

MINUTES SEASIDE PLANNING COMMISSION

March 1, 2016

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: Steve Wright, Chris Hoth, Bill Carpenter, Bob Perkel, Tom Horning and Ray Romine, Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director
Absent: Dick Ridout

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. Commissioner Horning excused himself from the first item on the agenda (16-004HOZ).

APPROVAL OF MINUTES: February 2, 2016;

Vice Chair Carpenter made a motion to approve the minutes as submitted. Commissioner Horning 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.) 16-004HOZ: is a Highway Overlay Zone request by David & Candace Remer to refurbish the former Union 76 service station at 2323 S Roosevelt. The owners plan to establish a new restaurant there in conjunction with remodeling the existing building and canopy structure. This will not be a drive thru restaurant but their entrance would be moved further south and the north access would be right out only. The existing paved area would be used for parking and the establishment should accommodate approximately 36 customers inside and 24 customers in an outdoor seating area. The property is zoned General Commercial (C-3) and it is referenced as T6 R10 S28AC TL: 300 on the County Assessor Maps.

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

Chair Romine asked if there was anyone who would like to offer testimony in favor of the request. Mike Morgan, PO Box 132, Cannon Beach, The Remer's would like to change the 76 station into a restaurant. The Remer's have a letter from DEQ stating that no further action is required regarding the removal of the underground gas tanks. The Remer's plan to restore/renovate the current building. The canopy will be covered parking. ODOT has done their access review. The two access points will remain the same. The Southern exit out of the parking lot will be in and out and the North exit will be going North bound only. All of the parking standards have been met. Landscaping will be done. The owners are working with the county to be able to get access into the mill pond area. Traffic counts are much lower because it's going to be a sit down restaurant. The design standards are consistent with the ordinance.

David Remer, 2929 1st Ave, Seattle WA. He wants to comply with all the ordinances and enhance the South end of Seaside because right now it's an eye sore.

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

Chair Romine asked if there was anyone who would like to offer testimony in opposition. There was no response.

Chair Romine indicated the issue was opened for Commission discussion. Commissioner Perkel thinks this is a great idea and if it enhances the Southern entrance to Seaside he's all for it. Chair Romine asked about the property behind it and how is that going to be used? Mike Morgan stated that there are two parcels behind the 76 station. One is the old railroad right of way and the other is owned by the county. Later this month they will be going to the Board of Commissioners to ask them to provide a sewer easement so that the property owner can get access to a manhole and also get a license to maintain that property so it looks like part of the property.

At the end of the Commissioners discussion, Chair Romine closed the public hearing and Vice Chair Carpenter made a motion to approve the conditional use under the guidelines that staff has presented. Commissioner Perkel seconded and the motion was carried unanimously.

B.) 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, we did get updated information regarding the sites from Don Hanson. Those included some additional information regarding the Cove area. The needs analysis that was done a few years ago and passed and then sent on to the City Council for their approval indicating that the city needed approximately 200 acres of buildable land. During the last planning commission work session the Commissioners reviewed a letter from 1000 Friends of Oregon. That letter talked about different ways that you could look at what the need projection should be or could be by changing the assumptions in that document. He has since had conversations with the DLCDC, Patrick Wingard, in speaking with Patrick if we start looking at alternatives under that 1000 Friends of Oregon letter, does that then open up for potential scrutiny or appeal on the items that may be changing. The supporting document that we have right now is based on a 20 year land supply. Previously we thought that maybe we could look at a 14 year land supply instead of the full 20 because there had been concerns expressed over that. Patrick indicated no, the DLCDC would challenge that if you tried to drop down to the 14 year land need. He did say, however, if we wanted to look at some of the methods that were identified in the 1000 Friends of Oregon letter to reduce that number you would be doing the same thing but basically would be calling it something different. If you were looking at a lower vacancy rate rather than duplicating that rate you can go down that path, but if you start to do that you are deviating from that original document and there again that opens you up to potential scrutiny through people questioning why is it that you are using that number versus another number and the documentation, no matter what you put in could get you into potential appeals just based on that. As a follow up to the last work session, Mr. Cupples spoke with Mr. Winstanley regarding the idea that some of the planning commissioners might have some issues over whether we should go forward or look at the alternative method. The alternative method which was just developed by the DLCDC actually recognizes a 14 year growth period rather than a 20 year growth method. The planning commissioners had recognized that fact that this really started with the city council saying you need to look at what you need in your Urban Growth Boundary and that was set as one of the City Council goals and the planning commission is following up with those city council goals with the assistance of OTAK. In discussing that matter with the council, the council members stated that they want the planning commission to make the best decision they can make based on the best information that they can get. Rather than them saying we want you to meet a four year deadline or a two year deadline or what have you. Mr. Cupples stated that the city council will not be firing back at them saying why isn't this done in one time frame versus another time frame. If in fact you decide to look at an alternative approach under that new revised OAR. They wouldn't throw rocks at them. One of the other questions that was asked and it actually started with Maria Pincetich wondering whether or not you could use that OAR as a cafeteria plan saying the only thing that we are lacking in being able to use that is really the Portland State Population Growth projections. The new OAR states that you are going to use the Portland State figures rather than the

coordinated population figures that are adopted by the county. That is currently what this amendment is based on. It's those coordinated population projections with all the supporting information that was the basis for Patrick's answer of "no", you would still need the Portland State figures as a guideline for the 14 year goal. Portland State won't be doing Seaside's projection until 2017. If you chose to go down that road, you would be looking at a delay that would put this off until those figures are done. Then you would have to go back and reevaluate and adjust things in order to recognize those figures.

Vice Chair Carpenter asked if we were to take the approach that we would like to wait until Portland State has those numbers available, projected to be sometime in June of 2017, would we then start over again and go back through all the calculations to determine the amount of land that we need for our expansion. Mr. Cupples stated that you would be going back over a lot of the information that you have, the numbers, would be adjusted to the new information. Essentially we have a good base document to work from. We wouldn't be starting from scratch just taking a step backward and then moving forward with the new data. We started out looking at 3 sites and now we are looking at 4 sites. We would still be doing an evaluation on those same 4 sites based on the same information we are using right now. There is no simple land out there where we can say, well if we get that land, it's easy to develop. Mr. Cupples doesn't think that any of these sites are simple sites. But they are lands that surround the city that are logical extensions for urban growth. Mr. Cupples stated that he did speak with the Fire Marshal and the Public Works Director in a brief summary he has their ratings for the sites based on some of the land conditions and what service levels could be there. None of the sites are simple and the top site for the Fire Dept. is not the top site for the Public Works Dept. It's simply how far away from the fire station versus what do we have there for access.

Commissioner Hoth asked if we waited for the Portland State numbers and did the recalculations, we would have to do the needs analysis to figure out what types of land we need, we would only need to plug in the new numbers. Mr. Cupples stated that he hasn't fully gone through it. He just discussed it with Patrick Wingard recently and he doesn't know how much of that would have to be amended. Mr. Cupples stated that any delay may wind up with Mr. Hanson and Weyerhaeuser who have graciously funded a lot of the study work say that they have had enough. But we already have their documents to go by as far as guidance right now.

Chair Romine stated that the sites don't specifically change, only the numbers may change and they may not be smaller, we just don't know. Mr. Cupples stated that's correct. One other thing that Patrick has stated is that if people have raised issues with the amount of land thinking that was too much and the planning commission was looking at scaling that back to a 14 year land need. If the commission went forward with a recommendation to adopt the lands in sites 1, 2, & 3; that would be questioned at the council level the same way by the individuals who have already questioned it and it would be questioned the same way at the county level and then questioned by an appeal to L.U.B.A following that. If in fact you ended up at L.U.B.A with an appeal, you might be looking at not having anything until 2017 anyway, assuming that was sustained and not remanded. If it is remanded then you go back over it again. If we were totally out of development land then he would be much more concerned about any delay, but there is land in our UGB right now, as evidenced by the large amount in the Cove, without any changes. Vice Chair Carpenter asked about the Cove and the UGB's current boundary. Mr. Cupples stated that he doesn't have that resolved.

Chair Romine asked if Patrick Wingard with the DLCD would like to offer any information to the planning commission. Mr. Wingard is the North Coast Regional Representative for the DLCD, 4301 3rd St., Tillamook, OR. Mr. Wingard stated that Mr. Cupples pretty much covered it. The city is in a unique position where you have several months of analysis and deliberation that have gotten you to this point. Clearly there is an engaged community here in the process. The streamlined UGB alternative methodology is meant to offer cities a streamlined process. It uses a fourteen year projection or fourteen year planning period instead of a 20 year planning period that will be very helpful with your capital improvement plan and transportation planning. It's really tough to look out 20 years and know what type of financing you're going to have for projects that are going to be necessary to support the development in certain areas. The 14 year period really gives you a good 7 year look. What type of capital improvement projects does the public works dept. have in mind? What type of system development fee reviews are you seeing?. Most of these costs he's sure will go to the developers. The streamlined effort in a nut shell provides a much better look for cities and citizens and property owners to better understand what the city is going to look like in a couple of years. Mr. Wingard's staff has created a pretty good spreadsheet where you basically plug in numbers like Mr. Hanson and the consultants have provided that will tell you exactly how much land need there is. With the population projections from Portland State that's not an appealable issue, it's certainly appealable today under the current structure. In the streamlined effort if you were to take a step back, he is not advocating one way or another, but if you were to decide to use this streamlined effort when PSU puts out the new population projections the

spreadsheet with the need for those zones is pretty much bullet proof. Anything can be appealed, but it will be hard and fast and very difficult to undermine the very objective way this new streamlined effort puts forth a UGB amendment. The selection part is still going to be challenging, and highly subjective, and fairly charged - deciding which lands are the best lands to bring in. You've got timber land and it's all really productive and it has similar soil capabilities. He doesn't want to sugar coat this and there are still going to be difficult decisions to make. The state will continue to advocate that a city does its due diligence to provide a 14 year land need. The location piece of this is still going to be a challenge. Mr. Cupples and Patrick have brainstormed on how to make good use of these next 8 to 12 months on how they could work with the public and the city council to try to have a finer point on where those locations might be most palatable for the citizens and property owners and also defensible for the commission.

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

Chair Romine asked if there was anyone who would like to offer testimony in opposition. John Dunzer, 2964 Keepsake Dr. Seaside, Mr. Dunzer stated that most of the limitations on the cove were primarily concerned with traffic availability to get through Sunset based on the input from the consultant as he visited the site. He didn't feel that Sunset was an adequate area. Mr. Dunzer agrees with him, its inadequate area, but the consultant also provided him with the information that shows there is a tremendous amount of right of way in that area where the street should be developed and hasn't been developed. These traffic issues should be resolved regardless and it hasn't been resolved for unknown reason. The right of way is there but the City of Seaside has decided not to solve its safety problems. He did file a report with the City of Seaside and hopefully this will get resolved.

Debbie Duupree, 33440 Beerman Creek, Seaside. She expressed gratitude that the commission is considering alternatives. It is really easy to use land for building but it's extremely hard to go back on that. That is one of the most important things that brought them to Oregon is the amount of land and how conscious and aware the people are on conserving that land. Thank you for being open and for looking for alternatives.

Mary Kemhus 86183 S Wahanna, Seaside. Mary submitted a letter from Orca that the Planning Commissioners and Mr. Cupples have not received yet. It elegantly states what she has been feeling all along. We really don't need an Urban Growth Boundary at all. In the interest of time, being as the commissioners have not had time to look at it yet. It talks about the requirement to provide inventory of buildable lands within the UGB and the state requirements. She knows we have talked about this before but there are a number of people here that don't realize that this statute doesn't apply to Seaside at all. It was made quite clear that it applies to cities with a population of 25,000 or more. She has been coming to these meetings since July and it just hit her that there are over 100 acres within the city already. Is she correct that the city wants to add another 200 acres?

Larry Grenon, 2345 Royal View Drive. He is adjacent to one of the properties proposed for the UGB. He was concerned about not finding out about this expansion until 5 days prior to the January meeting. His background is working for 36 years in a hi-tech company in Arizona as an electrical engineer, program manager and department manager and he is familiar with looking at statistics and data and trying to analyze them. He is concerned why this program was initiated in the first place when it's clear that the City of Seaside is not required to do it. He was hopeful when he retired that he would not have to go to another meeting but here he is. The issue here is that announcing this kind of information to stakeholders which apparently was only a handful of people, because they had property within 100 feet of the Boundary. He feels for a program as important as this the entire City of Seaside should have been notified. He is suggesting that this item should be tabled until 2017 and if the statues don't require the city to do it and there's no imminent requirement to do it then it should not continue at all.

Nancy Holmes 1520 Huckleberry, Seaside. She came home from vacation a few years ago and was sickened to see a bunch of trees cut down at the end of Cooper Street. They were beautiful trees and she was concerned about it. She went to the to the Planning dept. and was told that they needed the trees for infill for housing. She doesn't think that person is still there. Ms. Holmes asked about the property on the south end of Wahanna, why hasn't something been done with that property. Who does it belong too and why is it just sitting there. Chair Romine stated that all the information regarding that property is available at the Planning Dept. Ms. Holmes opposes this.

Buzz Ottem 86081 S Wahanna Rd. Seaside. Mr. Ottem stated that any proposal for an UGB expansion that includes the word Wahanna will be a problem.

Kay Kemhus 1920 Huckleberry, Seaside. She would like to thank the planning commission for their patience. She thinks about the families and the lives that will be disrupted by increasing the traffic to obtain more UGB land. Why do we need to go through an establish neighborhood to get to the designated UGB Area. How would Sunset Hills, Whispering Pines or any of the other neighborhoods along Wahanna Rd including the hospital feel about the increase in traffic by their establishments? It would not be very feasible. If this does go through, consider the impact of traffic in this community. Certainly there is a way that would not impact long term established neighborhoods. It would be beneficial to figure out another way in and another way out for the UGB. She is not against urban growth as long as it doesn't adversely affect our friends and neighbors. Stillwater Heights is one of the backbones of the community. They are people who work here do their business here educate their family here, go to church and participate in community affairs and of course pay their taxes here. Kids play actively in Stillwater Heights and would not be able to play in the streets and would have to be mindful of crossing the road to seek out their friends. Good planning will make people want to stay here. If this project is not well planned who knows they might just find some other place to go. These are good citizens of Seaside, do not impact their lifestyle adversely.

Dan Smith 33390 Beerman Creek, Seaside. He grew up here, he was here in 1975 to 1990. He joined the Marine Corp. and came back after serving a lot of time overseas and throughout the country. He came back to Seaside to raise his son here because of the area and the beauty and like everyone else said what this area has to offer. He believes that what is being planned is not necessary nor is it wanted. Where he lives he doesn't want all the extra traffic coming in or out of Beerman Creek if they run a road from Wahanna to Beerman Creek. People buy those properties so they don't have those issues. Let's focus on moving the high school and protecting those kids. It may be part of the plan so let's focus on that rather than bringing more people to our community.

Walter England 33540 Beerman Creek. Seaside. He just found out about this a few days ago. The City of Seaside has probably 30% of the buildings and homes that are not occupied and now they want to expand the city. He understands that the timber companies would like to make some money and it's going to cost a lot of money to put in the infrastructure. It's not necessary. There are other things in the city that need to be addressed before we expand up the hill.

Jackie Simila 86132 S Wahanna Rd. Seaside. She has been a resident on S. Wahanna Rd for 33 years. She believes there is a need for affordable housing allowing people who work and live here to be able to afford a home. The houses that would be built up on the hill will not be affordable for those people unless you built high density residential, which she hopes that wouldn't happen. It will also add to the vacancy rate. The homes built up on the hill would possibly be used for part time homes. This doesn't create a healthy neighborhood for families. She asked that the commission look at the population growth in 2017.

Clark Miner, 1425 Donnerberg Rd, He has three kids that stand on Wahanna Rd to catch the bus and doesn't want to see anything punched through there. Wahanna Road is Seaside's best kept secret when traffic gets out of control. He likes to hear the coyotes at night, last week he had a herd of elk in his back yard. If this goes through all this wildlife gets pushed further back and then the locals don't get to enjoy the wildlife.

Rich Hauken, 86137 S Wahanna Rd, Seaside. Has lived on this property since the 70's and raised his family there. He is against this. He doesn't understand how the city expects all the traffic to get in and out of that area. Right now it's hard enough to get out on Avenue S and the highway, this will make it worse. If the city punches through to Beerman Creek then we will have a bypass it sure seems logical. He would really appreciate it if the Planning Commission waits until the 2017 statistics come out.

Fred Faux, 3127 Bayview Terrace, Seaside. He hasn't gone through this but he knows there are two roads that go through his neighborhood and he doesn't see trucks going back there. He doesn't want to see the lumber cut down. If there is not another way to get out of the Cove area, he thinks it's totally wrong.

Sandra Gee, 1700 Cooper St., Seaside. She is right above the area that is not developed and that is about a block from right behind her house. They moved here last fall. This town came together recently

for a tragedy and they really became a community. She thinks building all this stuff up on the hill takes away from the community feel. There are a lot of school buses and a lot of kids because there is an apartment building just up the street. She thinks unless they get some real far away roads this could be a real problem. If the city develops everything that is in this UGB, 200 acres, we are talking increased police, fire department, roads and there is quite a creek that comes down to Wahanna and when they get up there and start digging up the hillside there is going to be a real bad water problem.

Michelle Wunderlich, 1116 Ave B, Seaside. She personally doesn't want to see the area where she grew up developed. A lot of people have touched on a very important thing and that there is no affordable housing. She has heard from people who have moved here and found a place to work but not a place to live. If you drive around you will see that there are a lot homes that are for sale or are vacation rentals and that is the thing that needs to be addressed. She knows that has nothing to do with the Urban Growth and these are two different issues but both need to be addressed. If holding this off until we get the 2017 statistic gives the city time to address more things and get more community input, that's very important. There are a lot of people who are not here because they don't know this is happening.

Keith Baker, 301 S Park, Gearhart. He is a landlord in Astoria, Gearhart, and Seaside. He put up an ad on craigslist. He is getting calls from people living in hotel rooms, begging him for a place to stay. He has people living in cars who are contacting him. Since yesterday at 5pm he had no less than 20 messages regarding the ad. We should probably devote the time to something else besides another bypass.

Zachary Sidel, 1190 SE 19th, Warrenton OR. There are three types of relationships that he has been thinking of: Infatuation, Love, & Fetish. When he looks at where this comes into he thinks it's a fetish. The whole thing is being paid by Weyerhaeuser and he's not sure why it's not being paid by the council. He sees that we have builders and contractors who just want to see things go up all the time. We have the big land owners that want to see things go up. Hopefully they care about the city. What you have here is fetish development. Because of that he berates you on that.

Bill Lutz, 310 N Holladay, Seaside OR. He wants to speak on the value of aesthetics, as opposed to commerce. This town is valuable economically because of the aesthetics that are here and if you keep hacking at the aesthetics in order to accommodate the commerce then all of a sudden you don't have the aesthetics anymore. They lived here in the 80's then moved away and came back. They found a lot more building, but didn't see the population expand. So the building is for commerce. There has to be a value on keeping things alive, the animals, and the forest. If you keep hacking away at it and pretty soon it's not there. That place intact has value, maybe Weyerhaeuser killed plenty of things up there and now there is no value. As money moves out then the inner city decays, that's just the process. We have this issue where we have plenty of vacation homes but no affordable housing for the people living here. Maybe we should try to develop what we have and keep the aesthetics and keep the rich and poor here.

