

**MINUTES SEASIDE PLANNING COMMISSION**  
**October 6, 2015**

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

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE:** Commissioners present: Ray Romine, Steve Wright, Chris Hoth, Bill Carpenter, Tom Horning, Robert Perkel, and Dick Ridout, Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director

**OPENING REMARKS & CONFLICT OF INTEREST/EX PARTE CONTACT:** Chair Romine 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 Romine then asked if any of the Commissioners wished to declare a conflict of interest or ex parte contact. There was no response.

**APPROVAL OF MINUTES:** September 1, 2015;

Commissioner Carpenter made a motion to approve the minutes as submitted. Commissioner Perkel seconded. The motion was carried unanimously.

**AGENDA:**

**PUBLIC HEARING REQUIREMENTS:**

The following public hearing statements were read by Chair Romine:

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.) Continuance:**

**15-032ACP-** Amendments to the Comprehensive Plan associated with the selection of lands for inclusion within the City of Seaside Urban Growth Boundary based on an evaluation under Goal 14 and the land needs previously identified under Goal 9 & 10. The lands under consideration are located south and east of Seaside City Limits and will include just over 200 acres of land suitable for development.

Kevin Cupples, City Planning Director, stated this agenda item is a continuance of the planning commission's meeting on September 1, 2015. Mr. Cupples stated that at the last work session some information was reviewed regarding the southeast hills site. There were some clarifications about the access to that area. Mr. Hanson took the slope map and outlined certain areas that could possibly be developed. Six of the planning commission members went up and looked at Mr. Pihl's property. Mr. Pihl has a 20 acre site that the commissioners looked at. There is also a 20 acre parcel of land to the north of Mr. Pihl's property and then Weyerhaeuser has land to the south. That is considered the northeast hills site. Mr. Pihl stated that the property owner of the mobile home park said he would remove two of the mobile homes in order to allow access to the site. There is currently a pump station close by that provides water to the Vista Ridge Subdivision. The property that Weyerhaeuser has right now has the least amount of steep land on it. There is potential development up there. What the planning commission selects for land is what we have to roll back into a report and say here is our justification for that land. What land are we adding into the north hills and taking out of the south hills and what type of development will be in each area. Commissioner Wright stated that he would like more information about the Lewis and Clark site, how do we access it and what exactly is he looking at. We would probably want to put high density on the north hills site because it does have constraints.

With having developable land in both the north and south hills things can be spread around that way. Maria had some questions regarding the Goal 9 and Goal 10 analysis, Mr. Cupples asked her to put it in writing so he could forward any questions that she may have to them.

