

MINUTES SEASIDE PLANNING COMMISSION
May 7, 2013

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 Winters, Virginia Dideum, Ray Romine, Tom Horning, Chris Hoth, Bill Carpenter, and Dick Ridout, Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director

OPENING REMARKS & CONFLICT OF INTEREST/EX PARTE CONTACT: Chair Romine asked if there was anyone present who felt the Commission lacked the authority to hear any of the items on the agenda. There was no response. Chair Romine then asked if any of the Commissioners wished to declare a conflict of interest or ex parte contact. There was no response.

APPROVAL OF MINUTES: Motion to approve the April 2, 2013 minutes;
Commissioner Carpenter made a motion to approve the minutes as submitted. Commissioner Horning seconded. The motion was carried unanimously.

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.) 13-011VRD is a request by **Tom & Mary Herche** for a **three** (3) bedroom Vacation Rental Dwelling Permit with a maximum occupancy of not more than **nine** (9) people. The property is located at **1131 S Prom** and it is zoned Medium Density Residential (R-2).

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. Tom Herche, 2621 42nd Ave W, Seattle, would like to have a vacation rental at this address and the previous owners had a VRD permit already.

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

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

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

Commissioner Dideum asked Mr. Herche if Paulina Winkler was a professional property manager? Mr. Herche said that she has worked with a property manager and she will be the local contact and once this gets approved that then they will find a property manager.

Commissioner Ridout asked if this has been a vacation rental and have there been any problems with it? Mr. Cupples stated that there have not been any complaints that have been turned in to the city.

Commissioner Carpenter made a motion to approve the VRD under the guidelines that staff has presented.

Commissioner Winters seconded and the motion was carried unanimously.

ORDINANCE ADMINISTRATION:

Reconsideration of Outdoor Lighting Ordinance:

- 1.) Open Discussion
- 2.) Public Comments
- 3.) Consider Recommendation to City Council

Mr. Cupples stated that at the last meeting the draft ordinance was brought before the commission and we had a standing planning commission of six individuals and we needed to bring this back to the commissioners with all the commissioners present. Last time we had a 3 to 3 vote which means it would die because it didn't have a majority vote. In conversations with Commissioner Winters he actually said that he thought there was a way that the ordinance could be amended that could actually satisfy him. Mr. Cupples has prepared a revised draft and you can either go with the original draft or go with the revised draft. What the revised draft says is that existing fixtures are grandfathered in.

Chair Romine stated that the lighting ordinance would be very difficult to enforce and the lighting issues could be covered under the nuisance ordinance that already exists. So all this would only apply too new electrical permits to replace, add, or in some way rewire the lighting. We are trying to comply with the dark sky element of light pollution but on a going forward basis.

Commissioner Winters stated that the state has lighting requirements already. Mark Mead has put together some information and Commissioner Winters didn't have time to stop at home and pick that up. He also stated that part of what we are trying to do is regulate something that the state is already regulating.

Commissioner Dideum asked Commissioner Winters what does it say. Commissioner Winters stated that he doesn't have that information with him but would gladly bring it to the next meeting if everyone would like to postpone this until the next meeting.

Commissioner Hoth asked that the only time that anything would be done is when an electrical permit would be issued then they would have to change out the lighting fixture to be dark sky compliant.

Commissioner Winters stated that in the original ordinance it stated that lights on a flag pole need to shine down on the flag. That will be very difficult to change the light bulb when it's way up in the air. Not everybody has a crane or a ladder that long. Mr. Cupples stated that all existing flag poles would be exempt so it would only be for new flag poles. Commissioner Winters asked if this could be removed from the ordinance. Mr. Cupples stated that yes it could be.

Commissioner Hoth stated that this is a good idea and can increase livability and could have a positive outcome. Commissioner Hoth stated that Commissioner Winters asked if people change their patterns of behavior because of the lights being irritating, Commissioner Hoth stated yes they do, because he mails letters sometimes at night and has to walk down the street where there is a light on the side of a building that is so bright that he can't see his feet and if he can't see where he's going he could easily slip of the curb and twist an ankle so it is dangerous. After reading through this ordinance it seems like it is unenforceable, but feels that it would be OK to send it to the City Council for their review.

Commissioner Romine feels the same way.

Commissioner Ridout would rather not see this again.

Commissioner Horning stated that he would agree with Commissioner Winters to postpone this for one more month so Commissioner Winters can bring the information that Mark Mead has given him. If this is already covered under the state requirements then we should send it to City Council to get their point of view.

Chair Horning made a motion to carry this over to the next meeting so that Commissioner Winters can bring in his paperwork that he received from Mark Mead.

Commissioner Hoth seconded and the motion was carried unanimously.

COMMENTS FROM THE PUBLIC:

COMMENTS FROM COMMISSION/STAFF:

ADJOURNMENT: Adjourned at 7:38 pm.

Ray Romine, Chairperson

Debbie Kenyon, Admin. Assistant