

**SEASIDE PLANNING COMMISSION AGENDA**  
**989 Broadway - City Hall Council Chambers**  
**July 1, 2014**  
**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:** June 3, 2014
6. **PUBLIC HEARING:**
  - A.) **14-031VRD** is a request by **Steve and Donna Oberg** 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 **2339 S Edgewood** and it is zoned Medium Density Residential (R-2). The review will be conducted in accordance with Article 6 and Article 10 of the Seaside Zoning Ordinance which establishes the review criteria and procedures for a Conditional Use. The specific review criterion for Vacation Rental Dwellings is included in Section 6.137 of the Ordinance.
  
  - B.) **14-034CU** is a request by the **City of Seaside** to replace the floating dock facility at Broadway Park. The proposed dock will be designed as a canoe/kayak launch point the will be ADA accessible. The original dock structure was removed after being damaged during winter storms. The property is located at **1230 Broadway** and it is zoned Medium Density Residential (R-2). The review will be conducted in accordance with Article 6 and Article 10 of the Seaside Zoning Ordinance which establishes the review criteria and procedures for a Conditional Use. The specific review criterion for Docks & Moorages is included in Section 6.153 of the Ordinance.
7. **ORDINANCE ADMINISTRATION:**
8. **PUBLIC COMMENTS:** Not related to specific agenda items:
9. **PLANNING COMMISSION & STAFF COMMENTS:**
10. **ADJOURNMENT**

## **MINUTES SEASIDE PLANNING COMMISSION**

### **June 3, 2014**

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

**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 Ridout stated he does not have a conflict of interest but will be abstaining on agenda item 6. B. because he owns property near them and is within the notification zone and would be more comfortable not discussing that issue. Chair Romine stated that he would also be abstain from commenting on the same agenda item.

**APPROVAL OF MINUTES:** Motion to approve the May 6, 2014 minutes;  
Commissioner Carpenter made a motion to approve the minutes as submitted. Commissioner Perkel seconded. The motion was carried unanimously.

#### **AGENDA:**

#### **PUBLIC HEARING REQUIREMENTS:**

The following public hearing statements were read by Chair Romine:

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

#### **PUBLIC HEARING:**

**A.) 14-020VRD** is a request by **Randy Reed** for a **three (3)** bedroom Vacation Rental Dwelling Permit with a maximum occupancy of not more than eight (8) people over the age of three (no more than 10 regardless of age). The property is located at **3029 Sunset Blvd** 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. Ted Wood is here representing Randy Reed the owner. If you have any questions he'll be glad to answer them.

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 Dideum stated eight is rather an odd number for vacation rentals. How does a person make sure that only 8 guests stay at the home? Mr. Wood stated that on the rental application the guests are asked to fill out how many people will be staying in the unit. There is never a guarantee that 100% of the people will comply, on occasion there are people who don't. If a neighbor reports or he hears about it then he will actually go over there and tell them they have to leave. Most people are very good about the occupancy. Commissioner Hoth asked if the garage is empty. Mr. Wood stated yes it is empty. Commissioner Ridout stated he would like to discuss occupancy later, specifically children.

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

**B.) 14-025NCU:** An enlargement of a non-conforming use request by Kimberly and Trenton Capp. The subject property is located at **380 S Edgewood** (61021AC TL: 5200), and it is zoned **Resort Commercial** (C2). This request will allow the owner of the existing dwelling to extend the outside wall and make a basement/workshop accessible from the street level while providing additional work space inside.

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions and conclusions. Mr. Cupples pointed out that there is an error in the Final Staff Recommendations. The first bulleted item needs to be removed.

Chair Romine and Commissioner Ridout will not participate in this agenda item.

Vice Chair Dideum asked if there was anyone who would like to offer testimony in favor of the request. Kimberly Capp, 2180 Skyline Blvd, Seaside. This is a very cute little home that is located in a commercial zone and they would like to use it as a pottery studio.

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

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

Vice Chair Dideum indicated the issue was opened for Commission discussion. Commissioner Carpenter asked where the intended driveway would go. Kimberly stated the intention is to have the addition look like a large garage door opening. There is a single car garage on the property and one parking space in front of the garage. Commissioner Hoth asked what are they going to be using this location for. Kimberly stated that it will be used to make pottery. Trenton Capp stated that he will make pottery and then take his finished products to other business to sell. In the future hopefully, they will be able to have a pottery shop at this location. Vice Chair Dideum asked Trenton if the basement is at street level. Kimberly stated that currently you have to walk up a couple of steps and then walk down a couple of steps to enter the building. They would like to eliminate that so you could just walk in. Commissioner Perkel asked who lives in the house. Kimberly stated that in order to be able to purchase the home they went in on the purchase with their cousin. Their cousins will be using it as a beach home. Commissioner Hoth asked Mr. Cupples why this area is a C2 zone when there are so many homes in it. Second they are applying for a nonconforming use and the nonconforming use would be a residence and yet they are applying to expand the home for business. Isn't there a home occupation for what they are doing now? How does all this work?

Mr. Cupples stated whenever you set out to put in established zoning you are going to have some uses that don't conform within the zone. But your anticipated need for future commercial would be recognized that is why you have non-conforming uses. It is a use that doesn't fit into the zone but in the future they

may all become motels or some other commercial business. When you set up zone you don't have 100% compliance that is why we have an Article 8. They are expanding what is really an accessory part of the house. The home is still partially residential. The Capps will be using the downstairs as a shop and the top part of the home will be a residence. That is still part of the same house. The reason they are going down this road is because if they don't want to have the situation where if they convert just the downstairs or addition into commercial, now you have a residential/commercial mixed use home. They don't want that situation. Because if they sell the house then they don't want to have this little portion of the house as a commercial and then you can't convert it back to residence. Although a residence in conjunction with a commercial use is permitted in the zone. They don't want to do that because they don't want to go that far. What they are operating under is not a home occupation. In the zoning ordinance there is another category that is a home business. With a home business you just get a business license. With a home business no one will be coming to the home. So they will be operating a home business within a residence which is allowed by definition alone. Commissioner Hoth stated if they did convert half the property to commercial and the other half to a residence then it would not be able to be converted back to residence. Mr. Cupples stated if they did it that way, they would have to come in for a conditional use permit to do the mixed use. But in Article 8 states if you commit a portion of the property over to a use that complies, they could bypass the planning commission. If they opened up the commercial use in this particular case they make the residence comply with the use in the zone and now are conforming. Mr. Cupples stated that if you are doing a home business and the neighbors don't know you are doing it. Then you are following the guidelines of a home business. If Trenton started having pots all over the property then that would change the home business because with all the pots around it would look like a commercial business. Home occupation and Home Businesses are in Article 4. 4.130. Commissioner Hoth asked if there are two parking spaces. Kimberly stated that there is a one car garage on the property and you can park in the driveway. Vice Chair Dideum stated that she would like to have the following condition attached to the final decision because this does not have the one year condition. The approval will be void if ownership of this property is transferred to a different owner prior to construction of the proposed expansion. This would not apply to the transfers to a living trust or some similar action where the ownership is essentially being retained by the Capps. If they sold the property then the non-conforming use would not transfer. Commissioner Hoth stated that he would like to make sure that they get a business license under condition number 5.

At the end of the Commissioners discussion, Chair Romine closed the public hearing and Commissioner Perkel made a motion to approve the enlargement of a non-conforming use under the guidelines that staff has presented and with the two additional requirements that Vice Dideum stated and Commissioner Hoth have stated.

Commissioner Carpenter seconded and the motion was carried unanimously.

**C.) 14-026VRD & 14-027V** is a request by **Thomas & Ruth Hooper** for a **four (4)** bedroom Vacation Rental Dwelling Permit with a maximum occupancy of not more than **ten (10)** people over the age of three. The owners are also requesting a variance to the 50% front yard landscaping requirement based on pre-existing development of the site. The property is located at **2555 Sunset Blvd** 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 Hooper, 14109 NW Bronson Creek Dr, Portland. They bought the property with a zero lot line about 8 years ago. Tom asked if they changed the property to an LLC would they have to re-apply. Mr. Cupples stated it will be the same owner so there would be no change in ownership which means they will not have to re-apply.

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 Dideum asked if the garage is empty and will it remain empty? Mr. Hooper stated that it is empty and will remain available for parking. Commissioner Hoth stated that when he drove by the property it had some wood out front, why would you do that? Mr. Hooper replied that is the landscaping that is required and that the third space in front of the home will not be used for parking. Mr. Hooper stated that he has a parking plan in the unit that let guests know where they can park. Aesthetically the driftwood doesn't look good. Commissioner Hoth stated that it doesn't look good and Vice Chair Dideum agreed. Commissioner Ridout stated that it looks pretty good out there, and it comes across that road on a regular basis.

Commissioner Dideum asked if the property manager has managed other properties. Mr. Hooper stated that she does have other properties that she manages. Her son is also involved. They have also contacted another company, but his cell phone number will also be available for people to contact him in case of emergencies.

Commissioner Ridout asked about the common wall between this property and the neighbors and asked if the neighbors have a problem with it. Also how many other vacation rentals are a long Sunset? Mr. Cupples stated that there are quite a few vacation rentals on Sunset. Commissioner Ridout asked what happens at the 5 year renewal, will all these vacation rentals be brought back before the commission. Mr. Cupples stated they are not brought back before the planning commission, they will be re-inspected and brought up to the current code. The front yard landscaping was not really an issue until recently with the zero lot line townhomes. Chair Romine stated that with the townhomes the 50% front yard landscaping maybe should be changed. Commissioner Hoth stated that the owners of the property didn't do this to meet the parking requirements they bought the property this way. Even the parking specifically states in bold lettering. The current front yard landscaping and yard features with in the area should not be used to further reduced the current levels so that parking in the front yard will be limited to two spaces. It doesn't say how you need to limit it to two spaces so he doesn't have a lot of investment in saying you have to landscape it or you have to do this or that. Maybe Mr. Cupples can work it out in a different way. Maybe just a barrier or sign. Mr. Cupples stated that as long as there is a consensus with the planning commission members that it's ok to take all that out and they can detail the parking arrangements that's fine. Commissioner Hoth stated that he would prefer to see the parking out front empty than to see what is currently there. Vice Chair Dideum stated maybe if they put some benches or something to soften it would be better than the driftwood. Mr. Hooper asked if a NO PARKING sign would work. Commissioner Hoth stated the No Parking sign could work, he'll let the Planning Director work that out with the Hooper's. Mr. Hooper stated that he has owned the property for 8 years and has never had a problem with parking. The only problems he notices is the people on the beach making bon fires in the driftwood. That could be a safety concern and should be patrolled more often. Mr. Cupples stated that Mr. Hooper should call the police at 503-738-6311 and they will send someone out as soon as an officer is available.

At the end of the Commissioners discussion, Commissioner Hoth made a motion to approve the conditional use under the guidelines that staff has presented with the understanding that the parking requirements will be written that it will be limited to two spaces in front of the garage area. Commissioner Carpenter seconded and the motion was carried unanimously.

**ORDINANCE ADMINISTRATION: None**

**COMMENTS FROM THE PUBLIC: None**

**COMMENTS FROM COMMISSION/STAFF:** Commissioner Ridout stated that he would like everyone to look at the agenda and it says maximum occupancy of not more than ten people over the age of three. Then you look at the first item on the agenda and it says no more than eight people over the age of three (no more than ten regardless of age). Mr. Cupples stated the over the age of three was in error on the agenda but it was corrected in the staff report. Commissioner Ridout stated he understands that. But what it brings up is that now that we have a ten person cap and children are now people. Why do we need or want to separate children? Why don't we just say it's an occupancy of eight people or ten

people? Mr. Cupples stated, over the age of three, is part of the ordinance. If you look at the ordinance 6.137 it actually talks about the occupancy and discusses how old they are. The ten count is being put in by the Building Official, and the ten cap isn't really a cap because if the owners decided to put in a sprinkler system they could go for the twelve person occupancy. Commissioner Ridout stated if you have an infant still in its mother's arms it should be counted as an independent person. Mr. Cupples stated he thinks that is why it was put in the ordinance when it was put in. Commissioner Ridout asked if that was a common thing in other cities ordinances. Mr. Cupples stated that VRD ordinances are all over the board in different jurisdictions. Commissioner Ridout asked if this was only in the vacation rental dwelling ordinance and in no other ordinances. Mr. Cupples stated that was correct, the VRD sections were amended in 2001 and that is when they wanted to address the issues with occupancies and ages in the VRD's.

Commissioner Perkel asked why is the occupancy 12 if the home has a sprinkler system. Mr. Cupples stated that you can go over the designated occupancy with the sprinkler system because it's supposed to be safer. Most people don't want to spend \$20,000 in order to gain on occupancy of two more people. Vice Chair Dideum asked what was the thinking behind the age of three? Mr. Cupples stated that she would need to ask the previous planning commission members and that they had to put a number somewhere and that's where it fell.

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

Ray Romine, Chairperson

Debbie Kenyon, Admin. Assistant

**To:** Seaside Planning Commission  
**From:** Planning Director, Kevin Cupples  
**Date:** July 1, 2014  
**Applicant/  
Owners:** Steve & Donna Oberg  
P.O. Box 2462  
Renton, WA 98056  
**Location:** 2339 S Edgewood, T6-R10-S 28BA TL#12601  
**Subject:** Conditional Use 14-031VRD; Vacation Rental Dwelling  
Permit

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**REQUEST:**

The applicant is requesting a conditional use that will allow the establishment of a Vacation Rental Dwelling (VRD) at **2339 S Edgewood**. The subject property is zoned **Medium Density Residential (R-2)** and the **applicants are** requesting a maximum occupancy of **nine (9) people** over the age of three (no more than 10 regardless of age), within the existing **three** bedroom dwelling.

The review will be conducted in accordance with Article 6 and Article 10 of the Seaside Zoning Ordinance which establishes the review criteria and procedures for a Conditional Use. The specific review criterion for Vacation Rental Dwellings is included in Section 6.137 of the Ordinance.

**DECISION CRITERIA, FINDINGS AND CONCLUSIONS:**

The following is a list of the decision criteria applicable to the request. Each of the criteria is followed by findings or justification statements which may be adopted by the Planning Commission to support their conclusions. The Commission may include conditions which they consider necessary to protect the best interests of the surrounding area of the city as a whole. Although each of the findings or justification statements specifically applies to one of the decision criteria, any of the statements may be used to support the Commission's final decision.

**DECISION CRITERIA # 1:** Pursuant to Section 6.137, Vacation Rental Dwellings (VRDs) within the R-2 and R-3 zones shall be reviewed by the Planning Commission whenever the surrounding VRD density is 20% or greater. A permit shall be issued as an accessory use provided the applicant can demonstrate by written application that all of the following standards are met:

**A. Parking.** One 9' x 18' off-street space will be provided for each bedroom in the unit, but in no event shall fewer than two spaces be provided.

**B. Number of Occupants.** The maximum number of occupants cannot exceed three persons (over the age of three) per bedroom. The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations.

The number of overnight renters or the maximum number of occupants may be reduced by the Code Enforcement Officer or Fire Marshal at the time of inspection for valid code reasons.

C. **Residential yard areas.** Front, side, and rear yards must maintain a residential appearance by limiting off street parking within yard areas. At least 50% of each yard area which is not occupied by buildings must be landscaped in some fashion so that parking will not dominate the yard.

D. **Local responsible party.** A local responsible party that permanently resides within the County must be identified by the owner. The responsible party will serve as an initial contact person if there are questions regarding the operation of the VRD. The owner shall provide the telephone number of the local contact person to the City, and to the immediate neighbors within the notification area (within 100' of the subject property).

E. **Spatial distribution requirements.** Within the medium density residential (R-2) zones and high density residential (R-3) zones, not more than 20% of the properties within 100' of the subject property can be currently licensed for VRD use without Planning Commission review based on the following additional criteria:

1. The use of the property as a VRD will be compatible with the surrounding land uses.

2. The VRD will not contribute to excessive parking congestion on site or along adjacent streets.

A decision by the Commission to approve a VRD request may include conditions that would restrict the number of renters or total occupants in the VRD.

#### **FINDINGS & JUSTIFICATION STATEMENTS:**

1. The applicant is requesting a conditional use that will allow the establishment of a Vacation Rental Dwelling (VRD) at **2339 S Edgewood**. The subject property is zoned **Medium Density Residential (R-2)** and the **applicant** is requesting a maximum occupancy of **nine (9)** over the age of three (no more than 10 regardless of age), within the existing **three** bedroom dwelling.

The applicant's submitted justification is adopted by reference and summarized below:

- a. The applicant's plot plan indicates there are **six** off-street parking spaces that are available on the site. **Two cars in garage, two in front of the garage, and two additional spaces in the front yard.**
- b. The existing **three** bedroom residence will have a limited occupancy of **nine (9) people**.
- c. The plot plan shows that parking **will** take up more than 50% of the front yard but there is no parking in the side or rear yard areas.
- d. **Oceanside Vacation Rentals (43 N Holladay, Seaside, OR 97138) will be the local manager for the VRD. Sharon Rauwolf will be the local contact for the VRD and she can be reached at (503) 738-7767 during**

**normal business hours or by cell phone at (503) 717-3483 after hours.**

- e. The owner/applicant, Steve & Donna Oberg have read all of the standards and conditions applicable to VRDs.
2. The two additional parking spaces were created at the time the dwelling was originally built. These spaces are not permitted to be used for parking by the VRD tenants so that parking will not dominate the front yard setback. This can be accomplished through a variety of methods and implemented by a condition of approval.
3. The proposed VRD is located within a developed residential neighborhood primarily consisting of detached single family dwellings and zero lot line townhomes. Currently **22%** of the surrounding dwellings are licensed for VRD use and they are located within the **Medium Density Residential (R-2)** zone. **The Seaside Golf Course backs up against the back of the property and that property is zoned Open Space Parks (OPR).**
3. All property owners within 100 feet of the subject property were notified of the applicant's request. The Community Development Department **has not** received written comments about the applicant's request.
4. The proposed use is located within the tsunami inundation zone identified by the State of Oregon.
5. The property has undergone a preliminary compliance inspection. All of the corrections noted during the inspection must be completed and approved by final inspection prior to any transient rental of the property.
6. The City of Seaside Planning Commission adopted a list of policies and a uniform list of conditions they believed should be incorporated into the vacation rental dwelling review process. These were reviewed with the City Council prior to adoption and they are consistent with the provision in Section 6.031 which in part states: "...the Planning Commission may impose, in addition to those standards and requirements expressly specified by this Ordinance, additional conditions which the Planning Commission considers necessary to protect the best interest of the surrounding area of the city as a whole."
7. The glare from outdoor lighting can have an impact on adjacent properties. All exterior lighting should conform to the newly adopted Outdoor Lighting Ordinance even if any pre-existing outdoor lighting would normally be exempt under the provisions of the ordinance. This would basically require shielding of any exterior lighting fixtures such that glare will not be visible from the surrounding property for any fixture that exceeds the equivalent lumens of a 40 watt bulb.

