

**SEASIDE PLANNING COMMISSION AGENDA**  
**989 Broadway - City Hall Council Chambers**  
**July 7, 2015**  
**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 2, 2015
6. **PUBLIC HEARING:**
  - A.) **15-030SU:** A conditional use request by Matthew Dennison that will allow transient rental of his single family dwelling. The subject property is located at 371 S Franklin (61021AC TL: 4100), and it is zoned Resort Commercial (C2). The zone does not permit vacation rental dwellings; but since the zone does permit motel/hotels, the applicant is requesting the use be allowed under the similar use provisions in the zone.
  - B.) **15-031VRD** is a conditional use request by **Bill & Shirley Roady** for a **three** 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 **1230 S Columbia (6 10 21DB TL 17304)** and it is zoned **Medium Density Residential (R-2)**.
  - C.) **15-032ACP-** Amendments to the Comprehensive Plan associated with the selection of lands for inclusion within the City of Seaside Urban Growth Boundary based on an evaluation under Goal 14 and the land needs previously identified under Goal 9 & 10. The lands under consideration are located south and east of Seaside City Limits and will include just over 200 acres of land suitable for development.
7. **ORDINANCE ADMINISTRATION:**
8. **PUBLIC COMMENTS:** Not related to specific agenda items:
9. **PLANNING COMMISSION & STAFF COMMENTS:**
10. **ADJOURNMENT**

# MINUTES SEASIDE PLANNING COMMISSION

## June 2, 2015

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

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

### APPROVAL OF MINUTES: May 5, 2015

Commissioner Perkel made a motion to approve the minutes as submitted. Commissioner Horning seconded. The motion was carried unanimously.

### AGENDA:

#### PUBLIC HEARING REQUIREMENTS:

The following public hearing statements were read by Chair Romine:

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

#### PUBLIC HEARING:

**A.) 15-027VRD** is a request by **Booth Brothers LLC** for a **two (2)** bedroom Vacation Rental Dwelling Permit with a maximum occupancy of not more than **six (6)** people over the age of three. The property is located at **221 N Downing #300** and it is zoned High Density Residential (R-3).

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

Chair Romine asked if there was anyone who would like to offer testimony in favor of the request. Richard Grantham, 105105 E Triple Vista Dr. Kennewick, WA. The planning department has been out and done a preliminary review and there are a few items that need to be corrected. They do have all the parking needed for all the units. They have also sent a letter to the planning department that states they will not sell off any of the units that jeopardized the off street parking requirement.

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 Horning stated that stacking cars in the driveway really doesn't work and then guests park on the street. Mr. Grantham stated that they require verification of how many cars and they limit to two and then give the occupants an identification that the guests have to put in the cars and then they

monitor that. The tandem parking is off street and the cars do not come out on the sidewalk. When the reservation is made they make sure that the guests are aware that there are only two parking spaces.

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

**B.) 15-028CU:** A conditional use request by E3 Holdings LLC that will allow the development of a 26 unit apartment complex on the vacant property formerly utilized by Western Oregon Waste (WOW). The subject property is located on the SW corner of S Jackson St. & Avenue M (a compilation of tax lots 8300, 8301, 8500, & 8600 of T6, R10, 21DA). The residential development would consist of two apartment buildings three stories in height. The property is currently zoned General Commercial (C-3) and the apartments are conditionally permitted in the zone. A highway overlay zone request (**15-029HOZ**) has also been submitted in conjunction with the applicant's conditional use application.

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. Peter Ettro, 1800 South Shore, Lake Oswego OR. He brought along some consultants that will be able to answer any of the technical questions. He is looking forward to developing workforce housing here in Seaside and thinks it will do well in the area.

Dale Barrett OTAK- 4253 A Hwy 101, Gearhart, came up to the podium and stated that they are trying to hire people for OTAK and they are having a tough time finding housing.

Erin Barker, Beach House Property Management, She manages approximated 200 full time rentals and in the 13 years that she has been a property manager she has never had such a tight market. She has a waiting list of people that are trying to locate here and there is not enough housing available.

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 Ridout asked: What will the rents be? What will be the square footage of each unit? Where is the target market? They are all two bedroom units but the rents may be too expensive for the workforce in this area.

Peter Ettro stated that the square footage is about 964 sq. ft. The rents will be roughly \$950 to \$1000 per month.

Commissioner Ridout asked if the city knew of any proposed development to the property to the south of this. Mr. Cupples stated that the property to the East is easier to answer. When they put in the daycare they said they may put in some storage in the future. As far as the property to the south, he has had multiple developers talk about developing the property but nothing has been specific. Neal Wallace, the public works director, is working with ODOT about putting the reserve lane in 101. The access to this area is rather difficult right at the Avenue N and Roosevelt intersection. The state is looking at doing their improvements first & then looking at the access from there. I'm guessing the improvements for development of that site are going to be more elaborate than this project.

Commissioner Ridout stated right now we are currently putting a residential project into a commercial zone. What does that do to our commercial land inventory? Mr. Cupples stated that we don't really have reservation provisions in our conditional use sections that say you can only use the ground floor for commercial and the upper floor for residential. We have a fairly good supply of commercial property but we don't have a good supply of vacant commercial property. As it gets used up, does it put a higher demand on the other properties? Yes, it does. He has heard from the developers considering the vacant site to the south and they have discussed a mixed use development and not just residential. Right now you can find vacant commercial space easier than you can find vacant apartment space. We are not out of commercial but it sounds like we do have a need for multi-family property. Chair Romine stated that there has been a trend that the developers start out with apartments and then in a few years

turn them into condo's and sell them. He's not judging this on the future, but this does say apartments. Can they turn these into condo's and sell them individually? Mr. Cupples stated that yes they could do that, but they would need to come back before the planning commission and get approval to convert to condos.

Commissioner Ridout stated that when this came before the commission 4 years ago the commission put a lot of work on the details, for example, where would a garden go, playground and sidewalk and road development. Mr. Cupples stated that the conditions for this request are very similar to the conditions of the last request. There were a few things that were modified slightly. When the applicants came in for a pre-application conference the very first thing was pulling out the conditions of approval for the previous development and stated that these items will still need to be addressed. Commissioner Ridout stated that he would rather see some sort of development than keep seeing plans come in again and again with nothing being built.

Commissioner Horning asked if they would be required to put in sidewalks. Mr. Cupples stated that one of the conditions of approval is that sidewalks will go in on three sides of the property. The condition also says that the sidewalks will have to be located on the property in order to provide adequate street right of ways. Commissioner Horning asked the applicant about the landscaped area between the two buildings, if that was intended for a children's play area and how did you come up with the allotted area. Dale Barrett stated that really don't have the detail yet, when they submit the more formal landscape plan, they can incorporate the playground area on the plans.

Randy Stemper PO Box 1417, Astoria. Randy is in charge of putting the project together. Mr. Stemper stated if you notice on the plans, one has a two story end that was reduced because of the parking. They have taken the parking code and reduced the building size to get the landscape area that they need to put in a playground. They have put laundry rooms in all the units, they maximized the landscaped area. The south east corner of the property is going to be a retention pond to hold water. This is being designed and developed around quality of life as much as possible. When they come to get the building permit this will all be drawn out. Commissioner Ridout asked if and when will the road development take place. Mr. Cupples stated what we have kind of envisioned happening is improvements so Joey Daniels, the Fire Chief, will sign off on it for emergency vehicle access and then just have the development of the roadway just on south of Jackson. The development of the streets will be worked out with the Public Works Director.

Commissioner Wright asked if Mr. Cupples had any idea of what O.D.O.T will require for accessing the property? Mr. Cupples stated that there are plans for an improved reserve lane there but that's down the road some.

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 Perkel seconded and the motion.

Chair Romine stated that he liked the comments about the play area idea and the number and size of the complex. The Public Works director will be in charge of the infrastructure of the development. Mr. Cupples stated that yes that is true but the city engineer will also be involved. Commissioner Ridout asked if Chair Romine is suggesting that we add a playground area to the development site, because there is nothing in there right now that says they will add a playground area. Chair Romine stated that would be a great idea to add a requirement for the developer to add a playground area that is covered in bark chip or some type of all-weather surface. Commissioner Ridout stated that he would like to amend his motion to include that the developer put in some type of playground with an all-weather surface. Commissioner Perkel seconded again and the motion was carried unanimously.

**ORDINANCE ADMINISTRATION: None**

**COMMENTS FROM THE PUBLIC: None**

**COMMENTS FROM COMMISSION/STAFF:**

Chair Romine stated that for a development of this size we should incorporate some sort of lifestyle plan and have a work session regarding the issue. Mr. Cupples stated the planning commission might want to consider development incentives related to the amount of required off street parking for apartments. If you go to any other city, they may only have 1.5 parking spaces per unit. If you give up asphalt and provide that same area as a playground area, that might be a way to get developers to do certain things. With this project you would have had the perfect opportunity. In most cases, with apartment buildings, the parking requirement is a little excessive. Commissioner Horning stated that it would be nice to have some recreational people like ORPA make a recommendation on these types of projects. Commissioner Horning likes the idea of trading parking spaces for playground areas. Commissioner Wright stated there is enough space at this development to do a playground. Commissioner Horning

stated that the development up by TLC that was a mixed use had a playground area and he didn't think that it was really enough, but there were comments that the kids could go across the highway and play at the high school. That was totally unacceptable and didn't make any sense. Commissioner Wright stated that there are going to be kids living here and they'll need a place to play. They can go up to Broadway park and play but that is too far away.

**ADJOURNMENT:** Adjourned at 7:48 pm.

Ray Romine, Chairperson

Debbie Kenyon, Admin. Assistant

## CITY OF SEASIDE STAFF REPORT

**To:** Seaside Planning Commission

**From:** Planning Director, Kevin Cupples

**Date:** June 29, 2014

**Applicant/  
Owner:** Matthew Dennison, Helen O'Brien, 1815 SE 22<sup>nd</sup> Avenue,  
Portland OR 97214

**Location:** 371 S Franklin, Seaside, OR 97138; (T6, R10, 21AC TL 4100)

**Subject:** Similar Use Request 15-030SU Transient Rental of a Single  
Family Dwelling

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### **REQUEST:**

The applicants are requesting a conditional use that will consider transient rental of their single family dwelling similar to a mini hotel/motel use. The subject property is located at **371 S Franklin** (61021AC TL: 4100), and it is zoned Resort Commercial (C2). The commercial zone does not permit vacation rental dwellings so the applicant is asking for the similar use approval in order to allow transient rental as a one bedroom unit.

