

**MINUTES SEASIDE PLANNING COMMISSION**  
**November 3, 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, Tom Horning, Steve Wright, Chris Hoth, Bill Carpenter, 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:** October 6, 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 October 3, 2015. Since the last meeting several of the planning commission members were able to take a look at the Mr. Pihl's property and the Lewis and Clark site and then also the southeast hills site from the top looking down. He is interested in the planning commissioners opinions and see if the commissioners are interested in putting those areas back in the UGB and readdressing that based on the suitability of those areas.

Chair Romine asked if there was anyone who would like to offer testimony in favor of the request. John Dunzer 2964 Keepsake Dr. Seaside, Mr. Dunzer stated that at the 10-6-15 meeting he presented some information regarding the development behind the cove. In that meeting there was some discussion on where Seaside wanted to go, what type of people will be here. There is an organization in Oregon that studies that. It is called the Oregon Coastal Zone Management Association. They have predicted what type of people will be coming here. Are these retirees or owners? If we didn't start there, then we are floundering because we don't know what we're doing. He sees no evidence that there is where this planning has started. When you talk about affordable housing everybody thinks we need affordable

housing. There is a good solution because we are going to have a lot of vacant housing and vacant land because the schools are going to be moved. This land is located where you can have senior housing and affordable housing. Sure it's going to be in a tsunami zone but you can do vertical buildings. It's right in the middle of town where there are grocery stores and bus zones. It's not located out in the middle of a rural area. He doesn't see anything wrong with Wahanna, but affordable housing should not be located way out there. Why wasn't the cove area included in this expansion? There are 30 acres out there that are already in the UGB. It needs to be developed but it was so poorly developed when it was put in. The only thing is, is that there is really no way to access it without doing an environmental impact study. When you put the other 160 acres in there from this site it would be a beautiful development site. The golf course feasibility expansion, it makes sense to develop that. There should always be two ways in and two ways out of a development. The economic impact of this development is that we are going to have put a lot more money in from the taxes and putting the development here would bring in a lot more money than other developments. We need to be responsible and plan these things right and plan them for an economical city that makes some sort of sense. He still doesn't understand why this site was neglected in the first place. There are no geological problems that are any different from any other site that we're looking at. This area doesn't have any slides on it just shows the same issues with slopes that are in other areas. If these people don't get satisfied and you haven't looked under every corner of every blanket these people will take you to court. Then they will say that some 80 year old guy referenced another area and the city decided not to investigate it.

Mary Kemhus 86183 S Wahanna, Seaside. Ms. Kemhus stated that in earlier meetings part of the issue was access to the sites and on S. Wahanna we have serious access issues. Because all of the major land owners other than Weyerhaeuser are not keen on having the property behind them developed.

Kay Kemhus, 192 Huckleberry, Seaside. Ms. Kemhus stated that at the last month's meeting safety issues were brought up as being a primary consideration and that the city is putting the cart before the horse. She came to the conclusion that if the roads are flooded downtown then tourist and natives will have a difficult time getting out of downtown. Safety should be the first concern and the planning commission could connect a safety road with the Lewis and Clark Road and then head up to the Crown Camp. Crown Camp could be the construction base site for building a bypass road. First of all the utilities are connected up there. Secondly there are already existing buildings up there. Roads are there also. The bypass safety road should be at the top of the mountain with the Urban Growth spreading down from the top. The road could be brought up over the Crown hills connecting them to a non-flooding area perhaps on highway 101 or 26. The planning commission could kill two birds with one stone. Leaving plenty of room for Urban Growth up in the hills. Urban Growth would be guaranteed and the safety bypass would be maintained, unless it was the end of the world and a tsunami would not reach those higher elevations. Impact on the natives would be less and that would make everyone happy.

