

MINUTES SEASIDE PLANNING COMMISSION
April 20, 2010

CALL TO ORDER: Chair Tom Horning called the regular meeting of the Seaside Planning Commission to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ATTENDANCE: Commissioners present: Steve Winters, Virginia Dideum, Dick Rees, Tom Horning, Chris Hoth, Bill Carpenter, and Dick Rees Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director

OPENING REMARKS & CONFLICT OF INTEREST/EXPARTE CONTACT: Chair Horning asked if there was anyone present who felt the Commission lacked the authority to hear any of the items on the agenda. There was no response. Chair Horning then asked if any of the Commissioners wished to declare a conflict of interest or exparte contact. Chair Horning stated that he would like to declare one remote potential conflict. Action down the road may have potential employment for geologic hazard analysis.

APPROVAL OF MINUTES:

PUBLIC HEARING REQUIREMENTS:

The following public hearing statements were read by Chair Horning:

1. The applicable substantive criteria for the hearing items are listed in the staff report(s) prepared for this hearing.
2. Testimony and evidence shall be directed toward the substantive criteria listed in the staff report(s) or other criteria in the plan or land use regulation, which you believe applies to the decision.
3. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals on that issue.
4. The applicant will testify first, then any opposition will testify, and then the applicant will be given time for rebuttal.

PUBLIC HEARING:

A.) 09-053ACP – A request by Providence Health & Services - Oregon to approve a post-acknowledgement text amendment to the City of Seaside Comprehensive Plan. The proposed amendment will revise the approval criteria for expansion of the City of Seaside acknowledged Urban Growth Boundary (UGB) for certain uses. It will identify the specific characteristics that are necessary for lands that will be considered to accommodate hospitals and public schools. The amendment is limited to a text change and the applicant is not seeking any change in the current UGB at this point in time.

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions and conclusions.

Chair Horning asked if there was anyone who would like to offer testimony in favor of the request.

Michael Robinson, Land Use Attorney, 1120 NW Couch St. Tenth Floor, Portland OR 97209. They are taking advantage of an administrative rule that lets the City identify characteristics for a particular basis for an Urban Growth Boundary Expansion. We don't have any plans to do this right now. But we are looking at potential Weyerhaeuser lands to the east. Mr. Cupples got it right, if you don't have these kinds of characteristics in your plan then when you are doing an Urban Growth Boundary expansion you have to address every conceivable alternative site. That could take a very long time, even looking at a site that everyone new didn't make good sense for a school or hospital but you would have to do that as a legal matter because you don't have any choice, so this is a very good planning tool. The rule allows you to do this if you want to.

If we do go forward we are doing this for long range planning. It may need to be enlarged, if we do that we need to take into account the kind of planning that the North Coast will want to do. With concerns for the Cascadia Earthquake zone, whatever you do in the future we can address those important factors.

The six factors that we are asking you to adopt are characteristics for a school or hospital expansion.

They make sense. They are asking that we be adjacent to the boundary, access to utilities, roads, the right topography, the soils and most importantly require us to be above the inundation zone. Right now the hospital is not above that and is constrained in that site.

Chair Horning asked if there was anyone who would like to offer testimony in favor of the request.

Doug Dougherty- Back in 1993 was the principal of Cannon Beach Elementary. Together with the City of Cannon Beach and the fire department have held several town hall meetings regarding trying to get them to understand preparedness issues and evacuation routes. We knew that the State of Oregon would put into law a tsunami inundation zone line. What that did was a line put out by DOGAMI that is between 38 and 40 feet. Several things happened with that, we found out that there were seven schools on the Oregon coast that were in the tsunami inundation line. Four of these schools just happened to be in Seaside. We also wanted to know what would happen if we built in that inundation zone. We invited the City Managers and the building officials from the area to meet with us and asked them if they would allow the building of new schools in this zone, because the local building officials were the decision makers on this. Mr. Dougherty wanted to make a decision on where to relocate the schools on science and so he contracted with DOGAMI to do core drillings so that they could tell him historically with tsunamis on the North Oregon Coast. DOGAMI went back roughly 10,000 years and the cost was about \$30,000 and took about two months. They came back with some interesting information and that really changed the scope of the research. One was that they found tsunamis in much higher elevations than they previously thought and they needed more funds to continue with the research. They brought in several other organizations to help with the funds. What they found was that the Cascadia Subduction Zone throws up magnitude 9+ earthquake and that they usually last 4 and 7 minutes and are very destructive. They found that the typical inundation is between 20 and 65 feet and get as high as 100 feet. Each one of our schools has a high probability of collapse under these conditions. The recurrence interval is 300 to 350 years and we are in a cluster right now. Since the last Cascadia event it has been 310 years. DOGAMI's recommendation for the location of our schools should be 80 to 100 feet in elevation and with that none of our schools are above that at this time. Mr. Dougherty spoke with Steve Katz with Weyerhaeuser who is the western states person in charge of the timber portfolio opened up a lot of Weyerhaeuser land for them to look at and have done that for several years. There were rumors that Weyerhaeuser was going to sell their land and Steve let Mr. Dougherty know that the Campbell group was going to be purchasing most of the land but Mr. Dougherty had nothing to worry about with regard to the land that the school and hospital would be interested in purchasing. The school district has been working with the hospital on moving forward with this.