Chair Romine stated he had two concerns - one as that it is very steep. As this relates to affordable building cost. The steepness of the land is a significant factor in the cost of development. We're talking about the possibility of developing an area that the average person cannot afford to build a home because of the steep grade just the foundation could be \$30,000. Commissioner Hoth stated that we are not here to help a developer find a suitable piece of land. We are looking at it as useful lands to expand the UGB. Chair Romine stated, that in his opinion, what we don't want to do is use a large part of our land budget on property where large custom homes can only be built. Chair Romine stated that with the high density up on that site the cost of development would still be considerable, compared to developing on flatter land. We want to incorporate as much land as possible that is potentially developable with as much affordability to our residents. As we go up Lewis and Clark road by the crown mainline has a lot of developable land, but the logistics and cost of being able to get the infrastructure that far out might be substantial. Commissioner Hoth stated there is about 15 usable acres up there plus another 5 from Weyerhaeuser so we still need to have land in the south hills. In the north hills who is going to have that kind of money to develop the land. We need to think of what does Seaside want to be? Are we going for more affordable housing or for higher end housing like Mr. Dunzer has brought up for the development in the cove area. That really is the question. Affordable housing for our residents that live here or for the development of a retirement community. We need to find middle ground, this is not an easy decision. Mr. Cupples stated that from Mr. Pihl's point of view there are additional things that you can do through the zoning ordinance. The zone itself, there are additional plan policies that could be explored. It's pointed out in the Goal 9 and Goal 10 analysis that there is a need for manufactured homes. There is already a manufactured subdivision there, if there are provisions in the plan that would encourage that type of development maybe that would kill a number of birds with one stone. That way you will not have to build huge foundations for manufactured homes but pour pads for those types of homes and then get the higher density in that area. You are not building apartments but are still getting that higher density. There are tools that we could use that would address that site, but we don't want to get those tools all ready if you say no, we are not interested in that site. Commissioner Hoth asked about Chair Romine's comment how much space do you need between the current City limit and the urban growth boundary? Mr. Cupples stated that Commissioner Ridout brought up that same point because Mr. Pihl has an additional 20 acres further up the hill. Mr. Cupples' understanding of the land use program in Oregon is that you keep everything as close to your city as you can, the further you go the more you are encroaching into a resource land area and they don't want that. That is what urban sprawl is about and that is what the Oregon land use program is supposed to try to limit. Mr. Wingard with the DLCD stated that when you do the analysis the further you are from the services, then assumedly the more expensive it will be to extend water and sewer and pump stations. It's not always a one to one ratio the further you get the more expensive it's going to be but that is part of the analysis that you see already in the staff report and the prioritization of the land. Mr. Wingard agrees with the urban sprawl and the encroachment into resource lands comment, largely the land use program is principled upon retaining the urban center and maximize density within. As Mr. Cupples stated earlier that along with other coastal communities is that we have valid reasons to look elsewhere besides in the low lands for development. All that still has to do with the cost of providing utilities to those areas. Mr. Wingard thinks that Chair Romine and Commissioner Hoth's comments are spot on. Commissioner Hoth asked Mr. Wingard if he remembers why the area in the cove area was shot down? Mr. Wingard stated that he doesn't remember and would have to do some research. Vice Chair Carpenter asked what is resource land, resource to him means forested land. In this case the issue is water - is there another part of resource in resource lands? Mr. Cupples stated that these lands are considered resource lands because there are still resources there. They are not in the UGB and are zoned forestry. Just because you take the trees off doesn't mean it won't continue to grow trees. In fact if nothing happens to that site in forty years they will be taking trees off of it again. Chair Romine stated that he is intrigued by the point of keeping affordability and seeing that our sites are really low or really steep until you get on top. The natural progression of things is we go on top to get relatively flat land that is outside the tsunami zone and has room for expansion. There is plenty of room for expansion up there and the utility cost is then potentially spread across several acres as opposed to a small pocket. Does that weigh in the overall effectiveness of how we look at lands outside the current city limits - maybe by two or three miles as far as potential sites are concerned? Mr. Wingard stated that yes it does and there are specific criteria that would address that. The further you get out into the forest land the highly likelihood for there to be incapability or confliction of uses between the timber operator and those home sites. It's a balancing act. If it's more cost effective to bypass some steep land to get to the flat land, then you could probably justify that. The cost of utilities and the ability to provide a higher

range of housing options in that case would potentially prevail over the incompatibility or potential conflicts with forest operations. Commissioner Hoth made a great comment on what does Seaside want to be? What are the priorities? Do you want to make affordable housing available to residents and the work force a priority or are you willing to allow other cities in the region to take that on. Or is that not a concern. It's a tough call. Chair Romine stated that who our growth pattern is going to be, will be substantial factor of where that growth will be. Mr. Wingard stated that state law will require the city to provide a range of housing options, as you look up and down the coast you can see where a lot of the land is being consumed by second homes and higher end development. The state doesn't really have a strong role in directing that type of development one way or another. The state just lays the foundation and then lets the cities work it out from there. Vice Chair Carpenter stated that we have a vacation rate of 36% from what he understands that that has a lot to do with the second homes being unoccupied. These second homes are from high money people out of the valley who come here to buy up the housing. Yes, we want work force housing but in this area with the views and everything, those are going to be high end homes with high end sales. Mr. Wingard stated that the state does require that all cities have in one of their residential zones an outright permitted use to build apartment or multi-family housing. That doesn't mean that they are going to be built, but it is a requirement. The market drives the decisions of the development of the community. Commissioner Hoth asked why the golf course hasn't been considered for development. Mr. Cupples stated that at least 95% of the golf course is in the flood way and it is recognized in the comp plan that it will be used as flood storage during the rainy season.