Maria Pincetich, 86273 S Wahanna Rd. Her family has been here for about 100 years. Her mother was born on the property. Her daughter is fourth generation. She provided her Goal 9 questions, Kevin stated that he hasn't seen them but has forwarded them. Mr. Hanson stated that he scanned them today. Maria stated that the Goal 9 is the background document, which is the economic opportunity analysis. Goal 10 is the housing needs analysis. She has comments on the Goal 10 not being required to deal with vacation housing that is not represented in the document. She has tried to get the NW Affordable Housing Authority here to speak to the commission. There are a lot of things that the City of Seaside could be doing in terms of a toolkit and financial incentives for property owners that cannot sell their properties, to be able to make them available for low income families until the housing improves. Chair Romine asked Maria if she could stay with the UGB. Maria stated that she is and that in the needs analysis in Goal 9 stated that 75% of the people who live in Seaside don't work here. Chair Romine stated a lot of the people who live here are retired. Maria stated that 75% of the working population does not work here. Chair Romine stated in the UGB we included high density housing. Maria stated that it is not clear to her that there is sufficient housing. If we wait until the 2017 housing estimates come, we still have a problem. Maria stated we don't have enough affordable housing. Chair Romine stated the point is how does this relate to expanding the UGB? Maria stated that one of the needs in Goal 9 was affordable housing, therefore affordable housing has a variety of different mechanisms to be able to have leverage. Chair Romine stated that all those systems are in place whether the commission does anything tonight or not. Maria stated that is correct and she is trying to

get the conversation going that if there are options or tools that the commission could take action on wouldn't you want to know that. Chair Romine stated that this is the Planning Commission and those are essential community and county related issues. Planning is for creating zones for high density opportunities right? Maria stated that at the last meeting they went around and around on what measures the Planning Commission had, essentially all you have is zoning, that's the only tool in the tool kit. The other point is how the vacation rentals add into the estimate of vacancy. She was unaware that L.U.B.A had a case that talked about calculating the vacancy rate and how S.R.O's can be added into it, but VRD's cannot. This is important because of how we calculated the vacancy rate. Commissioner Hoth stated that after everything that has been discussed at length and are under consideration by the commission, it seems that you are arguing the method of determining how much to do. It seems to him that you are for this, but only against the way we are calculating and he doesn't think that is the case. If you would simplify this and just say that you are against it then we could skip all this. Mr. Cupples asked for a copy of the memo that Maria was talking about earlier.

Chair Romine stated that not that long ago there were very few vacant lots and most of those were not for sale. He knows this because he is a builder and has called people who had vacant lots on the tax data, and when he spoke with these people, they had no idea that there was a land shortage in Seaside or at least buildable lands that were available. So the 100 acre question, is that an accurate number and is the land for sale or is it even buildable.

Fred Faux 3127 Bayview Terrace, stated that he has had a lot for sale in the cove area for over two years and has not had one offer.