Chair Horning asked if there was anyone who would like to offer testimony in favor of the request. There was no response.

Chair Horning closed the public hearing and the issue was opened for Commission discussion.

Chair Horning stated that Mr. Cupples report looks very well put together.

Commissioner Carpenter asked Chair Horning if he has any additional information or knowledge regarding the Cascadia event that is supposed to happen or any geological information. Chair Horning stated no, he does not, and he approves of this plan. He has participated as a consultant in one investigation with a property above Seaside and has helped review the criteria that the consultants have come up with. The elevation of 80 feet is prudent. In some scenarios we could even have a higher wave. Commissioner Hoth has some questions regarding the criteria some of it is general and doesn't lay out things specifically, but they have stated that they have looked at specific sites. Is it necessary to be more specific here? For example it says that the developable area shall be sufficient in size but there is nothing that states what size it should be. Also it says soils will be suitable for use it doesn't say what is suitable.

Mr. Richardson stated that the administrative rule doesn't state on how specific or how general you need to be. We started out being more specific but after discussion with the Department of State Lands and Mr. Cupples they decided to be more general. From Mr. Richardson's legal opinion is that this is sufficient for the administrative rule and frankly likes to be more general. The purpose for these characteristics is if we find a site that works for a school or hospital hopefully a combine facility. The characteristics will guide them, and ultimately will have to come back before the commission to get a decision. We can always pull them out a little or pull them back in the way they are written is fine. If you have more specific things that you want to include we could do that. Commissioner Hoth stated that he was just wondering if they are limiting or delimiting themselves and just wanted to have options. Mr. Richardson stated that they wanted to have something that the City, school, and hospital could work

with when they find the right site. If any of you have been through a boundary expansion process it's not a normal land use process it really takes a very long time. The City of Bend has been in the process for four years now and expects them to be in it for another two years. They probably couldn't do what the City of Seaside is doing. Commissioner Hoth stated that it says that the area will be adjacent to existing City limits, have all the sites you looked at been adjacent to the city limits? Mr. Richardson stated that everything that Weyerhaeuser has let them look is adjacent to the city limits or could be made to be adjacent to the city limits. Mr. Richardson stated that they wouldn't look at anything that was so far removed from the city that you would have to have lengthy annexation just to get out to it. Commissioner Rees stated that he sees nothing wrong with this amendment it makes a lot of sense. Commissioner Rees asked Mr. Dougherty about the conversations with Weyerhaeuser and when they disclosed that they were going to sell the property did they let you know about the property that you were interested in does the new owner agree to hold out the property for the expansion. Mr. Dougherty stated that Weyerhaeuser has held out the property and did not sell it along with the rest of the property. Commissioner Ridout asked what the current elevation of the schools and hospital? Mr. Dougherty stated the Seaside Heights is currently at 80 feet the Weyerhaeuser properties that were looked at are above 80 feet. Krista Farnham stated that the hospital's second floor is about 80 feet and the first floor is just under 80 feet.

Chair Horning stated that they have purposed many different topics, and that the city could find things not applicable and other things are applicable depending on the certain standards of the comprehensive plan. Rather that go through the list numerically we could simply say the recommendations set forth in this document are findings that we would like to adopt.

Commissioner Carpenter made a motion to forward this to the City Council with the recommendation of approval. Commissioner Rees seconded and the motion was carried unanimously.

Mr. Cupples stated that this will be scheduled for the City Council meeting on May 10th, 2010 at 7pm at City Hall.

ORDINANCE ADMINISTRATION: Mr. Cupples wanted to ask the commission if they would be able to meet either on the 12th or 13th of May for an additional TSP Meeting. Commissioner Carpenter stated that he would be out of town. Mr. Cupples stated just give us an e-mail and let us know what day works best.

COMMENTS FROM THE PUBLIC: A guest from the audience stated that as the Chairman of the School Board and a member of the Ministry Board at the hospital would like to thank you for approving this action tonight.

Chair Horning stated that he has worked with everyone that has done the research that Doug has summarized. He has gone to graduate school with him and have collaborated with them and in some cases has been there employee. One of the things that Chair Horning has done since moving back to Seaside was to let the newspapers know where the research is headed. We have been worrying about this cluster effect for years and the Tsunami Advisory Group has adopted a clustering strategic scenario for Seaside that is twenty years out. This is a pretty good reason to have all your ducks in a row, because failure to act is a serious calamity waiting to happen. Chair Horning wanted to thank Mr. Dougherty for his focus on this for so long and hopes the city moves rapidly on this.

COMMENTS FROM COMMISSION/STAFF:

ADJOURNMENT: Adjourned at 7:35 pm.

Tom Horning, Chairperson

Debbie Kenyon, Admin. Assistant