishing industry, and increased revenue for local businesses. Establishing an industrial discharge program may also attract new industry to the area.

Kennedy/Jenks is proposing a phased approach that will enable PS to move forward with their rebuilding efforts by developing an interim agreement within a 2 month schedule. During the various planning phases, PS has the flexibility to look at NPDES renewal for their facility and/or installation of a pretreatment system to reduce discharge loads/costs. The following summarizes the 3 phases:

Phase 1) Develop an interim SDC and discharge rate consistent with the City's existing code. A discharge loads limit for PS will be determined based on the City's WWTP remaining capacity. The loads limit will be set to minimize risk of permit violation. Kennedy/Jenks will also develop a self-monitoring program for reporting purposes. Our scope of work will include a preliminary cost estimate and schedule for WWTP expansion with a 4th SBR basin.

As part of phase 1, Kennedy/Jenks will also assist the City in developing a testing protocol to collect data for a future Local Limits Study. A local limits study focuses on pollutants of concern that the wastewater treatment plant is not specifically designed to remove. Determining allowable loadings provides assurance that the treatment process is capable of receiving industrial discharges without adversely affecting the process.

Phase 2) Long range planning that will factor PS's anticipated wastewater flows and loads as well as growth for industry in the area. This phase is required to determine if an industrial pretreatment program is required and when the WWTP will require expansion. If flows trigger an industrial pretreatment program, a local limits study will also be required in accordance to Oregon DEQ and USEPA pretreatment regulations.

Phase 3) Preliminary Design of Wastewater Treatment Plant Expansion. In addition to preliminary design, this phase will also be used to allocate capacity for future industrial discharges and assessment of SDC's for industry to connect to the city of Warrenton's WWTP. Level of design will be performed to accommodate an alternative delivery approach if preferred.

The overall objective is to establish an equitable rate structure and SDC for PS proportional to capacity use. Ancillary benefits for the City include infrastructure improvement planning that will facilitate economic growth by attracting new industry to the region.

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SCOPE OF SERVICES for Phase 1

Task 1: Project Management

- Coordination and Invoicing
- Project Memo, Health & Safety, Quality Plan
- Internal work product QA/QC

Task 2: Project Meetings. Five (5) meetings are anticipated to include:

- #1: Kick-off meeting with City staff to discuss project goals and objectives, collect WWTP background information and data, review planning documents, and discuss schedule. (On Site)
- #2: Meeting with Pacific Seafood to review proposed interim rates with existing plant. (Portland)
- #3: Coordination meeting with Financial Consulting Services (Phone)
- #4: Coordination meeting with DEQ (On Site)
- #5: Warrenton Commission Meeting (On Site)

Task 3: Determine load limits for existing WWTP. Kennedy/Jenks will review existing record drawings, basis of design, city planning documents, and DMR data to determine available capacity of existing wastewater treatment plant. We will then develop a loads limit to mitigate risk of permit violation. Task also includes review of NPDES permit and coordination with DEQ for any issues, requirements, or constraints.

Task 4: Summarize operational costs based on flows and loads. Operational costs will be identified and summarized for the City WWTP. Additional considerations will be evaluated such as depreciation of existing plant. Kennedy Jenks will use this information to develop rates and SDC's for the agreement. Industrial discharge management required by City staff will also be factored into operational costs.

Task 5: Sampling and Analysis Plan: For an understanding on existing local limits, Kennedy/Jenks will assist the City in developing a Sampling and Analysis Plan to monitor WWTP influent.

Deliverables

All deliverables will be submitted in electronic (PDF) format.

1. Technical Memorandum summarizing available capacity, recommendation on load limits for PS, and summary of operational costs
2. Industrial Discharger Permit Application Form
3. Draft agreement/permit between City and PS
4. Ongoing industrial discharge report form
5. Cost estimate and schedule for WWTP expansion

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Project Key Staff

Contract/Client Manager:	Dean Wood
Project Engineer:	Michael Humm
Engineering Staff:	Nick Pisciotto
QA/QC:	Bob Chrobak

Assumptions

- City to provide documentation and drawings on existing plant.
- City to provide WWTP operational costs of existing plant (labor, electricity, bio-solids, & maintenance).

Basis of Compensation

Kennedy/Jenks proposes to complete the above scope of work for a lump sum fee of \$49,800.

Managing Scope Changes

During phase 1, additional engineering work may be required outside of defined tasks 1 – 5 due to unknown project elements. Work may include design improvements to the WWTP to accommodate industrial discharge or hauled waste. For project elements outside our defined scope, Kennedy/Jenks will provide scope and budget and submit for approval as a budget augmentation. At no time will the City be charged for outside scope elements without prior written approval.

PROJECT Schedule

- | | |
|-----------------------------------|------------------------|
| • NTP: | 09/13/2016 |
| • Data Collection | Received by 09/20/2016 |
| • Draft Deliverables | 10/11/2016 |
| • Receipt of Comments | 10/14/2016 |
| • Final Deliverables | 10/21/2016 |
| • Commission Meeting Presentation | 10/27/2016 |

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TERMS AND CONDITIONS

We have attached our Standard Terms and Conditions as **Attachment A** that can be used if acceptable to the City. If this proposal meets with your approval, please sign where noted below and return a copy to our office to serve as our authorization.

AUTHORIZATION

I appreciate the opportunity to submit this proposal. If this proposal meets your satisfaction, please sign and return a copy to the above address as well as to my email address. The signed copy will serve as our authorization. If you have any questions please call me at (503) 423-4000 or by email at deanwood@kennedyjenks.com.

Very truly yours,
KENNEDY/JENKS CONSULTANTS, INC.



Dean Wood
Client Manager

AUTHORIZATION:

CITY OF WARRENTON

By: _____
(Signature)

(Print Name)

Title: _____

Date: _____

Attachments: