

MINUTES  
 Warrenton Planning Commission  
 September 9, 2021  
 6:00 p.m.  
 Warrenton City Hall - Commission Chambers  
 225 S. Main  
 Warrenton, OR 97146

Chair Mitchell called the meeting to order at 6:03 p.m. and led the public in the Pledge of Allegiance.

Commissioners Present: Chair Paul Mitchell, Christine Bridgens, Mike Moha, Chris Hayward (via Zoom), Ken Yuill, Kevin Swanson (via Zoom), and Lylla Gaebel (via Zoom)

Staff Present: Interim City Planner Will Caplinger (via Zoom), City Planner Scott Hazelton, and Secretary Rebecca Sprengeler

PUBLIC COMMENT ON NON-AGENDA ITEMS - None

APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes – 8.12.21

**Commissioner Gaebel made the motion to approve the minutes as written. Motion was seconded and passed unanimously.**

**Mitchell – aye; Bridgens – aye; Moha – aye; Hayward – aye; Yuill – aye; Swanson – aye; Gaebel - aye**

PUBLIC HEARING

**Open Public Hearing:** Chair Mitchell opened the public hearing in the matter of SDR-21-3, a commercial site design review for a new Medix ambulance dispatch facility. Formalities followed. No conflicts of interest or ex parte contacts were disclosed.

**Staff Report:** Interim City Planner Will Caplinger presented the staff report for SDR-21-3. He suggested allowing the applicant more time for a sign design. He recommends approval of SDR-21-3 subject to the conditions of approval in the staff report. He reviewed the conditions.

**Questions of Staff:** Commissioner Gaebel asked about condition of approval 1.f. Mr. Caplinger clarified it could be changed to allow the applicant additional time for sign design.

**Applicant Presentation:** Greta Holmstrom (via Zoom) with Ardor Consulting noted she is amenable to the conditions of approval including the wording of 1.f. Ms. Holmstrom noted colored elevations of the building were just finished. She stated there will be cedar board and batten siding, standing seam metal roof that will be green, and brown siding; along the base of

the building will be a grey stone veneer. She feels this will fit the landscaping and native vegetation.

**Questions of Applicant:** Commissioner Yuill asked for the current square footage. Ms. Holmstrom stated the existing building is 2,976 square feet. Commissioner Swanson asked for a timeframe for meeting conditions of approval. Ms. Holmstrom noted the hope is to address the conditions and submit development and building permits later this fall. Commissioner Hayward noted the completeness of the report.

**Public Testimony:** There were no comments in favor or opposition.

**Close Public Hearing:** Chair Mitchell closed the public hearing.

**Deliberation of Commissioners:** Commissioner Moha feels the building will be a nice improvement. Chair Mitchell noted it is a good location and will be good for the school. Commissioner Yuill noted Medix has been a great part of the community and is excitement for the improved facility. Commissioner Bridgens asked the current number of employees. Chair Mitchell noted questions need to be asked before closing the public hearing. Ms. Holmstrom noted 91 employees currently; there may be up to 10 additional in a year or so.

**Commissioner Gaebel made the motion to approve the Site Design Review SDR 21-3 for the new Medix Ambulance Dispatch Facility, located at 2325 SE Dolphin Avenue, based on the findings in the staff report and Conditions of Approval. Motion was seconded with all in favor.**

**Mitchell – aye; Bridgens – aye; Moha – aye; Hayward – aye; Yuill – aye; Swanson – aye; Gaebel - aye**

**Open Public Hearing:** Chair Mitchell opened the public hearing in the matter of SW-21-1, a Stop Work Order Hearing on an alleged violation of WMC 12.28.030 Use of an RV on Private Residential Property. Formalities followed. No conflicts of interest or ex parte contacts were disclosed.

**Staff Report:** Mr. Caplinger presented the staff report for a Stop Work Order regarding three Recreational Vehicles parked and occupied on 719 S. Main Avenue. He noted a complaint received in mid-June. Permission was given previously for occupation of the RV's during construction; however, this does not comply with the WMC requirements and is not allowed in the CMU zone. Commissioner Yuill asked about a variance. Mr. Caplinger noted the need for a variance cannot be created by the applicant. He feels the applicant has created the need in this case. He feels this would be a grey area and stated variances for use are not allowed in most cases. Chair Mitchell asked how many notices have been sent. Mr. Caplinger discussed the three notices in the staff report, noting a correction to the first notice: the CMU zone *does not* allow any temporary housing units. He noted there is a sewer connection without a permit. There were no responses to the first or second notices; the stop work order was then issued. He noted the Mennas verbally stated they are no longer occupying the RVs and want keep the RVs parked while obtaining a permit. He further noted no building plans have been finalized or submitted.