**CONCLUSION TO CRITERIA #1:**

The Vacation Rental Dwelling requirements have been adequately addressed by the applicant and the request can be approved subject to the following list of special and standard conditions of approval:

1. **Compliance Inspection:** The proposed vacation rental dwelling (VRD) must pass a compliance inspection conducted by the Community Development Department prior to any transient rental. This inspection will verify compliance with all VRD standards and conditions of approval and the applicant is hereby advised that failure to meet certain standards can result in a reduction in the maximum occupancy. The final occupancy will be noted in land use file **(14-031 VRD)** and reflected on the City of Seaside Business License. The license is not valid until the appropriate occupancy has been established by the approval of a final compliance inspection by the Community Development Department.
2. **Parking spaces: Three (3) off-street parking spaces (9' X 18' per space) are required on site.** These spaces shall be permanently maintained and available on-site for use by the vacation rental occupants. Vacation Rental Dwelling (VRD) tenants are required to park in the spaces provided on site for the VRD. No on-street parking associated with this VRD is allowed at this location. Vehicles parked at VRDs may not project over the sidewalk and block pedestrian traffic. A parking map shall be posted inside the dwelling for the VRD tenants.
3. **Maximum number of occupants: Nine (9) persons over the age of three (no more than 10 regardless of age).** The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations. If the number of occupants is less than the original number requested, it may have been reduced for valid code reasons.
4. **Applicability of Restrictions:** Properties licensed for VRD use will be expected to adhere to the VRD standards and rules throughout the entire year even when they are not being rented for profit. This will not apply to the dwellings when members of the owner's family are present.
5. **Open Yard Areas:** Front, side, and rear yards must maintain a residential appearance by limiting off street parking within yard areas. At least 50% of each yard area that is not occupied by buildings must be landscaped in some fashion so parking will not dominate the yard. **The posted parking plan must be modified so that parking within the front yard will be limited to the two spaces in front of the garage. In order to ensure that parking will not dominate the front yard area, a method to prevent the use of the two additional spaces (such as the addition of yard features) must be approved by the Planning Director as part of the VRD's final inspection.**
6. **Local Contact: Oceanside Vacation Rentals (43 N Holladay, Seaside, OR 97138) will be the local manager for the VRD. Sharon Rauwolf will be the local contact for the VRD and she can be reached at (503) 738-7767 during normal business hours or by cell phone at (503) 717-3483 after hours.**

The contact person must be available 24 hours a day to address compliance issues while the property is rented. Upon any change in the local contact, the owner must provide formal notice of the updated contact information to the City and all of the neighboring property owners within 100'. Managers are required to notify the City any time they stop representing a VRD.

Local contact information is available at the Community Development Department (503) 738-7100, City Hall (503) 738-5511, or after business hours at the Seaside Police Department (503) 738-6311.

7. **Compatibility:** A VRD will be compatible with the surrounding land uses and shall not contribute to excessive parking congestion on site or along adjacent streets.
8. **Exterior Outdoor Lighting:** All exterior lighting must conform to the newly adopted Outdoor Lighting Ordinance even if any pre-existing outdoor lighting would normally be exempt under the provisions of the ordinance. This will basically require shielding of any exterior lighting fixtures such that glare will not be visible from the surrounding property for any fixture that exceeds the equivalent lumens of a 40 watt bulb.
9. **Ordinance Compliance & Solid Waste Pick-up:** All vacation rentals must comply with City ordinances regarding noise, smoke, dust, litter, odor, and solid waste collection. Weekly solid waste pick-up is required during all months.
10. **Required Maintenance:** It is the property owner's responsibility to assure that the vacation rental dwelling remains in substantial compliance with Oregon State requirements for the following: Health, Safety, Building, and Fire Codes, Traveler's Accommodation Statutes, and with the Uniform Housing Code. **Owners are hereby advised that Carbon Monoxide detectors must be installed and maintained in all newly established transient rental occupancies.**
11. **Permit Non-transferability:** Vacation rental dwelling permits are personal in nature and accordingly are not transferable. Upon transfer of the property, the new owner, if he or she so desires, may apply for a new permit in accordance with City Ordinance.
12. **Business License, Room Tax Requirements, & Revocation for Non Payment:** A City Business License is required and all transient room tax provisions apply to VRD's. The business license must be obtained prior to any rental of the property. Renewals must be made in January of the permit year. If the business license fee or the transient room tax payments are thirty (30) days past due, the VRD Permit will be revoked unless a written extension is granted by the Finance Director.
13. **Conflicts & Potential Denial for Non Compliance:** Upon receipt of two written complaints from two or more occupants of different residences who claim to be adversely affected by the use of the property as a vacation rental dwelling, or by notice from the City Code Compliance Officer that

requirements or conditions of approval are not being met, the Planning Department will work with the parties involved to settle any conflicts. If the problems are not resolved, the permit will be reviewed by the Planning Commission as provided in Subsection 5 of this Section. Failure on the applicant's part to meet the standards or conditions will result in modification or denial of the permit.

- 14. Complaints:** Applicants are hereby advised the City Code Compliance Officer routinely follows-up on individual complaints if there is a valid code issue that needs to be addressed by the owner and/or manager of a VRD. Staff does not wait until the occupants of two different residences submit written complaints before they take action to achieve compliance. The VRD complaint procedures are outlined in an attachment to the notice of decision and the forms can also be accessed on the City of Seaside's web site <http://www.cityofseaside.us/sites/default/files/docs/VRD-COMPLAINTFORM.pdf> This should be used to report alleged violations that are not being addressed by the local contact or property manager.
- 15. Time Period for Approval, Required Re-inspection:** This VRD approval shall be limited to 5 calendar years unless the dwelling is re-inspected (subject to the applicable fee) for compliance with the VRD policies and ordinances applicable at the time of the re-inspection. Re-inspection notices will be provided to the owners at the time business licenses are issued for the 5<sup>th</sup> calendar year. If the re-inspection is not completed during the 5<sup>th</sup> year, the permit will expire and a new VRD application must be approved prior to obtaining a new business license for the 6<sup>th</sup> calendar year. Compliance with the re-inspection requirements will reauthorize the VRD for an additional 5 calendar years.
- 16. Tsunami Information & Weather Radio:** The owner shall post or otherwise provide a tsunami evacuation map in a conspicuous location within the VRD. In addition, a NOAA weather radio, with automatic alert capabilities, must be permanently affixed in a central part of the VRD along with an informational sheet that summarizes the warning capabilities of the radio in the event of a distant tsunami.
- 17. Grace Period:** If a currently licensed VRD sells to another party, staff is allowed to grant a temporary grace period of not more than 60 days in which current bookings can be cleared without being recognized as a violation. The manager or owner must provide staff with a list of the bookings during the grace period and no additional bookings can be taken during that time.

#### **FINAL STAFF RECOMMENDATION**

Conditionally approve application **14-031VRD** allowing the establishment of a Vacation Rental Dwelling (VRD) with a maximum occupancy of **nine (9)** persons over the age of three (no more than 10 regardless of age) at **2339 S Edgewood**. This decision can be supported by the Commission adopting the findings, justification statements, and conclusions in this report subject to the previously stated conditions.

Although they are not conditions of approval, the following is a list of reminders to applicant.

- This approval will become void one (1) year from the date of decision unless final plans are submitted or an extension of time is approved in the manner prescribed under the Seaside Zoning Ordinance.
- As with any permit, the applicant must meet all applicable standards in the Seaside Zoning Ordinance such as erosion control provisions and any other applicable City of Seaside Ordinances.

*The information in this report and the recommendation of staff is not binding on the Planning Commission and may be altered or amended during the public hearing.*

**Attachments:** Applicant's Submittal



# City of Seaside, Planning Department

989 Broadway, Seaside, OR 97138 (503) 738-7100 Fax (503) 738-8765

## Land Use Application

Kevin Cupples, Director

PLEASE PRINT OR TYPE

NAME OF APPLICANT <i>Steve AND Donna Oberg</i>	ADDRESS <i>14111-148<sup>th</sup> Pl SE Renton, WA</i>	ZIP CODE <i>98059</i>
STREET ADDRESS OR LOCATION OF PROPERTY <i>2339 S. Edgewood Drive, Seaside, Oregon 97138</i>		

ZONE <i>R-2</i>	OVERLAY ZONES	TOWNSHIP <i>6</i>	RANGE <i>10</i>	SECTION <i>28 BA</i>	TAX LOT <i>12601</i>
--------------------	---------------	----------------------	--------------------	-------------------------	-------------------------

### PROPOSED USE OF PROPERTY AND PURPOSE OF APPLICATION(S):

*This property at 2339 S. Edgewood Street, Seaside, Oregon 97138 will be used as a vacation rental dwelling. We are requesting approval in accordance with Chp. 6.137 of SEASIDE ZONING Ordinance.*

(PLEASE INCLUDE THE APPROPRIATE PLOT PLAN.

IF ADDITIONAL SPACE IS NEEDED OR SUPPLEMENTAL INFORMATION IS REQUIRED PLEASE ATTACH)

<b>OWNER:</b>	<b>APPLICANT/REPRESENTATIVE (OTHER THAN OWNER):</b>
PRINT NAME OF PROPERTY OWNER <i>STEVE AND DONNA OBERG</i>	PRINT NAME OF APPLICANT/REPRESENTATIVE
ADDRESS <i>14111-148<sup>th</sup> Pl SE</i>	ADDRESS
PHONE / FAX / EMAIL <i>425-681-7564 / donnaoberg1@yahoo.com</i>	PHONE / FAX / EMAIL
SIGNATURE OF PROPERTY OWNER <i>Donna J. Oberg /</i>	SIGNATURE OF DULY AUTHORIZED APPLICANT/REPRESENTATIVE

**FOR CITY USE ONLY – DO NOT WRITE BELOW THIS LINE**

### CHECK TYPE OF PERMIT REQUESTED:

- |  |   |  |  |
|--|---|--|--|
| <input type="checkbox"/> CONDITIONAL USE         | <input type="checkbox"/> NON CONFORMING           | <input type="checkbox"/> SUBDIVISION     | <input type="checkbox"/> ZONING CODE AMENDMENT |
| <input type="checkbox"/> LANDSCAPE/ACCESS REVIEW | <input type="checkbox"/> PLANNED DEVELOPMENT      | <input type="checkbox"/> TEMPORARY USE   | <input type="checkbox"/> ZONING MAP AMENDMENT  |
| <input type="checkbox"/> MAJOR PARTITION         | <input type="checkbox"/> PROPERTY LINE ADJUSTMENT | <input type="checkbox"/> VACATION RENTAL | <input type="checkbox"/> APPEAL                |
| <input type="checkbox"/> MINOR PARTITION         | <input type="checkbox"/> SETBACK REDUCTION        | <input type="checkbox"/> VARIANCE        | <input type="checkbox"/>                       |

<b>PLANNING DEPARTMENT USE:</b>	
DATE ACCEPTED AS COMPLETE	BY
CASE NUMBER (S) <i>14-031VRD</i>	
HEARING DATE	P.C. ACTION

<b>OFFICE USE:</b>	
FEE	RECEIPT
DATE FILED	BY

**CITY OF SEASIDE  
VACATION RENTAL DWELLING (VRD) APPLICATION**

The City of Seaside requires approval for short term (less than 30 day) rental of certain types of residential property. These uses are referred to as vacation rental dwellings (VRDs) and they must be approved in accordance with the conditional use provision in Chapter 6.137 of the Seaside Zoning Ordinance (see attached). Although most requests can be reviewed by the Planning Director; in some cases, the requests require a public hearing before the City Planning Commission. In both cases, VRD applicants must provide the following information and submit it for review along with their business license application.

In addressing the following questions, additional information and supporting evidence can be referenced and attached to the submittal.

**SUBMITTAL INFORMATION**

1. Applicant's Name: DONNA OBERG
2. Mailing Address: PO Box 2462, Renton, WA 98056
3. Telephone #: Home 425 255 8533 Work 425 681 7564 Fax ☐
- \* 4. If the applicant is not the current owner, the applicant must also submit a **signed** statement from the owner that authorizes the VRD application.
5. VRD Street Address: N/A 2339 S. Edgewood
6. Tax Map Ref.: Township 6, Range 1D, Section 28B A, Tax lot # 12601
7. What is the total number of off-street parking spaces (9' X 18') that will be available for VRD occupant use? 5 The VRD ordinance states: One 9' X 18' off-street space will be provided for each bedroom in the unit, but in no event shall fewer than two spaces be provided.
8. How many bedrooms are in the dwelling? 3 Is the applicant requesting that all the bedrooms be used to calculate the maximum occupancy, and if not, how many are being proposed? 3 Please multiply the last number by three (3) to indicate the requested maximum occupancy for the VRD 9. The VRD ordinance states: The maximum number of occupants cannot exceed three persons (over the age of three) per bedroom. The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations. The number of overnight renters or the maximum number of occupants may be reduced by the Code Enforcement Officer or Fire Marshal at the time of inspection for valid code reasons.
9. All off street parking spaces must be clearly indicated on the applicant's site plan. Will the existing parking spaces or any planned expansion of parking take

ORIGINAL

VRD Application updated 5-5-11

4000  
4300  
550  
v268 9642

1  
CITY OF SEASIDE

MAY 28 2014

PAID

up more than 50% of the property's yard areas? No. The VRD ordinance states: Front, side, and rear yards must maintain a residential appearance by limiting off street parking within yard areas. At least 50% of each yard area which is not occupied by buildings must be landscaped in some fashion so that parking will not dominate the yard.

**10. Who will be acting as the local responsible party for the VRD owner? Name:** \*

Oceanside Vacation Rentals Inc Phone # 503 738 7767. Address: 43 N HOVADAY, Seaside, Oregon 97138. The VRD ordinance states: A local responsible party that permanently resides within the county must be identified by the owner. The responsible party will serve as an initial contact person if there are questions regarding the operation of the VRD. The owner shall provide the telephone number of the local contact person to the City, and to the immediate neighbors within the notification area (within 100' of the subject property).

**11. What is the zone designation of subject property?** R-3. The VRD ordinance states: Within the medium density residential (R-2) zones and high density residential (R-3) zones, if more than 20% of the dwelling units within 100' of the subject property are currently licensed for VRD use, a public hearing and review by the Planning Commission is required.

**12. Provide a site plan, drawn to scale, which indicates the following: the actual shape and dimensions of the lot, the sizes and locations of buildings and off street parking spaces (existing & proposed). In addition to the site plan, a floor plan(s) must be included which clearly indicates the intended use of all interior areas (e.g. bedrooms, kitchen, living room, storage etc.).**

**13. The following is a list of standard conditions that apply to VRDs:**

- Vacation rentals must comply with City ordinances regarding noise, smoke, dust, litter, odor, and solid waste collection Weekly solid waste pick-up is required during all months.
- Prior to issuance of a vacation rental dwelling permit, the building in question must be inspected and be in substantial compliance with the Uniform Housing Code.
- It is the property owner's responsibility to assure that the vacation rental dwelling remains in substantial compliance with Oregon State requirements for the following: Health, Safety, Building, and Fire Codes; and Traveler's Accommodation Statutes, and with the Uniform Housing Code.
- Vacation rental dwelling permits are personal in nature and accordingly are not transferable. Upon transfer of the property, the new owner, if he or she desires, may apply for a new permit in accordance with the VRD ordinance.
- A City Business License is required and all transient room tax provisions apply to VRD's. The business license must be obtained prior to any rental of the property. Renewals must be made in January of the permit year. If the business license fee or the transient room tax payments are thirty (30) days

past due, the VRD Permit will be revoked unless a written extension is granted by the Finance Director.

- Upon receipt of two written complaints from two or more occupants of different residences who claim to be adversely affected by the use of the property as a vacation rental dwelling, or by notice from the City Code Compliance Officer that requirements or conditions of approval are not being met, the Planning Department will work with the parties involved to settle any conflicts. If the problems are not resolved, the permit will be reviewed by the Planning Commission as provided in the VRD ordinance. Failure on the applicant's part to meet the standards or conditions will result in denial of the application. This would be in addition to any violation procedures specified in Article 12 of the Seaside Zoning Ordinance.

Has the owner or the duly authorized applicant read all the standard conditions and answered all of the questions honestly based on their understanding of the VRD request? yes.

By signing this application, the applicant is also acknowledging that if the request requires review by the Planning Commission (Ordinance Provision 6.137E), the Applicant or a duly Authorized representative must attend the Public Hearing.