Maria Pincetich 86273 S Wahanna, Seaside. At the last meeting a discussion of Crown Camp was brought up. What came of that? Mr. Cupples stated that the problem with Crown Camp is that it is too far away from the city. Ms. Pincetich stated that it was discussed at length and as a possible viable option has she misunderstood that. Commissioner Hoth stated that we are trying to discuss everything and Mr. Cupples point is that Crown Camp is too far away. Planning philosophy is to have contained development within a strategic area and not have it spread all around with resource land in between. Ms. Pincetich stated although we have special circumstances such as low lying lands and the tsunami zone. Commissioner Hoth stated that everything is a consideration and we are looking at all the options. Ms. Pincetich asked the other commissioners their opinion and Commissioner Horning stated that it is too far out. Ms. Pincetich asked although this could solve some of the issues. Commissioner Horning stated that the issues are not that big compared to the distance out. Commissioner Wright stated that it would be a different city it's just too far out. Chair Romine stated that good planning prevents urban sprawl which the distance from the current City limits to Crown Camp would be. Ms. Pincetich asked what is the distance? Mr. Hanson stated that it is 2.5 miles from the cities limits on Lewis and Clark up to Crown Camp. Ms. Pincetich how many of the commissioners have visited that site. Mr. Cupples stated that four of them have because they had to drive through that to get to the mainline. Commissioner Horning said make that 5 members visiting the site because he used to live up there. Ms. Pincetich asked if there was going to be a discussion on the site visit to the Southeast hill site and the Lewis and Clark site and the North Hills site. Chair Romine stated that this is the public's time to discuss what the public would like to see happen then the public hearing will be closed and then the commission will have a discussion. Ms. Pincetich stated that two topics that have been of wide discussion and in both the Daily Astorian and the Oregonian is the Vacation Rentals and the affordable housing. She stated that in 2011 there was a cooperative effort with the local newspapers to find a

balance between vacation rentals and residences. There are a couple different topics that this raises. There are lots of ways to skin the proverbial cat. Reading the Daily A there seems to be more concern about having affordable homes. One of the larger employers in Astoria, which is the Coast Guard is having difficulty finding place for their staff to live. The newspapers talk about what Manzanita, Garibaldi and other coastal communities have done. It boils down to three basic things – one, containment and that is restricting areas under which you would have vacation rentals. Seaside has decided to do this to a certain extent. The other is to cap the number of vacation rentals and one way to do that is to cap off at 20%. Thirdly is to have regulations to lessen the negative impacts of vacation rentals. In regards to the question of vacation housing Goal 10 does not require any vacation housing but it does require affordable housing. According to the current plan the only affordable housing that we have is in an inundation zone so please reconsider again how are we going to have sufficient housing for people who cannot afford to buy a home here or who choose not to.

Chair Romine asked if there was any additional testimony. There was no answer. Public Testimony is now closed and discussion amongst the commissioners is now open.

Vice Chair Carpenter asked if Mr. Hanson had time to look at the area that Mr. Dunzer has mentioned. Mr. Hanson stated that he hasn't considered the cove area in great detail because of the access issues. When he first read Mr. Dunzer's memo he showed 650 units with one access point going through the neighborhood. The neighborhood is a lower density subdivision, having a higher density subdivision going through a lower density subdivision is not a good situation. Mr. Hanson is also concerned about the golf course area it isn't really valid. Gearhart has an 18 hole golf course 10 minute drive away. The Seaside Golf Course is a 9 hole course that is located in the flood way. Which is much more serious than the flood plain. He doesn't see that as a valid concept. The area in the cove was denied through the county. Mr. Dunzer shows another access through the wetlands on the south end of town, but he doesn't see that as viable. That area is cherished by a lot of people and is also used for flood storage and that's one of the reasons that 101 rarely floods anymore. He would not want to entertain a proposal that shows a road through that area. Mr. Hanson was hoping that everyone got to visit the Lewis and Clark hill site. The main concern he has with that is access onto Lewis and Clark road and visibility. There is some high speed traffic up there but it could work. There is a piece on top that is close to thirty acres that could be developed. The city would need a new water tank up there, extend the sewer. The public works director told Mr. Hanson that there were some issues with the down slope with the sewer system and would need to have some line upgrades. This is on the north side of Lewis and Clark Rd. The south side of Lewis and Clark is a very sensitive area, there is a waterfall in the woods there. There is also a Heron Rookery nearby and you need to give them a broad radius. The reason Crown Camp is an issue is because it's growing the city limits way up there and remote from the city. Crown Camp is a great area but it would be a separate town - it's just too far out. The compatibility between log trucks and neighborhoods just don't work. Commissioner Perkel asked about the old dump site. Mr. Hanson stated that is the Lewis and Clark site and it could be a good site. There is a nice level plateau there and it could work. It doesn't have the real severe topography. It does around its perimeter on the North, West and East, but the south where the road is looks good. He is curious on what was dumped there, it is a workable piece of land. The county owns a strip of land up there. If you look up on the north hills you need to also look at the property land to the north which is another land owner and then to the south which is owned by Weyerhaeuser. Mr. Pihl is thinking on ways to get roads to that area from the mobile home park down below as well as property from the north. You would have roads that climb up in that site that would have severe embankments on either side. Once you get up on top he did a map for Kevin that will show about 30 buildable acres. If we go up into that area you would need to build a separate water reservoir. The sewer line would come down to where the mobile home park is. It would be a careful grading analysis up there but he has done a lot of projects in the Portland area with grades steeper than that. You can't do a low density program up there because the state would frown upon that. You need to get enough density in there to make the acreage worth it. That way you could put a big dent in your 20 year land need. Once Mr. Pihl stated that we could get access to this property then Mr. Hanson started looking at things differently. The south hills, the issue is the people who live there and the compatibility. We are thinking of moving the Urban Growth Boundary out and put this in the comp plan but not doing the zoning or the annexation which would occur later. The concern is the character of the area. The traffic is also another concern. Topography is not the issue in that area. Growing in that direction is upsetting to some people and controversial. Chair Romine asked about access, Mr. Hanson went to the map and showed where the access is and stated that there would need to be a 50 foot right-of way. We cannot do the northern route to Spruce because of the very significant drainage way in and it has a lot of water in there and is probably fish bearing, Mr. Cupples stated that is