### **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 photos are adopted by reference. The applicant's plan calls for the following:
  - The applicants plan to utilize the existing single family dwelling (Otter Cottage) as a mini-motel. The use is analogous to a tiny motel with no on-site manager that should fit well into this mixed use area.
  - Parking for renters is provided on the northerly portion of the Avenue C right-of-way (currently undeveloped for street purposes). This area has historically been used for parking and the south half of the undeveloped right of way has been utilized by the neighbors on the south side of the right of way. The person serving as the manager would not live on site, but does live in the vicinity of the property (Paul Shaw, 612 C Street).
  - The dwelling has been inspected by the building official and there is a small punch list of items that need to be provided before it can be used for transient rental. The upstairs will be locked off because the access does not meet code so it will be a very small unit.
  - The purpose of the C-2 zone will be served by providing lodging for up to three guests in a charming cottage that promotes Seaside and encourages mixed use of a property that will be attractive to tourists.
2. Ordinarily converting the use of a non-conforming dwelling to a use that conforms to the ordinance would mean that it could not revert back to the former use; however, since transient rental of a dwelling is permitted in a residential zone, the dwelling use would not be considered abandoned by allowing part time transient rental.
3. Although this request is for a similar use, the applicant is willing to abide by the requirements for a Vacation Rental Dwelling (VRD) except that the "standard" requirement to have at least two off street parking spaces will not be met. The proposed parking will not be on the subject property, but instead, provided within an undeveloped right of way. The applicant does have sufficient room to provide two spaces within their back yard; however, they intend to use the area historically utilized for parking that is neither on a developed street nor on the subject property. Use of this area for parking would be governed by the Public Works Department.
4. The interim Public Works Director has indicated that a temporary right-of-way use permit could be granted to the property owner, subject to appropriate surfacing requirements, provided the applicant is aware development of the off street parking spaces east of the dwelling could be required at the discretion of the City.

**CONCLUSION TO CRITERIA #1:**

The proposed use of the existing building will satisfy the applicable development standards and be compatible with the surrounding area provided the following

conditions, similar to those normally applied to vacation rental dwellings within residential zones, are required:

- 1. Compliance Inspection:** The proposed transient rental must pass a compliance inspection conducted by the Community Development Department prior to obtaining a business license. This inspection will verify compliance with all standards and conditions normally applied to vacation rental dwellings.
- 2. Parking spaces: Two (2) surfaced off-street parking spaces (9' X 18' per space) are required on-site.** The space shall be permanently maintained and available on-site for use by the rental occupants. Renters are required to park in the space provided on site. Vehicles parked on site may not project over the sidewalk and block pedestrian traffic. A parking map shall be posted inside the dwelling and renters must be advised that parking is very limited.

In lieu of the initial development of parking spaces east of the dwelling, the two spaces may be provided temporarily within the northern portion of the undeveloped portion of Avenue C, subject to authorization of a right-of-way use permit from Public Works. This would be subject to revocation at the discretion of the City. Improvement of the on-site spaces could also be required by the Planning Director if the parking in the right of way begins to adversely impact the neighboring properties.

- 3. Maximum number of occupants: Three (3) persons over the age of three (no more than 5 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.
- 4. Local Contact: Paul Shaw** will be the local contact for the rental **and he can be reached at (503) 440-4160.**

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'.

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.

- 5. Compatibility:** A transient rental must be compatible with the surrounding land uses and shall not contribute to excessive parking congestion along adjacent streets.
- 6. 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.

- 7. Ordinance Compliance & Solid Waste Pick-up:** The transient rental 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.
- 8. Required Maintenance:** It is the property owner's responsibility to assure that the 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. The owner is hereby advised that Carbon Monoxide detectors must be installed and maintained in all newly established transient rental occupancies.
- 9. Business License, Room Tax Requirements, & Revocation for Non Payment:** A City Business License is required and all transient room tax provisions apply to transient rental of the dwelling. 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, this permit can be revoked unless a written extension is granted by the Finance Director.
- 10. Conflicts & Potential Denial for Non Compliance:** Upon written 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. Failure on the applicant's part to meet the standards or conditions will result in modification or denial of the permit.
- 11. 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.
- 12. Time Period for Approval, Required Re-inspection:** This approval shall be limited to 5 calendar years unless the dwelling is re-inspected (subject to the applicable fee) to verify continued compliance with the safety standards applicable to the use. 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 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 use for an additional 5 calendar years.
- 13. Tsunami Information & Weather Radio:** The owner shall post or otherwise provide a tsunami evacuation map in a conspicuous location within the VRD that clearly indicates "You Are Here". In addition, a NOAA weather radio, with automatic alert capabilities, must be permanently affixed in a central part of the dwelling along with an informational sheet that summarizes the warning capabilities of the radio in the event of a distant tsunami.

**REVIEW CRITERIA #2: Section 6.250 SIMILAR USE**

**The Similar Use process is intended to only allow those uses or activities that are similar to uses or activities specifically listed in the zone. This process is not intended as a**

means of bypassing the text amendment process when such process is appropriate nor is it intended to allow uses or activities that are not compatible with the Purpose of the zone. A similar use must comply with the following:

1. The proposed use or activity is similar in nature to a specific use or activity listed in the zone.
2. The impact of the proposed use or activity is not greater than what would likely be created by the specific use for which the proposed use or activity is similar.
3. The proposed use is consistent with the Purpose statement of the zone.

The reviewing body may impose conditions deemed necessary to assure the use or activity complies with the purpose of the zone and is compatible with adjacent uses and activities.

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

5. The ordinance does not list mini-motels in the zone; however, it does allow larger hotel/motel uses. The impacts from utilizing a dwelling as a single guest room would be minimal and significantly less than other uses permitted outright.
6. The purpose statement in the C-2 zone clearly recognizes the proposed similar use by stating: To provide for tourist oriented facilities and services. The proposed transient rental of an existing non-conforming use will be in keeping with this purpose statement.

#### **CONCLUSION TO CRITERIA #2:**

The characteristics of the proposed use will be similar to other uses permitted in the C-2 zone.

#### **FINAL STAFF RECOMMENDATION**

Conditionally approve the proposed transient rental of the dwelling at 371 S Franklin. 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 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>Matthew Dennison</i>	ADDRESS <i>371 S. FRANKLIN</i>	ZIP CODE <i>97138</i>
STREET ADDRESS OR LOCATION OF PROPERTY <i>371 S. FRANKLIN, SEASIDE OR. 97138</i>		

ZONE <i>C2</i>	OVERLAY ZONES	TOWNSHIP <i>4</i>	RANGE <i>10</i>	SECTION <i>21AC</i>	TAX LOT <i>4100</i>
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**PROPOSED USE OF PROPERTY AND PURPOSE OF APPLICATION(S):**

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(PLEASE INCLUDE THE APPROPRIATE PLOT PLAN.  
IF ADDITIONAL SPACE IS NEEDED OR SUPPLEMENTAL INFORMATION IS REQUIRED PLEASE ATTACH)

OWNER:	APPLICANT/REPRESENTATIVE (OTHER THAN OWNER):
PRINT NAME OF PROPERTY OWNER <i>Matthew Dennison</i>	PRINT NAME OF APPLICANT/REPRESENTATIVE
ADDRESS <i>1815 SE. 22ND AVE.</i>	ADDRESS
PHONE / FAX / EMAIL <i>Matthew Dennison (AP) 971-506-0338 earthlink.net</i>	PHONE / FAX / EMAIL
SIGNATURE OF PROPERTY OWNER <i>Matthew Dennison</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"/>                       |

PLANNING DEPARTMENT USE:	
DATE ACCEPTED AS COMPLETE	BY
CASE NUMBER (S) <i>15-030SU</i>	
HEARING DATE	P.C. ACTION

OFFICE USE:	
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: Matthew Dennison
2. Mailing Address: 1815 S.E. 22ND AVE. PORTLAND, OR 97214
3. Telephone #: Home 971-506-0338, Work \_\_\_\_\_, 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: 371 S. FRANKLIN SEASIDE, OREGON 97138
6. Tax Map Ref.: Township 6, Range 10, Section 21AC, Tax lot # 4100
7. What is the total number of off-street parking spaces (9' X 18') that will be available for VRD occupant use? two 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? 2 Is the applicant requesting that all the bedrooms be used to calculate the maximum occupancy, and if not, how many are being proposed? 1 Please multiply the last number by three (3) to indicate the requested maximum occupancy for the VRD 3. 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

VRD Application updated 5-5-11

675 per Debbie  
conditional use  
20 fee  
75 license  
77000

9677

CITY OF SEASIDE

MAY 05 2015

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: PAUL SHAW Phone # 503 440 4160. Address: 612 C STACEY 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? C-2. 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: Matthew Demunon Date: 4-29-15

**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 # \_\_\_\_\_ Date determined to be complete: \_\_\_\_\_

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

**SIMILAR USE REQUEST**

In accordance with Section 6.250 of the Seaside Zoning Ordinance, the Planning Commission may allow those uses or activities that are similar to uses or activities specifically listed in a given zoning district. This process is not intended as a means of bypassing the text amendment process when such process is appropriate nor is it intended to allow uses or activities that are not compatible with the Purpose of the zone.

The Planning Commission will make a determination concerning a similar use base on the applicant's justification of the following statements:

1. The proposed use or activity is similar in nature to a specific use or activity listed in the zone.
2. The impact of the proposed use or activity is not greater than what would likely be created by the specific use for which the proposed use or activity is similar.
3. The proposed use is consistent with the Purpose statement of the zone.

The reviewing body may impose conditions deemed necessary to assure the use or activity complies with the purpose of the zone and is compatible with adjacent uses and activities.

\*\*\*\*\*  
In addition to submitting a plot plan consistent with section 10.040, the applicant for the a similar use should address the following questions.

1. What is the proposed use in the zone and how is it similar in nature to a specific use or activity listed in the zone?

1. Applicant requests that the residence at 371 S Franklin, Seaside Oregon is permitted a use similar to that of a motel, which is allowed in the current C2 zoning allowing for commercial resort uses. The house is located in the heart of Seaside and shares the block with other houses, multi-family dwellings, Dairy Queen and the River Inn Hotel. The house is a very attractive feature in this mixed-use area, but cannot be a Vacation Rental Dwelling as they are not permitted in C2 zones. Bob Mitchell has inspected the property and provided advise for some minor changes that will be needed to be made to safely accommodate guests in terms of placement of the fire extinguisher, locking off the upstairs, replacing plumbing drains etc. We are currently completing the recommended changes. The house is ideally suitable for a one-bedroom occasional rental when we are at our primary residence in Portland. The responsible party when I am gone is Paul Shaw, a handyman who lives nearby. Currently we park on Avenue C, which is an undeveloped city road. The parking area consists of well-packed soil/gravel and some asphalt. Parking here is a well-established practice and one that is shared by our neighbors to South who park multiple vehicles and their boat. We are seeking permission to provide two spaces for guest parking on Avenue C.