Commissioner Horning stated that the Pihl's property is a landslide area. He (Commissioner Horning) is a geologist and specializes in these types of things. When he went out for a site visit he took a good look at what could be done on this site. After consideration this is a site that would move. It is a good site for a mobile home park or for a campground. A campground would be great for a place for people to go to after an earthquake. In general the southeast hills looks best because there are no landslides in that area, only creeks. In regards to the Tillamook head property it has steep slopes. The road would have to hook up to Rippet Road and he doesn't think that the North Coast Land Conservancy would be too pleased with that. He also stated that he would prefer not to have roads hook up to Wahanna Rd and would like that area to remain the same. In 50 years from now when their grandchildren own the property they may want to change that. Chair Romine asked Commissioner Horning if the soil composition is the same in the southeast hills as the soil is up on Cooper. Commissioner Horning stated that the soils on Cooper are largely composed of decomposed mudstone. Chair Romine asked about the north hills site it is nice brown granulated soil. Commissioner Horning asked Mr. Cupples if there was a way to go through a county process to put in a campground up on the hill outside the UGB. Mr. Cupples asked Mr. Wingard if there were special provisions that would allow you to put evacuation facilities outside the UGB? Mr. Wingard said yes, but he doesn't think that a campground would meet the requirement. It is meant for emergency supply storage structures. Mr. Cupples asked if the forest zone would allow for campground. Mr. Wingard stated yes, potentially you could do primitive campgrounds in certain areas, he would have to do more research once you introduce utilities then it becomes a little more complicated. Commissioner Ridout stated his opinion has changed a bit since he went up and looked at the Pihl site. We would need to include more than just the twenty acres. He stated that bringing in 20 acres at this site is different than bringing in twenty acres at another site. Some land will support more population than others. Mr. Cupples stated that if we add in the 20 acres of Ross property and the 20 acres of the Pihl property and then the 20 acres of Weyerhaeuser property, out of that 60 acres we will back out of that the land that does not meet our development standards. Let's say that number is 20 acres, we will take that number out of the southeast hills area. Then we have to figure out which 20 acres are we going to be taking that out of. Are we taking out R3, RR, R2 or R1 is there a mix? It's like a balance sheet. Don Hanson stated that the state requires us to use the land efficiently so that we are not spreading it out too far. Commissioner Ridout asked to have that better explained. Mr. Hanson stated that in the area that we draw the map around we will probably have open space to protect the steep slopes and to protect the drainage ways. Those areas are taken out. Mr. Cupples stated that it is just like what happened in the southeast hills, the steep slopes and drainage ways are going to be zoned something other than developable lands. Mr. Hanson stated that the idea of cherry stemming out to remote areas presents some challenges just in the provision of utilities and it is stretching the city limits out. How will the kids walk to the elementary school or can they even walk to school? There are benefits to a compact city limit and a compact UGB. Chair Romine stated that is understandable however, there is so much land that is useable up there and it's a great school site too. Mr. Hanson stated that he is glad that the commission is taking an open minded perspective on this. It is one of the reasons they did the alternative analysis. We know a lot about three areas and its fine to discuss another one. Mr. Cupples stated that if we do cherry stem a development by crown camp, the people in the southeast hills would love it and 1000 Friends of Oregon would want

to see the justification of developing way out there. Somewhere down the road if there was a Cascadia event then it would be a great place to be, but he thinks that is what it will take in order for that to become a reality. Mr. Pihl stated that log trucks and subdivisions do not mix. Mr. Hanson would like to make a comment on the affordable aspects of development on steep slopes. It is not affordable. You cannot build economically or affordability on slopes - it is very simple. If you think we can get affordable workforce housing up on the slopes it will not happen. We need to find the right places that have an even topography, decent access and good utility access. Mr. Hanson stated that they have tried to do housing authority projects on slopes and those were difficult even with public funding. Mr. Hanson stated that affordable housing is very difficult in coastal communities.