why it is called Coho Creek. That is unfortunate because Spruce is a very wide road. He showed one water tank at the elevation of 400 ft. because you could gravity flow the water into the potential school site. On one hand there is conflict with the people who live there on the other hand it is technically sound.

Commissioner Horning asked if Mr. Hanson could envision a plan in 20 to 30 year development plan of the southeast hills so that traffic wouldn't tie into S Wahanna road. Particularly from the south end. Instead all the development would bypass those neighbors. In a decade or two they may want to be included in the UGB. Mr. Hanson stated that is a good idea and in the early stages shows that S. Wahanna would hook up to Beerman Creek Rd. Which he thought was valid because it provides another way in and another way out. It's a logical direction for the city to grow and Beerman Creek already has access to Highway 101 and would obviously need to be improved. You would have to cross two ravines and skirt just west of the existing cemetery. It would be another way out of the area and defer some of the traffic from going on Wahanna and then they would have two ways out. Mr. Hanson stated the people on the south end of Wahanna Road will find this distasteful but Wahanna Road is key parallel route to Hwy 101. Commissioner Horning stated it was pretty obvious just by looking at it but is it possible to expand the UGB out there yet leave the existing development that is there largely alone? Then build alternate routes around it. So that they still have their rural nature. Mr. Hanson stated so we would create an island around Wahanna that is low density? Commissioner Horning stated maybe just leave them out of it all together. Commissioner Horning also stated that the widening of Wahanna Road and then some of the larger lots being developed will result in a loss of the rural agricultural aspect of the neighborhood in due course. He knows they have the option to develop when they are ready. Mr. Hanson stated that there are other options to consider but there are challenges. Chair Romine stated that the challenge of going around Wahanna is essentially we are almost back to the highway in order to stay out of the wet lands and mill pond areas which is right there. Mr. Hanson stated that Wahanna runs along people's property and not through it, it straddles people's property. Chair Romine asked Mr. Cupples what would a potential developer, whomever that be, decides to do something, if we chose that the south hills is going to be part of the expansion. What challenges would that developer have then in maintaining and improving Wahanna to an acceptable width, given that it is not currently an acceptable width and not entirely public property. Mr. Cupples stated he thinks that they would be put in a position of trying to acquire additional land to do it. Chair Romine stated which brings us back to an earlier point of access. Commissioner Hoth stated that the county did that, and the land owners were not happy about it, but if you look at it now you wouldn't even know it was done. Mr. Cupples stated that there could be a position where a private developer would run it to that and say "I'm stuck I can't do that?" Does the city or county have condemnation rights, sure they do. Do they use it readily, no they don't, the city doesn't like to do condemnation because it a very unpopular action, but can it happen, yes it can happen. Mr. Cupples stated that one of the reasons that the TSP looked at a narrow road cross section for Wahanna was because they didn't want to create additional impacts. That is why in the TSP it has two travel lanes and then a pedestrian/ bike pathway and that way you can almost narrow it down to a 30 foot right of way. Is that something that will probably be pressed for if someone were to develop and there wasn't enough right of way, sure they would. Commissioner Hoth stated that he would like to see another way and one of those is to have Mr. Hanson recalculate the acreage requirement using the 14 year plan instead of a 20 year plan to reduce the required amount of land needed. Then in the south he would like to see a corridor down Wahanna still maintained because he doesn't see any other place for the R1 or park or industrial or institutional land where those could be placed. We should be able to locate the R2 and R3 to another location. Commissioner Hoth would also like to see something written up regarding John Dunzer's request for the cove area - that way we have something that says we did address some of his concerns. Mr. Cupples wanted to make sure he was understanding him correctly and that was that with the three areas that Mr. Hanson brought in at the beginning the cove area would be a fourth area. Commissioner Hoth stated that he just wanted Mr. Hanson to look at the site. Commissioner Hoth wanted to make sure that the lower density stayed where it was and keep as much of the higher density higher up on the hill and out of the inundation zone. Commissioner Perkel stated that the people that live on South Wahanna, can they say they don't want any sort of development. Commissioner Hoth stated that anyone can argue their point of view and that is one of the reason he proposed the changes for the lower densities to be along Wahanna. Mr. Hanson stated he wanted to make sure he understood Commissioner Hoth request and that was to keep the lower densities closer to Wahanna Road because the lower density puts less people in peril. It also reinforces the concept of compatibility with the people who live there. Now that changes when we get to the south end of the south hills district where the institutional land is. It's flat, it's larger and rectangular and we are not so concerned if a tsunami washes up on those uses. Compared to the residential lands. That is the