He explained keeping the RVs parked on the lot violates other WMC provisions. Mr. Caplinger noted the next step in the process is to determine if a violation has occurred. He feels staff have demonstrated that and need to confirm if the violation is still occurring. He reviewed the conclusion and findings of the staff report. He requested a conclusion of findings that a violation has occurred and if not immediately abated, authorization to proceed to the penalty phase if staff demonstrate that the violation has not been abated and there is not WM compliance.

**Questions of Staff:** Chair Mitchell asked if the Planning Commission assesses the fine. Mr. Caplinger noted the Planning Commission sets the fine; it cannot be less than \$100 and not more than \$1,000 per day per violation. After the violation is determined fines begin to accrue daily. Commissioner Swanson noted sewer connection and asked about an existing structure. Mr. Caplinger noted an existing structure on the lot and is unsure of the details of the connection; it was inspected by another staff member.

**Alleged Violator Presentation:** Not in attendance.

**Questions of Alleged-Violator:** None.

**Public Testimony:** No one spoke in favor or opposition.

**Close Public Hearing:** Chair Mitchell closed the public hearing.

**Deliberation of Commissioners:** Chair Mitchell noted the alleged violators have been given plenty of opportunity and feels that hefty fines should be assessed to prevent this from happening again. Commissioner Bridgens asked about enforcement. Mr. Caplinger noted enforcement will likely fall on city management and Community Development Director; he noted staff discussion about clarifying this process. Commissioner Yuill asked for a recommended fine. Mr. Caplinger mentioned hefty fines get attention. He discussed the suggested. He stated notice will be given that the fines will start accruing after a given date unless the violation is abated. He stated \$1000 or \$500, but not much lower. Commissioner Bridgens noted one of the RVs may have been removed. Discussion about enforcement continued. Mr. Caplinger noted conversation with Terry Menna about ceasing occupation and requesting to leave the RVs until a building permit could be obtained. He responded that they need to demonstrate non-occupancy and meeting vehicle storage requirements. Mr. Caplinger discussed RVs becoming derelict and de facto housing, noting Chief Workman is working to refine the enforcement process. Commissioner Bridgens noted a shipping container on site. Commissioner Gaebel noted she has mixed feelings because there are many RVs across the city; she would like to see a smaller fine. Commissioner Bridgens wants a stiff fine to encourage following the standards. Commissioner Swanson wants an attention-getting fine to prompt action. There was brief discussion about lack of response from the alleged violators. There was discussion about starting low and gradually increasing the fine over time. There was discussion about the shipping container. Discussion continued about next steps and fines. It was noted the Mennas are new owners. Discussion continued about the storage container. Commissioner Hayward suggested revisiting the storage container issue. Discussion continued. Chair Mitchell feels they are not being good stewards of the property. Commissioner Hayward noted the group consensus is the Mennas are in violation; he is comfortable moving forward. Discussion continued about fines.

Commissioner Moha made the motion to adopt the findings in the staff report and direct staff to provide notice to the violator of the findings and to consult with the City Manager and the City Attorney to identify the proper procedure to levy and accrue fines of \$1,000 per violation per day. The motion was seconded and passed with majority in favor.

Mitchell – aye; Bridgens – aye; Moha – aye; Hayward – aye; Yuill – aye; Swanson – nay; Gaebel – nay

STAFF ANNOUNCEMENTS & PROJECT UPDATES

Chair Mitchell thanked Mr. Caplinger for his interim work. Mr. Caplinger noted an upcoming typhoon. Commissioner Gaebel thanked Mr. Caplinger for his complete and concise reports. Commissioner Yuill made comments in agreement. Mr. Caplinger noted his contract will continue for a while. Mr. Caplinger introduced new City Planner Scott Hazelton. Mr. Hazelton gave details about himself and his time in the area so far, noting his excitement. He thanked Mr. Caplinger for assistance in the transition. He discussed his past work in county-wide planning. The commissioners welcomed Mr. Hazelton. Mr. Caplinger discussed the status of several current and pending projects including Popeye’s, Harbor Freight Tools, Young’s Bay Plaza project, Roby’s, and 444 Jetty Townhomes. He also noted many inquiries including a possible winery.

There being no further business, Chair Mitchell adjourned the meeting at 7:24 p.m.

**Next Meeting:** October 14, 2021

APPROVED:

  
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Paul Mitchell, Chair

ATTEST:



Rebecca Sprengeler, Secretary