Applicant's Signature: Donna J. Oberg Date: 5/29/14

-----For Office Use Only-----

At the time of submittal, the applicant must pay the annual business license fee based on the proposed occupancy of the VRD: 1-5 occupants \$75.00, 6-10 occupants \$100.00, 11+ occupants 150.00. This fee must be accompanied by a one time filing fee of \$20.00.

In addition to the business license fee, a \$430.00 planning review fee must be submitted with this application. If the surrounding density of VRDs (see question 11) requires a Planning Commission review, an additional fee of \$240.00 must be paid before staff will schedule the public hearing to review the application.

If the VRD application is not approved, only the business license fee will be refunded.

Submittal Date: \_\_\_\_\_ Amount Paid: \_\_\_\_\_

~~~~~ For Community Development Use ~~~~~

Date application was received at Community Development: \_\_\_\_\_

File Reference # 14-031VRD Date determined to be complete: \_\_\_\_\_

If applicable, date for Planning Commission Hearing: \_\_\_\_\_

N. BEARS 547°24'16" W.

PROPERTY DESCRIBED AS  
PARCEL 1,  
OF THIS SURVEY  
IS ALL OF AN  
EXISTING RECORD PLATS  
STRUCTURE

*Handwritten:* 1995  
1996

FIRST ADDITIONAL  
EDGEWOOD DRIVE

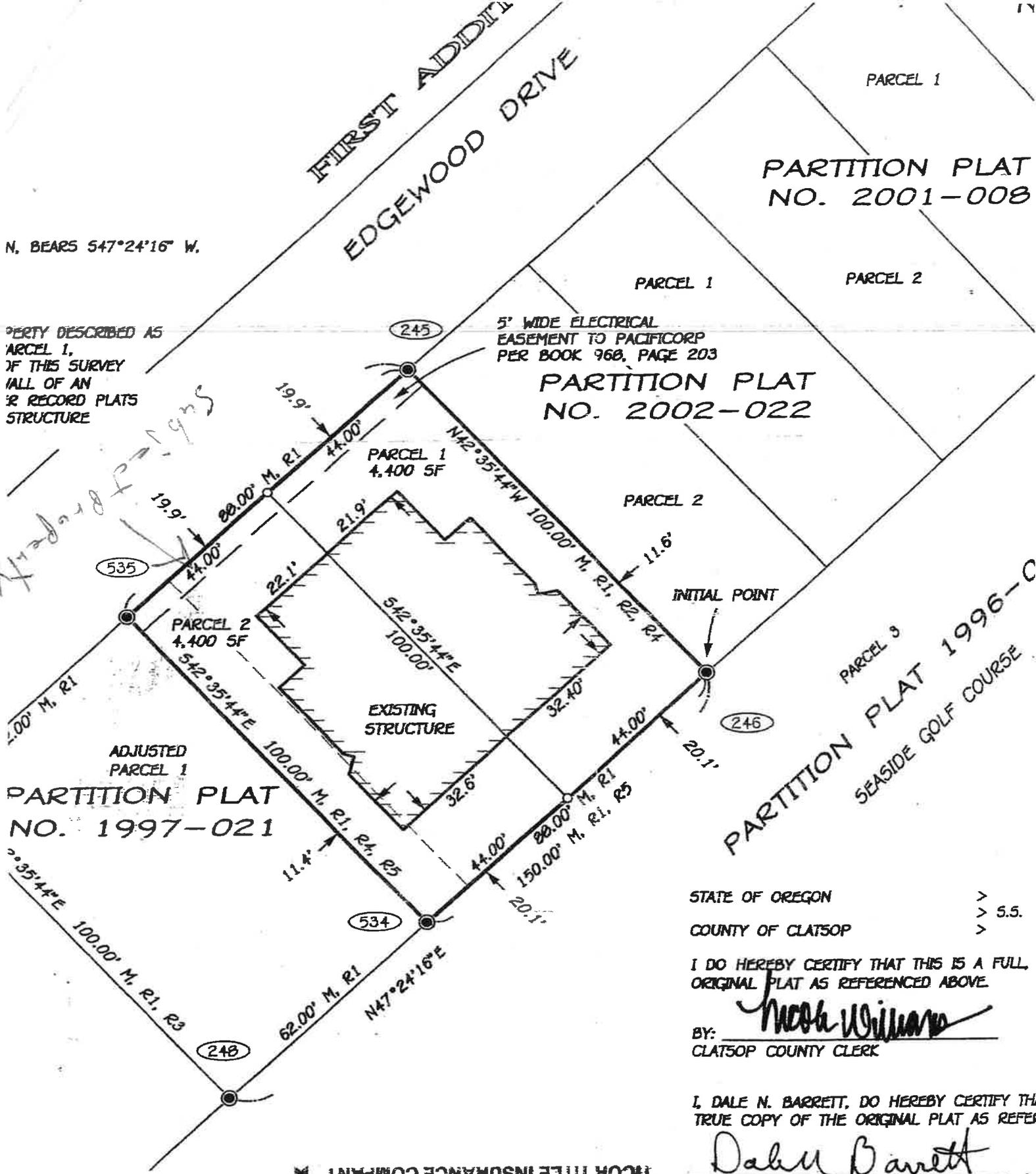
PARTITION PLAT  
NO. 2001-008

5' WIDE ELECTRICAL  
EASEMENT TO PACIFICORP  
PER BOOK 968, PAGE 203

PARTITION PLAT  
NO. 2002-022

ADJUSTED  
PARCEL 1  
PARTITION PLAT  
NO. 1997-021

PARTITION PLAT 1996-C  
SEASIDE GOLF COURSE



STATE OF OREGON >  
COUNTY OF CLATSOP > 5.5.

I DO HEREBY CERTIFY THAT THIS IS A FULL  
ORIGINAL PLAT AS REFERENCED ABOVE.

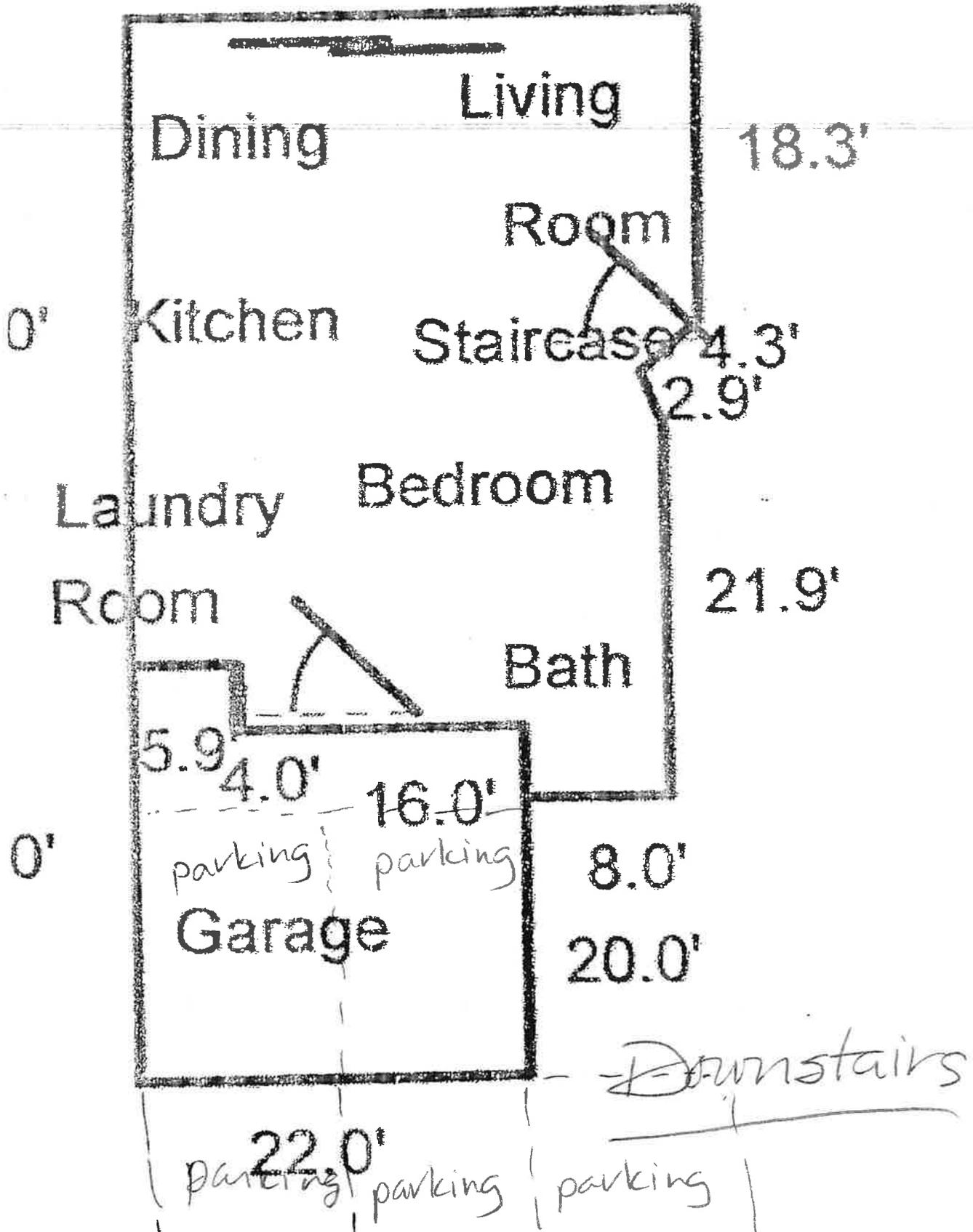
BY: *Michael Williams*  
CLATSOP COUNTY CLERK

I, DALE N. BARRETT, DO HEREBY CERTIFY THAT  
THIS IS A TRUE COPY OF THE ORIGINAL PLAT AS REFERENCED ABOVE.

*Dale N. Barrett*  
DALE N. BARRETT, PLS 1979

RECORD TITLE INSURANCE COMPANY  
The Company assumes no liability for  
variations, if any, in dimensions and  
location ascertained by actual survey.

32.0'



30.0'

Staircase

24.6'

Bath

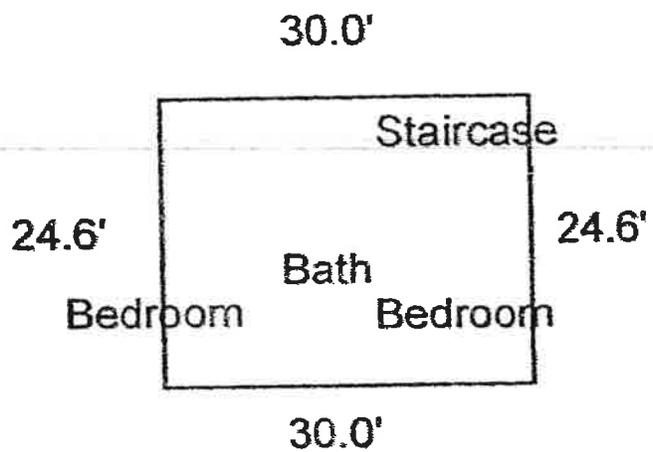
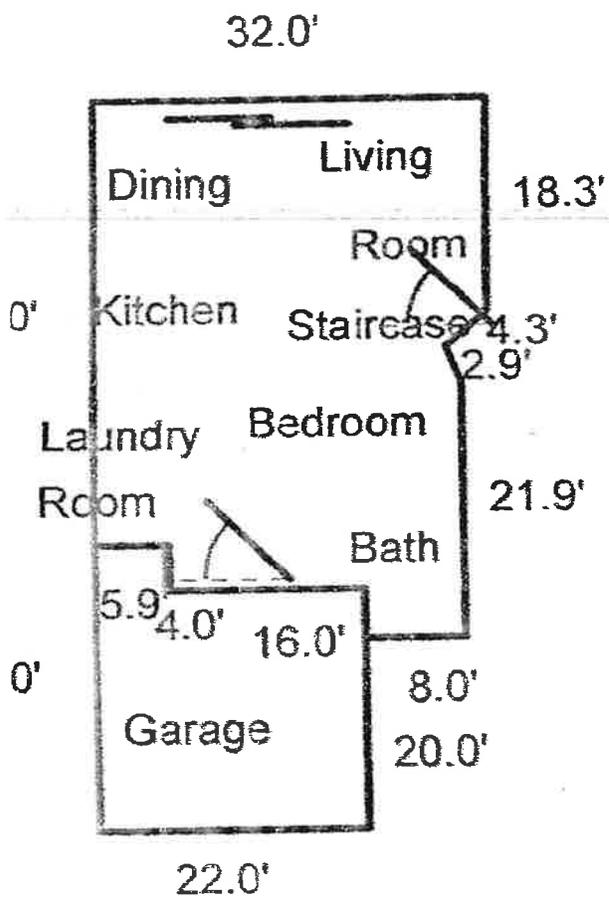
24.6'

Bedroom

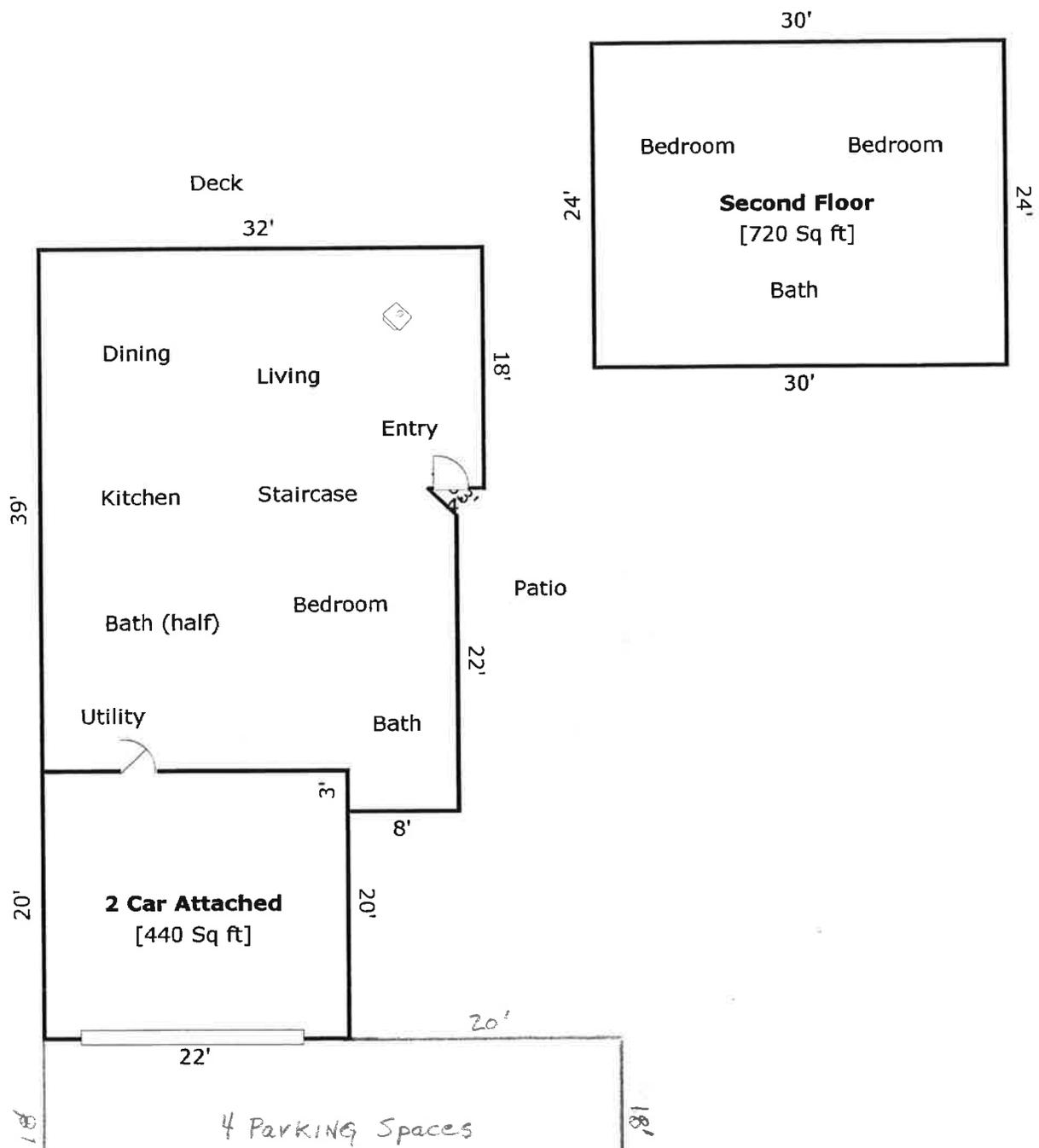
Bedroom

30.0'

Upstairs



**SKETCH CALCULATIONS**



TOTAL Sketch by a la mode, Inc.

**Area Calculations Summary**

| Living Area                         |                   | Calculation Details                                                                                                     |
|-------------------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------|
| First Floor                         | 1228 Sq ft        | $39 \times 22 = 858$<br>$10 \times 18 = 180$<br>$8 \times 22 = 176$<br>$2 \times 6 = 12$<br>$0.5 \times 2 \times 2 = 2$ |
| Second Floor                        | 720 Sq ft         | $24 \times 30 = 720$                                                                                                    |
| <b>Total Living Area (Rounded):</b> | <b>1948 Sq ft</b> |                                                                                                                         |
| <b>Non-living Area</b>              |                   |                                                                                                                         |
| 2 Car Attached                      | 440 Sq ft         | $20 \times 22 = 440$                                                                                                    |

## CITY OF SEASIDE STAFF REPORT

**To:** Seaside Planning Commission  
**From:** Planning Director, Kevin Cupples  
**Date:** July 1, 2014  
**Applicant:** Neal Wallace, City of Seaside Public Works Director  
**Owner:** City of Seaside, 989 Broadway, Seaside OR 97138  
**Location:** Broadway Park, 1230 Broadway, (T6, R10, 22BB TL 4800  
**Subject:** Conditional Use 14-034CU, Dock Replacement

---

### **REQUEST:**

The applicant is requesting a conditional use to replace the floating dock facility at Broadway Park. The proposed dock will be designed as a canoe/kayak launch point that will be ADA accessible. The original dock structure was removed after being damaged during winter storms. The property is located at 1230 Broadway and it is zoned Medium Density Residential (R-2) & Conservation Aquatic (A-2).

The proposed use is conditionally permitted in the zone as a high-intensity recreation facility and it must satisfy the criteria in Section 6.153 & Section 6.158 of the Seaside Zoning Ordinance.

### **DECISION CRITERIA, FINDINGS, AND CONCLUSIONS:**

The following is a list of the decision criteria applicable to the request. Each of the criteria is followed by findings or justification statements which may be adopted by the Planning Commission to support their conclusions. These may also include conditions which are necessary to ensure compliance with the Seaside Zoning Ordinance. Although each of the findings or justification statements specifically apply to one of the decision criteria, any of the statements may be used to support the Commission's final decision.

**DECISION CRITERIA # 1:** Pursuant to Section 6.031 of the Seaside Zoning Ordinance, all conditional use requests must comply with the specific standards in the zone and other applicable supplementary provisions in Article 4. In permitting a new conditional use or alteration of an existing conditional use; the Planning Commission may impose additional conditions considered necessary to protect the best interests of the surrounding area of the city as a whole. These conditions may include the following:

1. Increasing the required lot size or yard dimension.
2. Limiting the height of buildings.
3. Controlling the location and number of vehicle access points.

4. **Increasing the street width.**
5. **Increasing the number of required off-street parking spaces.**
6. **Limiting the number, size, location and lighting of signs.**
7. **Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.**
8. **Designating sites for open space.**

#### **FINDINGS & JUSTIFICATION STATEMENTS:**

1. The applicant's submitted justification, site plan, and development rendering is adopted by reference. The applicant's plan calls for the following:
  - The applicant plans to replace the floating dock facility within Broadway Park.
  - The original dock was removed due to damage from winter storms.
  - The new dock is planned to be ADA accessible with unique facilities for watercraft and a photo has been included with the submittal.
  - The applicant has submitted the required DSL/Army Corp of Engineers joint removal/fill permit application and has included that request with their application.
  - The use is being located adjacent to the existing boat ramp and it will add to the multi-purpose use of the waterfront park.
  - Two pilings were used to secure the prior dock and those pilings will be removed and replaced with 4 new pilings in order to adequately secure the new dock structure. The increased area of impact will require mitigation in order to ensure there is no net loss of habitat within the Conservation Aquatic (A-2) zone.
  - The new access ramp will be anchored outside of the A-2 aquatic zone and it will be designed so that it will clear span the area between the upland and the floating dock.
2. The subject property already has parking facilities associated with the park and the available parking areas have been expanded over time.
3. In order to meet flood plain requirements, the length of the piling will be designed so the dock structure will not float off the piling and the removal for mitigation will ensure there is no change in the elevation of the base flood.

#### **CONCLUSION TO CRITERIA #1:**

The proposed use will replace the previously established floating dock and satisfy the applicable development standards and maintain compatibility the surrounding area provided the following conditions are attached to the approval.

**Condition 1:** The joint removal fill permit must be approved by DSL & the Corp of Engineers.

**Condition 2:** Minor modifications to the applicant's proposed plan must be reviewed and approved by the Planning Director. These could be required in order to comply with other code issues applicable to the request or additional requirements from the

State & Federal permitting authority. Any major changes or conflicts over a proposed modification will be reviewed with the Planning Commission prior to any final approval.

**REVIEW CRITERIA #2: Section 6.153 Dock/Moorage**

1. Community docks or moorages shall be given higher priority than private individual docks or moorages.
2. Where a private individual dock is proposed, the applicant must provide evidence that alternative moorage sites, such as nearby marinas, community docks or mooring buoys are not available, are impractical, or will not satisfy the need.
3. Evidence shall be provided by the applicant that the size of the dock or moorage is the minimum necessary to fulfill the purpose.
4. Covered or enclosed moorage shall not be allowed except in connection with a commercial or industrial use where such shelter is necessary for repair and maintenance of vessels and associated equipment, such as fishing nets, etc.
5. Open-pile piers or secured floats shall be used for dock construction. Fills in aquatic areas to create a dock or moorage are not permitted.
6. Piers and floats shall extend no further out into the water than is needed to affect navigational access. Conflicts with other water surface uses, such as fishing or recreational boating, shall be minimized.
7. Floats in tidally-influenced areas shall be located such that they do not rest on the bottom at low water.

**FINDINGS & JUSTIFICATION STATEMENTS:**

4. The dock is a community facility within a public park.
5. The size of the proposed dock (approximately 15' X 20') will be similar to the size of the prior dock (approximately 12' X 20); however, it will be slightly larger in order to provide ADA accessibility.
6. No covered or enclosed moorage is associated with this project.
7. The floating dock will be secured with pile and fill within the aquatic area has been avoided with the proposed design of the loading ramp.
8. The dock's encroachment into Neawanna Creek will be minimal and re-establishment of the dock will enhance the public's access for water dependent recreation.
9. The applicant has planned the location of the floating dock such that it will avoid resting on the bottom during ordinary low water.

**CONCLUSION TO CRITERIA #2:**

The proposed dock will satisfy the specific review criteria for docks within the aquatic zone.

**REVIEW CRITERIA #3: Section 6.158 Pilings**

1. **Pilings for a use permitted in the estuary shall be approved only after the applicant has established that adverse impacts on navigation, estuarine habitat and processes, water circulation and sedimentation patterns, water quality and recreational activities are minimized.**
2. **The piling will meet all state and federal engineering standards.**
3. **Pilings shall be used in lieu of fill wherever the use is engineering feasible. The number of pilings shall be the minimum necessary to accomplish the proposed use.**

#### **FINDINGS & JUSTIFICATION STATEMENTS:**

10. The piling is a necessary part of the proposed floating dock replacement project and the design will complement navigational use of the waterway for recreational purposes and mitigate for the habitat loss from the piling. The four 12" piling will have an insignificant impact on water circulation and sedimentation patterns, especially when you consider that the waters in this area flow both ways due to tidal influence. The use of steel pile will minimize impacts to water quality as much as possible by avoiding the use of chemically treated piling.

11. State and Federal permits approval is pending review.

12. The City's engineering department believes the four piling are adequate to secure the dock while still allowing for the rise and fall of the dock with the tide.

#### **CONCLUSION TO CRITERIA #3:**

The proposed piling will satisfy the specific review criteria for the installation of piling within the aquatic zone.

#### **FINAL STAFF RECOMMENDATION**

Conditionally approve the proposed dock replacement at 1230 Broadway within Broadway Park. This decision can be supported by the Commission adopting the findings, justification statements, and conclusions in this report subject to the previously stated conditions.

Although they are not conditions of approval, the following is a list of reminders to applicant.

- The conditional use will become void one (1) year from the date of decision unless the permit is not utilized or an extension of time is approved in the manner prescribed under the Seaside Zoning Ordinance.
- As with any permit, the applicant must meet all applicable standards in the Seaside Zoning Ordinance such as erosion control provisions and any other applicable City of Seaside Ordinances.

*The information in this report and the recommendation of staff is not binding on the Planning Commission and may be altered or amended during the public hearing.*

Attachments:

Applicant's Submittal



# City of Seaside, Planning Department

989 Broadway, Seaside, OR 97138 (503) 738-7100 Fax (503) 738-8765

## Land Use Application

Kevin Cupples, Director

PLEASE PRINT OR TYPE

|                                                                                  |                                |                          |
|----------------------------------------------------------------------------------|--------------------------------|--------------------------|
| NAME OF APPLICANT<br><b>CITY OF SEASIDE</b>                                      | ADDRESS<br><b>989 BROADWAY</b> | ZIP CODE<br><b>97138</b> |
| STREET ADDRESS OR LOCATION OF PROPERTY<br><b>1230 BROADWAY SEASIDE, OR 97138</b> |                                |                          |

