

**SEASIDE PLANNING COMMISSION AGENDA**  
**989 Broadway - City Hall Council Chambers**  
**March 1, 2016**  
**7:00 p.m.**

1. **CALL TO ORDER:**
2. **PLEDGE OF ALLEGIANCE:**
3. **OPENING REMARKS:**
4. **DECLARATION OF CONFLICT OF INTEREST OR EXPARTE CONTACTS:**
5. **APPROVAL OF MINUTES:** February 2, 2016
6. **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.

**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.

7. **OTHER BUSINESS:** Elections of Officer's
8. **ORDINANCE ADMINISTRATION:**
9. **PUBLIC COMMENTS:** Not related to specific agenda items:
10. **PLANNING COMMISSION & STAFF COMMENTS:**
11. **ADJOURNMENT**

# MINUTES SEASIDE PLANNING COMMISSION

## February 2, 2016

**CALL TO ORDER:** Vice Chair Bill Carpenter 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, Tom Horning and Dick Ridout, Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director  
Absent: Bob Perkel, Ray Romine

**OPENING REMARKS & CONFLICT OF INTEREST/EX PARTE CONTACT:** Vice Chair Carpenter 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. Vice Chair Carpenter 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:** January 5, 2016;  
Commissioner Wright 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 Vice Chair Carpenter:

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.) 15-051CU:** A conditional use request by **John & Laura Fairless** to replace the non-conforming structure at **310 4<sup>th</sup> Avenue** (6-10-16DD TL10101) with a new dwelling that will be more compliant with the development standards in the Seaside Zoning Ordinance. The subject property is zoned High Density Residential (R-3).

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

Vice Chair Carpenter asked if there was anyone who would like to offer testimony in favor of the request. Laura and John Fairless 1176 Avenue B, Seaside OR. They do not want to be slum lords and this home was a slum. They purchased this home because they already own a vacation home right next door and the tenants of this property were literally terrorizing the renters in their vacation rental. Two weeks of renters left early because of the neighbor terrorizing them. Mr. Fairless stated that this home has always been a problem in the neighborhood so when the opportunity came along to purchase this home they did.

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

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

Vice Chair Carpenter indicated the issue was opened for Commission discussion. Commissioner Ridout asked if they planned on using it as a vacation rental. Mr. Fairless stated that at this time they

are undecided. Originally they were thinking of moving into it, but with the size it may be too constrained. Commissioner Ridout stated that if they are doing this in anticipation of doing a vacation rental, it could be a little sketchy. Mr. Fairless stated that there are currently 3 vacation rentals very close to this property. Mrs. Fairless asked Commissioner Ridout to explain sketchy. Commissioner Ridout stated that it would be iffy and you would still need to come before the planning commission just like the current VRD that they have.

Commissioner Wright asked if Mr. Cupples could explain the setbacks on the plot plan. Mr. Cupples stated the conditional use process for replacing a nonconforming use is open ended on what you can allow. You are not granting variances to vary from the ordinance, but based on their proposed replacement, modifying what is needed. Aside from the rear yard being maintained with a 3 foot setback they plan on having the structure moved back far enough so that they have a compliant front yard, a compliant side yard, another side yard that is more compliant with the ordinance, and the rear yard is staying the same. By allowing the replacement; you are improving the front yard setback, a side yard that is compliant, another side yard that is more compliant, and a rear yard that is staying the same. You are dropping the dwelling unit density from having a duplex on a postage stamp sized lot to a single family dwelling. They are going up to a 2 story structure, but a two story structure is the only way to get everything to fit on the lot with the parking. With this request, we want to see what is in the win column versus what is in your loss column or what is staying the same. In this case everything is a benefit over and above what is currently there. Commissioner Hoth asked if this was a duplex. Mr. Cupples stated the existing structure is currently a duplex.

At the end of the Commissioners discussion, Vice Chair Carpenter closed the public hearing and Commissioner Ridout made a motion to approve the conditional use under the guidelines that staff has presented. Commissioner Hoth 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, is still getting information regarding the UGB in the Cove area. He also did not have an opportunity to meet with the Fire Chief or the Public Works Director to evaluate potential issues associated with the Cove area and compare them with the other 3 areas.

Vice Chair Carpenter stated one of the things he would like to have discussed at the next work session is the letter from 1000 Friends of Oregon. Mr. Cupples stated that he could do that and any formal discussion regarding any action as a follow up to that letter should be held for the March 1<sup>st</sup> meeting.

Vice Chair Carpenter would like to open up the discussion to the public regarding the UGB. John Dunzer, 2964 Keepsake Dr. Seaside. Mr. Dunzer stated that he appreciated Mr. Hanson and Mr. Cupples for coming out and looking at the Cove area with him. He thinks the Cove area is a fantastic area for expansion. We have a situation now that the city doesn't know where the current UGB line is. Mr. Dunzer thinks that there is at least 30 acres of developable land there. There is also a lot of public property back there. Did the consultant know this when he did the study, Johnson Reed, included all this Cove area in the UGB study. So if now we say it's not all in, then this whole thing goes to pot because he's already put it all in. It's beautiful land and a real plus. Mr. Hanson told him that he has two actions items for this area - the first is to design a street that will go up from 70 feet elevation on Sunset to 200 feet in elevation to create a circulation system with a 6.5% grade. The owner of this property already has 30 acres of R2 which should fit 150 homes. All he is proposing is that it should be changed to R1 zoning. These should be nice ½ acre lots. There could be two resort hotels. The big problem that people keep bringing up is the access road. Sunset is a little tight. Mr. Dunzer stated Jay Barber put a bunch of rock in the right-of-way. That rock needs to be removed. We have to put the road in there the right way and we'll do just fine. The road could be safe and well designed and planned well. He included a message from the Oregon Coastal Zone Management Association when they last looked at the coast. This is where you should start before you start with expanding the city. You start with somebody who has looked at the economics of what's happened on the coast and what is going to happen on the coast. You notice that they say that over 50% of the economic activity is because of retirees and it's going to continue and even get stronger. Mr. Dunzer thinks that the people (Johnson & Reed) that did the studies had local input in the study. He doesn't think that anybody told these people that the schools were going to move out of the tsunami zone. He doesn't think that anyone told them that the City of Warrenton is sucking up all the commercial development. All the studies that talk about

the demand for people in Seaside as though you are going to have stores in Seaside for these people to work. It's malarkey. The Johnson & Reed studies rely on local input and Mr. Dunzer feels as though the city never gave them any input. Tim Mancill wanted Mr. Dunzer to know that the rocks have been along the road there way before the Jay Barber bought the house.

Vice Chair Carpenter asked if there was anyone else that would like to have some input. Thomas Kinney, 491 Fairway Ct. Seaside. There is supposed to be a bunch of people from Fairway Ct here tonight but they didn't show up. The concern from the neighborhood is that years ago the owners of that property were going to develop it. If there are 150 homes back there and you put the traffic from those homes via the two streets that Mr. Dunzer suggests, you will still need to upgrade those roads. They're still going to go to Sunset and Edgewood and that would be at least an additional 300 more cars on that road. The neighborhood feels like it will only cause a traffic jam, unless there is an access to Highway 101 from the development. He's not against the development, just all the extra traffic.

Vice Chair Carpenter asked if there was anyone else that would like to have some input. Buzz Ottem, 86081 S Wahanna, Seaside. It is just a matter of reason that whatever population growth that Seaside experiences in the future, it is not going to be kids, it is not going to be workers and it is not going to be people who are looking for a profession. Seaside is done because of Warrenton. Warrenton has the key, and the land, and they are not going to give it up. Buzz has not seen the study that Mr. Dunzer is talking about but he knows that the people that will come to Seaside are the retirees. These people are going to want a restaurant and shopping. He understands Mr. Kinney's concerns because they all have those same concerns. They want to shove all the traffic down his throat and run a road to Beerman Creek. Certain things make certain sense.

Vice Chair Carpenter asked if there was anyone else that would like to have some input. John Dunzer stated that he doesn't think that the schools will move out of the tsunami zone. That is still going to dump all the cars on Wahanna, from all the kids. The surfers are a real problem in the Cove area and the property owner that has all that rock in the road.

Vice Chair Carpenter asked if there was anyone else that would like to have some input. Maria Pincetich, 86273 Wahanna. She is very grateful that the commission is going to review and discuss the 1000 Friends of Oregon letter. Maria stated that she has read all the documentation and she wanted to reiterate that the commission still has the authority to decline this proposal. Although most of the discussion has assumed that the city will go forward with it, she would like to remind everyone that it is possible to decline it. In the spirit of being prudent and being protective of our city and ensuring that we don't expose ourselves to any potential litigation; we should wait until these new population estimates come out. The new rules provide a lot more safety and security and are much more defensible from a legal standpoint for the City of Seaside. Maria would like to encourage the commission to postpone any decision.

Vice Chair Carpenter asked if there was anyone else that would like to have some input. Kay Kemhus, 1920 Huckleberry Dr. Seaside. Kay's main concern is traffic. There is going to be problem. Sunset Hills only has one access, Seaside Heights only has one access. In case of a tsunami, how are all these people going to get out? The population in 1961 was 3600. The city really hasn't grown that much in the past 50 years.

Vice Chair Carpenter asked if there was anyone else that would like to have some input. Maria Pincetich. Don't you find it ironic that all the letters that came in say they don't want it here or here or here? Each of the four sites have their own consternation toward it. Perhaps no matter where the city wants to expand there will be opposition to it, so maybe we should rethink the math and the facts behind it.

Vice Chair Carpenter asked if there was anyone else that would like to have some input. Buzz Ottem. Someone said something about spending money. He stated that Seaside was not a friendly town to the people who live here or to the people who visit here. He has almost rear ended people trying to get across traffic in front of Safeway and has almost been rear ended. That's because it's not a friendly town. In other beach towns, they have pedestrian overpasses and turn lanes because that's the way it should be. The only crosswalk is on Broadway. If someone is five blocks down - are you going to walk up five blocks or are you going to take your chances. Everyone is taking chances. On Maria's note of why don't we just postpone this; Seaside's money would be better spent making this a friendly town first.

Green space has been talked about. Intersections should be improved, for example Avenue S and the highway. That's a horrible intersection.

Vice Chair Carpenter asked if there was anyone else that would like to have some input. Ann Pilger, 1585 S Wahanna, Seaside. She didn't like the last comment that Seaside wasn't a friendly town. She has lived all over the world. They chose to move here with their kids, who at the time were in Jr. High, because it was a very friendly and very nice place to raise kids. The city takes care of the tourists because it is a tourist town and they take care of the locals. We have some crime and some problems but nothing like the big cities. She loves Seaside.

Vice Chair Carpenter asked if there was anyone else that would like to have some input. There was no response. He closed the public comment for this agenda item for tonight's meeting.

At the end of the Commissioners discussion, Commissioner Ridout made a motion to continue this to the next scheduled planning commission meeting on March 1st, 2016 at 7pm at City Hall with public comments. Commissioner Horning seconded and the motion was carried unanimously.

**ORDINANCE ADMINISTRATION:** None

**COMMENTS FROM THE PUBLIC:** Tim Mancill, 755 N Wahanna, Seaside. Mr. Mancill stated in his area he has a lot of problems with some of Bauske's properties which are turning his neighborhood into a slum. Mr. Mancill has been to the City Council meetings several times about several issues. Tim included a copy of a letter that he distributed tonight. About a year and a half ago at 600 N Wahanna Mr. Bauske put in two illegal septic systems and Mr. Mancill took photos of them, called the DEQ and nothing has been done. That property is in the county and no one wants to take responsibility for it. This property has all kinds of illegal activities going on and the county will do nothing and that is why Bauske gets away with it. The reason Mr. Mancill is here tonight is regarding 498 N Wahanna. It has three separate dwellings on it. Mr. Bauske bought the property in 2008, Tim believes. In 2009 Bauske put at least 20 dump truck loads of fill on that property, but of course he did it on a weekend when nobody is around to do anything. Mr. Mancill went into the office and spoke with Kevin regarding the issue and Kevin called Mr. Bauske and Mr. Bauske told Kevin that he was only storing the dirt there. About a year later the dirt was spread out. On April 6<sup>th</sup> and May 4<sup>th</sup> of 2010 there were planning commission meetings regarding this planned development. In those meetings were discussions regarding access, and in the minutes it states that you wanted one access to the property. In the minutes it states that Mr. Bauske's representative stated that most of Mr. Bauske tenants do not have driver licenses so cars will not be an issue. If any of you have driven by there you will notice that at times there are at least 7 cars parked in there. There are three distinct driveways there now. In the May 4<sup>th</sup> meeting it says that there will only be one driveway, and the plan showed smaller buildings. One of the buildings was supposed to be 1 story. Right now there are three large homes with three separate driveways. The problem is they were allowed to be built in non-compliance. Mr. Mancill has put over \$100,000 into his home to make it a nice neighborhood. Now he has to deal with bad tenants around him. Now the problem we have is there are three driveways to those new homes. The people in the new homes are now backing out onto the street. There are no sidewalks on North Wahanna. He cannot even have a dog because people drive so fast on Wahanna. The question is why were they allowed to build that way even after the planning commission told them they had to be built a certain way and they did not follow what the planning commission told them to do.

Vice Chair Carpenter asked if Mr. Cupples had anything to say about this complaint. Mr. Cupples stated that he is preparing a memo to Mark Winstanley to respond to all the items that we can respond to. As far as the building permits go, although the last thing the Building Official wants is to have more inspection responsibility, the city may be able to take on building permits for that area. Currently if someone comes in they bring in the planning information to the City of Seaside and we give them planning approval. They have to go to the county for permits. We may want to do an amendment to the UGB agreement just to get building responsibilities there. Commissioner Hoth asked what happened to the 498 N Wahanna property and why wasn't it built to the standards that the planning commission had asked for. Mr. Cupples stated that he will forward the memo to the planning commission and to Mr. Mancill once the memo is done.

Vice Chair Carpenter asked if the Building Permits and inspection issue is something that will need to go to council. Mr. Cupples stated that it would first go to the Planning Commission and then be forwarded to the City Council and then the Council and Board of Commissioners would vote to adopt that.

**COMMENTS FROM COMMISSION/STAFF:** None

**ADJOURNMENT:** Adjourned at 8:00 pm.

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Bill Carpenter, Chairperson

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Debbie Kenyon, Admin. Assistant

March 1, 2016

02-19-16 15:09 RCVD

TO: Planning Commission

FROM: John Dunzer



SUBJECT: City Boundary Expansion

At previous Planning Commission meetings I presented an additional study area, the Southwest area behind the Cove Estates Subdivision. Attached please find an input for this study area in the form used by the boundary extension amendment you are presently considering.

Also I have attached a copy of the Hazard Report Form that I have submitted to the Seaside Public Works Department. Removal of the identified hazard will eliminate the traffic safety problems on Sunset Blvd. identified by your consultant in his previous analysis.

### Site F – Cove

The Cove study area is approximately 120 acres in size and is situated just south of the existing Cove Estates residential development. This site has not been developed although 30 acres of this area are presently included within the existing urban growth boundary of Seaside. There are three road accesses for this development. Two of these accesses are right of way extensions of Evergreen and Highland which were designed to support future development as a part of the existing Cove Estates. Both of these accesses lead to gently sloping, easily developed land, free from major slopes and drainage courses. This area has spectacular ocean white water views looking north. The third access point is from Sunset Boulevard, the existing collector street for the Cove area. Sunset leads to major arterial, Ave U and which is linked to a bridge and signal to Hwy 101.

- o Proximity to existing utilities. City supplied water and sewer are available at all three access points and pipes have been sized for the development of this area. Sewer service would be all gravity flow. At the top of Site F (elev 200 ft) is a water tank site which would support gravity pressurization of the water system of the entire southern portion of the city. This would also allow the City to eliminate the need for the water pump it presently

needs to support developed areas of the City above 70 feet along Sunset Boulevard. The Cove Estates area already has underground power, phone and cable which would be extended underground into Site F. Tsunami warning sirens already service the entire Site F and the site is presently adjacent to the tsunami assembly area for the entire southern portion of Seaside.

- o Vehicular access. As previously described, the area is served from the major collector Sunset Boulevard. Sunset Boulevard needs width improvement in the area where it intersects Ocean Vista and Beach. Adequate right of way exists in this areas for this improvement which is required by Seaside's TSP regardless of further development in this area. Major streets Highland and Evergreen presently provide north/south access to approximately 25 Cove Estates homes each. These streets were built as major streets to accommodate further development in the area. With the proposed low density residential development each of these streets would be extended 900 feet where they would meet. This would provide for traffic circulation. Road grades would average only about 4%. The third road access leading south into the Cove site will be a new street that will intersect Sunset Boulevard about 300 feet west of its intersection with Greenwave. This road will need to bridge a drainage and ascend 135 feet at a road grade of 6.5% to the maximum elevation of Site F. It would then descend at a road grade of 5% to the intersection of Highland and Evergreen creating good traffic circulation within the entire development area.

- o Site constraints. The Northwestern 30 acre portion of Site F contains steep slopes and a drainage which limits the amount (8 acres) and type of development. However this same area does have world-class white water views which would allow high end resort development. Of the remaining 90 acres, 60 acres are suitable for low density ocean view residential development. An additional 20 of these acres are in the maximum tsunami inundation zone but could still be developed as residential by using garage under and clustering type construction. The remaining 10 acres on the southern boundary of Site F are constrained by a stream and adequate buffering.

- o Logical Growth Pattern. Site F is the only area being considered for growth that has been previously planned by the City for growth. Site F is the only area where the existing urban growth boundary already includes 30 acres of the site. The access roads have already been preplanned and all services are directly available. Neighboring developments were aware when they purchased their property that this growth was to occur. In addition the growth planned has been scaled back from R-2 to R-1 and adequately buffered to reduce any impacts. Residents in the Cove Estates have voiced a desire for an additional connection to Hwy 101. This development would develop about 50% of this desired road.

The Cove study area contains 88 acres of non-constrained land for future urban area development. When compared to the total acreage of Site F at 120 acres this calculates that 74% of the site is available for development. This is the second highest percentage of developable area of all the study areas being considered for expansion. Per Table 2, these areas range from a low of 37% for North Hills to a high of 84 % for South Hills.

[Site Map](#) [Home](#)  
[Seaside City Hall - Contact Us](#)



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### Hazard Report Form

Have you encountered a hazard such as potholes, trees limbs covering the right-of-ways, or any other situation that you believe to be a hazard and wish to report/share, please provide us with detailed information.

When the form is completed you can either email, drop-off, or mail the form to Public Works and the proper authorities will be notified of the hazardous situation.

**Notes:**

- When you come across a hazard, make a note of its location.
- If you have a camera with you, take a few photos clearly showing the defect

Please call Public Works at 503-738-5112 if you would like more detail about the hazard.

Name: \* JOHN DUNZER

Email: \* JOHNDUNZER@MSN.COM

Contact: (503) 738-6885

Date hazard encountered: Month Day Year  JAN 2016

**Type of hazard that you encountered:**

ROAD RIGHT OF WAY - SIGHTS LINE INADEQUATE ROAD WITH NOT ADEQUATE, NO PEDESTRIAN INFRASTRUCTURE.

**In what area is the hazards located?:**

INTERSECTIONS: OF SUNSET WITH CLEAN ROAD name: VISTA & BEACH DRIVE OCEAN VISTA WAY SUNSET BLVD.

**Comments, explanation, and suggested action:**

CLEAR CUT OBSTRUCTIONS TOTAL RIGHTS OF WAY - PAVE FULL WIDTH PUT IN SIDEWALKS & BIKE PATHS

Submit

THIS SECTION OF ROADWAY WAS VISITED WITH OTEK PLANNER / KEVIN LUYALES / JOHN DUNZER IN CONJUNCTION WITH EXPANDING CITY BOUNDARIES IN THE COVE ESTATES AREA. OTEK PLANNER SAID THAT THIS NARROW SECTION OF SUNSET WAS A HAZARD AND A CONSTRAINT ON ~~TRAFFIC~~ TRAFFIC FLOW TO AND FROM THIS AREA REGARDLESS OF EXPANSION. HE PROVIDED ATTACHED AERIAL PHOTO WHICH ILLUSTRATES THAT THERE IS AMPLE RIGHTS OF WAY FOR ELIMINATING BOTTLENECK HAZARD AS WELL AS SIGHTS LINE PROBLEMS. PROPERTY OWNERS ON NORTH SIDE ARE OBSTRUCTING RIGHTS OF WAY. CITY HAS NOT BUILT ADEQUATE ROADBED

John Dunzer



**CONFLICT AREA**

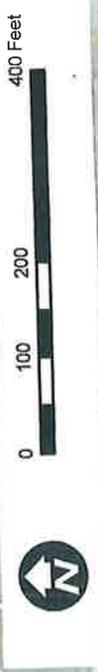


FIGURE 4



## Seaside Oregon

# Urban Growth Boundary Amendment Review of ORS 197.298 and Goal 14 Locational Factors and Final Site Selections

## Final Report

**February 9, 2016**

Submitted to:  
City of Seaside  
Kevin Cupples  
989 Broadway Street  
Seaside, OR 97138

Prepared by:  
Otak, Inc.  
808 SW 3<sup>rd</sup> Avenue, Suite 300  
Portland, OR 97204



Otak Project #15012

## Introduction

The following memorandum describes the land suitability analysis for adding lands to an Urban Growth Boundary (UGB) as required by State of Oregon law and administrative rule.

Prior to this analysis the City of Seaside administered a Goal 9 land needs analysis considering existing growth capacity, a housing and jobs forecast to determine land needs, by use type for accommodation of a 20-year growth horizon for the City of Seaside. The conclusion from the Goal 9 and 10 processes resulted in an identified need of approximately 200 acres of land for addition to the City of Seaside's UGB. The identified mix and quantity of land use types is as follows:

Table 1: Identified Land Use Types

Land Use Type	Gross Acreage Needed
High Density Residential	61.3
Medium Density Residential	54.5
Low Density Residential	38.8
Subtotal Residential	154.6
Industrial	16.1
Institutional	19.5
Employment	35.6
Parks	10.6
Total Need	200.8

This memorandum therefore describes the process used for selecting said lands for inclusion in the City's UGB following the guidance of Oregon Revised Statute (ORS) 197.298 (Priority Lands) and Goal 14: urbanization (OAR 660-015-0000(14)); the evaluation considers:

- Priority Land factors - goal 3, 4 land 5 protections, soil site-class suitability for timber production
- Locational Factors - efficient accommodation of identified land needs, orderly and economic provision of public facilities and services, comparative environmental, energy, economic and social consequences and compatibility with nearby farm/forest activities.

The conclusion of this Priority Lands and Locational Factors analysis will include a comparison of potential expansion areas and a recommended location for the approximately 200 acre UGB expansion. A subsequent effort and memorandum chronicle the planning process for identifying potential comprehensive plan designations and approximate infrastructure locations needed to guide and accommodate future growth. Ultimately land will be zoned and annexed into the city incrementally at the time land owners so choose.

## ORS 197.298 Priority of land to be included within urban growth boundary

The purpose of this section within Oregon's Revised Statutes is to guide UGB amendments in a manner that discourages the inclusion of highly productive farm and forest lands unless no reasonable alternatives exist. UGB expansion, following the statute should take place as follows:

1. Urban Reserves – these are areas that have been pre-determined (and analyzed) as suitable for future UGB expansion.
2. Adjacent, Non-Resource Lands – these lands are both adjacent (can abut, or be in relatively close proximity) to the existing UGB and, known as “exception lands” are already in smaller rural lots and often contain housing or rural commercial activities.
3. Resource Lands – these areas support valuable farm and forest commercial activity. These lands are generally in large lot sizes (80 to 160 acres) and rarely contain housing or commercial activities.

Following is a description of how these priorities were analyzed.

### Urban Reserves

Urban reserve areas can be designated as future locations for UGB expansion. The UGB is intended to contain the land needed to accommodate two-decade's worth of expected growth. Reserves are intended to provide the room for the following 30 years, and to be brought into the UGB periodically as land supply is deemed insufficient. Few cities in Oregon have established Urban Reserves. The City of Seaside does not have Urban Reserves; accordingly, the first step in this process can be bypassed, moving on to Adjacent Non-Resource Lands.

### Adjacent, Non-Resource Lands

This category of lands contains two distinct components. Non-resources lands are generally defined as lands for which no exception has been taken from the protective requirements of Goals 3 (Agricultural Lands), 4 (Forest Lands) or 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces). Goal 3 and 4 lands are generally protected from development in order to facilitate the economic use for farming and forestry on them or their neighboring lands. Others such as Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) and Goal 7 (Areas Subject to Natural Hazards) are intended to prevent loss of important habitat, scenery, other natural resources or human health, safety and welfare.

Three areas of non-resource land are present within the study area adjacent to the City of Seaside's UGB. They can be seen on the map below. They are designated Rural Lands by the County Comprehensive Plan and zoned RA-5 and RA-2.

**Area 1:** There is one Rural Lands parcel (Tax Map: 61010A0001100) that measure 5.95 acres in size. It is located within one mile of the City of Seaside's UGB, but is completely surrounded by resources lands (Goals 4 and 5).

**Area 2:** There is just one lot directly adjacent to the City's UGB. It is 3.08 acres in size (property is located at 420 10<sup>th</sup> Avenue, Seaside, Oregon, Tax Map 61028AC00800). The area's western edge connects to the UGB, but the south and eastern edges border Goal 5 lands identified as Conservation and Other Resource Uses in the comprehensive plan, and zoned LW.

There are two other areas that while not directly proximate, are located nearby.

**Area 3:** Just over one mile south of the existing UGB, east of US Highway 101 and along Beerman Creek Lane there is a collection of Rural Lands zoned RA-2 and RA-5. Together these properties add up to just over 130 acres. The lands to the west of US Highway 101 are protected from development by the North Coast Land Conservancy. These lands are sufficiently removed from the UGB that provision of public services would be impracticable.

Clatsop County Comprehensive Plan: Non-Resource Lands



Without sufficient adjacent, non-resource lands available to accommodate forecasted growth, the City of Seaside has no choice but to look at Resource Lands.

### Resource Lands

Beyond the above described non-resource lands, all the remaining lands adjacent to the Seaside UGB are Resource Lands. In Clatsop County, and within our study area, the Resource Lands fall into three categories from the Comprehensive Plan: Conservation Forest Lands, Rural Agricultural Lands, and Conservation Other Resources.

Resource Lands within our study area include:

**Goal 3 Resource Lands** include an isolated parcel designated by the comprehensive plan as Rural Agriculture Lands. This land is zoned EFU.

**Goal 4 Resource Lands**, designated by the comprehensive plan as Conservation Forest Lands have been zoned AF (Ag / Forest at a smaller scale with lots generally smaller than 40 acres) and F-80 (Forestry with 76 acre minimum lots).

**Goal 5 Resource Lands**, designated as Conservation and Other Resources are assigned the LW (Lake and Wetlands) zoning designation.

Clatsop County Comprehensive Plan: Resource Lands

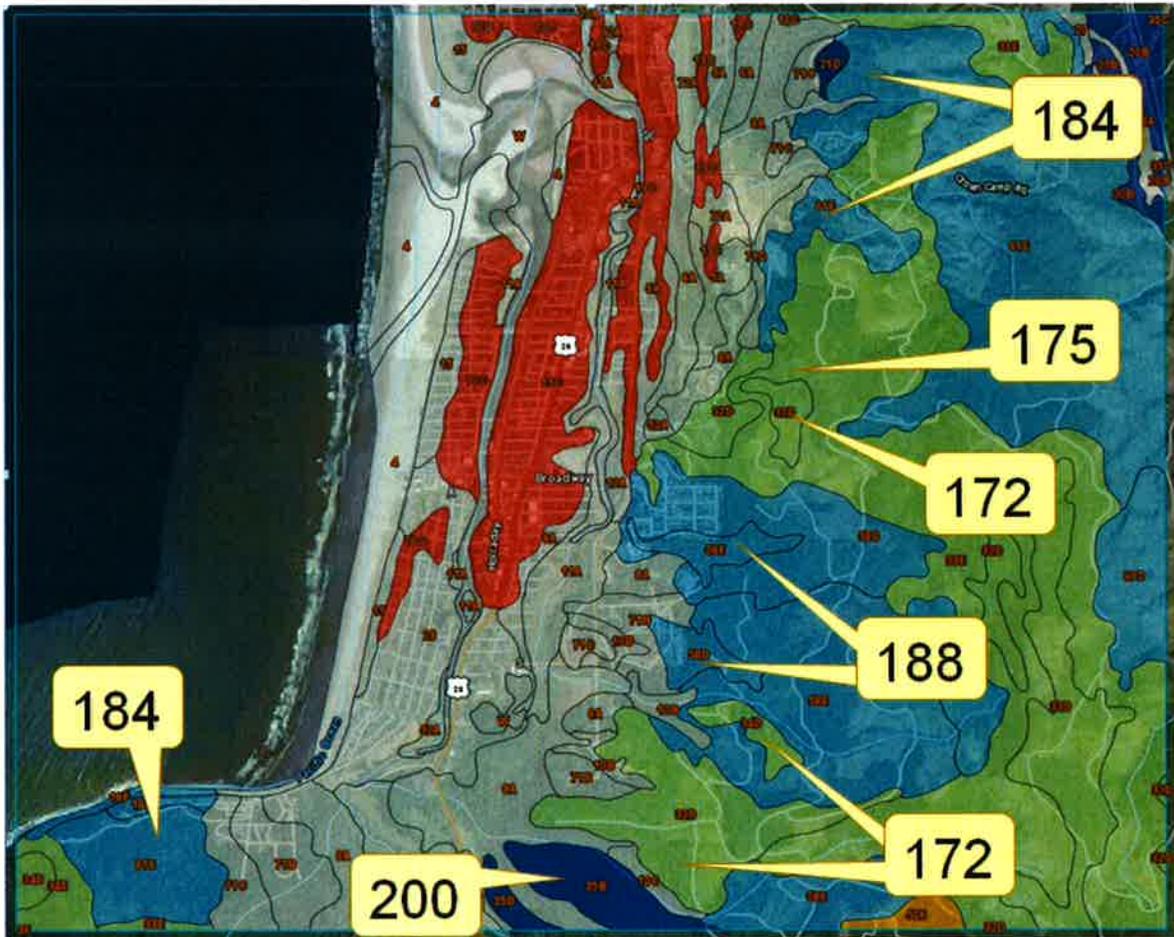


The next step in examining land suitability is to prioritize lands for inclusion as those with the lowest potential productivity. On forest lands productivity is measured by soil site-class suitability. This measure describes the potential annual yield, listed as the number of cubic feet of timber per acre.

Cubic Foot Productivity Classes	
Code	Potential Yield-Mean Annual Increment
1	225 or more cu ft/ac/yr
2	165 to 224 cu ft/ac/yr
3	120 to 164 cu ft/ac/yr
4	85 to 119 cu ft/ac/yr
5	50 to 84 cu ft/ac/yr

The Natural Resources Conservation Services provides an online tool for viewing the productivity class for most lands within the State, and the United States as a whole. The map below shows the information attained from this online tool

<http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>



Map: Soil productivity (Cubic feet per acre, per year average)

As shown above, the majority of resource lands near or adjacent to the UGB fall within Productivity Class 2 (Between 165 and 224 cubic feet per acre per year). Some data near the UGB (predominately to the south) is not available. However, the soil typologies are similar and therefore expected to also fall within Class 2.

#### Conclusion: 197.298 Analyses

The City of Seaside has no established Urban Reserves (first priority) and insufficient adjacent non-resource lands for accommodating expected future growth. The analysis of resource lands shows that there are no substantial differences among the resource lands near Seaside's UGB. As a result, all adjacent lands are available for consideration by application of the "locational factors" of Oregon Administrative Rule (OAR) 660-015-0000(14).

#### Locational Factors Evaluation

Goal 14 lists a series of four (4) factors for determining the best location(s) for UGB expansion. They are often referred to as locational factors. They are: (1) Efficient accommodation of identified land needs; (2) Orderly and economic provision of public facilities and services; (3) Comparative environmental, energy, economic and social consequences; and (4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.

The following analysis considers topographical constraints to examine development capacity for Factor 1. Access to existing street and infrastructure connections is mapped in regard to Factor 2. Proximity to public services such as the hospital, schools, and the tsunami assembly areas, and solar aspect are measured to consider Factor 3. Factor 4 is analyzed by looking at ownership maps through Clatsop County’s GIS servers.

For this analysis the location factors are divided into two categories:

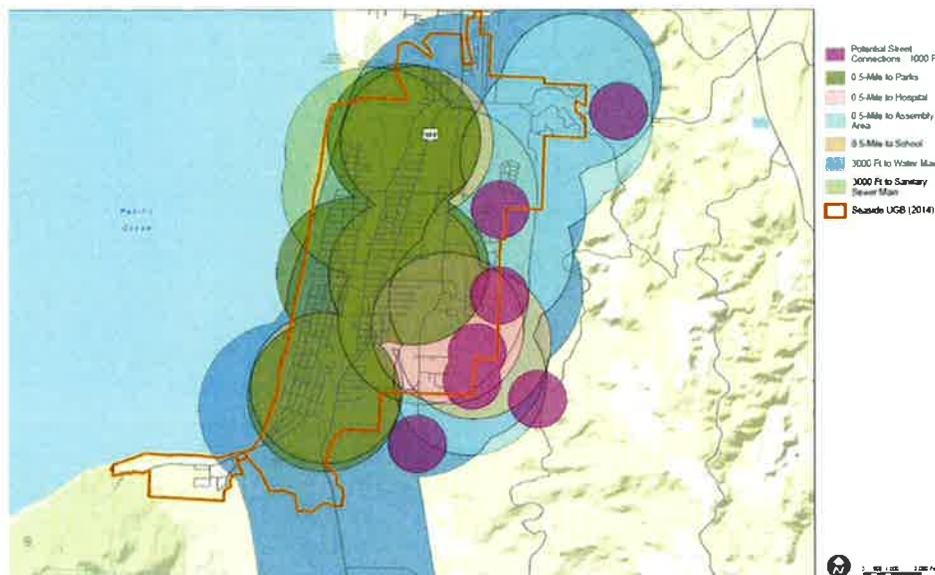
- **Positive Conditions** – conditions which favor a site or location for urbanization
- **Negative Conditions** – conditions that limit the urbanization value of a site or location

### Positive Conditions

These conditions are related to several of the location factors. GIS mapping allows them to be examined and combined to find the highest coincidence of conditions that support urbanization.

The map below shows the overlapping occurrences of these positive conditions:

- Connections to existing streets
- Distances to
  - Parks
  - Hospital
  - Tsunami assembly areas
  - Schools
- Proximity to sewer and water (including potential locations for storage)



Map: Positive Conditions

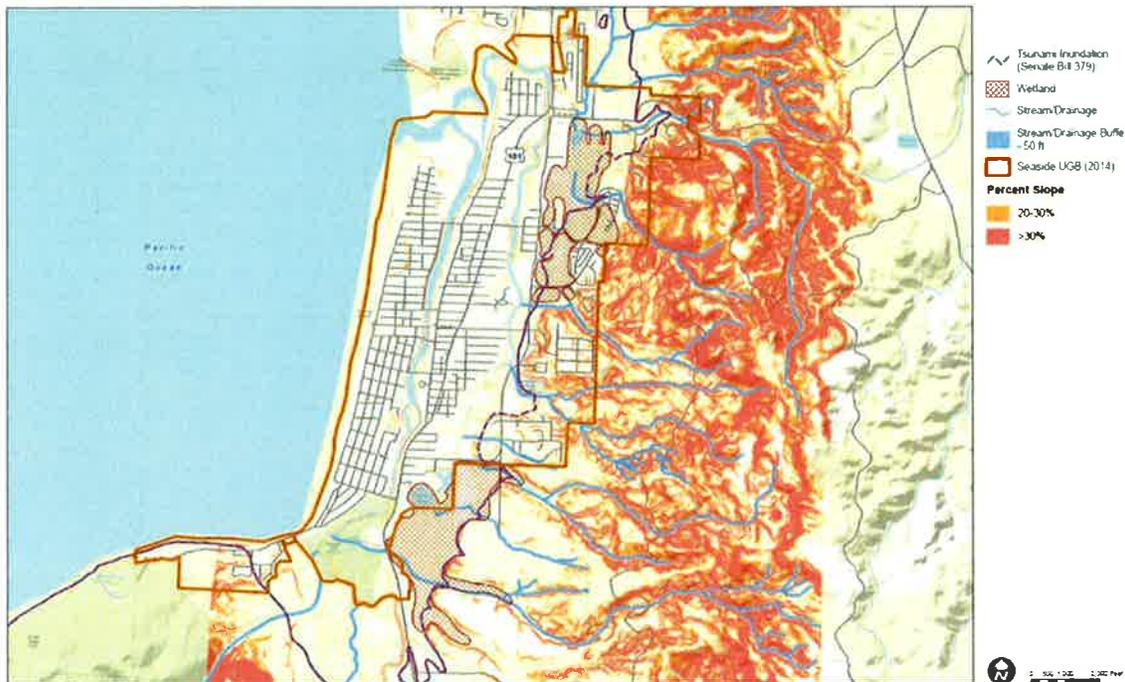
As can be seen on the maps above many locations have good access to tsunami assembly areas. Access to water and sewer infrastructure is also similar for many locations. The southeastern edge of the City’s UGB rises slightly above other areas in terms of access to existing roadway connections, the hospital and the school.

## Negative Conditions

These conditions are related to several of the location factors as well. GIS mapping allows them to be examined and combined to find the highest coincidence of conditions that inhibit urbanization. The presence of a negative condition does not preclude development. Rather, this mapping has been done to collectively examine elements that may limit development potential or hinder provision of public infrastructure including safety.

The map below shows the overlapping occurrences of these positive conditions:

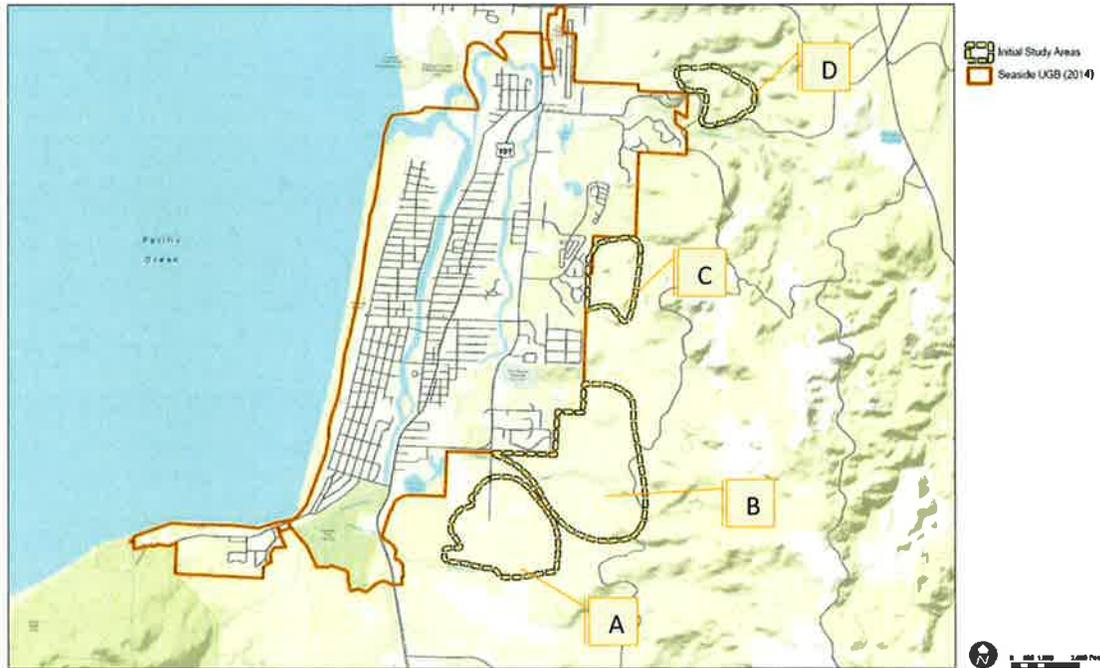
- Steep Slopes. Slopes equal to or greater than 25 percent are typically considered unbuildable when determining growth capacity. The map below shows two ranges of slopes, 20-30 percent and slopes greater than 30 percent as an illustration of topography that is easier to read than topographic map layers. The combination of these two ranges was considered in the locational factors evaluation; when a preferred boundary amendment is developed, capacity will be calculated based on the 25 percent standard
- Streams, with 50 foot riparian buffers
- Wetlands from the Oregon Spatial Data Library (includes National Wetland Inventory [NWI] plus a compilation of other local data)
- Tsunami Inundation Area (SB 379 mapping)



Map: Negative Conditions

The most pronounced negative condition is the wetland areas identified by the County Comprehensive Plan as Conservation Other Resources and from the Oregon Spatial Data Library, followed closely by topography. The wetlands, combined with the SB379 tsunami inundation line limit the ability of the southern and southeastern most areas in regards to safe and sustainable urbanization. The steep sloping lands to the northeast also limit the ability for urbanization, both in terms of capacity and safety.

Based on the combination of positive and negative conditions four locations were selected for further study.



Map of Study Areas

With these four areas established, the guiding forces behind the four locational factors were analyzed for each site – developing a comparative ranking for each. The four sites are described below:

#### Site A – South Hills

The South Hills study area is approximately 165 acres in size and is situated just south of the East Hills site. It straddles Wahanna Road and is currently developed with 16 homes that are on larger land parcels. The study area does not contain steep slopes and is traversed by only one existing drainage way that flows from east to west through the center of the site. There is also one drainage finger along the southern edge of this study area.

- **Proximity to existing utilities.** The site is proximate to water service in Wahanna Road. There is actually an existing water district that serves the 16 current residential units in the study area. This district is currently supplied by City of Seaside water and pays for the service on a monthly basis. This water system would be upgraded and expanded to serve the balance of the South Hills study area. The water system would also be enhanced by the future water tank at elevation 400 feet. Sewer system upgrades would include extending a main line south in Wahanna Road and pumping it north into the existing city system.
- **Vehicular access.** The area can be served from Wahanna Road. Improvements would include upgrades to Wahanna Road and a series of local loop roads to provide access to the future development areas to the east and west of Wahanna.
- **Site constraints.** Constraints are limited given the absence of steep slopes. The one drainage corridor that traverses the site would need to be protected with adequate buffering in a resource overlay.

- **Logical growth pattern.** The South Hills area is a logical growth area for the city. It is proximate to existing services and extends an existing road, (Wahanna), for easy access to and from the city’s major arterial.

The South Hills study area contains 141 acres of non-constrained land for future urban area development.

### Site B – East Hills

The site is approximately 265 acres in size and is situated directly east of and upslope from an existing subdivision within the city limits. The subdivision is accessed from Cooper Street which connects to Wahanna Road. The study area also extends north above the existing elementary school site and also to the south side of the subdivision with a narrow frontage on Wahanna Road.

- **Proximity to existing utilities.** The site does have access to existing water and sewer lines in Wahanna Road as well as in the existing subdivision to the west that could be extended. Sewer system upgrades would be required (pump station upgrades). A future water tank set at elevation 400 above the study area will ultimately be required to serve the upper portions of the study area. The future water tank is an identified objective for the overall city water system.
- **Vehicular access.** Vehicular access to the study area is somewhat limited. Three options exist. The northern portion of the site could be accessed by an extension of Spruce Drive, but this route would have to go through the elementary school site, potentially disrupting the school’s parking and circulation routes for school busses. This route may be appropriate for any future school facilities that may expand from the existing school uphill to the east. The central portion of the site has an access stub from the existing subdivision that is a narrow tract and would be limited to pedestrians and emergency vehicles only. It’s also shown as a potential tsunami evacuation route. The southern portion of the study area is shown with frontage on Wahanna Road where access could be extended east in alignment with Avenue S.
- **Site constraints.** The study area does contain steep slopes that are primarily along four existing drainage corridors that traverse the area from east to west. These drainage areas also contain smaller drainage fingers that reduce any potential development areas in the future. These drainage corridors and steep slopes would need to be protected in resource areas in the future with open space/resource protection area overlay mapping.
- **Logical Growth Pattern.** The East Hills area is a logical growth area for Seaside. It is next to existing residential development and existing utility services. It also has multiple access options.

The East Hills site yields approximately 116 acres of land that is non-constrained by physical conditions for future urban development.

### Site C – North Hills

The North Hills area is approximately 69 acres in size and is located at a higher elevation and east of Shore Terrace Road. Although directly east of the city limits and current UGB, it has no access points or potential utility connection points. It is characterized by steep slopes. There are three severely sloped “ledges” that traverse the site from north to south.

- **Proximity to existing utilities.** There are existing water and sewer systems in two subdivisions to the west of the study area but there are no access easements in place to extend the services uphill to the study area. This site is also somewhat remote from where a future elevation 400 feet water tank would logically be installed.
- **Vehicular access.** The site does not have access to any public roads that could be expanded in a feasible manner to serve the area. The one potential access point on Shore Terrace Road in the northwest corner of the study area would require significant impact to an existing wooded wetland area.
- **Site constraints.** The existing severe topography greatly limits any future site development. The location of the three ledges and their configuration negate the ability to create an onsite street system to serve future development. Also there is no ability to provide a secondary access point for emergency vehicles.
- **Logical growth pattern.** The North Hills site is not a logical growth pattern for the city given its lack of access and severe slopes which should be protected.

The North Hills site contains 25 acres of unconstrained land. It is important to note that while this area is measured at 25 acres, the pattern of the three ledges divide the site into separate land areas that are not feasible for future development.

#### Site D – Lewis and Clark Hills

The Lewis and Clark Hills area is approximately 57 acres in size and is located along the northern side of Lewis and Clark Road near the northeast corner of Seaside's city limits. A portion of the site along Lewis and Clark Road is owned by Clatsop County and was once used as a refuse transfer station. The site is characterized by steep slopes, in particular on the northern and eastern portions of the site area.

- **Proximity to existing utilities.** The site is directly east of an existing city water tank but well above its service level elevation. A pump station would be required to serve the site. Sewer service also exists in an existing subdivision to the west of the site. A utility access easement and upgrades to the existing sewer system west of the connection point would be required to provide the needed capacity for the Lewis and Clark Site.
- **Vehicular Access.** The site does have frontage on Lewis and Clark Road with access potential along the southeast portion of the study area. The access point options are somewhat limited by three large curves on Lewis and Clark Road that restrict visibility for motorists. Safety improvements would be advisable on Lewis and Clark Road that would provide motorists advanced warning of a proposed intersection. These improvements may also include an eastbound left turn lane into the site from Lewis and Clark Road. There are also traffic safety concerns at the bottom of the hill at the US Highway 101 intersection. Improvements are proposed in the TSP; however, they are medium and very long timeframe improvements.
- **Site Constraints.** The eastern and northern portions of the study area do contain steep slopes that restrict development and should be preserved. There is also an existing drainage along the eastern and northern edges of the site that will require protective buffers. Potential development area is limited to the southern portion of the site closest to the potential access along Lewis and Clark Road.

- **Logical Growth Pattern.** The site is somewhat remote and limited in size due to physical constraints. There is a lack of connectivity with the city, but it might be suitable for a small planned development.

The Lewis and Clark site contains 23 acres of unconstrained land. The pattern of severe topography limits the site to approximately 15 acres that can be developed in a feasible manner near Lewis and Clark Road.

**Table 2: Study Area Composition**

Site	A- East Hills	B- South Hills	C- North Hills	D- Lewis & Clark Hills
<b>Total Acres</b>	265	165.9	69.3	57.4
<b>Slope 0-10% (Acres)</b>	55.9	92.9	8.2	13.7
Percent of Total Acreage	21.1%	56%	11.8%	23.9%
<b>Slope 10-20% (Acres)</b>	86.9	57.7	17.7	12
Percent of Total Acreage	32.8%	34.8%	25.5%	20.9%
<b>Slope 20-30% (Acres)</b>	58.8	12.1	17.2	9.2
Percent of Total Acreage	22.2%	7.3%	24.8%	16%
<b>Slope 30 &amp; greater (Acres)</b>	63.4	3.2	26.2	22.5
Percent of Total Acreage	23.9%	1.9%	37.8%	39.2%
<b>Constrained land Area (Acres)*</b>	148.7	24.8	43.4	33.7
Percent of Total Acreage	56.1%	14.9%	62.6%	58.7%
<b>Non-Constrained land Area (Acres)**</b>	116.3	141.1	25.9	23.7

\*Constrained land are includes slopes 20% and greater, stream/drainage corridors, and wetlands.

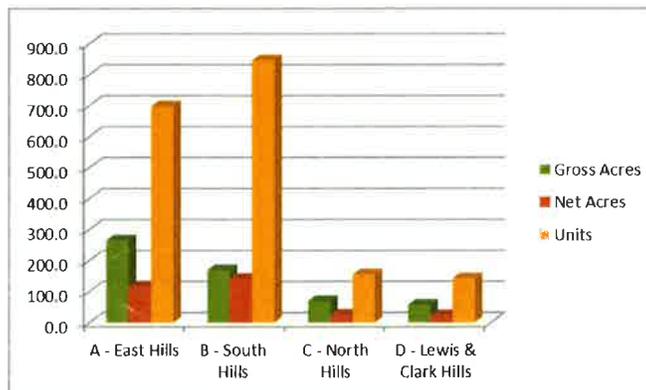
\*\*Non-constrained land area is the leftover acreage after constrained land area is excluded.

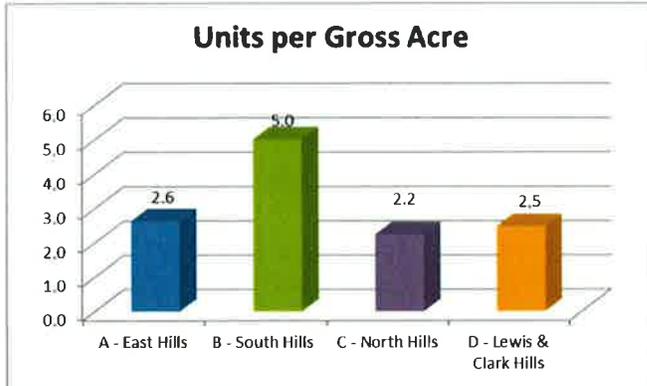
## The Location Factors

**(1) Efficient accommodation of identified land needs:** The first of the Goal 14 factors relates to the site’s ability to efficiently accommodate needed growth. The analysis considers this factor through the considerations discussed below.

Comparing the housing yield to the amount of land required describes the overall efficiency of the area. Each area was modeled to develop at 6 units per net residential acre. (6 units per net acre is considered standard for cities with fewer than 8,000 population)

Of the three areas, site B is the least constrained and therefore retains the highest percentage (84%) of land to accommodate housing and jobs. Site D comes in second with retention of 48 percent of its land, followed by site A with 44 percent and site C last with just of 37 percent of its land available to accommodate growth.





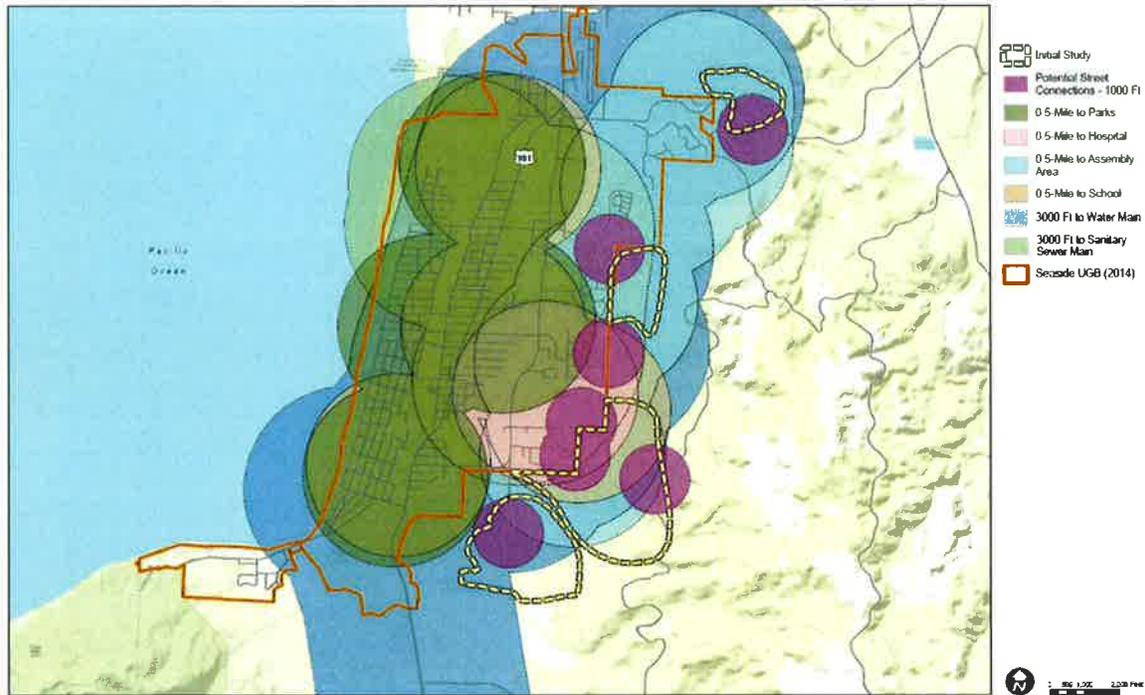
Examined another way, looking at the theoretical units per gross acre tells a similar story, using more conventional metrics. All of the sites were modeled with the same net densities (6 per net acre). The map below shows that much of the land lost to constraints is a result of the steep nature of the forest land. The southern sites (A and B) fair the best in this analysis



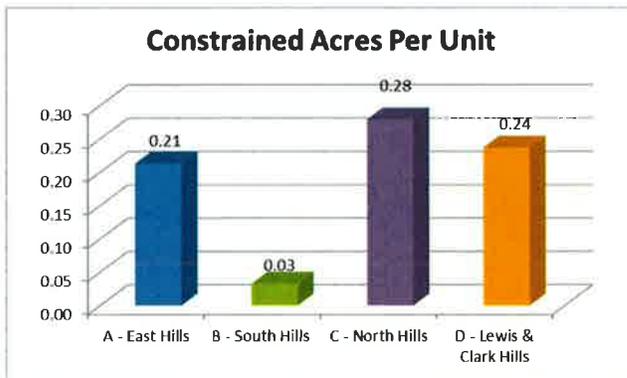
Map: Environmental and Topographical Considerations

**(2) Orderly and economic provision of public facilities and services:** This factor relates to the efficiency of providing public services. The most commonly associated services include roads, water and sewer, but it also includes needed infrastructure such as schools, parks, and public safety.

The following map showing the relationship to these various services has been overlaid with the study area boundaries. Site B stands out with the largest confluence of these services and facilities. Site A, is a close second behind as it is slightly farther from the hospital, park and school sites. Site C is similarly situated close to these same services and D lags due to being the farthest from the confluence of services.



(3) **Comparative environmental, energy, economic and social consequences:** This factor guides the City to weigh a range of issues from environmental protection to conservation, energy conservation, community character and even human health impacts.



Comparing the potential housing yield with amount of land that is suitable reveals the amount of land that would be brought into the boundary for each theoretical unit. The best, site B – South Hills brings in very little constrained land per unit, while site C, brings in more than one-quarter of an acre of constrained lands for each house that could be accommodated.

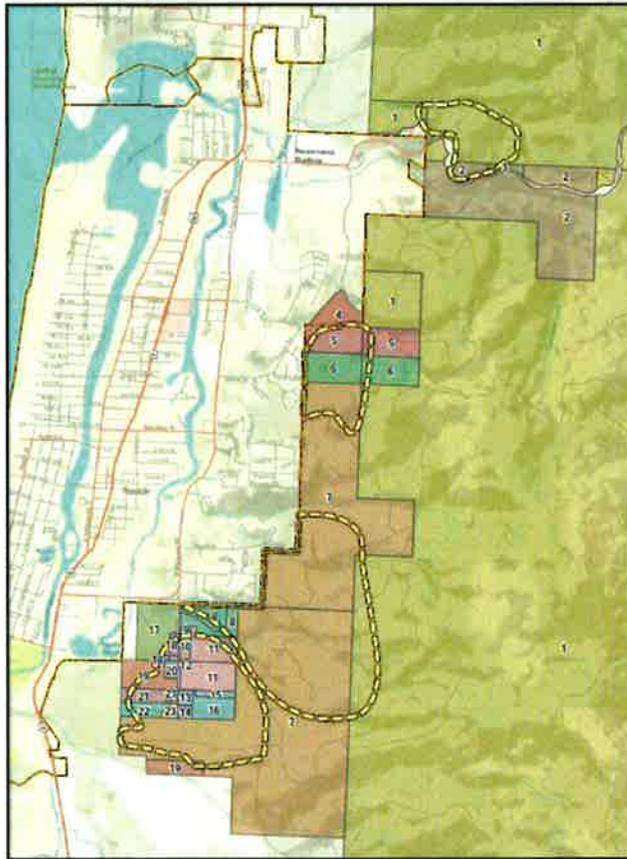
### Growth Trends

Examining aerial photographs from 2000 through 2014 one can assess the places where larger scale development has taken place. The circles on this aerial map that follows are to show locations where such development has been observed. The trend appears to include some growth at nearly every location where land appears suitable. A pattern of growth in the east and south east shows that most of the study areas appear to support the recent development trends. Sites B, C and D appear most aligned with the recent growth areas. Developing new lands near recent growth areas can help to ensure compatibility of growth with the existing development because they will have been developed within a similar time frame and likely utilize similar design features.

