

ORDINANCE No. 1232

Introduced by All Commissioners

**An Ordinance amending Warrenton Municipal Code 16.136.20 Transportation Standards regarding installation of sidewalks, providing a process for a Fee In Lieu option for new construction.**

**The City of Warrenton, Oregon, Ordains as follows;**

**Section 1.** Warrenton Municipal Code 16.136.020 Transportation Standards is hereby amended as follows:

J. Sidewalks, Planter Strips, Bicycle Lanes. Sidewalks, planter strips, and bicycle lanes shall be installed in conformance with the standards in Table 16.136.010, applicable provisions of the Transportation System Plan, the Comprehensive Plan, and adopted street plans. **Sidewalks are required on both sides of all streets (including streets inside easements), except for alley ways and walking paths.** Maintenance of sidewalks, curbs, and planter strips is the continuing obligation of the adjacent property owner.

**1. Fee in Lieu Option. An applicant may request or the city may require the applicant to pay a fee in lieu of constructing sidewalks and frontage improvements to be approved by the City Public Works Director or their designee.**

**(a) A fee in lieu may be approved given conditions including but not limited to the following:**

**(i) There is no existing or planned sidewalk network in the area.**

**(ii) There is a planned sidewalk or multi-use pathway in the vicinity of the site, or an existing multi-use pathway stubbing into the site, that would provide better pedestrian connectivity.**

**(iii) When physical improvements are present along an existing or proposed street that would prevent reasonable installation.**

**(iv) When sidewalks and other frontage improvements would be located on land with cross slopes greater than nine percent, or other conditions that would create a potential hazard.**

**(v) Other situations unique to the site.**

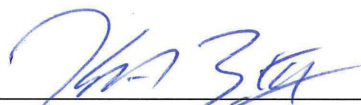
**(b) The fee shall be not less than 125 percent of the cost to perform the work, as determined by the City Public Works Director or their designee, based on the applicable city standards in effect at the time of application. Or the City Public Works Director or their designee may require the applicant's engineer to provide a cost estimate, subject to review and approval by the city, to determine the cost to perform the work. The fee shall be paid prior to plat recording or issuance of a building or development permit.**

**(c) All fees paid shall be used for construction of a sidewalk and/or other related frontage improvements or multi-use pathway, or repair and maintenance of an existing sidewalk and/or related frontage improvements or pathway within the City of Warrenton.**

ADOPTED by the City Commission of the City of Warrenton, Oregon, this 10th day of December, 2019.

First Reading: November 26, 2019

Second Reading: December 10, 2019

  
Henry A. Balensifer, III, Mayor

ATTEST:

  
Dawne Shaw, City Recorder