

Coastal town's program assists with property cleanup

By **ETHAN MYERS**
The Astorian

WARRENTON — After the death of his neighbor in 2017, Felix Tapales learned he would be inheriting the man's home and land.

But the property — packed front to back with hoarded objects and chemicals — was not a welcomed gift. Tapales has spent countless hours and dollars working to clean it up.

He is grateful for the assistance he has received, particularly from Spruce Up Warrenton, a nonprofit with a mission to beautify the city, but Tapales is looking for more support to address the undertaking along South Main Avenue.

Help might be on the way. Under the urban renewal district, the city has provided funds to commercial properties for building facade improvements, including new windows, doors, signs

and lighting. Now, the city is looking to encompass residential properties within the grant program.

Unlike the commercial program, the residential outreach would seek to tackle nuisance properties, much like the one that landed in Tapales' lap. The funds could go toward fixing broken windows, cleaning up trash or dumping hazardous materials.

The goal is not only to reduce blight, but to improve the look and feel of downtown.

"The main thing is we want to make it a lively and attractive downtown because you can put all the infrastructure you want to make the downtown nicer, but if there are still junk properties ... you want to get that out, so to speak," Mayor Henry Balensifer said. "You want your downtown to be vibrant and look nice, and want to be



Lydia Ely/The Astorian

Felix Tapales in this undated photo stands on the porch of the property he's hoping to demolish with assistance from the city's residential grant program.

there, and this is a part of that effort."

While details of the residential grant program still have to be finalized by the city commission, City Manager Linda Engbretson said the city could put up to \$10,000 toward a property that an

owner invested \$5,000 into repairing. Properties must be located within the boundaries of the Urban Renewal District, which includes 875 acres that covers downtown and along South Main Avenue to just south of Warrenton High School.

City staff is accepting applications on a first-come, first-served basis for the remainder of the fiscal year that ends in June with funds from the commercial program, Engbretson said. Come July, the residential program should be in full swing.

The topic, which was discussed at a city commission meeting in early January, drew several interested residents.

Improving nuisance properties has been a priority for the city in the past, Balensifer said, but significant ground was lost during the coronavirus pandemic.

City staffing challenges have made the issue even more difficult. The nuisance abatement process typically goes through the community development director, a position that is vacant. City leaders felt it was time to take a new approach.

"The idea is, 'Hey, here's a carrot. I'll come alongside you and help you get there and if that's not the case, then we can go the nuisance route,'" Balensifer said.

The mayor said he sees much of the early funds going to properties the city views as priorities. Tapales' property would likely be addressed first, he said, but there are several other structures along South Main Avenue that need significant work.

"Some of these properties are beyond the scope of what we have budgeted to fix," Balensifer said. "So it'd be better to work with people to leverage dollars to accomplish the goal of urban renewal to clean it up."

Tapales has lost track of how many dumpsters have been filled and emptied from the trash and junk within his property. He estimates he has put over \$10,000 into the effort, if not more.

Short-term rentals must pass Oregon's 'farm impacts' test, ruling says

By **MATEUSZ PERKOWSKI**
Capital Press

ASTORIA — Short-term rentals of lodging on farms and forest land in Oregon's Clackamas County must be analyzed for their impacts on agriculture, according to a land use ruling.

The state's Land Use Board of Appeals has overturned the county's regulations for short-term rentals in farm and forest zones, ruling that the activities are subject to conditional use permits.

In effect, the ruling will impose some constraints

on short-term rentals in agricultural zones, rather than prohibiting them altogether, said Andrew Mulkey, rural lands attorney with 1,000 Friends of Oregon, a nonprofit that opposed the county's regulations.

"The way it was written and implemented, it would allow hotels to operate on farm and forest land," Mulkey said.

Rural landowners still will be able to participate in short-term rental services such as Airbnb, though they'll likely be subject to rules for home businesses, he said.

"That fits better with how resource land should be used, not an investment for an absentee landlord," he said.

Short-term rentals operated by landowners who live on-site are less likely to interfere with surrounding farms, Mulkey said. "I doubt farmers would put up with frat parties every weekend, and that's the benefit of that model."

Capital Press was unable to reach attorneys for Clackamas County for comment as of press time.

Farmers who rely on overnight tourist lodging could use some direction from state

lawmakers or the Department of Land Conservation and Development, said Scotie Jones, founder of the U.S. Farm Stay Association and a farmer in Alsea.

"The problem is the counties are all interpreting it differently," she said. "It makes it really complicated for us as farmers if we're trying to add a farm stay to our property."

According to LUBA, short-term rentals must undergo a "farm impacts test" to determine that they don't impair agricultural and forestry practices or significantly increase their cost.

In contrast, the regulations adopted by Clackamas County in 2020 allow short-term rental use "without any requirement to obtain specific authorization at all, let alone a requirement to satisfy the farm impacts test," the ruling said.

The county's regulations allow "overnight, transient lodging as an outright permitted use" in farm and forest zones even though it's not allowed under statewide land use rules, according to LUBA.

According to the county, short-term rentals are a residential and not a commercial

land use, so who occupies the dwelling isn't relevant once it's been built in a farm or forest zone.

LUBA rejected the argument, ruling that short-term rentals must be expressly allowed in farm and forest zones, so it's not relevant that they haven't been specifically prohibited by law.

The conditional use process for short-term rentals will ensure that neighboring farmers can weigh in on the activity, Mulkey said. "The county was trying to subvert that, and it would have created a lot more headaches."

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