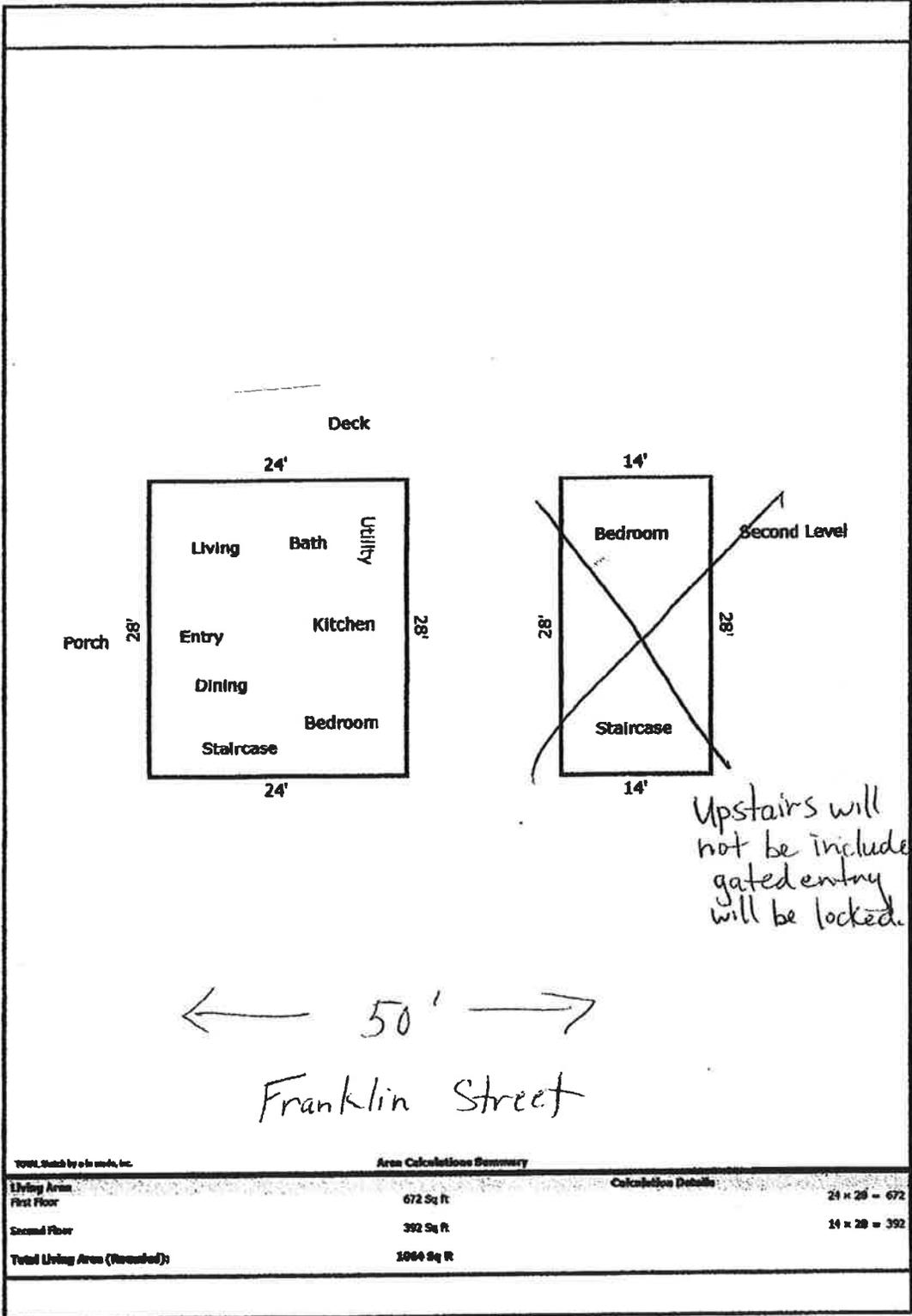
**2 How will the impacts from the proposed use or activity compare with the impacts that would likely be created by the specific use for which the proposed use or activity is similar?**

The proposed similar use will have no impact greater than the surrounding uses including the four-story River Inn Hotel. Seaside will get the best of both uses as a quaint historic residence combined with a limited commercial use for guests of three or less.

**3. Describe how the proposed use is consistent with the Purpose statement of**

The purpose of C2 (commercial resort) zoning is to "provide for tourist oriented facilities and services. The resort character of these areas should be emphasized and businesses and uses, which contribute to the attractiveness for tourists, are provided for. Sufficient and conveniently located parking, safe, easy pedestrian movement; concentration of colorful and attractive shops, and a favorable overall impression are important considerations in this zone."

Permitting a similar use to a mini-motel with two parking spaces provided for three guests or less in a charming cottage promotes Seaside by bringing paying tourists to the area. Otter Cottage is a charming residence and green space with access to the River. The cottage contributes to the "attractiveness for tourists", and it makes a "favorable overall impression" on visitors and residents. Otter Cottage sits on a corner lot at Franklin and Avenue C. Overflow parkers from the downtown area and the new motel regularly make use of the parking in this area; however folks generally never park on the currently unpaved Avenue C. As we will market to single travelers or couples, it is unlikely that guests of the cottage will be using more than one vehicle and the two spaces provided for guest on Avenue C should be more than sufficient.



DATE: NOVEMBER 12, 2013

DETAIL MAP

BLOCK 1



OREGON

FRANKLIN ST.

LOT 3

MON # 508

N78°27'31"W 150.28'

N78°27'31"W 150.00'

N78°27'31"W 165.09'

N78°27'31"W 100.00'

SET BACK 5.7' EAST  
21.7' SOUTH  
DECK

HOUSE (50')

HOUSE LOT 4

HOUSE LOT 5

HOUSE LOT 6

HOUSE LOT 7

TOP OF BANK

P.O.L. (50')

79.90' (29.9')

7' (2.9')