Commissioner Horning stated that we have been asked whether or not we need all this acreage. The city went through a housing needs analysis in which we were giving a choice between a high, middle or low growth rate. We choose the high growth rate. Mr. Cupples stated he thinks that we chose the medium. Mr. Hanson stated that he is pretty sure we didn't go with the high. Chair Romine stated that the thing that is unique to us is that our older homes are being consumed by the second home ownership which has hindered our affordable rental units. That has created a shortage of affordable rental homes in our community. Commissioner Horning stated that the other issue is that growth has hidden cost and we may need to expand our water system and every time we go through a growth there is a 50% increase in our water bills. Resources that are generated through taxes offset the services that are provided. Many times the services exceed the amount that you get back from the new growth. Usually the old population subsidized the new population and that is not usually brought up. Chair Romine stated that as a user of the system he has noticed that system development fees are tracking along with future growth rate. This would cover the infrastructure. Mr. Cupples stated that the SDC's were updated in 2009. As you add a new housing unit you pay the development fees. If there are two lots right next to each other and one has a house on it and the other doesn't and you demolish the house that is on the one lot and rebuild within 10 years you do not need to pay the system development fees. The lot that is vacant you will need to pay the system development fees and right now they are \$9454.11 because you are putting more demand on the system. If you are along a certain area on Wahanna Road you will need to pay a road system development fee also. Commissioner Wright stated that we should consider the north hills and let Mr. Hanson figure out all the details, being as someone else is paying for the study why not.

Chair Romine asked if there was anyone who would like to offer testimony regarding this agenda item. Mike Pihl, Vernonia OR. Owner of the portion of the North Hills site. He stated that it seems like the main concern is the steepness of the site. The way he looks at it is that the slope should already be taken out for open space. We need to concentrate on the flat areas that are buildable and useable. We do have access and the neighbor to the north is in favor of making things happen. Weyerhaeuser to the south is in favor. We just need to focus on the usable land and keep the steep slopes as open space. Chair Romine asked about the ingress and egress in regards of roads, is there a 6% maximum for grade? Mr. Cupples stated that he thinks the maximum for public roads is 14% which is in the fire code. Mr. Hanson spoke at the work session that if you can do a lesser grade and then short sections of steeper grades so that you are benching the land that helps with the ease of development. Mr. Pihl stated that they do have enough length to do that. Commissioner Ridout asked Mr. Pihl if the property owner to the north wanted to come into the UGB then there would already be access straight up 12<sup>th</sup> Avenue. Mr. Pihl stated that is possible but there is already an existing road by the gate through the wetland. Commissioner Ridout stated that there is very little slope if you can use that access point. Mr. Pihl said that would work because it is flat and already existing. If we put in a one way loop it would probably work but if it was going both ways it would not meet the standards.

John Dunzer, 2964 Keepsake Dr. Seaside. Handed out some photos. Mr. Dunzer stated that there are 165 acres in the southwest hills (behind the cove area) thirty acres is within the UGB and has not been developed because the access was not planned very well. The topography has a gentle slope and already has access from Highland Drive. This area is out of the tsunami inundation zone. The area that is in the inundation zone could be used to expand the golf course. The area above Highland Drive could be used for three types of developments. Workforce housing requires work, there is no work in Seaside. There are jobs that pay between \$10 and \$15 per hour. These people are not expanding. The growth in Seaside will come from a retirement community. There is no need for workforce housing, other than what Seaside already has. This is a tremendous piece of land. The growth is going to be the retirement community. The property has a gentle slope and there is room for 190 lots. There is room for a resort development on the top and also for a large condo development that would be exclusive to the retirement community. Mr. Dunzer has looked at the overlay and it can be developed. Yes, it would be less expensive to develop on a flat piece of land but there are no flat pieces of land that are not in the tsunami inundation zone. It is stupid to put more housing in the inundation zone.

Buzz Ottem 86081 S Wahanna Rd. Seaside. At the last meeting someone stated "not in my backyard" "it's ok in your backyard but not mine". There is something to be said about that. It is presumed that I'm being selfish because I don't want it in my backyard. Is this good for the community? If there was a tsunami coming where would you go? North? No, South? No. There is only one road that will take everyone out of Seaside and that just won't work. That issue needs to be taken care of before this Urban Growth Expansion needs to be done. How are we going to get the residents out of town? Chair Romine stated that we need to keep on track of the UGB. Mr. Ottem stated that expanding the cities boundary shouldn't even be discussed until an evacuation system plan is put into place. The city is putting the cart before the horse. If the city is thinking of providing more homes for people how is the city going to provide an evacuation road for the people that already live here. The southeast hills is not a place to add more development. The north hills is where the development needs to go. Where does this community want to go? What does Seaside want to be? That's the question. Boeing is not moving in so why do we need to expand? We should be planning for safety not for expanding the city. The numbers that have been used to develop this plan are old numbers. Chair Romine stated that the numbers that were used are fairly accurate. Commissioner Hoth asked Mr. Ottem if he felt that this plan was something that wasn't needed to be done because the growth didn't support the need. Mr. Ottem stated that the city is putting the cart before the horse. Mr. Ottem stated that this is not necessary. The city is choosing to do this. It does not need to be done. Nobody is making the city do this.