Chair Romine asked Patrick Wingard if he could explain the UGB question that has come up from the audience, and that is, is the City in Seaside under no requirement based on size or other constraints or having plans to or implementing an Urban Growth Boundary. Mr. Wingard stated that a couple of months ago he provided some written comments that go along with some verbal testimony that was provided concerning the statewide planning Goal 14 urbanization rule. All cities are required to provide a 20 year supply of buildable lands and the determination of where that buildable land number and how we derived at that number is based upon what you've heard tonight and over the last several months, population projections, employment projections and things of that nature. Cities are absolutely obliged under state law to provide for a 20 year supply of land. He doesn't think that it's very common that an organization like the Oregon Home Builders Association or an individual contractor would file suit against a city for not having that supply of land, but it has happened. It is a requirement under state law. Now the trigger or the enforcement mechanism that the DLCDC has relied upon previously through a process known as periodic review was politically unfavorable and because of the politics around his agency using a stick instead of a carrot so using enforcement instead of incentives in effect brought on Measure 37 and other anti-land use measures they had to take a step back. Basically for a city like Seaside, they have gone away from periodic review which was the sole method to require or force cities to adopt a UGB amendment whereas maybe the cities didn't want to do that. That process doesn't really exist but there is the law that requires it and certainly attorneys can decide and property owners in consultation with attorneys can decide if they want to pursue action against a city that maybe they feel is operating under the law. He has heard testimony saying that the city is not required to do this. He adamantly disagrees with that. The state law is very clear that cities are required. That's a basic premise of Oregon Land Use Law that we have an Urban Growth Boundary to contain that growth. Often times we hear that UGB's artificially drive up the cost of housing and land, but it really cuts both ways. Absolutely, if a city decides not to expand your UGB, he thinks that the prices would increase. Boulder Colorado is the typical example of what happens when a city refuses to expand their boundary. Boulder put a ring of green field around their urbanized area and we know what the prices of Boulder look like now. There are other cities that have done that too. State law is very clear, cities are required to provide a 20 year land supply with the alternate method it could be a 14 year land supply. But the enforcement is lacking. They often times will put themselves out of a job if they come to a city like Seaside and demand through periodic review or other enforcement means which could include punitive damages. When Patrick was the Warrenton Planning Director they were met with fines from the LCDC if they didn't get certain plans in place. They would advocate that every city has a responsibility to ensure that you don't artificially inflate housing prices. It's an interesting conversation around the affordable housing piece. This is fairly common, the method that was pointed out but is not the only method to provide for affordable housing is through high density residential zoning. But he has heard in several instances that nobody wants to see an increase in density because it will ruin the character of the community. It's a tough job.

Mr. Hanson with OTAK, stated that he went back through the documentation and on page 22 of the Needs Analysis that was done in January of 2013. Mr. Hanson quoted from this report that the "City of Seaside housing and land use analysis states that the net vacant buildable acres is 103.6" the list spells out how many acres in each category. Vice Chair Carpenter asked how much of that document will be still useable in 2017? Mr. Hanson stated that document will still be highly useable.

Commissioner Wright stated that he has seen all these questions come up, and has been thinking that he would like to see this postponed until 2017. There are a lot of people here tonight, and there are many opportunities to get involved in this UGB. He made a decision last week to get involved in this and not as a member of the planning commission, but it is important. He has owned a home here for 4 years and has lived here a year and a half. He likes the community too and wants to see it grow properly. That's why he joined the planning commission, this is voluntary and they are not getting paid. They are doing this for the fun of it.

Vice Chair Carpenter stated that we should wait until the 2017 rules are out, as long as this doesn't upset people.

Commissioner Hoth stated that he doesn't have a problem with waiting until 2017, but would like people to know that required or not life changes, things change and Seaside will change. Whether they are required to or not it doesn't mean that it's not necessary by doing nothing there are going to be consequences. He hopes that people understand what waiting until 2017 means. It means we will be using a different system and it will still be done. You may not like it any better in 2017 than you do now but it will be done. As far as affordable housing is concerned, it is not something that the Planning Commission can compel, the people who choose to live here may be retired, they may buy more expensive homes. We are all concerned about the transportation and the schools and about tsunami preparedness. The transportation system plan was voted down and the relocation of the schools out of the tsunami inundation zone was voted down. Please keep that in mind. Civic responsibility as Commissioner Wright stated is a whole lot of fun. It's something that needs to be done and that's why they are here. It's not always the easiest thing to be aware of and keep track of sometime you have to make an effort to do it and that means reading public notices and reading the paper which did have a big article all about this. Some of that has to be placed on your own responsibility to make the effort to know about this. Some of you say you didn't hear about this but it has been in the paper for several months now. It takes an effort to know about these things and it's a choice. One thing that Commissioner Hoth would like to mention and it's a personal issue that he would like to put to rest and that is the question that keeps coming up concerning who is paying for this. It's bought up impugning the integrity of the commission, at least for him. This needs to be done and it needs to be paid for, if someone else wants to pay for it to help us out so that we don't have to raise taxes or charge you, he is good for that. The commission makes the decision. They decide what needs to be done and they will do it by listening to the public and he doesn't like that people are phrasing it as if because they are paying for it (Weyerhaeuser) the Commission can't be trusted. That bothers him and it's just a personal thing. Commissioner Hoth would also like for people to keep in mind that when they discuss what they like about the area, except for the people who have lived here for generations, a lot of us haven't been here for that long but where you live now used to be those pretty trees and all the wonderful stuff. We've all had a piece of the pie at someone's expense and one more thing to remember, all that land up there is not protected now. It belongs to Weyerhaeuser and they can cut it down anytime. Commissioner Hoth feels like it was concentrated in one area and he didn't like it. Planning something is better than not planning.