Map: Areas of Large Scale Development



(4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB: When UGBs are amended, care is taken to minimize, or eliminate conflicts with ongoing farm and forestry operations. Clatsop County’s tax lot maps show the distribution of property owners within and nearby the four study areas. Beyond these study areas there are only seven (7) land owners whose commercial activities might be affected. They are:



### Ownerships

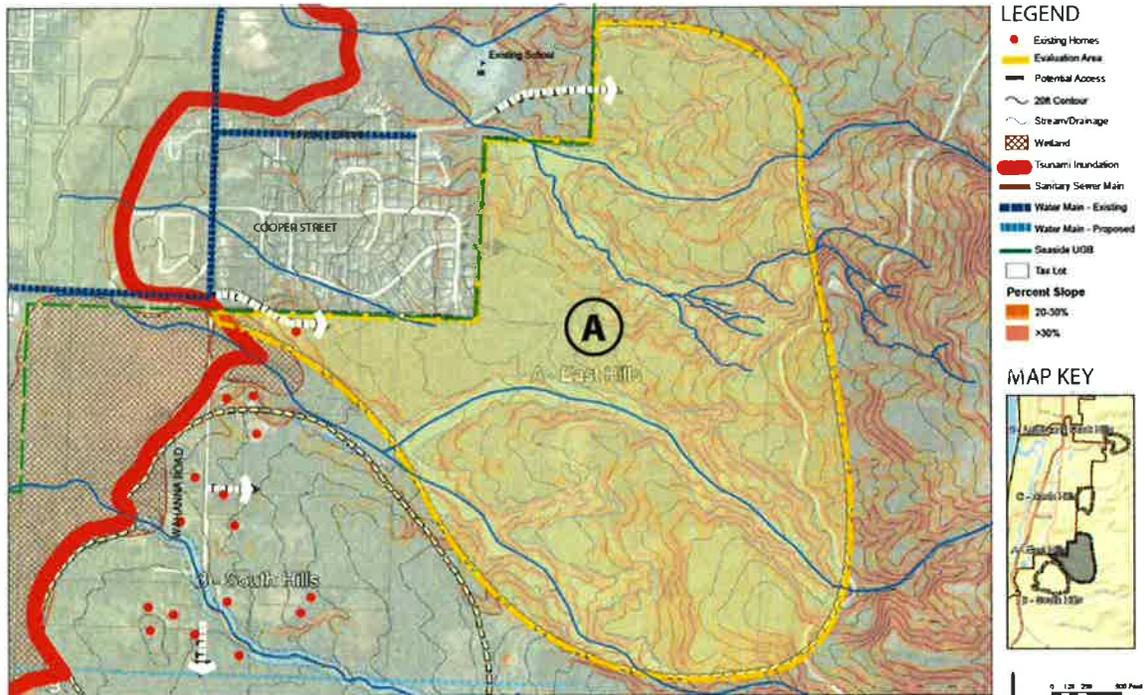
Map No.	Owner
1	Lewis & Clark Oregon Timber LLC
2	City of Gearhart
3	Clatsop county
5	PDP LLC
6	Diane Dillard
7	Weyerhaeuser Real Estate Development Co.
19	Marjorie Stevens

Map: Property Owners in Four Study Areas

Of the four study areas the South Hills (Site A) is adjacent to one (1) primary owner - Lewis and Clark LLC, who has expressed support for future development, plus one smaller AF parcel owned by Marjorie Stevens. The East Hills (Site B) is adjacent to one (1) primary owner - Lewis and Clark LLC, the same who has expressed support for future development. The North Hills Site C lands are adjacent to three owners. Two of which own land on both sides of the study boundary so would be able to control the nearby lands, minimizing conflict. The Lewis and Clark Hills (Site D) has three adjacent owners, with Lewis and Clark LLC in the majority – who is supportive of future development. Based on the ownership pattern in the area, the East Hills are alone in certainty of compatibility with nearby activities. The South Hills area is proximate to some land owners residing on rural residential, non-resource lands that have expressed some concern about growth. The other sites however are all bordered by very few owners and thus it is unlikely that any site would be encumbered by concerns over compatibility with nearby forestry uses.

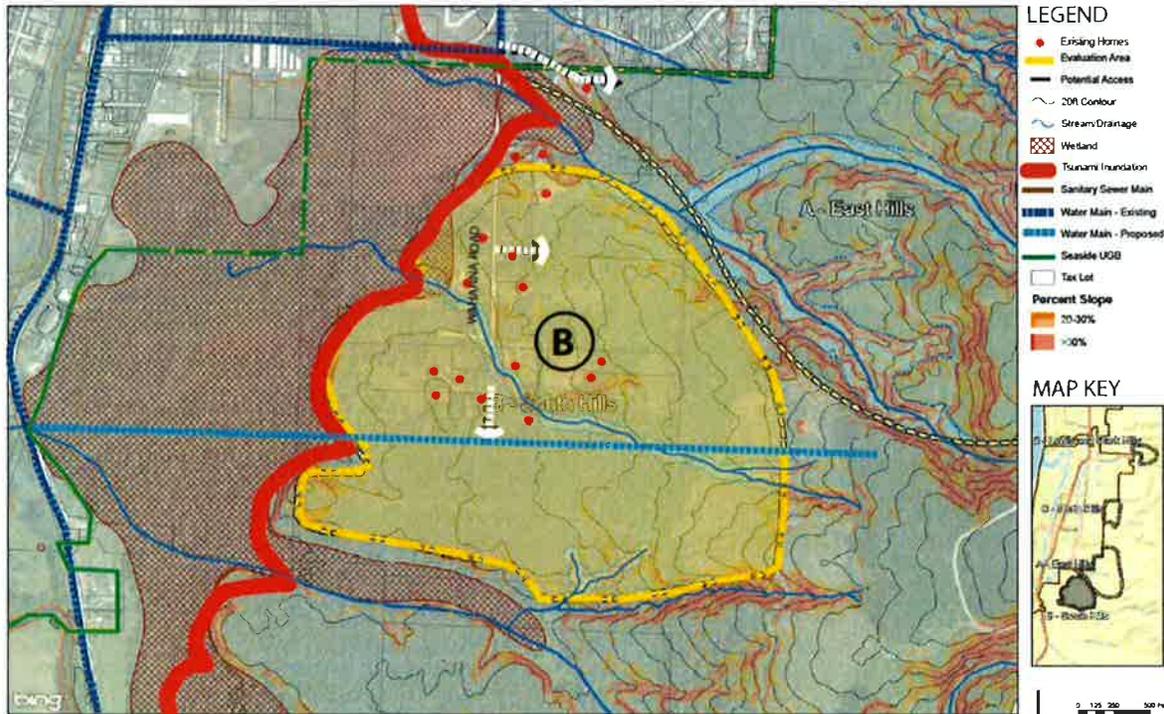
**Site by Site Summary:** With the overall analysis considered, each site is evaluated below based on the above locational factors.

**Site A – East Hills**



Site/Factor	A – East Hills
Efficient Accommodation	<ul style="list-style-type: none"> <li>• Largest area (265 acres) allows for the widest range of potential housing types</li> <li>• Second best in terms of units per gross acre.</li> </ul>
Orderly, efficient provision of services	<ul style="list-style-type: none"> <li>• Multiple roadway access locations</li> <li>• Gravity sewer capable</li> <li>• Situated for service by future water tank to supply fresh water and fire suppression</li> <li>• Located above and near Tsunami gathering spot on Huckleberry</li> </ul>
Environment, energy, economic and social	<ul style="list-style-type: none"> <li>• Gravity sewer minimizes need pumping</li> <li>• Southwest exposure provides optimal solar access</li> <li>• Multiple connections to roadway and trail network reduces trip length and supports walking and biking</li> <li>• Elevation above tsunami zone preserves life safety</li> <li>• Continues with recent city growth direction</li> </ul>
Compatibility	<ul style="list-style-type: none"> <li>• Adjacent forest owner, Lewis &amp; Clark LLC and Weyerhaeuser Real Estate Dev. Co. are supportive of urban development within the site.</li> </ul>

### Site B – South Hills



Site/Factor	B – South Hills
Efficient Accommodation	<ul style="list-style-type: none"> <li>• Second largest gross area, with the most usable land (141) net acres) allows for the widest range of potential uses</li> <li>• The only site to accommodate both jobs and housing</li> <li>• Highest yield in terms of potential units per gross acre.</li> </ul>
Orderly, efficient provision of services	<ul style="list-style-type: none"> <li>• Multiple roadway access locations</li> <li>• Gravity sewer capable</li> <li>• Uniquely situated for service by new reservoir to supply fresh water and fire suppression</li> <li>• Located above and near Tsunami gathering spot on Huckleberry</li> </ul>
Environment, energy, economic and social	<ul style="list-style-type: none"> <li>• Gravity sewer minimizes need pumping</li> <li>• West exposure provides adequate solar access</li> <li>• Multiple connections to roadway and trail network reduces trip length and supports walking an biking</li> <li>• Elevation above tsunami zone preserves life</li> <li>• Continues with recent city growth direction toward SW</li> </ul>
Compatibility	<ul style="list-style-type: none"> <li>• Adjacent forest owner, Lewis &amp; Clark LLC is supportive of urban development within the site.</li> </ul>