MON # 570

MON # 534

APPROX. ORD. HIGH WATER 4.3' EAST

APPROX. ORD. HIGH WATER 4.1' EAST

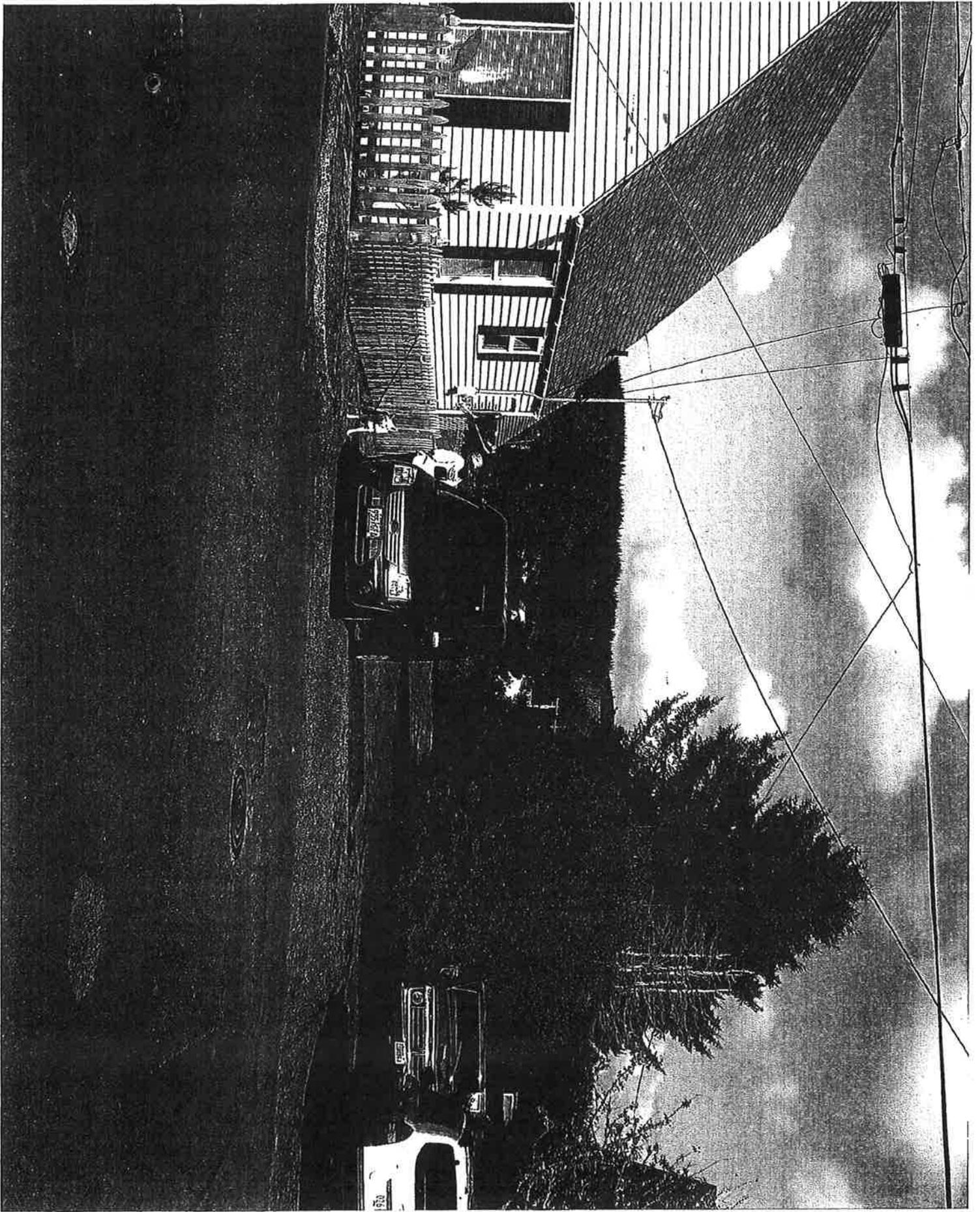
MEGANICUM RIVER

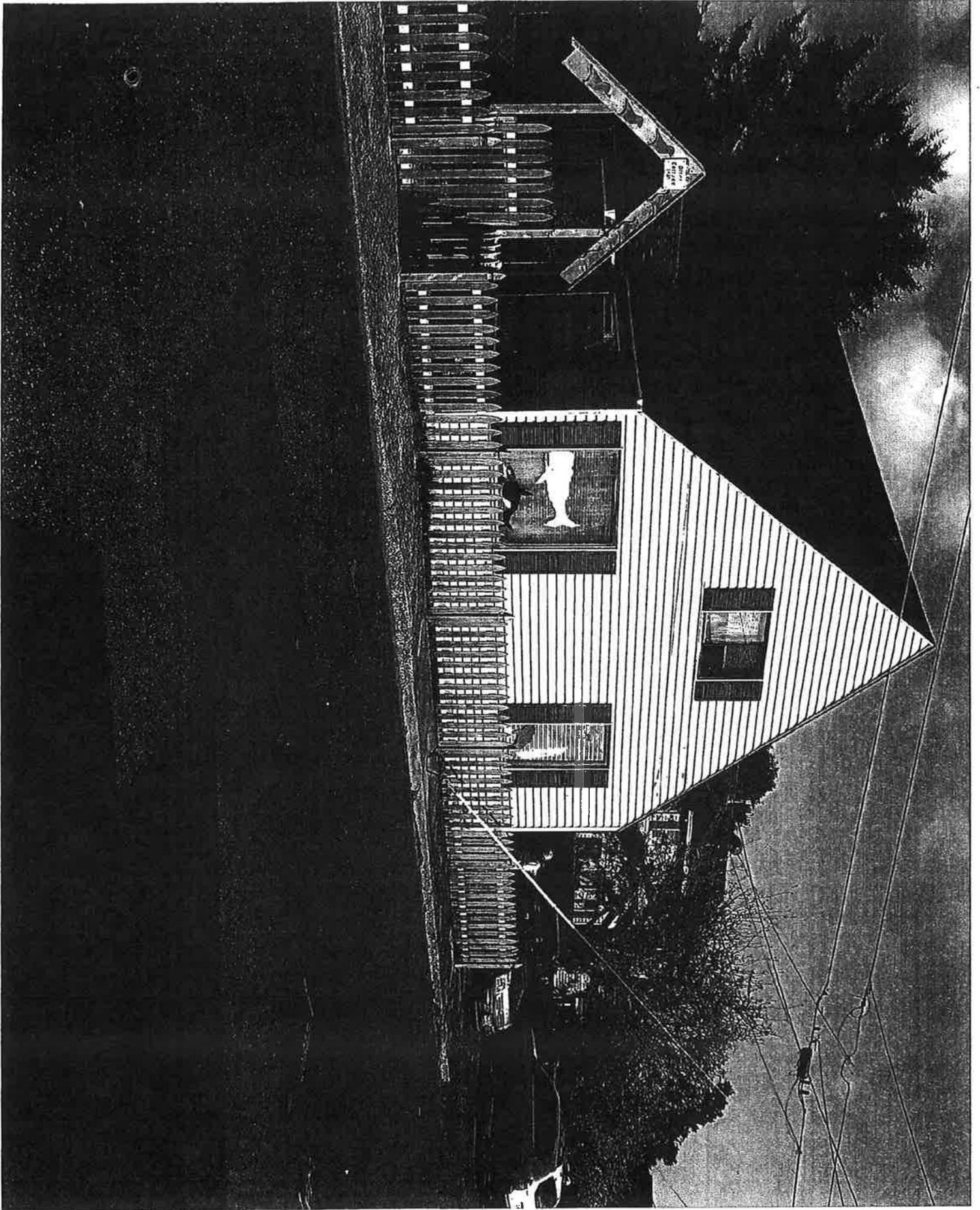
APPROX. ORD. HIGH WATER 1.1' EAST

APPROX. ORD. HIGH WATER 1.1' EAST

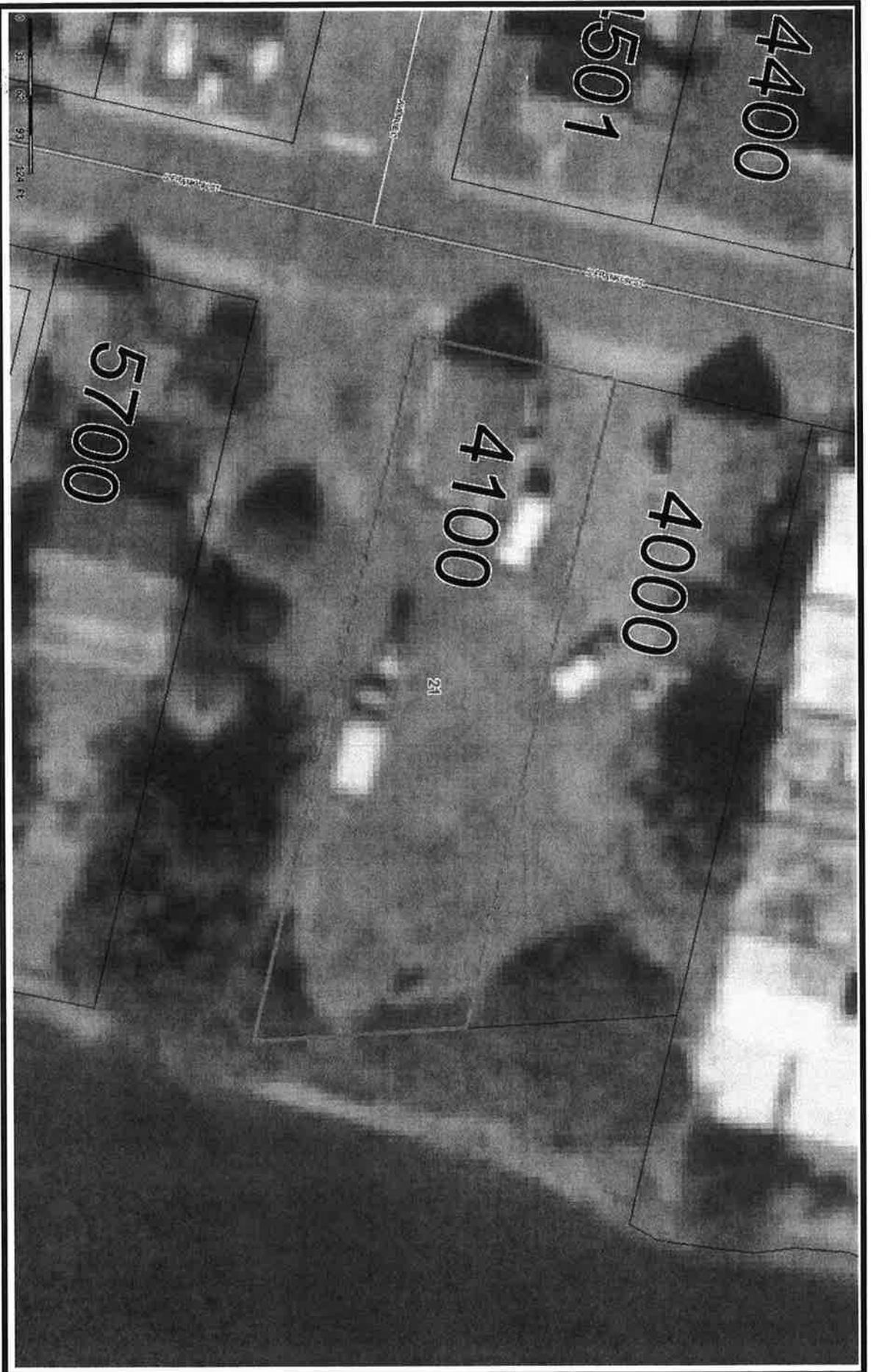
APPROX. ORD. HIGH WATER 1.1' EAST

MON # 570





# Map



## Clatsop County Webmaps

Disclaimer: This map was produced using Clatsop County GIS data. The GIS data is maintained by the County to support its governmental activities. This map should not be used for survey or engineering purposes. The County is not responsible for map errors, omissions, misuse or misinterpretation. Photos may not align with taxlots.



**To:** Seaside Planning Commission  
**From:** Administrative Assistant, Debbie Kenyon  
**Date:** June 26, 2015  
**Applicant/:** Bill & Shirley Roady  
**Owners** 34075 W Campbell Loop  
Seaside, OR 97138  
**Subject:** Conditional Use 15-031VRD; Vacation Rental Dwelling @  
1230 S Columbia, T6-R10-S 21DB TL#17304

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**REQUEST:**

The **applicants are** requesting a conditional use that will allow a Vacation Rental Dwelling (VRD) at **1230 S Columbia**. The subject property is zoned **Medium Density Residential (R-2)** and the request is for a maximum occupancy of **nine (9)** people over the age of three (not 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 **applicants are** requesting a conditional use that will allow the authorization of a Vacation Rental Dwelling (VRD) at **1230 S Columbia**. The subject property is zoned **Medium Density Residential (R-2)** and the request is for a maximum occupancy of **nine (9)** people over the age of three (not 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 **four** off-street parking spaces that are available on the site. **Two cars can be parked in the driveway, one in the garage and one on North side of property.**
- b. The existing **three** bedroom residence will have a limited occupancy of **nine people** over the age of three (not more than 10 regardless of age).
- c. The plot plan shows that parking will not take up more than 50% of the front, side or rear yard areas.
- d. **Bill & Shirley Roady (the owners), 34075 W. Campbell Loop, Seaside OR will be the local contact for the VRD and they can be reached at (503) 440-3037.**

- e. The applicants, **Bill & Shirley Roady** have read all of the standards and conditions applicable to VRDs.
2. The proposed VRD is located within a developed residential neighborhood. Currently **21%** of the surrounding dwellings are licensed for VRD use and all of the property is zoned **Medium Density Residential (R-2)**.
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 must undergo 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 **(15-031 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.

**Please be advised the VRD has not undergone a preliminary compliance inspection and cannot be rented for transient occupancy until it has passed an inspection.**

- 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.
- 6. Local Contact: Bill & Shirley Roady (owners), 34075 W. Campbell Loop, Seaside, OR 97138** will be the local contact for the VRD **and they can be reached at (503) 440-3037.**

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 lighting element that exceeds 450 lumens, the equivalent 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 that clearly indicates “**You Are Here**”. 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 **15-031VRD** 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 **1230 S Columbia**. 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 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>Bill + Shirley Roady</i>	ADDRESS <i>1230 34075 W. Campbell Loop Seaside</i>	ZIP CODE <i>OR 97138</i>
STREET ADDRESS OR LOCATION OF PROPERTY <i>1230 S. Columbia Seaside OR 97138</i>		

ZONE <i>R-2</i>	OVERLAY ZONES	TOWNSHIP <i>T6N</i>	RANGE <i>R10W</i>	SECTION <i>210B WM</i>	TAX LOT <i>17304</i>
--------------------	---------------	------------------------	----------------------	---------------------------	-------------------------

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

*Vacation House Rental*

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(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>Bill + Shirley Roady</i>	PRINT NAME OF APPLICANT/REPRESENTATIVE <i>Bill Roady</i>
ADDRESS <i>34075 W Campbell Loop Seaside</i>	ADDRESS <i>Same</i>
PHONE / FAX / EMAIL <i>503-738-6846</i>	PHONE / FAX / EMAIL <i>Same</i>
SIGNATURE OF PROPERTY OWNER <i>[Signature]</i>	SIGNATURE OF DULY AUTHORIZED APPLICANT/REPRESENTATIVE <i>[Signature]</i>

**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 checked="" 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>15-031</i>	
HEARING DATE	P.C. ACTION

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

*paid & submitted in our department.  
City Hall needs copy.*

**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: Bill Roady
2. Mailing Address: 34075 W Campbell Loop Seaside OR 97138
3. Telephone #: Home 503-758-6846 Work 503-440-3037, 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: 1230 S. Columbia Seaside OR 97138
6. Tax Map Ref.: Township 6, Range 10, Section 2108, Tax lot # 17304
7. What is the total number of off-street parking spaces (9' X 18') that will be available for VRD occupant use? 4 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? 4 Is the applicant requesting that all the bedrooms be used to calculate the maximum occupancy, and if not, how many are being proposed? All Please multiply the last number by three (3) to indicate the requested maximum occupancy for the VRD 10. 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

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:

Bill Rody Phone # 503 440 3032. Address: 34075 W. Campbell Loop Seaside 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-2. 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: Bill Brady Date: 5-26-15

-----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: \_\_\_\_\_

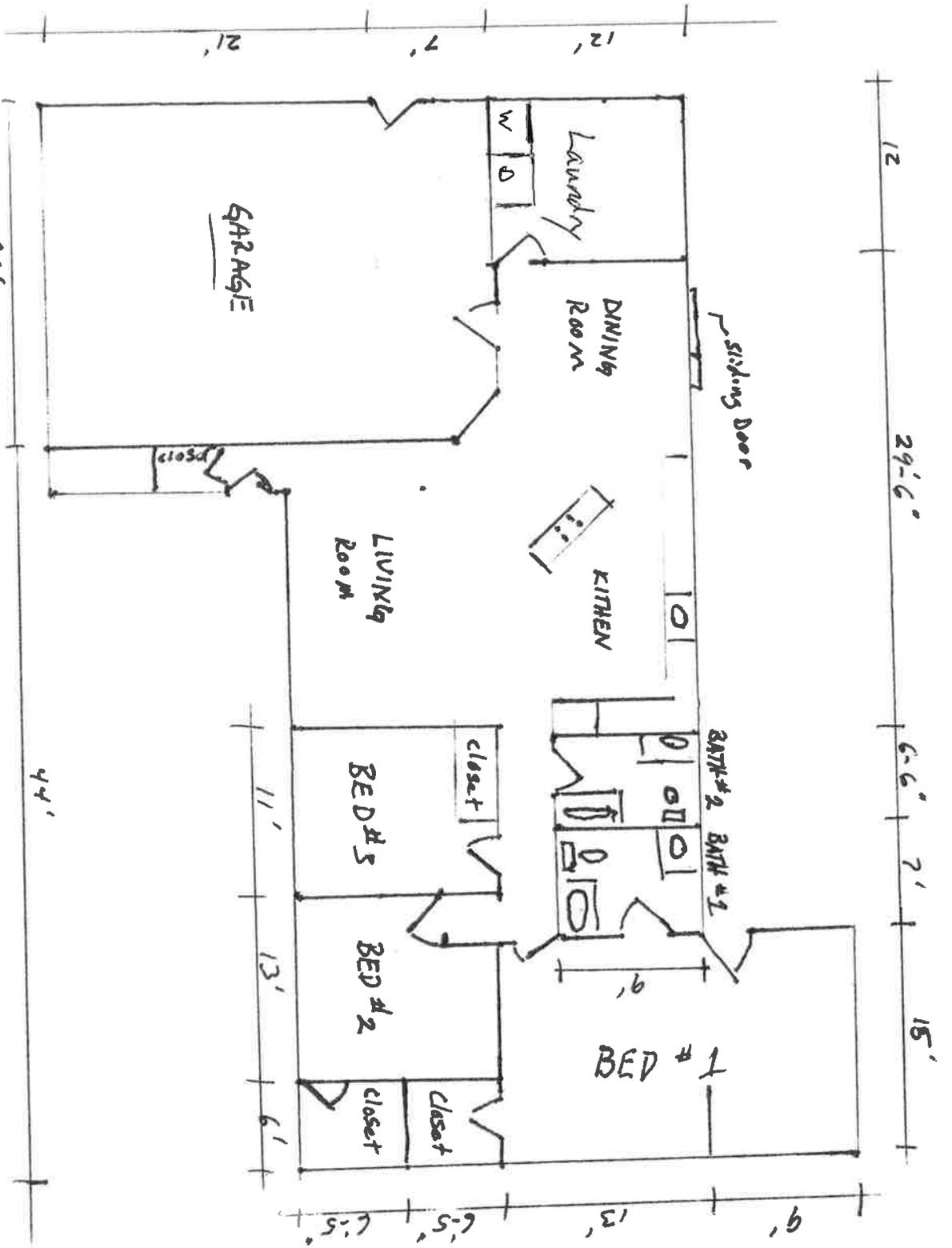
~~~~~ For Community Development Use ~~~~~

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

File Reference # \_\_\_\_\_ Date determined to be complete: \_\_\_\_\_

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

1238 S. COLUMBIA



FLOOR PLAN

SCALE = 1" = 10'

Columbia Street



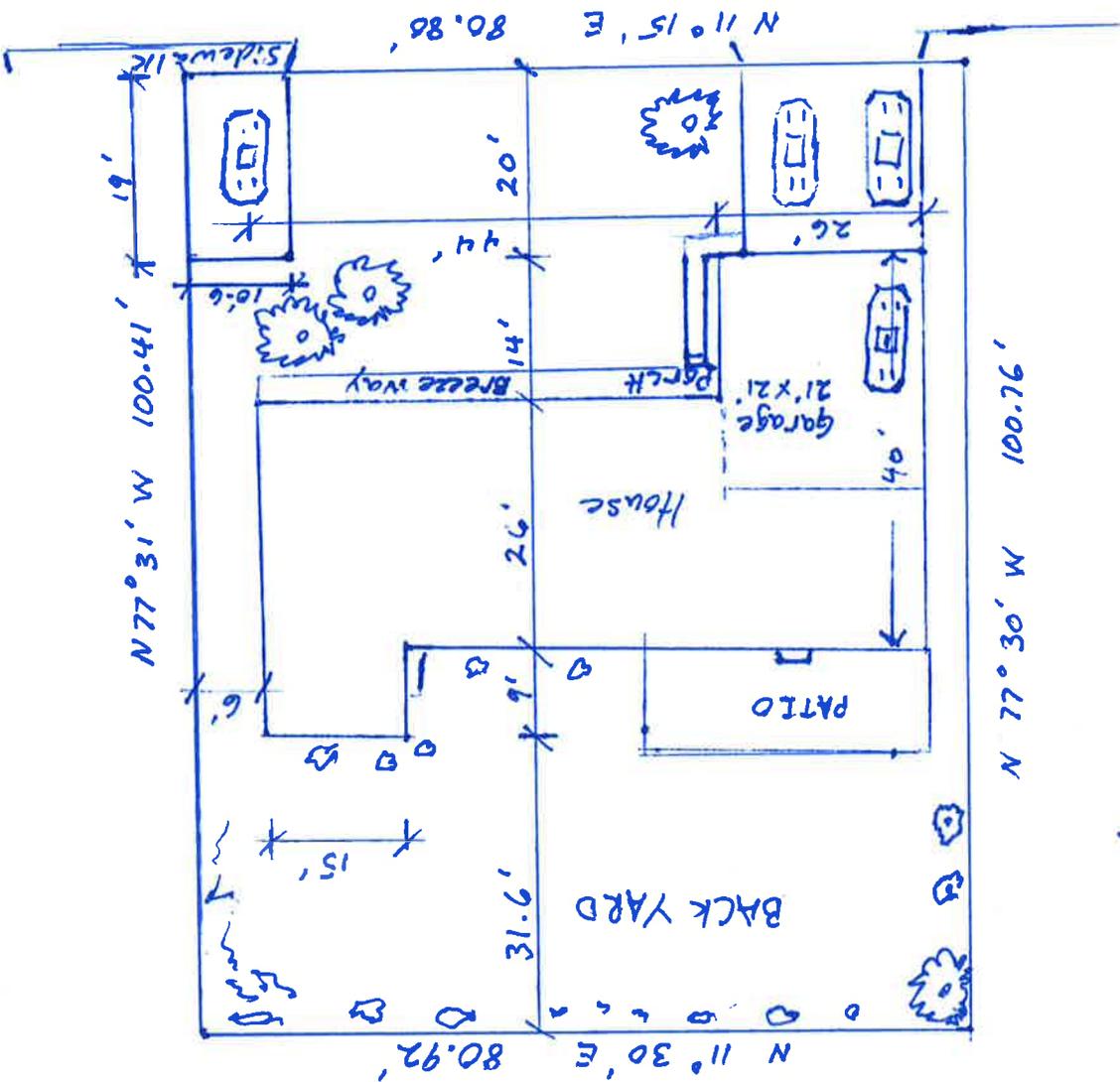
Revised Floor Plan  
 from 4 to 5 Bedroom  
 occupancy from 10 to 9  
 Billberry 6-24-15

1236 S. Columbia

S. COLUMBIA

SITE PLAN

Scale 1" = 20'



Side walk

N 11° 15' E 80.88'

N 77° 31' W 100.41'

N 77° 30' W 100.76'

N 11° 30' E 80.92'

BACK YARD

PATIO

House

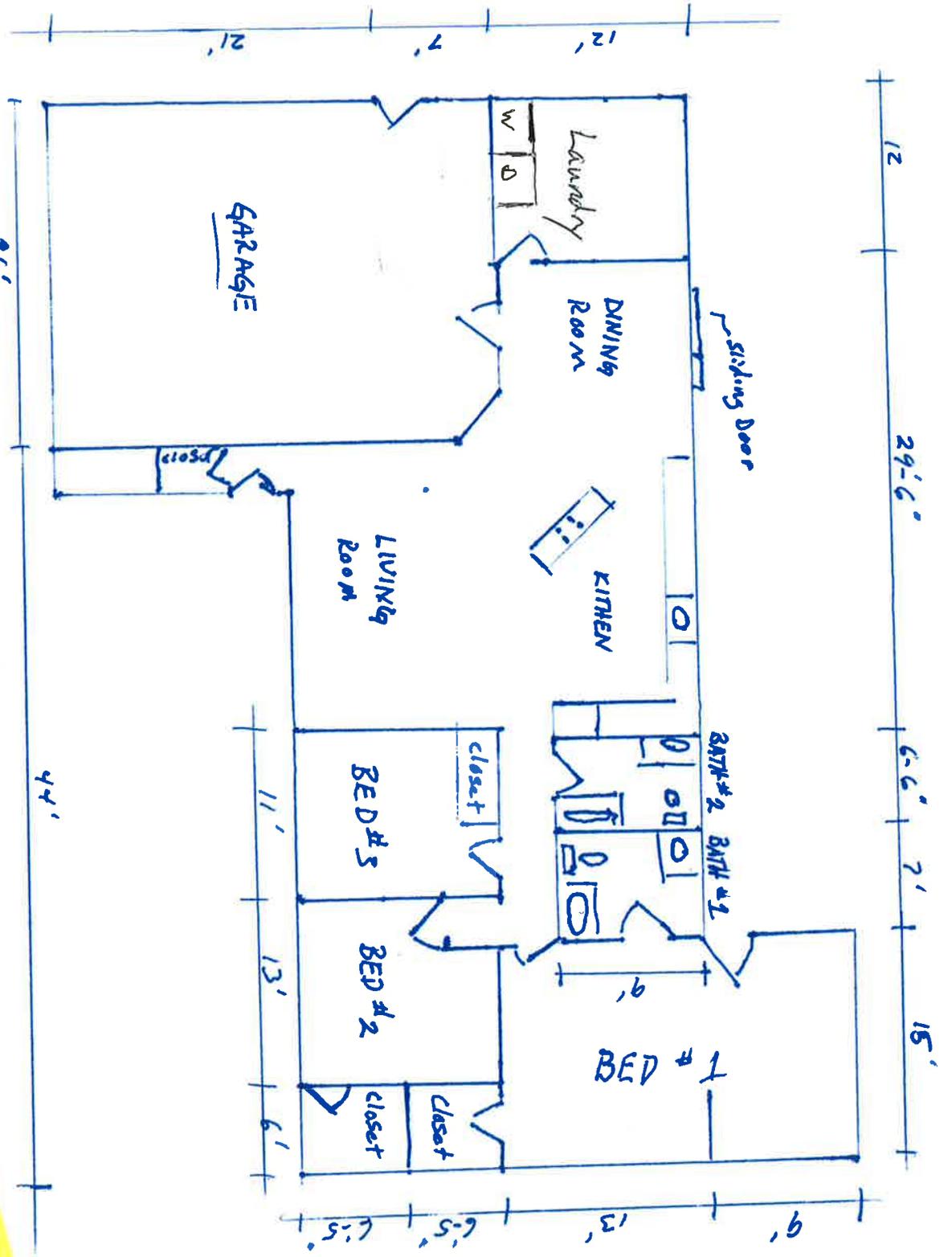
garage  
21' x 21'

porch

Breezeway

Side walk

1230 S. Columbia



FLOOR PLAN

SCALE = 1" = 10'

Columbia Street



Revised Floor Plan  
from 4 to 5 Bedroom  
occupancy

Billberry  
6-24-15

## CITY OF SEASIDE STAFF REPORT

**To:** Seaside Planning Commission  
**From:** Planning Director, Kevin Cupples  
**Date:** July 7, 2014  
**Applicant:** City of Seaside  
989 Broadway  
Seaside, OR 97138  
**Subject:** 13-040ACP- Amendments to the Comprehensive Plan associated with the selection of lands for inclusion within the City of Seaside Urban Growth Boundary (UGB) based on an evaluation under Goal 14 and the land needs previously identified under Goal 9 & 10

---

### **REQUEST:**

The applicant is requesting a comprehensive plan amendment that will expand the City of Seaside Urban Growth Boundary (UGB). The selected lands have been evaluated under Statewide Planning Goal 14 and they are intended to address the needs established by the findings of a Goal 9 Economic Opportunities Analysis & Employment Land Needs Assessment, a Goal 10 Housing and Residential Land Needs Assessment, & Buildable Lands Inventory. These documents provide the justification necessary to support extension of the City of Seaside's Urban Growth Boundary (UGB) so the City will have an adequate supply of buildable land for a twenty year planning horizon.

In accordance with the Comprehensive Plan, after holding a public hearing on the proposed amendment, the Commission will make a recommendation to the City Council.

### **DECISION CRITERIA, JUSTIFICATION, FINDINGS, & 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 adopted information will then be used as the basis for the Commission's final recommendation to the City Council.

The Commission's recommendation may include modifications they consider necessary and appropriate for the amendment to the Plan. Although each of the findings or justification statements may specifically apply to one of the decision criteria, any of the statements may be used to support the Commission's final recommendation:

#### **DECISION CRITERIA # 1: Findings of fact for requested Comprehensive Plan revisions shall, as a minimum:**

- a. Explain which plan goals, objectives, or policies are being furthered by the change.**
- b. Present the facts used in making the decision; and**

**c. Explain how the change will serve the public need.**

**FINDINGS & JUSTIFICATION STATEMENTS:**

1. The consulting firm OTAK has prepared a Goal 14 UGB Site Evaluation and Expansion Proposal (Attached) that will be used to support proposed changes to the Seaside Urban Growth Boundary and Comprehensive Plan Map based on information in the plan, statewide planning goals, and Oregon Administrative Rule. This document is adopted by reference.
2. The City is directed to update the Comprehensive Plan when there is a wide discrepancy between prior and current economic and population projections based on Section 15.3 of the Plan. A needs analysis for additional buildable lands within the UGB was previously adopted based on a Goal 9 Economic Opportunities Analysis & Employment Land Needs Assessment, a Goal 10 Housing and Residential Land Needs Assessment & Buildable Lands Inventory.
3. It is recognized that additional amendments to the Plan may be needed in conjunction with this effort to expansion the Urban Growth Boundary and they may be incorporated into the decision making process by providing any additional text amendments in the form of an amending ordinance.

**CONCLUSION TO CRITERIA #1:**

The proposed comprehensive plan map amendment identifies specific lands for inclusion in the City of Seaside UGB that are needed to address the future land needs for Seaside based on the completed Goal 9 and Goal 10 analyses. The proposed map amendment is consistent with the Comprehensive Plan and the amendment will maintain the Plan's compliance with the applicable Statewide Planning Goals.

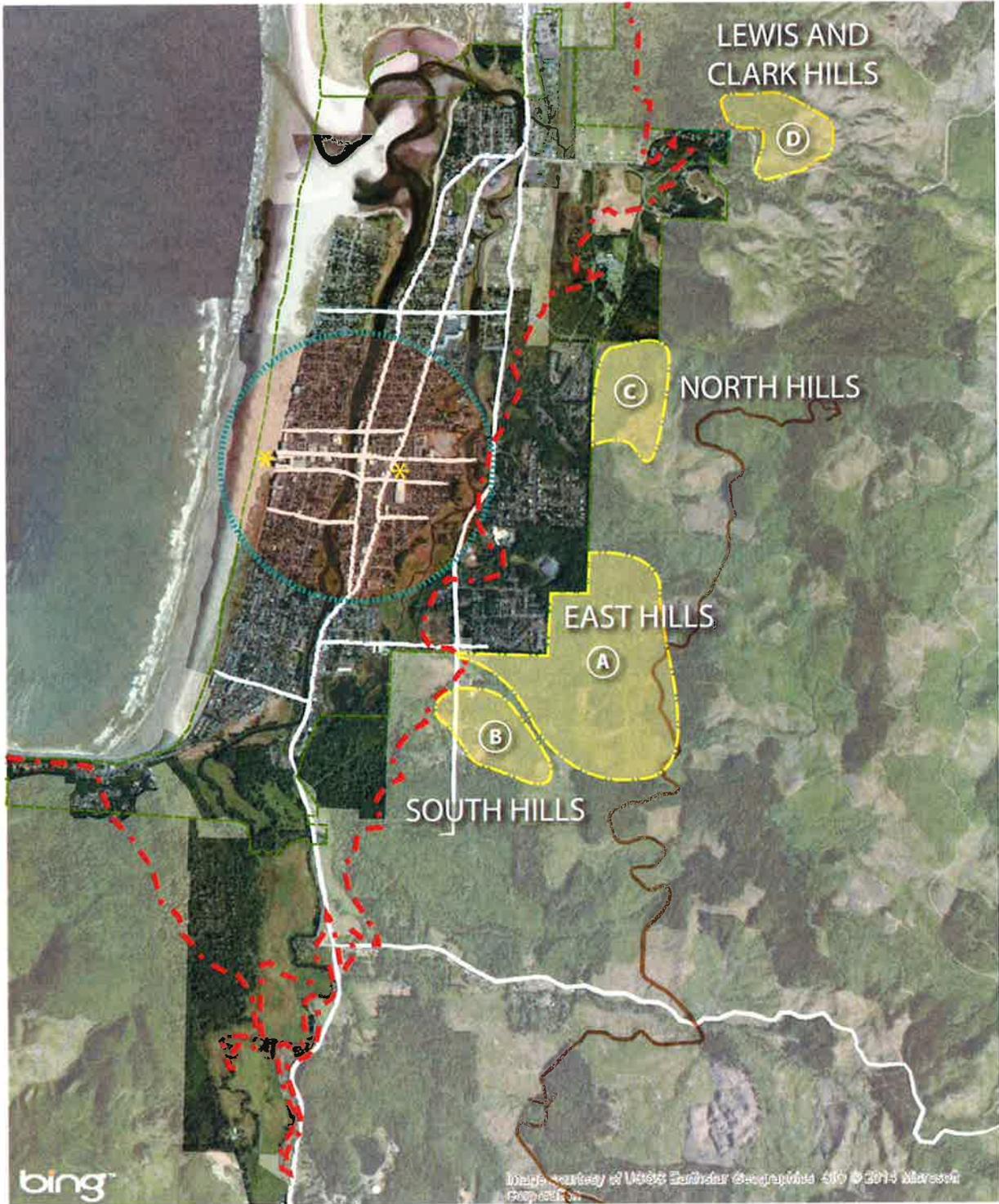
**FINAL STAFF RECOMMENDATION:**

Take public testimony concerning the proposed UGB expansion and continue the hearing to the August 4<sup>th</sup> Planning Commission meeting at 7:00 p.m. in the Council Chambers. This will provide time to formally address issues related to any verbal or written comments.

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

**Attachments:**

Applicant's Submittal



# GOAL 14 UGB - EXPANSION PROPOSAL

Seaside, Oregon



April 2015

# Goal 14 UGB Expansion Proposal

Seaside, Oregon

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## APPENDIX

1. Seaside Ugb Expansion
2. Land Need Analysis
3. Land Need Analysis Summary
4. Geographic Constraints
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6. Initial Study Areas
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10. Lewis & Clark Site Evaluation
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14. South East Hills Draft Comprehensive Plan Map
15. Land Ownership Map
16. Ownership By Plan Designation Spreadsheet
17. Summary Memorandum

## 1. INTRODUCTION

The following summarizes the site evaluation process conducted for expanding the Seaside UGB to accommodate 200 acres for growth. It is a follow-up to a Goal 9 land needs analysis that prescribed the amount of land and land use types needed to accommodate a 20 year growth horizon for the city of Seaside. Per Goal 14:urbanization (OAR 660-015-0000(14), the evaluation considers efficient accommodation of identified land needs; orderly and economic provision of public facilities and services; comparative environmental, energy, economic and social consequences; and compatibility with nearby farm/forest activities.

The breakdown of land use types are as follows:

Table 1

| Land use Type                                  |      | Gross Acreage Needed |
|------------------------------------------------|------|----------------------|
| R1 - Residential                               | 61.3 |                      |
| R2 - Residential                               | 54.5 |                      |
| R3 - Residential                               | 33.5 |                      |
| RR - Residential                               | 5.3  |                      |
| <b>Subtotal residential</b>                    |      | <b>154.6</b>         |
| <b>Park</b>                                    |      | <b>10.6</b>          |
| Industrial (baseline growth scenario)          | 16.1 |                      |
| Institutional (baseline growth scenario)       | 19.5 |                      |
| <b>Subtotal industrial &amp; institutional</b> |      | <b>35.6</b>          |
| <b>Total land need</b>                         |      | <b>200.8</b>         |

The end result of this process will be to expand the current urban growth boundary (UGBw) of seaside to include the 200.8 acres of land needed for the prescribed 20 year need. The 200.8 acres will have comprehensive plan designations shown to guide future growth. Land will be zoned and annexed into the city incrementally at the time land owners choose to develop.

# Goal 14 UGB Expansion Proposal

Seaside, Oregon

## 2. Site Evaluation Process

Four general site areas adjacent to the existing UGB were evaluated for expansion. The areas are: A) East Hills; B) South Hills; C) North Hills; and D) Lewis and Clark Hills. The evaluation considered the following site characteristics in response to the Goal 14 evaluation criteria:

1. Proximity to existing utilities needed for urban development and the ease of and capacity for extension.
2. Vehicular access /road connections and emergency vehicle access.
3. Site Constraints
  - Topography that would restrict development
  - Natural resource protection requirements.
4. Logical growth pattern for the city.

The Seaside Planning Commission (PC) served as the advisory committee for the site evaluation process and also the site selection process. The study area locations were identified in collaboration with the City of Seaside planning director.

### Site A - East Hills

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

- **Proximity to existing utilities.** The site does have access to existing water and sewer lines in Wahanna Road as well as in the existing subdivision to the west that could be extended. Sewer system upgrades would be required (pump station upgrades). A future water tank set at elevation 400 above the study area will ultimately be required to serve the upper portions of the study area. The future water tank is an identified objective for the overall city water system.
- **Vehicular access.** Vehicular access to the study area is somewhat limited. Three options exist. The northern portion of the site could be accessed by an extension of Spruce Drive, but this route would have to go through the elementary school site, potentially disrupting the school's parking and circulation routes for school busses. This route may be appropriate for any future school facilities that may expand from the existing school uphill to the east. The central portion of the site has an access stub from the existing subdivision that is a narrow tract and would be limited to pedestrians and emergency vehicles only. It's also shown as a potential Tsunami evacuation route. The southern portion of the study area is shown with frontage on Wahanna Road where access could be extended east in alignment with Avenue S.

## Goal 14 UGB Expansion Proposal

Seaside, Oregon

- **Site constraints.** The study area does contain steep slopes that are primarily along four existing drainage corridors that traverse the area from east to west. These drainage areas also contain smaller drainage fingers that reduce any potential development areas in the future. These drainage corridors and steep slopes would need to be protected in resource areas in the future with open space/resource protection area overlay mapping.
- **Logical Growth Pattern.** The East Hills area is a logical growth area for Seaside. It is next to existing residential development and existing utility services. It also has multiple access options.

As illustrated in table 2 the East Hills site yields approximately 116 acres of land that is non constrained by physical conditions for future urban development.

Table 2

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

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

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

## Goal 14 UGB Expansion Proposal

Seaside, Oregon

### Site B - South Hills

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

- **Proximity to existing utilities.** The site is proximate to water service in Wahanna Road. There is actually an existing water district that serves the 16 current residential units in the study area. This district is currently supplied by City of Seaside water and pays for the service on a monthly basis. This water system would be upgraded and expanded to serve the balance of the South Hills study area. The water system would also be enhanced by the future water tank at elevation 400. Sewer system upgrades would include extending a main line south in Wahanna Road and pumping it north into the existing city system.
- **Vehicular access.** The area can be served from Wahanna Road. Improvements would include upgrades to Wahanna Road and a series of local loop roads to provide access to the future development areas to the east and west of Wahanna.
- **Site constraints.** Constraints are limited given the absence of steep slopes. The one drainage corridor that traverses the site would need to be protected with adequate buffering in a resource overlay.
- **Logical growth pattern.** The South Hills area is a logical growth area for the city. It is proximate to existing services and extends an existing road, (Wahanna), for easy access to and from the city's major arterial.
- As illustrated on table 2 the South Hills study area contains 141 acres of non-constrained land for future urban area development.

### Site C - North Hills.

The North Hills area is approximately 69 acres in size and is located at a higher elevation and east of Shore Terrace Road. Although directly west of the city limits and current UGB, it has no access points or potential utility connection points. It is characterized by steep slopes. There are 3 severely sloped "ledges" that traverse the site from north to south.

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

- **Logical growth pattern.** Site C is not a logical growth pattern for the city given its lack of access and severe slopes which should be protected.

Per table 2 the North Hills site contains 25 acres of unconstrained land. It's important to note that while this area is measured at 25 acres the pattern of the three ledges divide the site into separate land areas that are not feasible for future development.

### **Site D – Lewis and Clark Hills.**

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

- **Proximity to existing utilities.** The site is directly east of an existing city water tank but well above its service level elevation. A pump station would be required to serve the site. Sewer service also exists in an existing subdivision to the west of the site. A utility access easement and upgrades to the existing sewer system west of the connection point would be required to provide the needed capacity for the Lewis and Clark Site.
- **Vehicular Access.** The site does have frontage on Lewis and Clark Road with access potential along the southeast portion of the study area. The access point options are somewhat limited by three large curves on Lewis and Clark Road that restrict visibility for motorists. Safety improvements that would be advisable on Lewis and Clark Road that provide motorists advanced warning of a proposed intersection. These improvements may also include an eastbound left turn lane into the site from Lewis and Clark Road. There are also traffic safety concerns at the bottom of the hill at the Highway 101 intersection. Improvements are proposed in the TSP; however, they are medium & very long timeframe improvements.
- **Site Constraints.** The eastern and northern portions of the study area do contain steep slopes that restrict development and should be preserved. There is also an existing drainage along the eastern and northern edges of the site that will require protective buffers. Potential development area is limited to the southern portion of the site closest to the potential access along Lewis and Clark Road.
- **Logical Growth Pattern.** The site is not a logical growth pattern for the city. It is somewhat remote and limited in land area size due to both on and off site physical constraints. There is a lack of connectivity with the city, but it might be suitable for a small planned development in the future.

Per Table 2, the Lewis and Clark site contains 23 acres of unconstrained land. The pattern of severe topography limits the site to approximately 15 acres that can be developed in a feasible manner near Lewis and Clark Road.

## Goal 14 UGB Expansion Proposal

Seaside, Oregon

### 3. Refinement of Study Areas

The four candidate site study areas were reviewed in detail with the City of Seaside Planning Director and the Public Works Director. The study areas were also presented and discussed with both the Seaside Planning Commission and the City Council at briefings/work sessions. The following summarizes direction from those meetings:

- Eliminate the North Hills study area due to site constraints.
- Combine the South and East Hills study areas into one Southeast Hills area and continue to evaluate. Also, continue to evaluate the Lewis and Clark site.
- Determine the best 200 plus acres of land to bring into the urban growth boundary.
- Also show potential future growth areas for the longer term, beyond the 20 year horizon required by the State of Oregon.

### 4. Final Draft Recommendation.

Based on continued input from the City, the plan for the Southeast Hills was further refined with comprehensive plan designations for future proposed land uses. The following summarizes the plan features:

- **Land use.** Four different residential comprehensive plan designations are used on the Southeast Hills site;

|                 | Density Allowed | Total Units (max.) |
|-----------------|-----------------|--------------------|
| R-1: 61.3 acres | 5 du/ac.        | 306                |
| R-2: 54.5 acres | 10 du/ac.       | 545                |
| R-3: 33.5 acres | 20 du/ac.       | 670                |
| RR: 5.3 acres   | 30 du/ac.       | 159                |
|                 |                 | Total 1,680 units  |

These designations and land areas align exactly with the land needs analysis prescribed mix (Table 1). In general, the land uses are denser on the lands that are closest to Wahanna Road. Lower densities are proposed in the hills further east from Wahanna Road. The plan also includes a node of employment land at the south end that totals 33.5 acres. This again aligns with the land use mix prescribed in the land needs analysis. This employment area encompasses the industrial/ institutional designations shown in the land use summary (table 1). Potential expansion areas (longer term) are also shown on the plan. These are beyond the 20 year needs horizon but important to consider for long term growth in Seaside, especially in terms of access and future utility service extensions.

- **Access/circulation.** Primary access is provided by the extension and improvement of Wahanna Road south of Avenue S. This expansion will also entail reconstructing the Avenue S intersection at Wahanna to improve safety. One option is a traffic circle. Four local loop roads are shown that serve the proposed neighborhoods on both the east and west sides of Wahanna Road. Three emergency vehicle access (EVA) points are also shown on the plan. One is located directly east of Cooper Street and will also serve as a pedestrian link. Two are located upslope and connect to the existing mainline tree farm road. All three EVA's will be gated.
- **Open space/natural resource areas.** An active use park is shown near the denser housing and employment areas. The 10.6 acre park has gentle topography suitable for active recreation. It is accessible and it is also positioned next to a large open space/wetland area. Drainage ways that traverse the area are protected with wide buffers that also protect steep slopes that parallel the drainages. These are shown with an OPR designation on the plan. OPR space totals 253 acres in the study area.
- **Potential future growth areas.** As described earlier, additional areas are shown on the plan to accommodate growth beyond the 20 year land needs horizon. The area east of the existing elementary school is shown as future institution land that could accommodate expansion of school facilities. It could also accommodate a potential hospital site if expansion of facilities is needed. The areas in the center of the plan would logically accommodate more housing in the future. These areas could be easily served by extending planned roads and utilities, but they would require bridges. The area to the south of the study area could be developed with additional employment or residential lands. This area would include an extension of Wahanna Road, providing a connection to Beerman Creek Road, and forming a loop to a southern access point on Highway 101. This would transform Wahanna to an excellent parallel route to Highway 101 as envisioned in the Seaside transportation system plan (TSP).
- **Provision of infrastructure.** The selected expansion area will include up to 1,680 housing units and 33.5 areas of employment land. It will require extending and widening Wahanna road, improving the Wahanna/ Avenue S intersection, constructing a new water tank and other facility upgrades and also installing a sewer pump station and sewer main lines. The city will prepare a strategy and policy that establishes a "Pay as you go" program for incremental development of the southeast hills area. The intent of this policy is to avoid an inordinate burden on the balance of seaside for the infrastructure costs associated with the southeast hills development.

## Goal 14 UGB Expansion Proposal

Seaside, Oregon

### 5. Basic Approval Process Outline

The proposed UGB expansion will follow this summarized basic approval process:

- UGB expansion submittal
- Staff review/ report
- DLCD (state) notice
- Seaside planning commission hearings/ recommendation
- Seaside city council hearings/ decision
- Clatsop county planning commission hearing/ recommendation
- Clatsop county board of commissioners hearing/ decision

City of seaside annexations/ zoning will occur incrementally as land owners opt to develop their lands.



# SEASIDE UGB EXPANSION

1. SEASIDE UGB EXPANSION