|      |               |                       |                     |                      |                        |
|------|---------------|-----------------------|---------------------|----------------------|------------------------|
| ZONE | OVERLAY ZONES | TOWNSHIP<br><b>6N</b> | RANGE<br><b>10W</b> | SECTION<br><b>22</b> | TAX LOT<br><b>4800</b> |
|------|---------------|-----------------------|---------------------|----------------------|------------------------|

### PROPOSED USE OF PROPERTY AND PURPOSE OF APPLICATION(S):

REPLACE THE OLD BOAT DOCK AT BROADWAY PARK. THE ORIGINAL DOCK WAS IN POOR  
REPAIR AND WAS DAMAGED IN A WINTER STORM 2012-2013. THE PROPOSED DOCK  
WILL BE DESIGNED AS A CANOE/KAYAK LAUNCH POINT THAT WILL BE ADA ACCESSIBLE.  
THIS PROJECT WILL BE PARTIALLY FUNDED BY AN ODFW RECREATION ENHANCEMENT GRANT.

(PLEASE INCLUDE THE APPROPRIATE PLOT PLAN.)

IF ADDITIONAL SPACE IS NEEDED OR SUPPLEMENTAL INFORMATION IS REQUIRED PLEASE ATTACH

|                                                        |                                                               |
|--------------------------------------------------------|---------------------------------------------------------------|
| <b>OWNER:</b>                                          | <b>APPLICANT/REPRESENTATIVE (OTHER THAN OWNER):</b>           |
| PRINT NAME OF PROPERTY OWNER<br><b>City of Seaside</b> | PRINT NAME OF APPLICANT/REPRESENTATIVE<br><b>Neal Wallace</b> |
| ADDRESS<br><b>989 Broadway Seaside</b>                 | ADDRESS                                                       |
| PHONE / FAX / EMAIL                                    | PHONE / FAX / EMAIL                                           |
| SIGNATURE OF PROPERTY OWNER<br><b>City of Seaside</b>  | SIGNATURE OF DULY AUTHORIZED APPLICANT/REPRESENTATIVE         |

**FOR CITY USE ONLY – DO NOT WRITE BELOW THIS LINE**

### CHECK TYPE OF PERMIT REQUESTED:

- |                                                  |                                                   |                                          |                                                |
|--------------------------------------------------|---------------------------------------------------|------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> CONDITIONAL USE         | <input type="checkbox"/> NON CONFORMING           | <input type="checkbox"/> SUBDIVISION     | <input type="checkbox"/> ZONING CODE AMENDMENT |
| <input type="checkbox"/> LANDSCAPE/ACCESS REVIEW | <input type="checkbox"/> PLANNED DEVELOPMENT      | <input type="checkbox"/> TEMPORARY USE   | <input type="checkbox"/> ZONING MAP AMENDMENT  |
| <input type="checkbox"/> MAJOR PARTITION         | <input type="checkbox"/> PROPERTY LINE ADJUSTMENT | <input type="checkbox"/> VACATION RENTAL | <input type="checkbox"/> APPEAL                |
| <input type="checkbox"/> MINOR PARTITION         | <input type="checkbox"/> SETBACK REDUCTION        | <input type="checkbox"/> VARIANCE        | <input type="checkbox"/>                       |

|                                     |             |
|-------------------------------------|-------------|
| <b>PLANNING DEPARTMENT USE:</b>     |             |
| DATE ACCEPTED AS COMPLETE           | BY          |
| CASE NUMBER (S)<br><b>14-034 CU</b> |             |
| HEARING DATE                        | P.C. ACTION |

|                             |                              |
|-----------------------------|------------------------------|
| <b>OFFICE USE:</b>          |                              |
| FEE<br><b>675-</b>          | RECEIPT                      |
| DATE FILED<br><b>6-6-14</b> | BY<br><b>mark winstanley</b> |

# Joint Permit Application

This is a joint application, and must be sent to both agencies, who administer separate permit programs. Alternative forms of permit applications may be acceptable; contact the Corps and DSL for more information.

Date Stamp



**U.S. Army Corps of Engineers  
Portland District**



**Oregon Department of State  
Lands**

Corps Action ID Number

DSL Number

## (1) APPLICANT AND LANDOWNER CONTACT INFORMATION

|                   | Applicant                 | Property Owner (if different) | Authorized Agent (if applicable)<br><input type="checkbox"/> Consultant <input type="checkbox"/> Contractor |
|-------------------|---------------------------|-------------------------------|-------------------------------------------------------------------------------------------------------------|
| Contact Name      | Neal Wallace              | City of Seaside               |                                                                                                             |
| Business Name     | City of Seaside           |                               |                                                                                                             |
| Mailing Address 1 | 989 Broadway              |                               |                                                                                                             |
| Mailing Address 2 |                           |                               |                                                                                                             |
| City, State, Zip  | Seaside, OR 97138         |                               |                                                                                                             |
| Business Phone    | 503-738-5112              |                               |                                                                                                             |
| Cell Phone        | 503-440-9724              |                               |                                                                                                             |
| Fax               | 503-738-8765              |                               |                                                                                                             |
| Email             | nwallace@cityofseaside.us |                               |                                                                                                             |

## (2) PROJECT INFORMATION

### A. Provide the project location.

|                                             |                           |                                                 |                      |
|---------------------------------------------|---------------------------|-------------------------------------------------|----------------------|
| Project Name<br>Broadway Park Boat Dock     | Tax Lot #<br>4800         | Latitude & Longitude*<br>45.993745, -123.915085 |                      |
| Project Address / Location<br>1230 Broadway | City (nearest)<br>Seaside | County<br>Clatsop                               |                      |
| Township<br>6N                              | Range<br>10W              | Section<br>22                                   | Quarter/Quarter<br>D |

Brief Directions to the Site  
Highway 101 to Broadway. East on Broadway.

### B. What types of waterbodies or wetlands are present in your project area? (Check all that apply.)

|                                                              |                                            |                                                  |
|--------------------------------------------------------------|--------------------------------------------|--------------------------------------------------|
| <input checked="" type="checkbox"/> River / Stream           | <input type="checkbox"/> Non-Tidal Wetland | <input type="checkbox"/> Lake / Reservoir / Pond |
| <input checked="" type="checkbox"/> Estuary or Tidal Wetland | <input type="checkbox"/> Other             | <input type="checkbox"/> Pacific Ocean           |

|                                               |                   |                                                         |                                                       |
|-----------------------------------------------|-------------------|---------------------------------------------------------|-------------------------------------------------------|
| Waterbody or Wetland Name**<br>Neawanna Creek | River Mile<br>2.7 | 6 <sup>th</sup> Field HUC Name<br>Lower Necanicum River | 6 <sup>th</sup> Field HUC (12 digits)<br>171002010103 |
|-----------------------------------------------|-------------------|---------------------------------------------------------|-------------------------------------------------------|

### C. Indicate the project category. (Check all that apply.)

|                                                                 |                                                 |                                                  |
|-----------------------------------------------------------------|-------------------------------------------------|--------------------------------------------------|
| <input type="checkbox"/> Commercial Development                 | <input type="checkbox"/> Industrial Development | <input type="checkbox"/> Residential Development |
| <input type="checkbox"/> Institutional Development              | <input type="checkbox"/> Agricultural           | <input type="checkbox"/> Recreational            |
| <input type="checkbox"/> Transportation                         | <input type="checkbox"/> Restoration            | <input type="checkbox"/> Bank Stabilization      |
| <input type="checkbox"/> Dredging                               | <input type="checkbox"/> Utility lines          | <input type="checkbox"/> Survey or Sampling      |
| <input checked="" type="checkbox"/> In- or Over-Water Structure | <input type="checkbox"/> Maintenance            | <input type="checkbox"/> Other:                  |

\* In decimal format (e.g., 44.9399, -123.0283)

\*\* If there is no official name for the wetland or waterway, create a unique name (such as "Wetland 1" or "Tributary A").

### (3) PROJECT PURPOSE AND NEED

**Provide a statement of the purpose and need for the overall project.**

This project will replace a previously existing dock with a multi-use dock and ADA accessible kayak/canoe launch at the City of Seaside's Broadway Park, the only river access on the Neawanna. With a new dock, the City and Sunset Empire Parks and Recreation District will be able to continue to offer educational opportunities, as well as river access for consumptive fisheries and wildlife observation.

### (4) DESCRIPTION OF RESOURCES IN PROJECT AREA

**A. Describe the existing physical and biological characteristics of each wetland or waterway. Reference the wetland and waters delineation report if one is available. Include the list of items provided in the instructions.**

Neawanna Creek, along with Neacoxie Creek, joins the Necanicum River, in the lower estuary and is one of the watershed's main tributaries; providing a significant percentage of the basin's stream miles for potential spawning and rearing habitat. There are no stream gages on the Neawanna and this area is still under tidal influence. There is a clearly defined top of bank as well as the change in plant species marking ordinary high water immediately adjacent to the site. Anadromous salmonid species known to occur in Neawanna Creek include Oregon Coast ESU Coho salmon (*Oncorhynchus kisutch*), hatchery Chinook salmon (*O. tshawytscha*), chum salmon (*O. keta*), winter steelhead trout (*O. mykiss*), and sea-run cutthroat trout (*O. clarkii*). Resident cutthroat trout and Pacific lamprey (*Lampetra tridentata*) are also present.

The proposed dock replacement is located in the tidally-influenced portion of the creek, near Broadway Park, within the 100 year flood plain. There is no in-water vegetation in the reach, which has a sand/mud/clay substrate. The active channel width at mean low water is slightly less than 100 feet wide. Water depth at the location varies greatly based on tide and rainfall.

The selected design of the dock is a result of a collaborative effort between the City of Seaside, Sunset Empire Parks and Recreation District, Seaside School District, and the Necanicum Watershed Council, with input from ODFW, USFWS, and NOAA Fisheries staff, to meet a variety of community needs.

The project will be funded by the Oregon Department of Fish and Wildlife's Restoration and Enhancement Program, with cash match provided by the City of Seaside.

**B. Describe the existing navigation, fishing and recreational use of the waterway or wetland.**

The adjacent boat ramp is the only public access site on Neawanna Creek. Before the dock was removed, the site was used by various community organizations, including Sunset Empire Parks and Recreation Department and Necanicum Watershed Council, to access the creek to lead educational tours and programs along the Neawanna for residents, vacationers, and tourists.

Neawanna Creek is open for cutthroat trout May 24- October 31, adipose fin-clipped steelhead Jan. 1- March 31 and Sept. 1-Dec. 31, and Chinook salmon Sept. 1-Dec. 31. Additionally, the creek is open year-round, below the 12<sup>th</sup> Avenue Bridge, to a variety of marine fish and other fish and shellfish (including perch, starry flounder, Dungeness crab and a variety of clam species).

The boat ramp and dock are located at the base of a recently relocated osprey nest, and provides an access point for bird and wildlife viewing, from a variety of small, non-motorized watercrafts.

### (5) PROJECT SPECIFIC CRITERIA AND ALTERNATIVES ANALYSIS

**Describe project-specific criteria necessary to achieve the project purpose. Describe alternative sites and project designs that were considered to avoid or minimize impacts to the waterway or wetland.**

The new dock location will be the same as the previously located dock, and installation and construction will conform to SLOPES IV specifications when possible.