Angela Beck PO Box 2606, Gearhart OR. It seems like the city should be focusing on the goals. Does the city have goals? Do they need goals? What are the goals? The city should have a better comprehensive plan going. Chair Romine stated that this is the planning process for the comprehensive plan. We need to know which area the city can expand into. All of the information regarding the slopes and where roads will go need to be addressed before any expansion can happen. The consultants have pulled the information together in Goal 9 and Goal 10. The city along with the consultants have been working on this for few years now and these areas are the ones that have come up as potential sites for future development. Commissioner Hoth asked if Ms. Beck was wondering what caused the city to do this, and why are we doing this. Ms. Beck stated that the city should select the areas that they want to expand into and then approach those people instead of having people approach the city. Commissioner Hoth stated that is what we are doing. We are planning on extending the city's Urban Growth Boundary. We notified those people in the affected area and that's what we are discussing now. Their input.

Mary Kemhus 86183 S Wahanna. Seaside. She wants to let the planning commission know she is thrilled about what she has heard so far tonight. In an earlier meeting the question came up that who's interest is the city looking out for. She has to admit that this does impact her, but it's not all about her. She loves Seaside. The city should develop what is currently available. In terms of the anticipated growth in Seaside the city has a 1% growth rate why do we need to expand. In the OPB special Seaside is mentioned as the worst place to be on the Oregon coast if a tsunami were going to happen. Her stance at this time we need to consolidate and use what lands we currently have.

Maria Pincetich 86273 S Wahanna, Seaside. She does appreciate all the work that the planning commission has done during this process. She had no clue of the level of work that went into this process. She would like to go over the letter from the 1000 Friend of Oregon. She handed out a summary. Ms. Pincetich stated that the number one thing was that although 1000 Friends of Oregon were disappointed with some of the UGB documents they were legally defensible and legal defensibility is a theme throughout the documents. 1000 Friends thinks that it is unwise to use the 36% vacancy rate although it is permissible. Just because it passes legal muster does not mean that it meets the community's needs. There are several options for Seaside, the assumptions in Goal 9 and Goal 10 could be amended to reduce or eliminate the land need or the city could redo the analysis based upon the new legislation. Does Seaside have to use this population forecast which seems really high? The answer is yes; we are bound by this unless we wait until June 2017. The whole point of this new legislation was to simplify things and it opens the city and others to challenge. The new bill came about because the methodologies were not standardized and some were controversial. Seaside's existing forecast was done on the 2020 forecast based on the 2000 census data, and has not been updated. Which it should have been. On top of that the great recession occurred. Not surprisingly, Seaside's growth has been lowered from 1% to .7% in other areas there were dramatic reductions in forecasts. Are there other options? Yes. So the numbers that we are currently using are wrong. We would all have greater confidence if the numbers were accurate. The current approach is vulnerable to challenge because it is inconsistent by the methodology in which the numbers were used. The other comment is that the household size should be a higher number. 1000 Friends stated that we should separate out the vacancy rate from the rentals and normal homes. We can do that and if we do that then we have a better accurate assessment of real need and real need will drive real strategy. The Goal 10 does not