2. LAND NEED ANALYSIS
3. LAND NEED ANALYSIS SUMMARY
4. GEOGRAPHIC CONSTRAINTS
5. CONNECTIONS
6. INITIAL STUDY AREAS
7. EAST HILLS SITE EVALUATION
8. SOUTH HILLS SITE EVALUATION
9. NORTH HILLS SITE EVALUATION
10. LEWIS & CLARK SITE EVALUATION
11. PROPOSED PREFERRED GROWTH AREAS
12. REVISED PROPOSED GROWTH AREAS
13. LAND NEED ANALYSIS SUMMARY
14. SOUTH EAST HILLS DRAFT COMPREHENSIVE PLAN MAP
15. LAND OWNERSHIP MAP
16. OWNERSHIP BY PLAN DESIGNATION SPREADSHEET
17. SUMMARY MEMORANDUM



# LAND NEED ANALYSIS

## VII. RECONCILIATION OF VACANT LAND AND NEED

The last step of the analysis is to compare the long-term demand for industrial and commercial land from the land need forecast with the existing supply of industrial and commercial acreage as identified through the Buildable Lands Inventory (BLI). The purpose of the reconciliation is (1) to assess whether the City of Seaside has an adequate supply of suitable employment land to satisfy economic expansion demands over the next 20 years, and (2) to serve as a basis for determining Urban Growth Boundary (UGB) expansion or other policy measures to increase the available employment land supply.

In this section we compared the existing supply of buildable industrial and commercial acreage over the planning period for all three potential growth scenarios. The end result is a deficit of 34.4 acres in the Baseline Growth Scenario and a net shortage of land in both the Medium and High Growth Scenarios (39.2 and 46.6 acres, respectively).

**Figure 30**  
**Reconciliation of Buildable Employment Land and Need, Seaside, Oregon**

| Scenario                        | Demand      | Supply      | Surplus/Shortage |
|---------------------------------|-------------|-------------|------------------|
| <b>Baseline Growth Scenario</b> |             |             |                  |
| Commercial                      | 14.1        | 15.0        | 0.9              |
| Industrial                      | 17.3        | 1.2         | (16.1)           |
| Institutional                   | 19.5        | -           | (19.5)           |
| <b>Total</b>                    | <b>50.9</b> | <b>16.2</b> | <b>(34.7)</b>    |
| <b>Medium Growth Scenario</b>   |             |             |                  |
| Commercial                      | 15.6        | 15.0        | (0.6)            |
| Industrial                      | 18.8        | 1.2         | (17.6)           |
| Institutional                   | 20.9        | -           | (20.9)           |
| <b>Total</b>                    | <b>55.4</b> | <b>16.2</b> | <b>(39.2)</b>    |
| <b>High Growth Scenario</b>     |             |             |                  |
| Commercial                      | 17.8        | 15.0        | (2.8)            |
| Industrial                      | 21.5        | 1.2         | (20.3)           |
| Institutional                   | 23.4        | -           | (23.4)           |
| <b>Total</b>                    | <b>62.8</b> | <b>16.2</b> | <b>(46.6)</b>    |

*1. Assumes a demand estimation of Office support 25% to commercial land 75% to Industrial*

- The City has a shortage of commercial demand in two of three scenarios, ranging from 0.8 acres to 2.8 acres depending on the realized path of growth.
- The City currently has negligible industrial land available for development, resulting in across the board shortages ranging from 16.1 to 20.3 acres.
- Further, institutional uses will generate an additional 19.5 to 23.4 acres of land need. These uses will typically locate on high value industrial land, but not exclusively, development on commercial land is possible.

With the assumptions of this analysis, Seaside has a slight shortage of 20-year employment land supply in all growth scenarios.

City of Seaside | Economic Opportunities Analysis 27

Subtracting the current inventory of 14.05 acres of park, this leaves a 20-year need for 10.6 acres of new developed park land.

### School Facilities Land Needs

The Seaside School District has identified a need for an additional 50 acres of school land needed to relocate a middle school and high school facility above the tsunami line in the eastern hills of Seaside. Because there is no existing vacant acreage that meets this criteria, there is an identified need for these 50 acres outside of the current Seaside UGB.

## TOTAL RESIDENTIAL AND PUBLIC FACILITY LAND NEEDS (2032)

Based on the findings of projected land need presented above, this analysis concludes a total 20-year land need for residential, schools and park land need as follows:

FIGURE 19: ESTIMATED TOTAL NEW LAND NEED (2032)

| Category of Land                   | Gross Acreage Land Need |
|------------------------------------|-------------------------|
| Residential:                       | 154.6                   |
| Parks:                             | 10.6                    |
| Schools:                           | 50                      |
| <b>Total New 20-Year Land Need</b> | <b>215.2*</b>           |

Source: Johnson Reid LLC

**There is a total projected land need for an additional 215.2 gross acres to satisfy residential land needs and supporting uses.**

\* This total assumes a 50-acre school campus may be added to the UGB in the future. A 50-acre site is shown on the south hills Comprehensive Plan map (page 11) to accommodate the proposed campus. It is labeled as Proposed Institutional Land.

# LAND NEED ANALYSIS SUMMARY

| Land use Type                                  | Gross Acreage Needed |
|------------------------------------------------|----------------------|
| R1 - Residential                               | 61.3                 |
| R2 - Residential                               | 54.5                 |
| R3 - Residential                               | 33.5                 |
| RR - Residential                               | 5.3                  |
| <b>Subtotal residential</b>                    | <b>154.6</b>         |
| <b>Park</b>                                    | <b>10.6</b>          |
| Industrial (baseline growth scenario)          | 16.1                 |
| Institutional (baseline growth scenario)       | 19.5                 |
| <b>Subtotal industrial &amp; institutional</b> | <b>35.6</b>          |
| <b>Total land need</b>                         | <b>200.8</b>         |



Total: 200.8 acres

Note: Employment category combines Industrial and Institutional

# GEOGRAPHIC CONSTRAINTS



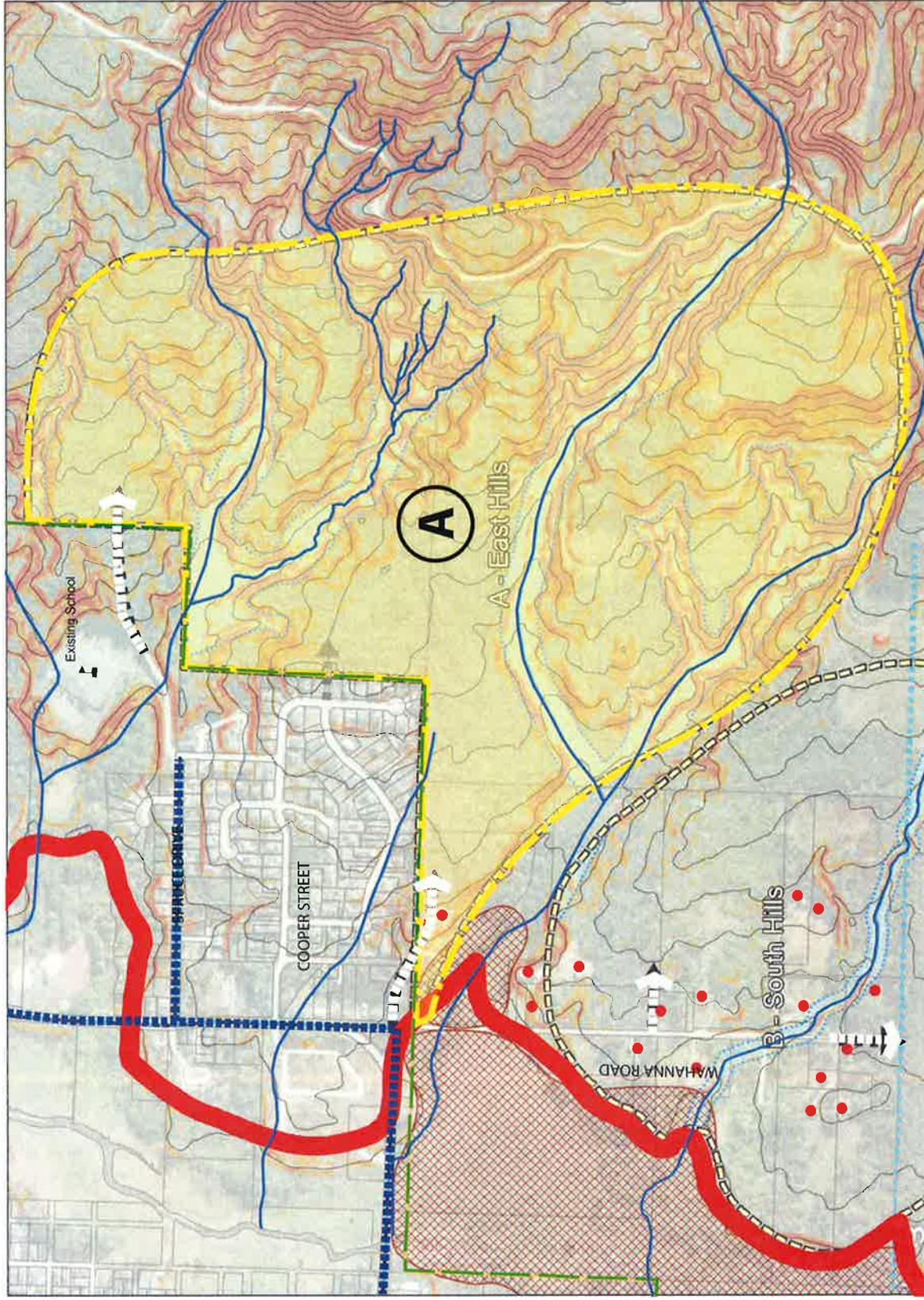
# CONNECTIONS



# INITIAL STUDY AREAS



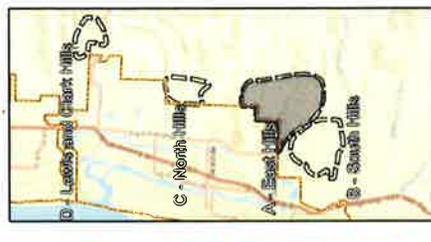
# EAST HILLS SITE EVALUATION



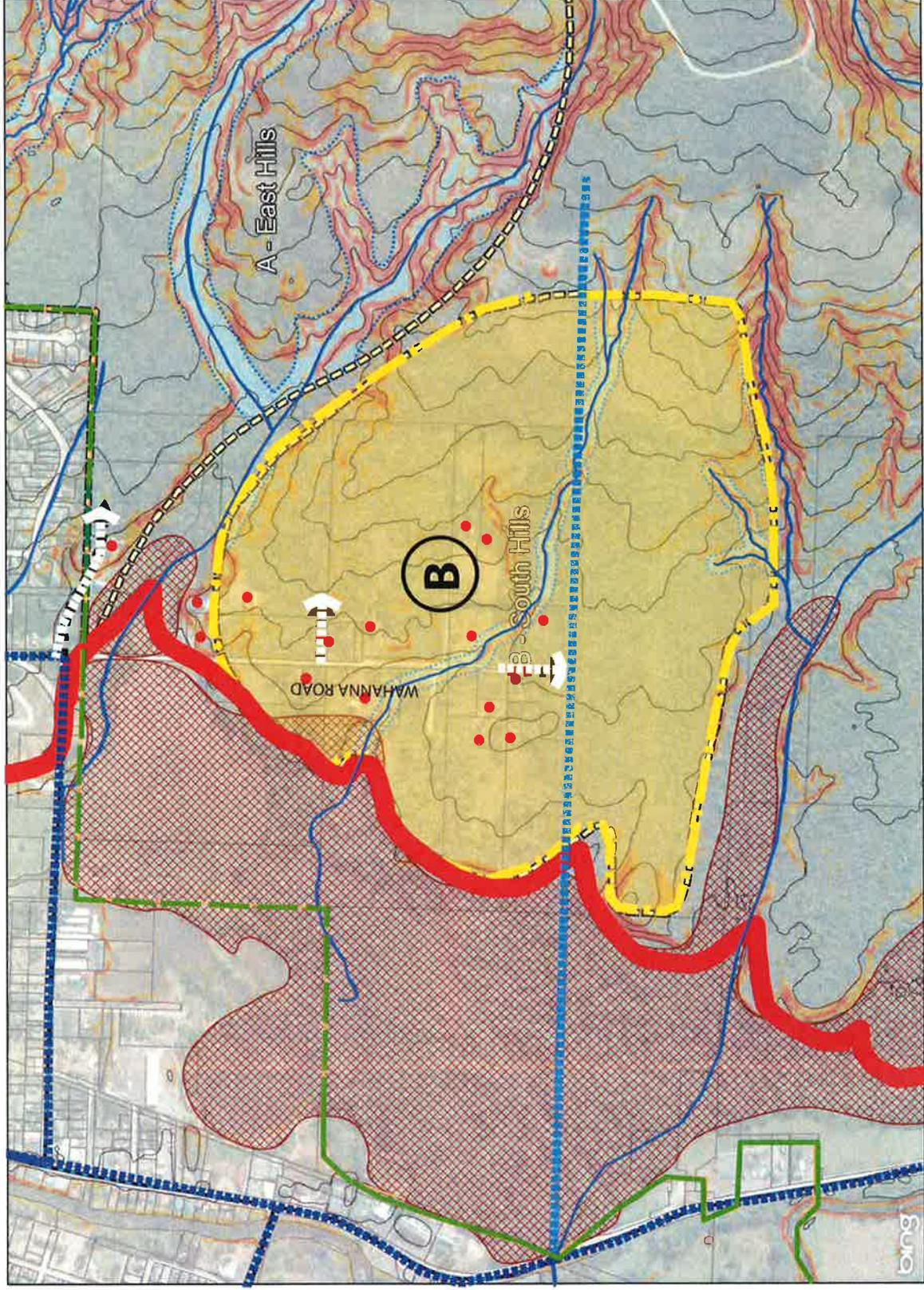
## LEGEND

- Existing Homes
- Evaluation Area
- Potential Access
- 20ft Contour
- Stream/Drainage
- Wetland
- Tsunami Inundation
- Sanitary Sewer Main
- Water Main - Existing
- Water Main - Proposed
- Seaside UGB
- Tax Lot
- Percent Slope
- 20-30%
- >30%

## MAP KEY



# SOUTH HILLS SITE EVALUATION



## LEGEND

- Existing Homes
- Evaluation Area
- Potential Access
- 20ft Contour
- Stream/Drainage
- Wetland
- Tsunami Inundation
- Sanitary Sewer Main
- Water Main - Existing
- Water Main - Proposed
- Seaside UGB
- Tax Lot
- Percent Slope
- 20-30%
- >30%

## MAP KEY