Heavy equipment will be selected and operated as necessary to minimize adverse effects on the environment (e.g., minimally-sized, low pressure tires, minimal hard turn paths for tracked vehicles, temporary mats or plates within wet areas or sensitive soils). Vehicles will be stored, fueled and maintained in a vehicle staging area placed 150 feet or more from the creek and in an isolated hard zone

## **(5) PROJECT SPECIFIC CRITERIA AND ALTERNATIVES ANALYSIS**

(nearby paved parking lot). Vehicles will be inspected daily for fluid leaks before leaving the vehicle staging area for operation. Vehicles will be steam-cleaned before operation below ordinary high water, and as often as necessary during operation to remain free of all external oil, grease, mud, seeds, organisms and other visible contaminants. Generators, cranes and any other stationary equipment operated within 150 feet of any waterbody will be maintained and protected as necessary to prevent leaks and spills from entering the water.

The existing steel piles, 4" diameter pipe driven to an unknown depth, will be removed with a vibratory hammer, slowly lifted from the sediment and through the water column, and a floating surface boom will be installed to capture floating surface debris. All equipment (e.g., bucket, steel cable, vibratory hammer) will be kept out of the water. The piles will be gripped above the waterline, and all work will be completed during the lowest tide, so as to conform to low water and low current conditions, as much as possible during the Nov-Feb in-water work period.

The removed piles will be placed on the shoreline without attempting to clean or remove any adhering sediment, in a containment basin constructed of durable plastic sheeting with sidewalls supported by hay, to contain all adhering sediment and return flow which may otherwise be directed back to the waterway. Dispose of the two removed piles and any sediment spilled on work surfaces, and all containment supplies will be at a permitted upland disposal site. The holes left by each piling will be filled with clean, native sediments immediately upon removal.

The new piles will be installed to exceed the 100 year flood elevation by 4 feet, based on the FEMA flood insurance rate map. There will be 4 new piles that will be steel round pile, 12 inches in diameter and will be installed using a vibratory hammer. Assuming a drive depth of 20' the piles would total 3.0 c.y. of fill. The pilings will be fitted with a cap to prevent perching piscivorous birds.

The synthetic flotation material will be permanently encapsulated to prevent breakup into small pieces and dispersal in water. Pile blocks will be installed to prevent dock grounding.

No alternate sites were considered for this dock. The selected site is the only readily available public access site on Neawanna Creek, and road and foot access to the site has already been established.

## **(6) PROJECT DESCRIPTION**

**A. Briefly summarize the overall project including work in areas both in and outside of waters or wetlands.** 2 existing piles from a previous dock will be removed, and 4 new piles will be installed. A new, larger, floating dock and gangway will be installed.

**B. Describe work within waters and wetlands.**

The existing steel piles will be removed with a vibratory hammer, slowly lifted from the sediment and through the water column, and a floating surface boom will be installed to capture floating surface debris. All equipment (e.g., bucket, steel cable, vibratory hammer) will be kept out of the water. The piles will be gripped above the waterline, and all work will be completed during the lowest tide, so as to conform to low water and low current conditions, as much as possible during the Nov 1 – Feb 15 Necanicum estuary in-water work period.

**C. Construction Methods. Describe how the removal and/or fill activities will be accomplished to minimize impacts to waters and wetlands.**

**(6) PROJECT DESCRIPTIO.**

The existing steel piles will be removed with a vibratory hammer, slowly lifted from the sediment and through the water column, and a floating surface boom will be installed to capture floating surface debris. All equipment (e.g., bucket, steel cable, vibratory hammer) will be kept out of the water. The piles will be gripped above the waterline, and all work will be completed during the lowest tide, so as to conform to low water and low current conditions, as much as possible during the Nov-Feb in-water work period.

The removed piles will be placed on the shoreline without attempting to clean or remove any adhering sediment, in a containment basin constructed of durable plastic sheeting with sidewalls supported by hay, to contain all adhering sediment and return flow which may otherwise be directed back to the waterway. Dispose of the two removed piles and any sediment spilled on work surfaces, and all containment supplies will be at a permitted upland disposal site.

The holes left by each piling will be filled with clean, native sediments immediately upon removal.

**D. Describe source of fill material and disposal locations if known.**

Fill materials will be local native materials from local providers or from existing stock at Seaside Public Works. Material in need of disposal will be handled at any of several upland sites owned by the City, most likely at Public Works or adjacent to the Seaside Water Treatment Plant.

**(6) PROJECT DESCRIPTION****E. Construction timeline.**

What is the estimated project start date? November 1, 2014

What is the estimated project completion date? February 15, 2015

Is any of the work underway or already complete?  Yes  No  
If yes, describe.

**F. Fill Volumes and Dimensions** (if more than 4 impact sites, include a summary table as an attachment)

| Wetland / Waterbody Name * | Fill Dimensions |             |             |                       |               | Duration of Impact** | Material*** |
|----------------------------|-----------------|-------------|-------------|-----------------------|---------------|----------------------|-------------|
|                            | Length (ft.)    | Width (ft.) | Depth (ft.) | Area (sq. ft. or ac.) | Volume (c.y.) |                      |             |
| Neawanna Creek             |                 |             | 20          |                       | 3.0           |                      | Pilings     |
|                            |                 |             |             |                       |               |                      |             |
|                            |                 |             |             |                       |               |                      |             |

**G. Total Fill Volumes and Dimensions**

| Fill Impacts to Waters                           | Length (ft.) | Area (sq. ft or ac.) | Volume (c.y.) |
|--------------------------------------------------|--------------|----------------------|---------------|
| Total Fill to Wetlands                           | 0            | 0                    | 0             |
| Total Fill Below Ordinary High Water             |              |                      | 3.0           |
| Total Fill Below Highest Measured Tide           |              |                      | 3.0           |
| Total Fill Below High Tide Line                  |              |                      | 3.0           |
| Total Fill Below Mean High Water Tidal Elevation |              |                      | 3.0           |

**H. Removal Volumes and Dimensions** (if more than 4 impact sites, include a summary table as an attachment)

| Wetland / Waterbody Name* | Removal Dimensions |             |             |                       |               | Duration of Impact** | Material*** |
|---------------------------|--------------------|-------------|-------------|-----------------------|---------------|----------------------|-------------|
|                           | Length (ft.)       | Width (ft.) | Depth (ft.) | Area (sq. ft. or ac.) | Volume (c.y.) |                      |             |
| Neawanna Creek            |                    |             | 15          |                       | 0.1           |                      | Piling      |
|                           |                    |             |             |                       |               |                      |             |
|                           |                    |             |             |                       |               |                      |             |

| I. Total Removal Volumes and Dimensions                    |              |                      |               |
|------------------------------------------------------------|--------------|----------------------|---------------|
| Removal Impacts to Waters                                  | Length (ft.) | Area (sq. ft or ac.) | Volume (c.y.) |
| Total Removal to Wetlands                                  | 0            | 0                    | 0             |
| Total Removal Below Ordinary High Water                    |              |                      | 0.1           |
| Total Removal Below <u>Highest Measured Tide</u>           |              |                      | 0.1           |
| Total Removal Below <u>High Tide Line</u>                  |              |                      | 0.1           |
| Total Removal Below <u>Mean High Water Tidal Elevation</u> |              |                      | 0.1           |

\* If there is no official name for the wetland or waterway, create a unique name (such as "Wetland 1" or "Tributary A").  
 \*\* Indicate the days, months or years the fill or removal will remain. Enter "permanent" if applicable. For DSL, permanent removal or fill is defined as being in place for 24 months or longer.  
 \*\*\* Example: soil, gravel, wood, concrete, pilings, rock etc.

| (7) ADDITIONAL INFORMATION                                                                                                                                                                                                                                                             |                                            |                                        |                                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|----------------------------------------|---------------------------------------------|
| Are there any <u>state</u> or <u>federally</u> listed species on the project site?                                                                                                                                                                                                     | <input checked="" type="checkbox"/> Yes    | <input type="checkbox"/> No            | <input type="checkbox"/> Unknown            |
| Is the project site within designated or proposed critical habitat?                                                                                                                                                                                                                    | <input type="checkbox"/> Yes               | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unknown            |
| Is the project site within a national <u>Wild and Scenic River</u> ?                                                                                                                                                                                                                   | <input type="checkbox"/> Yes               | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unknown            |
| Is the project site within the <u>100-year floodplain</u> ?                                                                                                                                                                                                                            | <input checked="" type="checkbox"/> Yes    | <input type="checkbox"/> No            | <input type="checkbox"/> Unknown            |
| <b>* If yes to any of the above, explain in Block 4 and describe measures to minimize adverse effects to these resources in Block 5.</b>                                                                                                                                               |                                            |                                        |                                             |
| Is the project site within the <u>Territorial Sea Plan (TSP) Area</u> ?                                                                                                                                                                                                                | <input type="checkbox"/> Yes               | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unknown            |
| <b>* If yes, attach TSP review as a separate document for DSL.</b>                                                                                                                                                                                                                     |                                            |                                        |                                             |
| Is the project site within a designated <u>Marine Reserve</u> ?                                                                                                                                                                                                                        | <input type="checkbox"/> Yes               | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unknown            |
| <b>* If yes, certain additional DSL restrictions will apply.</b>                                                                                                                                                                                                                       |                                            |                                        |                                             |
| Will the overall project involve construction dewatering or ground disturbance of one acre or more?                                                                                                                                                                                    | <input type="checkbox"/> Yes               | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unknown            |
| <b>* If yes, you may need a 1200-C permit from the Oregon Department of Environmental Quality (DEQ).</b>                                                                                                                                                                               |                                            |                                        |                                             |
| Is the fill or dredged material a carrier of contaminants from on-site or off- site spills?                                                                                                                                                                                            | <input type="checkbox"/> Yes               | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unknown            |
| Has the fill or dredged material been physically and/or chemically tested?                                                                                                                                                                                                             | <input type="checkbox"/> Yes               | <input type="checkbox"/> No            | <input checked="" type="checkbox"/> Unknown |
| <b>*If yes, explain in Block 4 and provide references to any physical/chemical testing report(s).</b>                                                                                                                                                                                  |                                            |                                        |                                             |
| Has a cultural resource (archaeological) survey been performed on the project area?                                                                                                                                                                                                    | <input type="checkbox"/> Yes               | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unknown            |
| <b>* If yes, provide a copy of the survey with this application. Do not describe any resources in this document.</b>                                                                                                                                                                   |                                            |                                        |                                             |
| Identify any other federal agency that is funding, authorizing or implementing the project.                                                                                                                                                                                            |                                            |                                        |                                             |
| Agency Name                                                                                                                                                                                                                                                                            | Contact Name                               | Phone Number                           | Most Recent Date of Contact                 |
| List other certificates or approvals/denials required or received from other federal, state or local agencies for work described in this application. For example, certain activities that require a Corps permit also require <u>401 Water Quality Certification</u> from Oregon DEQ. |                                            |                                        |                                             |
| Approving Agency                                                                                                                                                                                                                                                                       | Certificate/ approval / denial description | Date Applied                           |                                             |
| Other DSL and/or Corps Actions Associated with this Site (Check all that apply.)                                                                                                                                                                                                       |                                            |                                        |                                             |
| <input type="checkbox"/> Work proposed on or over lands owned by or leased from the Corps                                                                                                                                                                                              |                                            |                                        |                                             |

**(7) ADDITIONAL INFORMATION**

|                                                                                                                         |                      |       |
|-------------------------------------------------------------------------------------------------------------------------|----------------------|-------|
| <input checked="" type="checkbox"/> State owned waterway                                                                | DSL Waterway Lease # |       |
| <input type="checkbox"/> Other Corps or DSL Permits                                                                     | Corps #              | DSL # |
| <input type="checkbox"/> Violation for Unauthorized Activity                                                            | Corps #              | DSL # |
| <input type="checkbox"/> Wetland and Waters Delineation                                                                 | Corps #              | DSL # |
| <input type="checkbox"/> A wetland / waters delineation has been completed (if so, provide a copy with the application) |                      |       |
| <input type="checkbox"/> The Corps has approved the wetland / waters delineation within the last 5 years                |                      |       |
| <input type="checkbox"/> DSL has approved the wetland / waters delineation within the last 5 years                      |                      |       |

**(8) IMPACTS, RESTORATION/REHABILITATION, COMPENSATORY MITIGATION**

**A. Describe unavoidable environmental impacts that are likely to result from the proposed project. Include permanent, temporary, direct, and indirect impacts.**

Temporary, unavoidable impacts to the environment include turbidity, which will be mitigated as much as possible using a floating surface boom to capture floating surface debris.

**B. For temporary removal or fill or disturbance of vegetation in waterways, wetlands or riparian (i.e., streamside) areas, discuss how the site will be restored after construction.**

There will be no removal or fill or disturbance of vegetation in the waterway, wetlands, or riparian area. All work will be done from compacted surfaces (gravel parking lot), or the existing cement boat ramp.

**Compensatory Mitigation**

**C. Proposed mitigation approach. Check all that apply:**

|                                                                             |                                                                   |                                                                 |                                                                                       |
|-----------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Permittee-responsible Onsite Mitigation | <input type="checkbox"/> Permittee-responsible Offsite mitigation | <input type="checkbox"/> Mitigation Bank or in-lieu fee program | <input type="checkbox"/> Payment to Provide (not approved for use with Corps permits) |
|-----------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------------------------------------------------|---------------------------------------------------------------------------------------|

**D. Provide a brief description of mitigation approach and the rationale for choosing that approach. If you believe mitigation should not be required, explain why.**

If mitigation to replace an existing structure is deemed necessary, the City will restore additional riparian area downstream of the site, and/or partner with the American Legion, located upstream and adjacent to Broadway Park, to help restore an old fill site.

**Mitigation Bank / In-Lieu Fee Information:**

Name of mitigation bank or in-lieu fee project:

Type of credits to be purchased:

If you are proposing permittee-responsible mitigation, have you prepared a compensatory mitigation plan?

Yes. Submit the plan with this application and complete the remainder of this section.

No. A mitigation plan will need to be submitted (for DSL, this plan is required for a complete application).

**Mitigation Location Information (Fill out only if permittee-responsible mitigation is proposed)**

|                                        |                                    |                                          |
|----------------------------------------|------------------------------------|------------------------------------------|
| Mitigation Site Name/Legal Description | Mitigation Site Address            | Tax Lot #                                |
| Broadway Park                          | 1230 Broadway<br>Seaside, OR 97138 | 4800                                     |
| County                                 | City                               | Latitude & Longitude (in DD.DDDD format) |
| Clatsop                                | Seaside                            | 45.9937,-123.9150                        |
| Township                               | Range                              | Section                                  |
| 6N                                     | 10W                                | 22                                       |
|                                        |                                    | Quarter/Quarter                          |
|                                        |                                    | D                                        |

| <b>(9) ADJACENT PROPERTY OWNERS FOR PROJECT AND MITIGATION SITE</b>                      |                                              |                                                 |
|------------------------------------------------------------------------------------------|----------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Pre-printed mailing labels of adjacent property owners attached | <b>Project Site Adjacent Property Owners</b> | <b>Mitigation Site Adjacent Property Owners</b> |

**Contact Name**  
**Address 1**  
**Address 2**  
**City, ST ZIP Code**

American Legion Post #99  
 Seaside, OR 97138

American Legion Post #99  
 Seaside, OR 97138

**Contact Name**  
**Address 1**  
**Address 2**  
**City, ST ZIP Code**

Sunset Empire Parks & Recreation  
 1140 Broadway  
 Seaside, OR 97138

Sunset Empire Parks & Recreation  
 1140 Broadway  
 Seaside, OR 97138

**Contact Name**  
**Address 1**  
**Address 2**  
**City, ST ZIP Code**

Neawanna By The Sea  
 20 N Wahanna Rd.  
 Seaside, OR 97138

Neawanna By The Sea  
 20 N Wahanna Rd.  
 Seaside, OR 97138

**Contact Name**  
**Address 1**  
**Address 2**  
**City, ST ZIP Code**

Sandhill Apartments  
 150-350 S Wahanna Rd.  
 Seaside, OR 97138

Sandhill Apartments  
 150-350 S Wahanna Rd.  
 Seaside, OR 97138

**Contact Name**  
**Address 1**  
**Address 2**  
**City, ST ZIP Code**

**Contact Name**  
**Address 1**  
**Address 2**  
**City, ST ZIP Code**

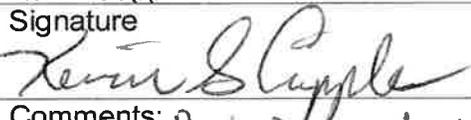
**Contact Name**  
**Address 1**  
**Address 2**  
**City, ST ZIP Code**

**Contact Name**  
**Address 1**  
**Address 2**  
**City, ST ZIP Code**

**(10) CITY/COUNTY PLANNING DEPARTMENT LAND USE AFFIDAVIT  
(TO BE COMPLETED BY LOCAL PLANNING OFFICIAL)**

- I have reviewed the project described in this application and have determined that:
- This project is not regulated by the comprehensive plan and land use regulations.
  - This project is consistent with the comprehensive plan and land use regulations.
  - This project will be consistent with the comprehensive plan and land use regulations when the following local approval(s) are obtained:
    - Conditional Use Approval
    - Development Permit
    - Other Permit (see comment section)
  - This project is not consistent with the comprehensive plan. Consistency requires:
    - Plan Amendment
    - Zone Change
    - Other Approval or Review (see comment section)

An application  has  has not been filed for local approvals checked above.

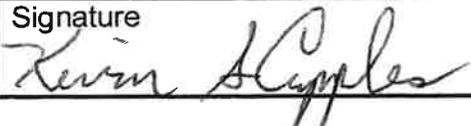
|                                                                                                |                            |                         |
|------------------------------------------------------------------------------------------------|----------------------------|-------------------------|
| Local planning official name (print)<br>Kevin Cupples                                          | Title<br>Planning Director | City<br>City of Seaside |
| Signature<br> | Date<br>6-4-14             |                         |
| Comments:<br>Replacing a dock structure                                                        |                            |                         |

**(11) COASTAL ZONE CERTIFICATION**

If the proposed activity described in your permit application is within the Oregon coastal zone, the following certification is required before your application can be processed. A public notice will be issued with the certification statement, which will be forwarded to the Oregon Department of Land Conservation and Development (DLCD) for its concurrence or objection. For additional information on the Oregon Coastal Zone Management Program, contact DLCD at 635 Capitol Street NE, Suite 150, Salem, Oregon 97301 or call 503-373-0050.

**CERTIFICATION STATEMENT**

I certify that, to the best of my knowledge and belief, the proposed activity described in this application complies with the approved Oregon Coastal Zone Management Program and will be completed in a manner consistent with the program.

|                                                                                                  |                            |
|--------------------------------------------------------------------------------------------------|----------------------------|
| Print /Type Name<br>Kevin Cupples                                                                | Title<br>Planning Director |
| Signature<br> | Date<br>6-4-14             |

## (12) SIGNATURES

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and, to the best of my knowledge and belief, this information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities. By signing this application I consent to allow Corps or DSL staff to enter into the above-described property to inspect the project location and to determine compliance with an authorization, if granted. I hereby authorize the person identified in the authorized agent block below to act in my behalf as my agent in the processing of this application and to furnish supplemental information in support of this permit application. I understand that the granting of other permits by local, county, state or federal agencies does not release me from the requirement of obtaining the permits requested before commencing the project. I understand that payment of the required state processing fee does not guarantee permit issuance.

To be considered complete, the fee must accompany the application to DSL. The fee is not required for submittal of an application to the Corps.

Fee Amount Enclosed

\$

### Applicant Signature

Print Name  
Neal Wallace

Title  
Public Works Director

Signature

Date

### Authorized Agent Signature

Print Name

Title

Signature

Date

### Landowner Signature(s)

#### Landowner of the Project Site (if different from applicant)

Print Name

Title

Signature

Date

#### Landowner of the Mitigation Site (if different from applicant)

Print Name

Title

Signature

Date

### Department of State Lands, Property Manager (to be completed by DSL)

If the project is located on state-owned submerged and submersible lands, DSL staff will obtain a signature from the Land Management Division of DSL. A signature by DSL for activities proposed on state-owned submerged/submersible lands only grants the applicant consent to apply for a removal-fill permit. A signature for activities on state-owned submerged and submersible lands grants no other authority, express or implied and a separate proprietary authorization may be required.

Print Name

Title

Signature

Date

## (13) ATTACHMENTS

Drawings (items in bold are required)

- Location map with roads identified
- U.S.G.S topographic map
- Tax lot map
- Site plan(s)
- Cross section drawing(s)
- Recent aerial photo
- Project photos
- Erosion and Pollution Control Plan(s), if applicable
- DSL/Corps Wetland Concurrence letter and map, if approved and applicable
- Pre-printed labels for adjacent property owners (Required if more than 5)
- Restoration plan or rehabilitation plan for temporary impacts
- Mitigation plan
- Wetland functional assessment and/or stream functional assessment
- Alternatives analysis
- Biological assessment (if requested by Corps project manager during pre-application coordination.)
- Stormwater management plan (may be required by the Corps or DEQ)
- Other:

**Send Completed form to:**

**U.S. Army Corps of Engineers**  
**ATTN: CENWP-OD-GP**  
**PO Box 2946**  
**Portland, OR 97208-2946**  
**Phone: 503-808-4373**

**Counties:**  
**Baker, Clackamas,**  
**Clatsop, Columbia,**  
**Gilliam, Grant, Hood**  
**River, Jefferson, Lincoln,**  
**Malheur, Marion, Morrow,**  
**Multnomah, Polk,**  
**Sherman, Tillamook,**  
**Umatilla, Union,**  
**Wallowa, Wasco,**  
**Washington, Wheeler,**  
**Yamhill**

**OR**

**U.S. Army Corps of Engineers**  
**ATTN: CENWP-OD-GE**  
**211 E. 7<sup>th</sup> AVE, Suite 105**  
**Eugene, OR 97401-2722**  
**Phone: 541-465-6868**

**Counties:**  
**Benton, Coos, Crook,**  
**Curry, Deschutes,**  
**Douglas Jackson,**  
**Josephine, Harney,**  
**Klamath, Lake, Lane,**  
**Linn**

**Send Completed form to:**

**DSL - West of the Cascades:**

**Department of State Lands**  
**775 Summer Street NE, Suite 100**  
**Salem, OR 97301-1279**  
**Phone: 503-986-5200**

**OR**

**DSL - East of the Cascades:**

**Department of State Lands**  
**1645 NE Forbes Road, Suite 112**  
**Bend, Oregon 97701**  
**Phone: 541-388-6112**

**Send all Fees to:**

**Department of State Lands**  
**775 Summer Street NE, Suite 100**  
**Salem, OR 97301-1279**  
**Pay by Credit Card by Calling 503-986-5253**

## INSTRUCTIONS FOR PREPARING THE JOINT APPLICATION

This is a joint application, and must be sent to both agencies, who administer separate permit processes. For more complete instructions, contact the Corps and/or DSL or refer to online resources:

- DSL's Removal-Fill Guide; or,
- The Corps' "Permitting 101" video: <http://www.nwp.usace.army.mil/Missions/Regulatory.aspx>

### General Instructions and Tips

- Provide the information in the appropriate blocks of the application form. If you need more space, provide a summary in the space provided and attach additional detail as an appendix to the application.
- Not all items on the application form will apply to all projects.
- For most applications, binding and section dividers are not necessary and require additional handling.

The information requested on the form is necessary for the agencies to begin their review. For complex projects or for those that may have more than minimal impacts, additional information may be necessary to complete the evaluation and make a permit decision. Alternative forms of permit applications may be acceptable; contact the Corps and DSL for more information.

### Section 1. Applicant and Landowner Contact information

Applicant: The applicant is the responsible party. If the applicant is an agency, business entity or other organization, indicate the name of the organization and a person that has the authority to sign the application.

Authorized Agent: An authorized agent is someone who has permission from the applicant to represent their interests and supply information to the agencies. An agent can be a consultant, an attorney, builder, contractor, or any other person or organization. An authorized agent is optional.

Landowner: Provide landowner information if different from the applicant. The landowner must also sign the application.

### Section 2. Project Information

Provide location information. Latitude and longitude can be found by zooming in to your respective project location and reading off the coordinates displayed on the bottom of the map.

Provide information on wetlands and waterways within the project area. Indicate the category of activities that make up your project.

### Section 3. Project Purpose and Need

Explain the purpose and need for the project. Also include a brief description of any related activities needed to accomplish the project objectives.

The following items are required by DSL, as applicable:

- If the removal-fill would satisfy a public need and the applicant is a public body, include any pertinent findings regarding public need and benefit.
- If the project involves fill in the estuary for a non-water dependent use, explain how the project is for public use and/or satisfies a public need.
- If the project is located within a marine reserve or marine protected area, explain how the project is needed to study, monitor, evaluate, enforce or protect the designated area.

### Section 4. Description of Resources in Project Area

Territorial Sea: For activities in the Territorial Sea (mean lower low water seaward 3 nautical miles), provide a separate evaluation of the resources and effects determination.

For each wetland, include:

- Whether the wetland is freshwater or tidal, and the Cowardin class and Hydrogeomorphic (HGM) class.
- Source of hydrology and direction of flow (if any).
- Dominant plant species by layer (herb, shrub, tree).
- A functional assessment of the wetland to be impacted (for impacts greater than 0.2 acre, DSL requires use of ORWAP or HGM), should be attached as a separate document.
- Identify any vernal pools, bogs, fens, mature forested wetland, seasonal mudflats, or native wet prairies in or near the project area.
- Refer to wetland delineation report if available, and provide copies to agencies (if not previously provided).
- Describe existing uses, including fish and wildlife use (type, abundance, period of use, significance of site).

For rivers, streams, other waterways, lakes and ponds, include a description of, as applicable:

- Streamflow regime (e.g., perennial year-round flow, intermittent seasonal flow, ephemeral event-driven flow). If flow is ephemeral, provide streamflow assessment data sheet or other information that supports your determination.
- Field indicators used to identify the Ordinary High Water Mark (OHWM).
- Channel and bank conditions.
- Type and condition of riparian (streamside) vegetation.
- Channel morphology (structure and shape).
- Stream substrate.
- Assessment of the functional attributes including hydrologic, geomorphic, biological and chemical and nutrient related functions.
- Fish and wildlife (type, abundance, period of use, significance of site).

### **Section 5. Alternatives to Avoid and Minimize Impacts to Waters**

Provide a brief explanation describing how impacts to waters and wetlands are being avoided and minimized on the project site. For DSL, the alternatives analysis must include:

- Project-specific criteria that are needed to accomplish the stated project purpose.
- A range of alternative sites and designs that were considered with less impact.
- An evaluation of each alternative site and design against the project criteria and a reason for why the alternative was not chosen.
- If the project involves fill in an estuary for a non-water dependent use, a description of Alternative non-estuarine sites must be included.

### **Section 6. Project Description**

Overall Description. Provide a brief description of the overall project, including:

- All associated work with the project both outside and within waters or wetlands.
- Total ground disturbance for all associated work (i.e., area and volume of ground disturbance).
- Total area of impervious surfaces created or modified by the project, if applicable.

Work within Waters and Wetlands. Provide a description of the proposed work within waters and wetlands, including:

- Each removal or fill activity proposed in waters or wetlands, as well as any construction or maintenance of in-water or over-water structures.
- The number and dimensions of in-water or over-water structures (i.e., pilings, floating docks) proposed within waters or wetlands.

Fill Material and Disposal. Provide a description of fill material and procedure for disposal of removed material, including:

- The source(s) of fill materials (if known).
- Locations for disposal area(s) for dredged material, if applicable. If dredged material is to be discharged on an upland site, identify the site and the steps to be taken (if necessary) to prevent runoff from the dredged material back into a waterbody. If using an upland disposal area that is not a DEQ-regulated landfill, a Solid Waste Letter of Authorization or a Beneficial Use Determination from DEQ may be required.

Construction Methods. Describe how the removal and/or fill activities will be accomplished including the following:

- Construction methods, equipment to be used, access and staging areas, etc.
- Measures you will use during construction to minimize impacts to the waterway or wetland. Examples may include isolating work areas, controlling construction access and using specialized equipment or materials. Attach work area isolation and/or erosion and pollution control plans, if applicable.

Construction Timing. Provide the proposed start and completion date for the project. Describe project work that is already complete, if applicable.

Summary of removal and fill activities. Summarize the dimensions, volume and type/composition of material being placed or removed in each waterbody or wetland. Describe each impact on a separate row. For

instance, if two culverts are being moved from Clear Creek, use two rows. Add extra rows if needed, or include an attachment.

The DSL and the Corps use different elevations for determining whether an activity in tidal waters is regulated by the State's Removal-Fill law, the Clean Water Act, and/or the Rivers and Harbors Act. DSL regulates activities below the highest measured tide. The Clean Water Act applies below the high tide line. The Rivers and Harbors Act applies below the mean high water.

### **Section 7. Additional Information**

Any additional information you provide helps the reviewer(s) understand your project and the other approvals or reviews that may be required.

### **Section 8. Site Restoration/Rehabilitation and Compensatory Mitigation**

Site Restoration/Rehabilitation. For temporary disturbance of soils and/or vegetation in waterways, wetlands or riparian (streamside) areas, discuss how you will restore the site after construction. This may include the following:

- Grading plans to restore pre-existing elevations.
- Planting plans and species list (native species only) to replace vegetation in riparian or wetland areas.
- Maintenance and monitoring plans to document restoration to wetland condition and/or vegetation establishment.
- Associated erosion control for site stabilization.

Compensatory Mitigation. Describe your proposed compensatory mitigation approach, or explain why you believe compensatory mitigation is not required. If proposing permittee-responsible mitigation for permanent impact to wetlands, see OAR 141-085-0705 and 33 CFR 332.4(c) for plan requirements. For permanent impact to waters other than wetlands, see OAR 141-085-0765 and 33 CFR 332.4(c) for plan requirements.

### **Section 9. Adjacent Property Owners for Impact and Mitigation Site(s)**

Names and addresses for properties that are adjacent to the project site and permittee responsible mitigation site (if applicable), are required. "Adjacent" means those properties that share or touch upon a common property line or are across the street or stream. If more than 5, attach pre-printed labels. A list of property owners may be obtained by contacting the county tax assessor's office.

### **Section 10. City/County Planning Department Land Use Affidavit**

This section is required to demonstrate land use compatibility for removal fill permits and water quality certifications. Provide this form to your local planning official for them to complete and sign.

### **Section 11. Coastal Zone Certification**

Your signature for this statement is required for projects within the coastal zone (generally, west of the summit of the Coast Range).

### **Section 12. Signatures**

The application must be signed by the responsible party, landowner and agent, as identified in section 1.

### **Section 13: Attachments**

Project Drawings. A complete application must include a location map, site plan, cross-section drawings and recent aerial photo. All drawings should be clear, legible and formatted for 8.5 by 11 printing. Use the fewest number of sheets necessary for your drawings or illustrations. While illustrations need not be professionally prepared, they should be clear, accurate, and contain all necessary information, as follows:

Location maps (with subject property identified):

- Location map with roads identified
- U.S.G.S. Topographic map
- Tax lot map (with subject tax lot(s) identified)

Site plan(s), including:

- Entire project site and activity areas
- Existing and proposed contours

- Location of ordinary high water, wetland boundaries or other jurisdictional boundaries (include wetland delineation report if not previously provided)
- Identification of temporary and permanent impact areas within waterways or wetlands
- Map scale or dimensions and north arrow
- Location of staging areas and construction access
- Location of cross section(s), as applicable
- Location of mitigation area, if applicable

Cross section drawing(s), including:

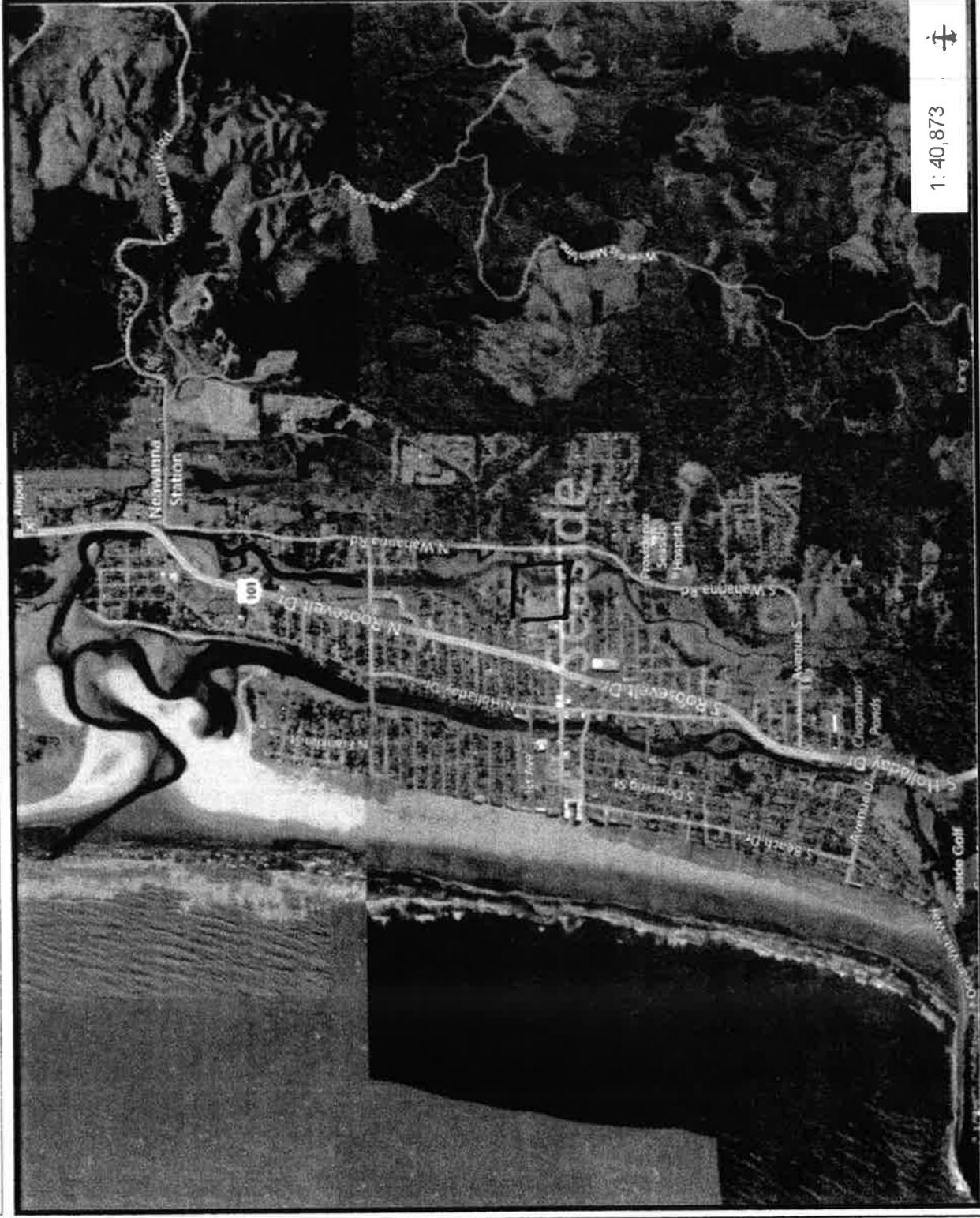
- Existing and proposed elevations
- Identification of temporary and permanent impact areas within waterways or wetlands
- Ordinary high water and/or wetland boundary or other jurisdictional boundaries
- Map scale or dimensions

Recent Aerial photo

- 1:200, or if not available for your site, highest resolution possible

DSL Wetland Concurrence (map and letter)

# Map



1:40,873



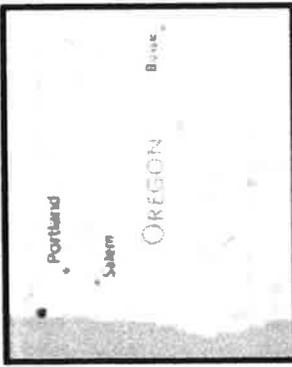
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Oregon Explorer (<http://oregonexplorer.info>)

This map is a user generated static output from the Oregon Explorer Map Viewer ([http://tools.oregonexplorer.info/oe\\_map\\_viewer/Viewer.html?Viewer=OE](http://tools.oregonexplorer.info/oe_map_viewer/Viewer.html?Viewer=OE)) and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

## Notes

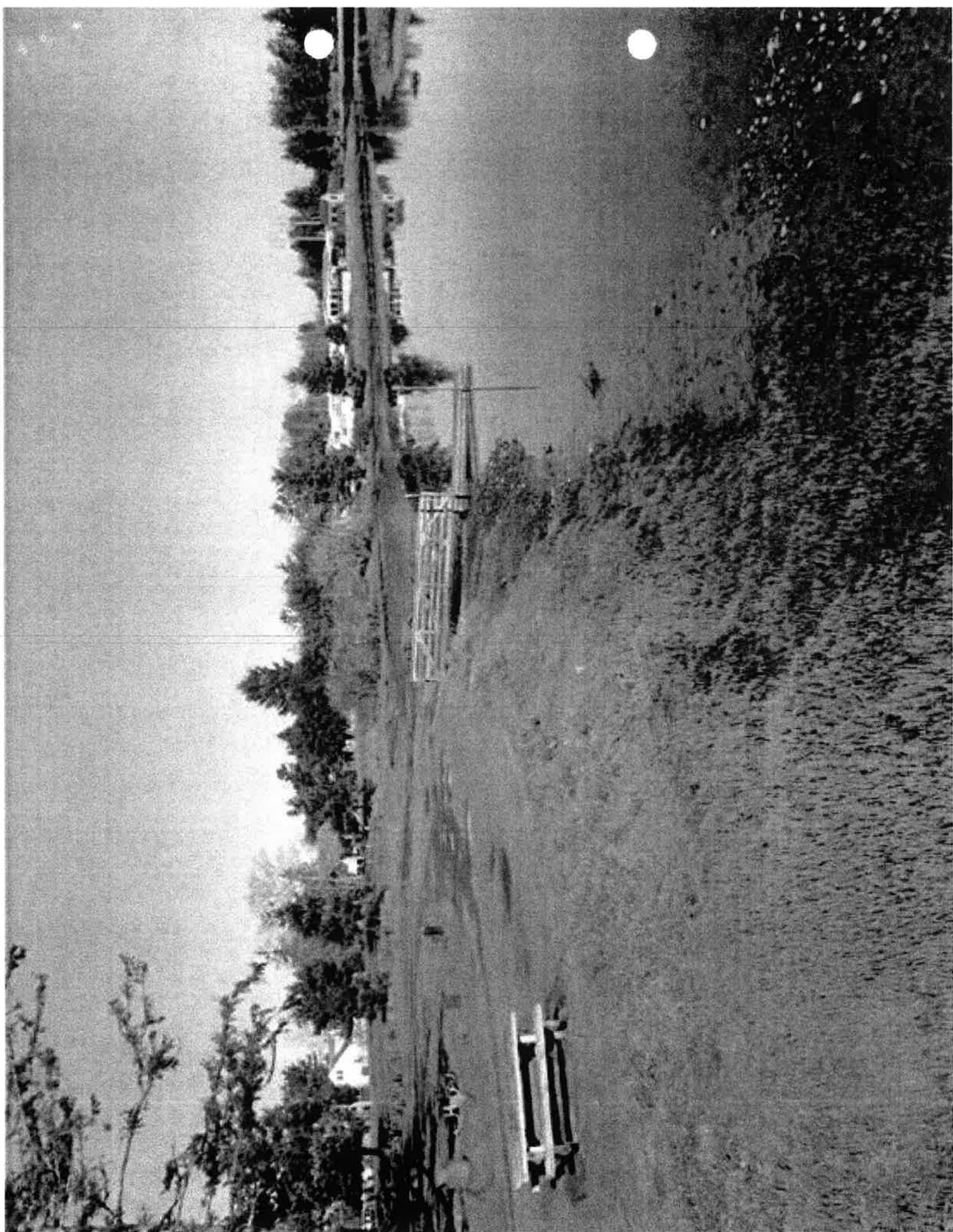
Add your notes here

## Legend

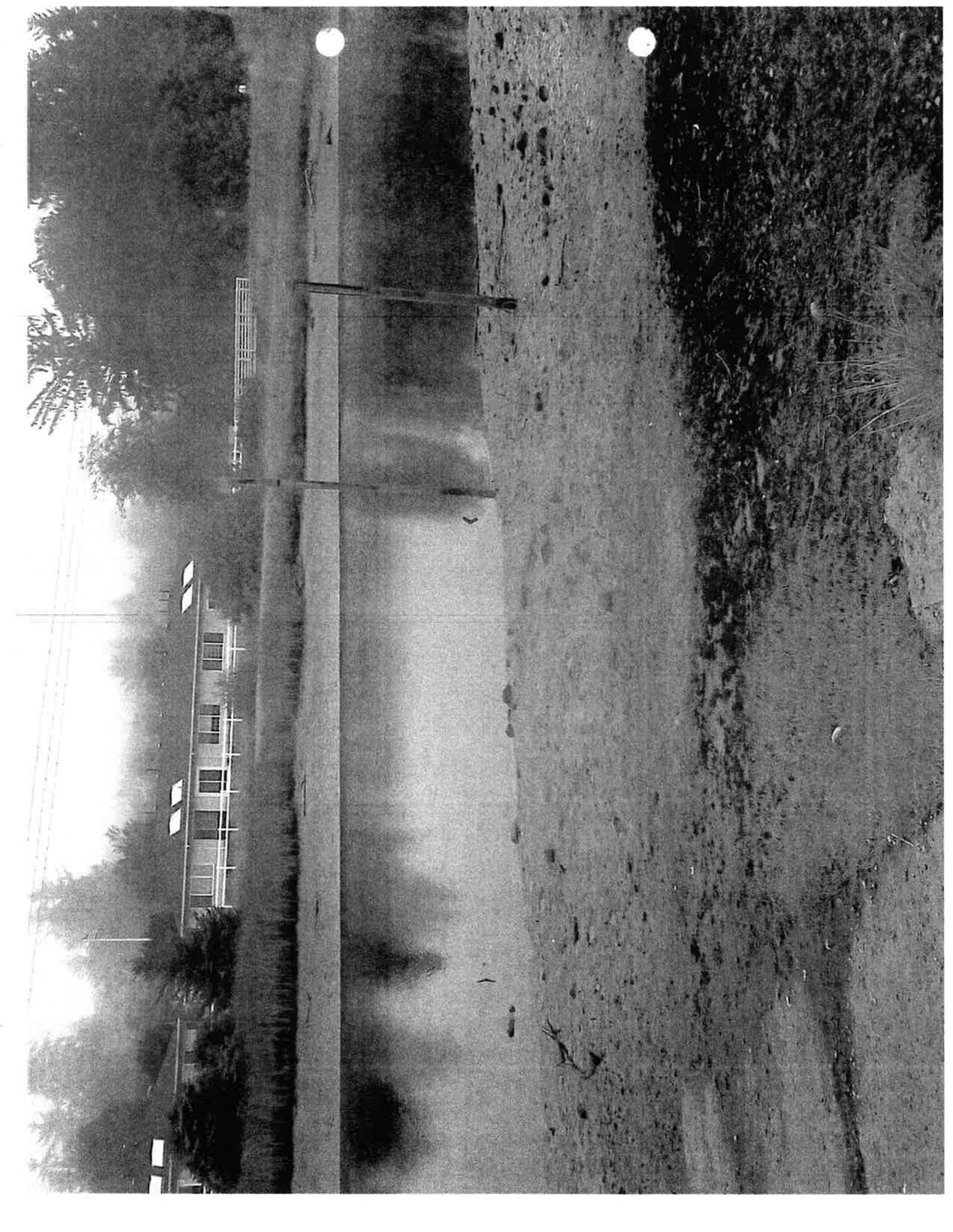


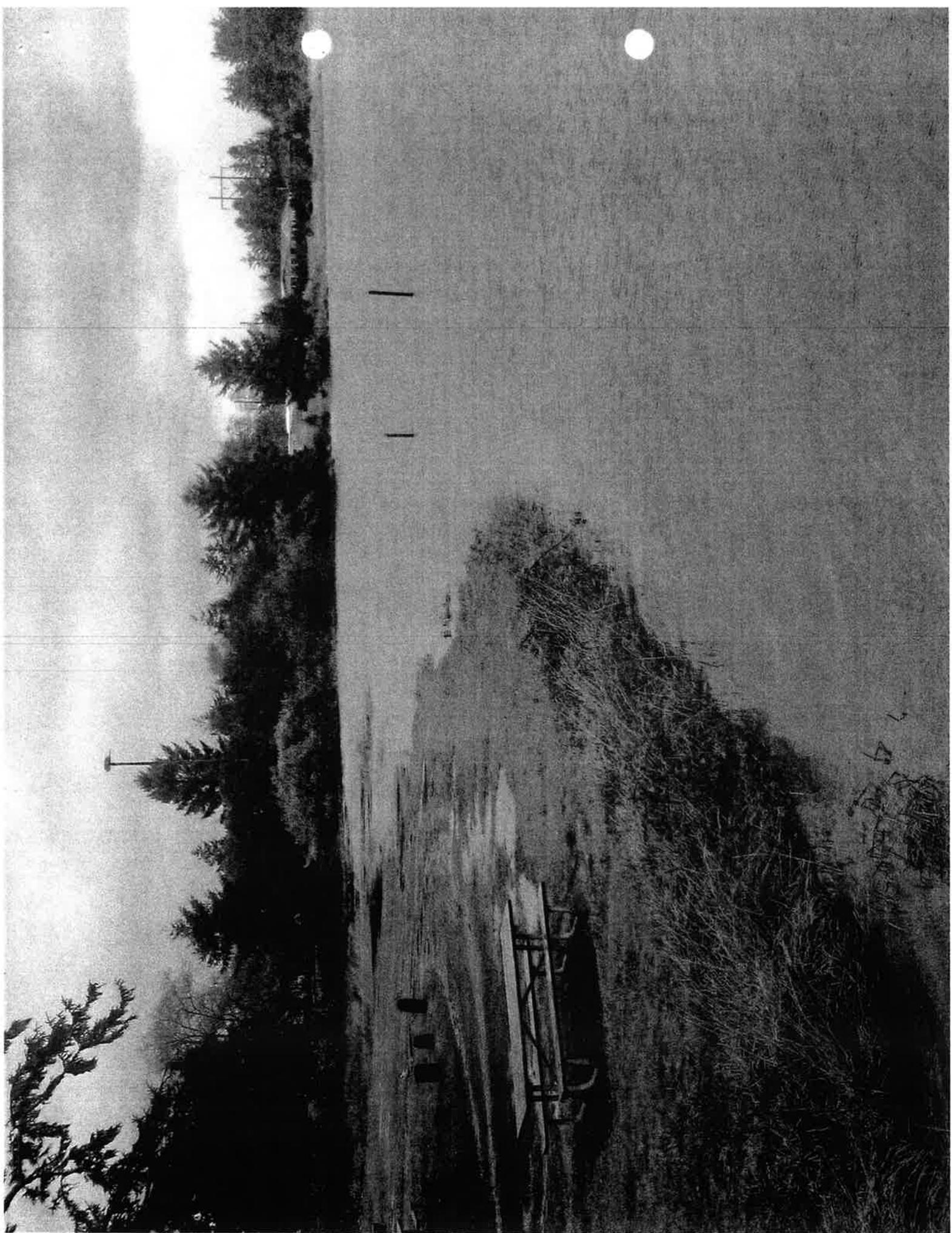




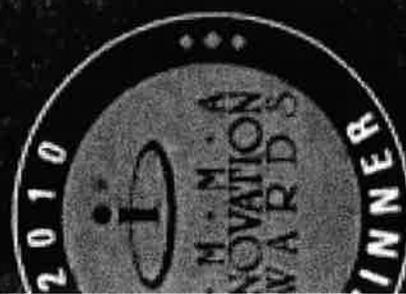
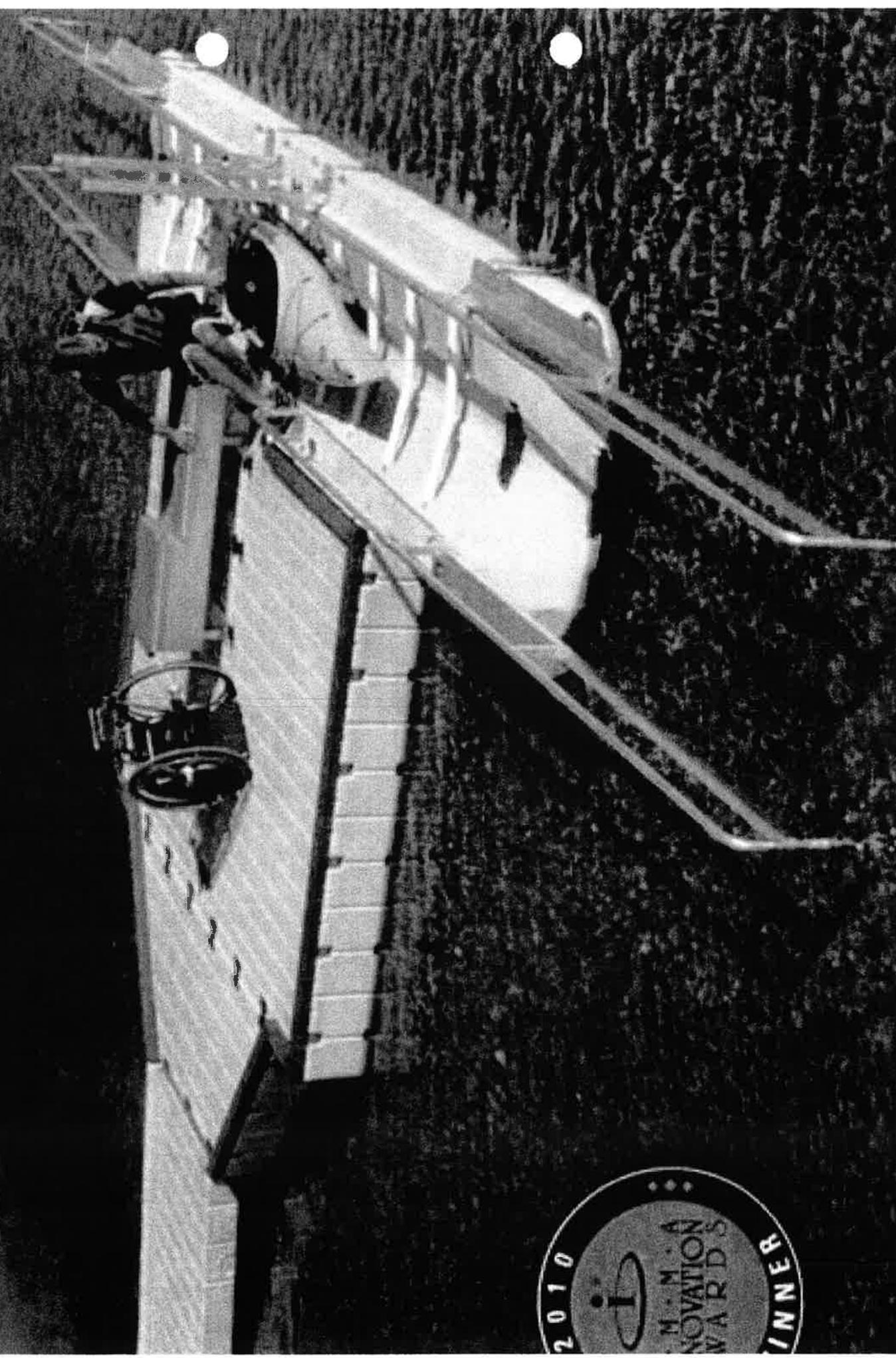


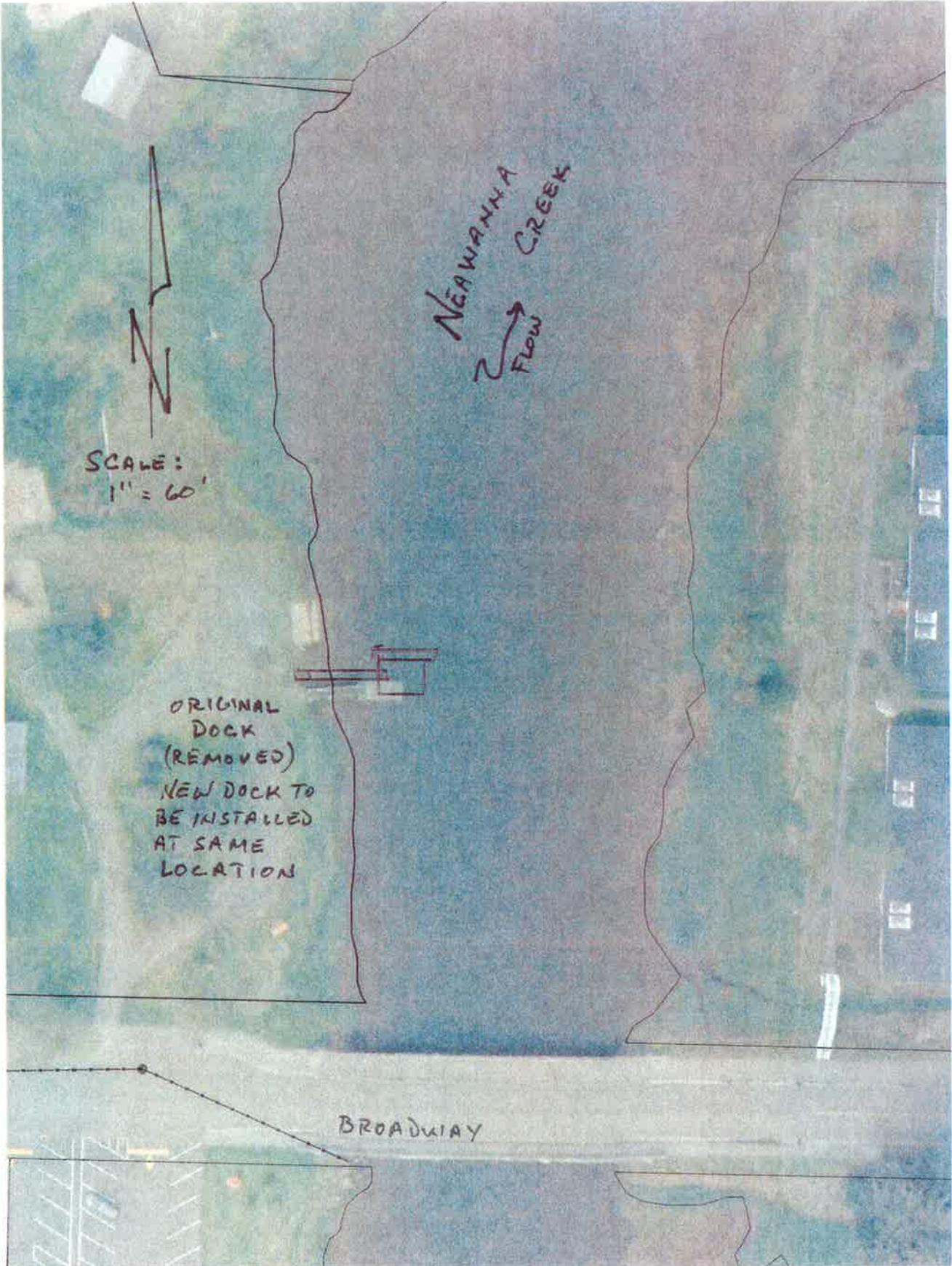






Now with ACCESSIBLE TRANSFER SYST



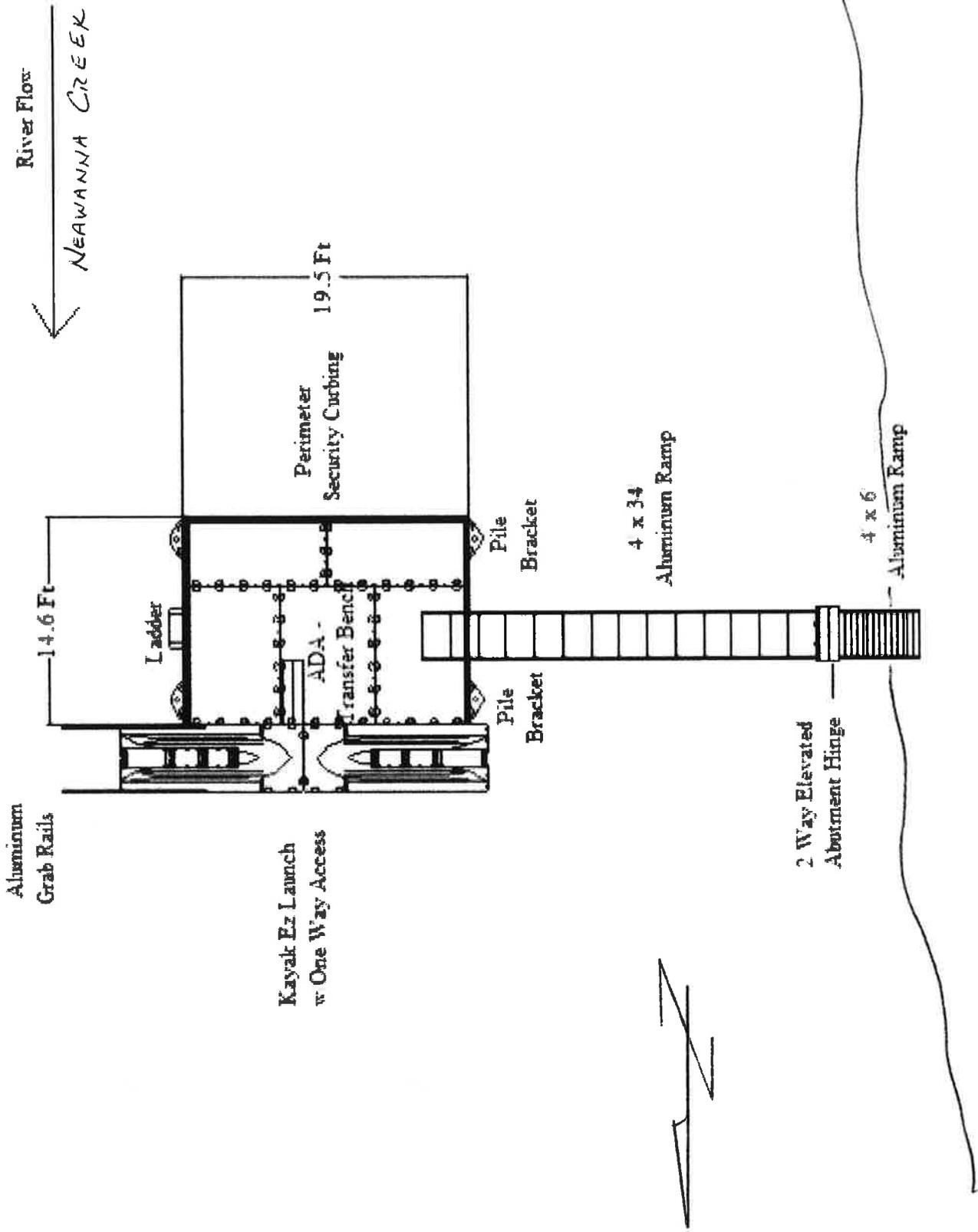


NEAWANNA  
CREEK  
FLOW

SCALE:  
1" = 60'

ORIGINAL  
DOCK  
(REMOVED)  
NEW DOCK TO  
BE INSTALLED  
AT SAME  
LOCATION

BROADWAY



City of Seaside - Broadway Park

# EZ Dock Product Specifications



## EZ Dock General Specifications

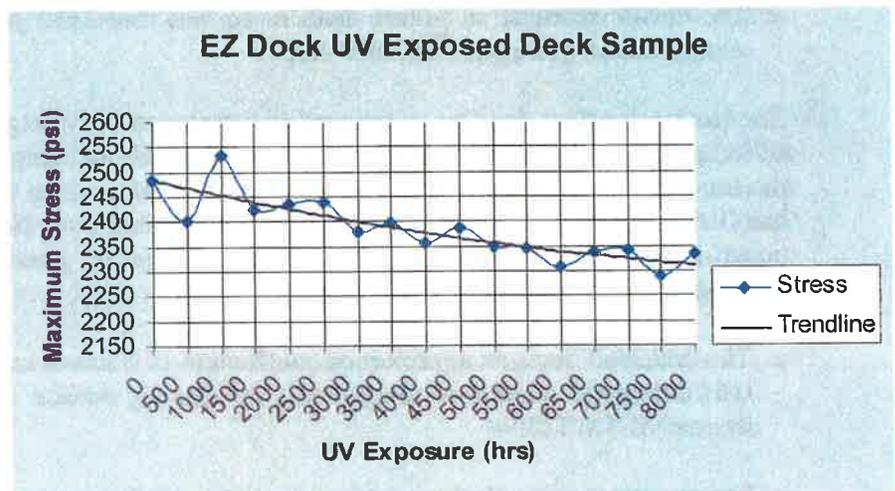
(Revision 09-03-09)

### 1. Float and Deck Design Standard

- 1.0 The individual dock section shall consist of decking surface and the float structure, which are to be constructed as a single, integrated component. Each section shall provide for the support of the dead load plus a specified live load of **62.5 pounds per square foot** (lb/ft<sup>2</sup>). This shall be accomplished without the use of foam for either structural integrity or floatation. The dock sections shall be manufactured by a rotational molding process and each dock section shall be subject to the specific parameters of the particular model.
- 1.1 The individual dock section shall consist of a specified number of interior, air filler pylons. These pylons shall provide for floatation in the event of a breach of an exterior wall of the dock section; as well as the structural support for the deck portion of the float. Each pylon shall support the dead load plus a live load of 55 pounds (lb) The volume of each pylon shall be no less that 1540 cubic inches (in<sup>3</sup>).
- 1.2 The individual dock sections shall be constructed of the following materials with the following general properties:

- a. Virgin Polymer, Thermoplastic, Rotational Molding Grade **Linear Low Density Polyethylene** (LLDPE)

- b. An ultraviolet inhibitor system (UV-8) or better spectrometer specification. Laboratory testing conducted for 8000 hours yielded a 6.5% decrease in mechanical properties. The chart to the right shows the UV degradation trend line in relationship to mechanical property decrease over time. After the first 8000 hours the rate of decay is reduced significantly.



Theoretical data indicated that the period of time between 8000 and 16000 hours yields an additional 0.7% decrease in mechanical properties.

*(Real life scenario- 8000 hours of UV exposure can be related to approximately 9 years and 16000 hours related to 18 years of outdoor usage in southern Florida. These results show that a life expectancy in excess of 30-40 years is attainable.*

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# EZ Dock Product Specifications



- c. A standard color of beige (or optional other) colorant in accordance with rotomolding standards.
- d. The **density** of the section shall be approximately .932 grams per cubic centimeter ( $\text{g}/\text{cm}^3$ ) or .0338 pounds per cubic inch ( $\text{lbs}/\text{in}^3$ ), per ASTM 792-00.
- e. The dock section shall have a cold **brittleness** temperature equal to, or less than,  $-130^\circ$  Fahrenheit (F), per ASTM D-746.

## 1.3 The properties of the exterior **wall thickness** of the dock sections shall be as follows:

- a. The mean exterior material thickness shall be no less than .310 inches (in).
- b. The corners shall be no less than .650 inches (in).
- c. The exterior edge thickness shall be no less than 0.50 inches (in) at any particular point.
- d. The walls of the dock sections shall resist a **shear** of no less than 1900 pounds per square inch ( $\text{lb}/\text{in}^2$ ), per ASTM D-732, as well as having the capability of resisting a minimum **impact** of no less than 220 foot pounds (ft-lb), per ASTM D5420.
- e. The **tensile strength** at failure shall be no less than 2630 pounds per square inch ( $\text{lb}/\text{in}^2$ ) with 12 **elongation** at yield, per ASTM D-638.

## 1.4 The decking surface shall be composed of a textured or “orange peel” surface with a grid pattern for added adhesion during dry conditions. Drainage of the decking surface shall be accomplished through the use of troughs, which shall have a width of no more than 0.5 inches (in) and a depth of no more than 0.5 inches (in). The drainage troughs shall extend over the width of the dock and shall be positioned at intervals of no less than 4.5 inches (in) and no greater than 6.5 inches (in) over the entire length of the deck

- a. The deck shall have an approximate **coefficient of friction** equal to 0.35 during dry conditions and 0.61 during wet conditions. Simply put, the decking surface is 37% less slick when wet than when dry per ASTM D2394.
- b. The properties of the decking surface shall be as follows:
  - c. The mean deck thickness shall be no less than 0.315 inches (in).
  - d. The deck thickness shall be no less than 0.290 inches (in) at any particular point.

# EZ Dock Product Specifications



- e. The deck shall resist a punching shear which is no less than 1900 pounds per square inch (lb/in<sup>2</sup>), per ASTM D-732.
- f. The deck shall resist a minimum impact of no less than 120 foot pounds (ft-lb) near the center, or at the point where the deck is thinnest, per ASTM D-3029.
- g. The deck shall resist a minimum impact of no less than 150 foot pounds (ft-lb) within 16 inches (in) of the outside of the dock, per ASTM D-3029.

## 2. Floating Dock Structure

- 2.0 The dock structure, as a whole, shall consist of the individual sections, which are to be coupled together in the specific configuration desired by the purchaser. Any material used in the dock structure shall provide for resistance to rust, corrosion, and the effects of any fuel or gasoline. All material designed and selected for marine environment and the conditions there of.
- 2.1 A 2-D or 3-D layout drawing of the final configuration, including any accessories, shall be supplied for the purchaser if desired. Recommendations for anchorage can also be provided.
- 2.2 The dock structure shall act as one unit when assembled, so that wave and/or wind action shall produce a minimum amount of motion. The structure shall be secured with either piles, spuds, bottom anchors, or stiff arms. The securing shall allow the structure to rise and fall freely with any water level changes and allow the structure to span waves from crest to crest, while providing a stable walking surface.

## 3. Connections of Dock Sections

- 3.0 Each dock section shall have molded-in female-type pockets spaced symmetrically along the top and bottom edges, around the entire perimeter of the dock section. These pockets shall be spaced at 19.5 inch (in) intervals, center line to center line, from each other. *All un-used pockets are to be filled with supplied EZ Dock pocket filler (PN # 201030).*
- 3.1 The molded-in female-type pockets shall accept a male-type coupler which shall be secured into the female pocket with the use of a 0.5 inch (in) X 13 inch (in) coupler bolt and nut.
- 3.2 The purpose of such connections is to provide for simple assembly and disassembly, as well as providing for the securing of one section to another. The connection will also provide for the ability to attach EZ Dock accessories to the dock sections.

# EZ Dock Product Specifications



- 3.3 Each connection point shall allow for some slippage in the event that an extreme stress is applied. This slippage will allow for disconnection without causing damage either to the male-type couplers or the female-type pockets.
- 3.4 The dock sections shall be connected at increments of 19.5 inches (in), in relation to each other. These connections may be made from any one side of any dock section to any other side of another dock section. These connections may also be used to connect dock sections of differing dimensions and shall provide for ease of assembly, whether the sections are to be assembled on land or in the water.
- 3.5 The male-type coupler shall be constructed of no less than 90% post/pre-consumer recycled tire rubber.
- 3.6 Each male-type coupler shall withstand a pullout force of no less than 2500 pounds (lb) before failure of coupler occurs.
- 3.7 Each of the molded in female connection pockets shall provide for a pullout strength of no less than 3500 pounds (lb), before damage is caused to the dock section.
- 3.8 The accessories shall be connected to the dock system through the use of molded in coupler pockets around the perimeter of the dock sections by the use of either male or female type half-couplers. The male-type half-coupler (hardware connector, PN # S21140SS) shall have a 3.625 inch "T"-bolt embedded within it. The female type half-coupler (hardware connector, PN # S21141SS) shall have a 3.625 inch "T"-nut embedded within it Both types of half-coupler shall withstand a pullout force of no less than 2600 pounds (lb) before failure occurs.

## 4. Cleats

- 4.0 The tie up cleats shall be constructed of nylon 6,6 and shall have a length of 8-1/16 inches (in) and a height of 1-1/2 inches (in). The cleats shall be connected to the dock sections by two 5/16 inch (in) stainless steel bolts that are threaded into two stainless steel "T" nuts which are molded directly into the dock section. Each of the "T" nuts shall provide for a pull out force of no less than 2000 pounds (lb), so that the cleat may withstand a force of no less than 4000 pounds (lb).
- 4.1 T-nuts shall be molded in the dock sections in sets of two, with the distance between the two "T" nuts being 2-1/4 inches (in).
- 4.2 There shall be three sets of "T" nuts placed along the length of each side of the dock section. The sets of "T" nuts shall be placed at equal distances between the first and second pockets, between the third and fourth pockets, and between the fifth and sixth pockets, along both sides of the dock section.
- 4.3 There shall be one set of "T" nuts at one end of the 40 inch (in) wide dock section placed at equal distances between the two pockets.

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