require any city to provide any land for second homes and vacation rentals. That changes things, because 36% vacancy rate is vacation homes or second homes. Chair Romine stated that vacation homes are also part of the industry in Seaside. Commissioner Hoth stated that we are not making any decisions based on providing anything for any specific need except for housing. Most cities in Oregon have a vacancy rate of about 5% but most cities do not have a vacation rental market. We clearly have a significant number of vacation rentals. Therefore separating out the VRD vacancy and normal vacancy will give us a more accurate picture of what our true needs are. The assumption is that not only with these surplus units not being rented or sold at the currently 36% more surplus units will need to be built to maintain that same vacancy rate. Vice Chair Carpenter stated that this is based on demand. If people want development and are willing to pay for it then that is what drives the development. It's not like we are going to build it and see if they come. Ms. Pincetich wanted to know when the last UGB went through and Mr. Cupples stated that it was in the early 80's. Ms. Pincetich stated that was a long time ago and feels that we still have sufficient capacity within the current UGB that has not been improved. The math doesn't support this. We have other options. Chair Romine asked if this wasn't happening in your backyard would you care? Ms. Pincetich said that she has thought about this a lot and yes she would care. Chair Romine stated that if we do grow this allows us a process in order to do so, in an orderly fashion. It does not mean that we are going to grow. It does not mean that the areas that are currently undeveloped are for sale. Ms. Pincetich stated that most of the property behind her is Weyerhaeuser and it is prime real estate to develop right now, because it's ready to harvest. Ms. Pincetich stated that there is a property on the corner of Avenue S and S Wahanna that has been vacant for over a decade and that has not been developed. Develop that first. Chair Romine stated that if it is not for sale, it is not for sale. The owner of the property chooses not to develop it at this time. Ms. Pincetich stated that her point was that if we made things more accessible we wouldn't need to radically change the shape of Seaside for a theoretical future. Chair Romine stated that property owners have the right to do with their property what is in their rights whether it means developing their property or not. The Avenue S property owner has the right to do nothing. Ms. Pincetich stated that if the value outweighs the cost then something will happen and she doesn't see that value. We do need affordable housing. We don't have a lot of commerce here. Vice Chair Carpenter stated that you need to go downtown to see the commerce. Our business is tourism and that's why people come here. We have places where they can stay, eat and enjoy the area. That is our only industry and the support of that tourism. Ms. Pincetich stated that she is wondering why we have so much commercial land when our main industry is tourism. Vice Chair Carpenter stated that we need the commercial land because that is where you eat, where you sleep, and where you shop. This is not the last stop; this will get forwarded to the city council. Ms. Pincetich stated she had one more comment and that there is new legislation coming out and it is coming out soon. There are different ways of calculating this if you look at the sheet it says unmet housing needs. The current proposal says 833 units, if we make two small adjustments in the calculation of it we can reduce the need to 469 and that is using the start, end year calculation and that is leaving the household size the same. Now if you take out the vacancy rates and you have a 1% seasonal recreational occasional use you reduce it down to 204 units. If you take a more aggressive stance you essentially negate the need. So you can go from 833 to 204 units or 41 units, just based on the calculation. She recognizes that a lot of work has been done and 1000 Friends of Oregon wouldn't be so interested in this if there wasn't something on the line. This is by far the largest UGB in Seaside ever. She respectfully asks that the commissioners wait to go further on this until the new estimates come out. Then most importantly they are defensible. There are legal issues and legal challenges that could be mounted about what's going on. Does the commission want to send this to city council? Wouldn't it be best to have confidence in the numbers as we move forward? Her opinion is that we wait. If we have waited 30 some odd years then what is another 18 months doesn't make that much of a difference. One of her neighbors stated that if it's a good idea in December then it is a good idea in February and it is probably a good idea in June too. It's a good idea, but not a good idea to hurry up and rush into this. We would all have better confidence if we waited for those numbers. One more thing, Maria handed out an e-mail from a land use lawyer named Steven Pfeiffer ORS 197.296 (2) and it explains all the reasons Seaside needs to do this. On the other side there is the ORS 197.296 (1) in sub-section one it highlights that the population is 25,000 people. That's the hurdle we have to get over. It really disturbed her that someone of his caliber would send this out. He went straight to section (2). Is this really necessary? In Section 1 it says we don't have to do this if the population is below 25,000. Seaside does not have to do this. We only have to do this if our population is more than 25,000. Vice Chair Carpenter stated that we have been saying that all along that this optional. Ms. Pincetich stated that it really bothers her that a really well-known land use attorney omitted a very critical piece of information. Ms. Pincetich asked if she was the only surprised that a well-known land use attorney would not fully opine with all the relevant data. Chair Romine stated that we are not here to judge someone else's actions. We are being completely transparent in our

process about whether or not we want to plan responsibly within the City of Seaside. Ms. Pincetich stated that things like this make her feel uncomfortable, we have this fancy land use attorney that is not giving us all the data. It was not brought up until the September meeting that we do not have to do this. This is not a requirement for cities with a population less than 25,000. Commissioner Hoth stated that if we are the planning commission and are planning for growth we should be responsible and do it in a planned way. Even though we are not required by law to do it is the responsible thing to do. Ms. Pincetich stated that she would rather have all the information then make an informed decision with all the information and she would trust that information.