Mr Hanson would like to hear the Public Works Department and Fire Department's take on all the sites.

Zachary Sidel, 1190 SE 19th, Warrenton OR. Mr. Sidel stated that he thought he was being very nice and wasn't intimidating the commission and he was just reminding the commission that they are in error.

Chair Romine stated that waiting until the 2017 numbers come in, which is appropriate and the numbers may settle into a lesser need. This issue won't go away just because we postpone it, maybe it could reduce some of the need.

Commissioner Horning agrees with waiting until the 2017 figures come in because there is no rush and there are some things in the meantime that the commission can discuss at work sessions. One is considering the value of certain hypothesis and one is it possible to avoid developing S Wahanna Rd corridor and bypassing it and running things up in the hills above you. The reason he suggests this is

because there is a pretty strong tradition of old agricultural families and agricultural lands that actually have aesthetic and cultural traditional value that underline the community and if we turned them all into multi-family housing that just erases all that. He thinks there's a lot to be lost. We've heard a lot of testimony here tonight about the value of holding on to all of those things, the good things. Vacation Rentals consume houses that used to be occupied by people who worked in Seaside and they have invested so much money into them that they have become too expensive for the average person to afford so they become second homes or vacation homes. Now there are corporations that are buying up properties up and down the coast and renting them out. This isn't about mom and dad buying a home that they plan to retire in. Now we have economic engines out there that are consuming homes and depriving people of homes. He knows there have been law suits in Lincoln City, but he doesn't know where these are at this point. When he got on the planning commission almost 17 years ago there were about 200 vacation rentals and now there are about 450 vacation rentals. We need to find out how many properties do we have, how much acreage do we need to extend including the UGB and where should they be. Unless we address all these questions, we may miss an opportunity because every community goes through a process of some kind and often times we default to the traditional approach. This is the time to consider the cost or hurt us to go a different route. If we wait there is more time to think about all this.

Commissioner Hoth made a motion to postpone this UGB expansion until such time that the new figures are available and continue to discuss this issue at the work sessions. Commissioner Perkel seconded and the motion was carried unanimously.

Vice Chair Carpenter asked Mr. Cupples if he feels that the commission is going down the right path. Mr. Cupples stated that he believes that it is. Like he previously stated, the council members that the city manager spoke to were in full support of the commission making the best decision they could make on the best information. If there is any question, the council will back whatever decision the commission makes.

ORDINANCE ADMINISTRATION: Nominations for Chair and Vice Chair. Commissioner Perkel made a motion to elect Ray Romine for Chair and Bill Carpenter as Vice Chair. Commissioner Hoth seconded. Mr. Cupples asked if there were any other nominations, there was no response. Commissioner Horning made a motion to close the nominations and reappoint the Chair & Vic Chair, Commissioner Hoth seconded and the motion was carried unanimously.

Vice Chair Carpenter asked if Mr. Cupples would forward the commission's action to the City Manager, Mr. Cupples stated yes.

COMMENTS FROM THE PUBLIC:

COMMENTS FROM COMMISSION/STAFF: Chair Romine stated that this has been a difficult process and it's been a team effort from all the commission and he appreciates all the commissioners. Commissioner Horning stated that he appreciates all the hard work that Mr. Hanson has put into this project and all his presentations. Mr. Hanson stated that he has enjoyed working with the commissioners.

ADJOURNMENT: Adjourned at 9:15 pm.

Ray Romine, Chairperson

Debbie Kenyon, Admin. Assistant