

MINUTES SEASIDE PLANNING COMMISSION

June 19, 2018

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

PLEDGE OF ALLEGIANCE

ATTENDANCE: Commissioners present:, Chair Chris Hoth, Vice Chair David Posalski, Bill Carpenter, Teri Carpenter, Ray Romine, and Dick Ridout, Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director, Absent: Lou Neubecker

OPENING REMARKS & CONFLICT OF INTEREST/EX PARTE CONTACT: Chair Hoth 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 Hoth then asked if any of the Commissioners wished to declare a conflict of interest or ex parte contact. Commissioner Romine stated that he may have a potential conflict of interest in 18-042ZCA – ADU's but would like to participate.

APPROVAL OF MINUTES:

AGENDA:

PUBLIC HEARING REQUIREMENTS:

The following public hearing statements were read by Chair Hoth:

1. The applicable substantive criteria for the hearing items are listed in the staff report(s) prepared for this hearing.
2. Testimony and evidence shall be directed toward the substantive criteria listed in the staff report(s) or other criteria in the plan or land use regulation, which you believe applies to the decision.
3. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals on that issue.
4. The applicant will testify first, then any opposition will testify, and then the applicant will be given time for rebuttal.

PUBLIC HEARING:

- A. **Continuance from the June 5th Meeting. 18-041VRD** is a conditional use request by **Reid Schooler** for a **three** (3) bedroom Vacation Rental Dwelling Permit with a maximum occupancy of not more than **nine** (9) people over the age of three. The property is located at **1210 Beach Drive (6 10 21DB TL 15701)** and it is zoned **Medium Density Residential (R-2)**.

Kevin Cupples, City Planning Director, stated that is a continuance from the last meeting.

Chair Hoth asked if there was anyone who would like to offer testimony in favor of the request. Reid Schooler, lives in Tualatin. He has addressed some of the issues that were in the inspection report. He was concerned that the planning commission wanted him to pave the parking spaces, but the street is gravel and so is the neighbors parking area. He would appreciate it if the planning commission would allow him to gravel the rest of the parking area (an additional 3 to 4 feet) instead of paving it.

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

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

Chair Hoth indicated the issue was opened for Commission discussion. Commissioner Ridout stated that he would like to hear from Commissioner Teri Carpenter being as she was unable to see the property before the last meeting. Commissioner Teri Carpenter stated it will be difficult to get three cars in the driveway the way it is configured now it needs the widening to get the third vehicle in there. Mr. Cupples stated that there is parking in the garage and then two in the driveway. Chair Hoth stated that he would make it simple. Parking is a problem and wants to have the driveway widened or reduce the

occupancy to 6 and regarding the paving that is up to Mr. Cupples being as the street is gravel. Mr. Cupples stated that he thinks if the applicant just adds gravel he will have a maintenance problem with just gravel but that will be up to the applicant to add gravel or pave the rest of the parking area.

At the end of the Commissioners discussion, Chair Hoth closed the public hearing and Commissioner Posalski made a motion to approve the conditional use with the condition that the driveway be widened and when the street is paved the driveway must also get paved. Commissioner Bill Carpenter seconded and the motion was carried unanimously.

- B. **Continuance from the June 5th Meeting. 18-042ZCA ADU's** – A proposed ordinance amendment by the City of Seaside to allow accessory dwelling units (ADUs) within all residential zones that permit detached single family dwellings. In addition to adding the use to each residential zone, the amendment will also establish a definition for the use and create development provision applicable the newly established accessory use. The Planning Commission will hear testimony concerning the proposed amendments and ultimately make a recommendation to the City Council.

Kevin Cupples, City Planning Director, stated this is a continuance from the last meeting and handed the commissioners a sample of a city block that shows what might happen in this particular neighborhood. The parking for the ADU would have to have a parking space that is independent from the main structure and not having to move the other cars out of the way. Mr. Cupples stated where the ADU's are really possible is going to be where you have room in a backyard area where they already have the designated parking spaces. That doesn't speak about the size issue he relayed at the last meeting that the Building Official thinks they shouldn't be over 500 sq. ft. because they are getting a break in the parking. Mark Mead an Engineer stated that he thinks they shouldn't be over 650 sq. ft. and that the number of bedrooms should be limited mainly because he's working on mini apartments right now and they are 650 sq. ft.

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

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

Chair Hoth indicated the issue was opened for Commission discussion. Commissioner Bill Carpenter stated that when the commission was talking about this earlier they were talking about a smaller set size and anything larger than that can come before the planning commissioner as a condition use. Chair Hoth stated that this is very complex and it seems the way to go is to make it small then they can apply for a conditional use to go bigger. If we start out small we can always go bigger and it's hard to know exactly how this is going to work. After we get a few of these under our belt we will have a better feel about the size. Commissioner Bill Carpenter asked Commissioner Romine what he thought would be a good size to start out with. Commissioner Romine stated that 650 sq. ft. is pretty small, maybe a two bedroom, one bathroom with a laundry room. Vice Chair Posalski stated when he was at IKEA a couple of weeks ago they have a 650 sq. ft. home inside the store and he could see himself living in something like that. Commissioner Romine stated that 500 sq. ft. is too small it would probably be a studio or one bedroom. We are trying to find additional housing that is reasonable and affordable and when it comes to building a structure, certain cost are fixed like connecting to sewer and water. If you are building a one bedroom apartment and renting it out at \$500 a month those cost are not easily recovered if you only have one renter. If you rent to two individuals. The ideal situation would be two bedroom and two bath but again those fixed cost go up. A two bedroom one bath is totally doable, 650 sq. ft. is a good number. The limiting factors that were brought up early for example the parking and the existing footprint of the existing house and in many situations you can't get by the house to add the additional parking. A typical garage is about 480 or 500 sq. ft. and that would make the ADU rather small. He doesn't see a lot of people coming in for an 800 to 1000 sq. ft. ADU. He thinks 650 sq. ft. is acceptable. The goal here is to get additional housing. Commissioner Bill Carpenter stated that 650 sq. ft. would be a reasonable size and anything larger they can come before the commission with a conditional use request. Chair Hoth stated that there are other factors that will make it difficult for some lots to be built on. Commissioner Romine stated that on the northwest side of town the lots are already pretty small already so the limiting factors would be lot coverage and parking. Tandem parking isn't the really an acceptable solution for getting that additional parking spot. Mr. Cupples stated that if they designed the house with a double car garage and they met the full setback 20 feet, with that you can park two cars in front of the garage. If we start out large and you put two bedrooms in, is that going to have two renters that will be driving individual cars? That adds two cars instead of one. If they built a duplex they would be required to have four off street parking spaces. Commissioner Romine asked what was the state

requiring when it came to parking. Mr. Cupples stated that they weren't requiring any. Commissioner Ridout stated that he doesn't have a good grip on who are we dealing with here, why do we need two bedroom apartments? He doesn't see an issue with having studio's or one bedroom apartments in the dense areas of our city. Why do we have to build larger apartments? Vice Posalski stated that right now we have families of 3 and 4 living in those one bedroom apartments and being able to build two bedroom apartments would work better for them and would open up the one bedroom for those people living in hotel rooms. Commissioner Ridout asked where would you place those two bedroom apartments. Vice Chair Posalski stated they would go where ever they would fit. Commissioner Romine stated that the limitations are going to be the cost of the ADU and they may not want a two bedroom. We can't assume they want two bedrooms. Mr. Cupples stated that the way we have the ordinance set up in draft form it's not just building up or building detached and it's also has it as incorporating it into an existing dwelling. If you have a four bedroom home and you can figure out how to get that divided into two and two what should that size be? Vice Chair Posalski stated that those really large duplexes in the cove on the bottom floor they have separate bedroom and bath with a separate entrance. All they would need to do is add the kitchen and they will be ready to go. Mr. Cupples stated that unless it's over 650 sq. ft. and then they would have to go through a conditional use. Chair Hoth asked about paving the front yard, would they be allowed to do that? Mr. Cupples stated that is a vacation rental requirement not a ADU requirement. Chair Hoth stated that he would like the square footage smaller than the 650 and then once we get a feel for these we can change it if necessary. Vice Chair Posalski asked Chair Hoth what would he like to see? Chair Hoth stated he can't answer that because it's so complex. Mr. Cupples stated that a garage maybe 24' x 24' and that would give you 576 square feet. Commissioner Romine stated that the standard garage 400 and 500 square feet. Commissioner Teri Carpenter stated that 22 x 22 is 484 square feet and that sounds reasonable. Commissioner Ridout stated that if they are talking about adding on to the top of an existing garage then he doesn't see a problem with it, because that's really not changing the density of the lot. He doesn't think 650 sq. ft. is a place to start. Commissioner Romine stated that if we were to start at 525 to 550 and we find out that it is troublesome or we have a lot of request to go larger, how difficult is it to change. Mr. Cupples stated that it's pretty easy to increase that number with an ordinance amendment stating that we are changing the square footage from 550 to 650 sq. ft. If you find yourself granting variances over and over that means there is something wrong with the ordinance and you need to fix it. With this as a conditional use you can set a limit and if it goes larger then it's a conditional use. Vice Chair Posalski asked Mr. Cupples what the fee is for a conditional use. Mr. Cupples stated it is \$675.00. You can even make it a Planning Director decision which he does some conditional uses (vacation rentals) now based on the density. We send out notices to all the neighboring property owners and then his decision is based on the comments that he receives. In the case of ADU's he would prefer that the planning commission review these because that way the commission can see what is coming in. Commissioner Romine stated that he just sketched out a rough floor plan with 525 square feet, 2 bedroom apartment. The bedrooms could be 10 x 10, bathroom 5 x 5, 5 foot long kitchen with a little dining area and a little bit of a living area and that's it. We are still charging the system development fees and if they build a studio apartment it will take them a long time to recuperate that cost with a studio apartment renting for \$500.00 a month. Commissioner Bill Carpenter stated that he feels comfortable with 550 square feet. Commissioner Ridout stated he's comfortable with 500 and doesn't have a problem with that. Chair Hoth stated that he is comfortable with 525 sq. ft. and if they want to go bigger they can apply for a conditional use and we'll take it on a case by case basis. Commissioner Romine stated that we are achieving the goal with a small foot print. We are not saying that they can't do something different but we want to look at each individual circumstance on how they are going to fit an ADU on to the lot and where they are going to park.

At the end of the Commissioners discussion, Commissioner Romine made a motion to recommend a 525 sq. ft. maximum ADU space with any additional space going through the conditional use process in addition to conditions that staff has recommended in the draft ordinance. Commissioner Bill Carpenter seconded and the motion was carried.

Mr. Cupples stated that this will be going to City Council on June 25th, 2018.

- C. **18-053AD** - A site plan review requested by Bayview Transit Mix to construct a storage building within the Airport Development (AD) zone. The subject property is located at 1399 Oster Road (T6-R10-S10D-TL1700). The proposed building would be used to store cold EZ Street asphalt in one ton bags. Within the AD zone, all proposed structures must be reviewed by the Seaside Planning Commission to ensure they will not interfere with the operations of the airport. The review will be conducted in

accordance with Section 3.164 and Article 10 of the Seaside Zoning Ordinance which establishes the review criteria and procedures for development within the AD zone.

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

Chair Hoth asked if there was anyone who would like to offer testimony in favor of the request. Jordane Lampi, 1399 Oster Rd, Seaside. Bayview Transit would like to build a storage shed to store EZ Street asphalt it's a cold asphalt mix. They want to be in compliance with the AD zone and have worked to keep the building shorter.

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

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

Chair Hoth closed the public hearing and indicated the issue was opened for Commission discussion. Chair Hoth asked Mr. Cupples to explain what all the numbers in the staff report mean. Mr. Cupples stated in an Airport Overlay Zone as opposed to all our other zones instead of having a maximum building height at the property there is a maximum building elevation at the property. We are dealing with what's the elevation of the ridge of the building, ordinarily if you got a peaked roof it's one half of the highest gable end. In the airport overlay zone it's based on the actual elevation of the ridge of the building as it relates to what the elevation of the airport is. For every 7 feet you move out from the primary surface of the airport which is drawn up on a map. You start at the edge of the primary surface and as you get further away from the airport you can get a little higher, go further get higher, go further you can get a little higher. In the transition zone, which this is in, is off the side of the airport then there is a runway that has a different plain that you're dealing with. What we did with this is basically move out from the edge of the airport to see what the maximum elevation would be approximately where the back end of that building is purposed and so that is what is setting the height of the building. The actual elevation of the building is what is setting the height limitation. In a flood zone you build from the ground up in this case we are building down. Commissioner Ridout asked how much lower is this building going to be from the imaginary line. Mr. Cupples stated that it will be three feet lower. Chair Hoth stated that the blocks are already there and they are going to cover it. Mr. Cupples stated that is correct.

At the end of the Commissioners discussion, Vice Chair Posalski made a motion to approve the building in the Airport Development Zone with staff recommendations. Commissioner Teri Carpenter stated that she would like to see this go to the airport committee, but there was already a motion on the table. Commissioner Romine seconded the motion. Chair Hoth asked all in favor, Commissioner Ridout, Commissioner Romine, Chair Hoth, Vice Chair Posalski voted yes, Commissioner Bill Carpenter and Commissioner Teri Carpenter voted no, and the motion was carried.

Mr. Cupples stated that in the future we could have anything that has to do with the airport go through the airport committee first. All the commissioner agreed.

ORDINANCE ADMINISTRATION: Commissioner Bill Carpenter asked about the Cold Storage Unit and the Wheels of Fun modified plans what happened with those. Mr. Cupples stated that the Wheels of Fun was an open and shut case. Keith Chandler with the Aquarium said he didn't have the decipals but if there was any noise they will build a wall to cover the noise. Commissioner Bill Carpenter stated that sounds like an agreement between Mr. Cupples and Keith Chandler that if this makes too much noise they will have to build something to cover the noise. Commissioner Romine agreed. Vice Chair Posalski stated he wants the decipal level. Mr. Cupples stated that this will be complaint driven. If we get complaints then they will have to build a wall or something to lower the noise level.

COMMENTS FROM THE PUBLIC: None

COMMENTS FROM COMMISSION/STAFF: Mr. Cupples stated that there will not be a meeting on July 3rd.

ADJOURNMENT: Adjourned at 8:00 pm.

Chris Hoth, Chairperson

Debbie Kenyon, Admin. Assistant