Kay Kemhus 1920 Huckleberry, Seaside, She stated that she is interested in the UGB because it will affect her quality of life. Her comment is more on the feeling of this plan than the statues. She retired from the City of Seattle. She enjoys the wildlife and trees that she can see out her windows. In 1907 her grandfather came to Seaside. In 1913 her grandparents homesteaded the area in which this new UGB will expand. They wanted to have land to give or to pass on to their grandchildren. This is their heritage. This is one of the largest pieces of land where wildlife still survives. Will you do away with this? This is heritage land and the people who live here chose this particular settling. This should be without adding more traffic to Wahanna. More crime with more people, more noise, where will the wildlife go? The Clatsop Indians lived, hunted and fished on this land and arrow heads still can be found. Will we be digging up ancient burial grounds? Find another place to put the UGB. Have the people who live up on Cooper and Huckleberry and Wahanna Rd been notified that there are plans in the works to change their lives? She has not been notified and neither have other people in her neighborhood. She stated that two thirds of the homes in Seaside are owned by people who don't live here. Do we want a ghost town where a majority of the people don't live here? Are one third of the people in town going to be watching the area? Do you have developers on line? How are the roads going to be impacted? The noise factor, new water and sewer lines connections. Will the taxes be higher or lower? Pedestrian overpasses need to be put in before we expand.

Patrick Wingard, DLCDC Tillamook. He would like to enter into record an e-mail that he sent to Mr. Cupples on 9-1-15. Ms. LaFollette is the Executive Director of the Oregon Coast Alliance. Ms. LaFollette took the position that Seaside does not have to go through this process. That ORS 197.296 does not apply to the City of Seaside because it's a city less than 25,000. On that single point that information is correct. However, Oregon Administrative Rules Division 14 meets Division 24 so that would be ORA 660-24 and State wide planning Goal 14 do apply to Seaside. They require cities to establish and maintain a 20-year land supply within a UGB. While there are a few cities around the state that let their UGB slide into noncompliance by non-action and the DLCDC has little enforcement authority other than the nearly non-existent periodic review process that went away because of lack of funding. The department offers to the City of Seaside such civic inaction is not something they recommend City of Seaside to slide into. Regarding the population forecast Seaside is under no obligation to wait until 2017 to start the UGB analysis process based upon a revised population forecast. Any conjecture in regards to what the PSU number will be is just an estimate at this point. If current studies show a need for more land, delaying a decision for two years does not seem like an appropriate civic direction.

Seaside's final record that is submitted to the DLCDC will need to provide evidence that the city determined it could not "reasonably accommodate" (Goal 14 and OAR 660-024-0050(4) the land need within the existing urban growth boundary, presumably by re-designating existing buildable land for higher intensities of development or encouraging, in some way, redevelopment to higher intensities of land use. However, as Patrick understands the situation, one of Seaside's primary civic goals (which translates in a Goal 14 locational factor), is to avoid intensifications of land uses within the existing tsunami inundation zones, and nearly the entire existing city is within the inundation zones. That seems to be a pretty good reason for not trying to "reasonably accommodate" even more development within the existing UGB.

Another factor that would lead Seaside to add residential land to its UGB, particularly higher density residential land, is the need for affordable and workforce housing along the Oregon Coast. Seaside's final record on this matter should include evidence on these issues.

We have the lengthy letter from 1000 Friends of Oregon, and we do appreciate that partnership.

At the end of the Commissioners discussion, Vice Chair Carpenter made a motion to continue this to the next scheduled planning commission meeting on November 3rd, 2015 at 7pm at City Hall.

Commissioner Perkel seconded and the motion was carried unanimously.

**ORDINANCE ADMINISTRATION:** None

**COMMENTS FROM THE PUBLIC:** None

**COMMENTS FROM COMMISSION/STAFF:** None

**ADJOURNMENT:** Adjourned at 9:40 pm.

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Ray Romine, Chairperson

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Debbie Kenyon, Admin. Assistant