concept. We will keep the density low. We will show some of the land east of Wahanna and go up the hills and evaluated that to go to another location whether it be North Hills, Lewis and Clark Hills or a combination of those two. If we look at the 20 year plan and need 200 acres then we will probably need 140 acres in the 14 year plan. Chair Romine stated that then the end result would be that there may be some reduction overall in the southeast hills site and less impact on the neighborhood. We then could move the higher density into the central or north hills sites. Mr. Cupples stated that a 30% reduction overall and then figure out what we have after that. Mr. Hanson stated that he could put a diagrammatic map without the diagrammatic roads because we really want to look at the land areas for now. Chair Romine asked the audience with a show of hands if they thought we were going in the right direction. People stated it was much better looking than at first. Mr. Hanson asked if he could bring the new information to the next work session. Mr. Cupples stated that the work session will be on the 17<sup>th</sup> of November.

Commissioner Horning stated that he still has some pretty strong concern regarding the North East Hills, Mr. Pihl's property regarding the land slide area. The alternative is can the UGB be expanded onto a large tax lot but not all of the tax lot. Mr. Cupples stated yes. Commission Horning asked if Ocean Vista could take the traffic of another 50 homes versus 400 homes and that way take some of the heat off of Mr. Pihl's property. Mr. Cupples stated that there is land already in the UGB that is vacant, which is in the vacant land survey. There is land already there now - we have to look at that land development and add additional land to that development and that is what fell on deaf ears at the county previously. We should still look at that because Mr. Dunzer did a lot of work on his report. Commissioner Horning stated that at the last meeting he thought we chose the high growth rate. Mr. Cupples stated that we actually chose the lowest baseline. Mr. Hanson just wanted to confirm that there will be a planning commission work session on the 17<sup>th</sup> of November and he will bring in the updated information.

At the end of the Commissioners discussion, Vice Chair Carpenter made a motion to continue this to the next scheduled planning commission meeting on December 1<sup>st</sup>, 2015 at 7pm at City Hall. Commissioner Ridout seconded and the motion was carried unanimously.

**ORDINANCE ADMINISTRATION:** None

**COMMENTS FROM THE PUBLIC:** None

**COMMENTS FROM COMMISSION/STAFF:** None

**ADJOURNMENT:** Adjourned at 8:25 pm.

\_\_\_\_\_  
Ray Romine, Chairperson

\_\_\_\_\_  
Debbie Kenyon, Admin. Assistant