

**SEASIDE PLANNING COMMISSION AGENDA**  
**989 Broadway - City Hall Council Chambers**  
**September 1, 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:** August 4, 2015
- 6. PUBLIC HEARING:**
  - A.) 15-011VRD** is a request by **Anthony & Maureen Colburn** for a **seven (7)** bedroom Vacation Rental Dwelling Permit with a maximum occupancy of no more than **ten (10)** people regardless of age. The property is located at **1221 N Franklin** and it is zoned Medium Density Residential (R-2).
  - B.) Continuance:**  
**15-032ACP-** Amendments to the Comprehensive Plan associated with the selection of lands for inclusion within the City of Seaside Urban Growth Boundary based on an evaluation under Goal 14 and the land needs previously identified under Goal 9 & 10. The lands under consideration are located south and east of Seaside City Limits and will include just over 200 acres of land suitable for development.
- 7. ORDINANCE ADMINISTRATION:**
- 8. PUBLIC COMMENTS:** Not related to specific agenda items:
- 9. PLANNING COMMISSION & STAFF COMMENTS:**
- 10. ADJOURNMENT**

# MINUTES SEASIDE PLANNING COMMISSION

## August 4, 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, Steve Wright, Bill Carpenter, Robert Perkel, and Dick Ridout, Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director  
Commissioner Absent: Chris Hoth

**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:** August 19, 2014 and September 2, 2014;

Commissioner Perkel stated that there were some grammatical errors that needed to be corrected. Commissioner Ridout stated that on page 2 it says the vote was unanimous but he abstained from voting on agenda item A. Vice Chair Carpenter made a motion to approve the minutes with the corrections noted. Commissioner Perkel seconded. The motion was carried unanimously.

### AGENDA:

#### PUBLIC HEARING REQUIREMENTS:

The following public hearing statements were read by Chair Romine:

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

#### PUBLIC HEARING:

##### Continuance:

**A.) 15-032ACP-** Amendments to the Comprehensive Plan associated with the selection of lands for inclusion within the City of Seaside Urban Growth Boundary based on an evaluation under Goal 14 and the land needs previously identified under Goal 9 & 10. The lands under consideration are located south and east of Seaside City Limits and will include just over 200 acres of land suitable for development.

Kevin Cupples, City Planning Director, stated this agenda item is a continuance of the planning commission's meeting on July 7, 2015. Mr. Cupples stated he was going to be going over some information regarding institutional lands and updated information regarding the school district.

Chair Romine indicated the issue was opened for Commission discussion. Don Hanson with OTAK handed out a packet with an overview of tonight's agenda items. There is a revised comp plan map and a tsunami map; handouts were also presented to the audience members. The first item is an update of the comp plan map. The three changes that were made are: he cut a wedge along the eastern edge because that future potential development area cannot be shown within the UGB at this point. The second is at the northern end - he reduced the size of the institutional land which is envisioned for the future school site, from 50 acres to 40 acres. The third change is at the southern end, where Wahanna is extended to the southern edge of the UGB. We showed that as one zone, employment, the state has stipulated that we need to identify how much of that will be industrial or employment and how much will be institutional. Before we put them together it was about 34 acres. Now it shows 16.1 for industrial employment and 19.5 acres for institutional. Those are the basic changes to the map. The second

map, requested by Mr. Horning is a tsunami inundation map. We have labeled them with t-shirt sizes small through XXL. We have overlaid them on the UGB expansion area on the southeast hills. The line work that is red is the area that we are thinking of bringing into the UGB. The tsunami event area is shown color coded, plus they put some labels on the map as a cross reference. There is a lot of wash up in the ravines which we are holding back as open space and very little up on the ridges that we are showing as development. They went through the acreages by zone and by proposed land use in those areas and provided a summary. You can see what land uses end up in which "t-shirt size" tsunami event. Mr. Cupples stated one of the reasons he wanted Don to do this was so that people could see how much land we are getting out of the inundation zone with this proposal. Mr. Hanson stated that one of the things it doesn't show is the proposed future school site at the north end. If you look over the two maps you can see that the future expansion for the school is high and dry. Commissioner Horning asked why is the R-3 zone in the area with the large size tsunami wave is located. Mr. Hanson stated the reason he made that decision is because of the transportation. The denser land uses should be by Wahanna Road for transportation reasons and the people from the denser neighborhoods aren't driving through the less dense neighborhood to get to Wahanna Rd. Mr. Hanson stated it would still be a two lane road with a left hand turn pocket with bike lanes. He also stated that when the TSP was done, improvements were envisioned for Wahanna Road in particular for pedestrian safety. Mr. Cupples stated that with the TSP we noted that there is constrained right-a-way along Wahanna Road. The TSP calls for two travel lanes and a communal pedestrian and bike lane because it is so constrained. Next on the list is the school district site status. Mr. Cupples stated he had a conversation with the legal counsel for the school district about what we had done and what we had planned. They didn't seem to have any problem with leaving it as potential future institutional land provided that it is place-marked on the map outside of the UGB, but at least you are saying yes, there is land that is suitable for that type of development. They may be looking at a consideration on putting that into the city through annexation. When they try for a new bond, they may try to extend the city limits around that area, which means you still have to go through the step of incorporating it into the UGB. It's kind of like the story of the chicken and egg. Mr. Hanson stated the state requested that we separate the industrial land and institutional land, we will incorporate institutional language into the comp plan because it is not there now. Mr. Hanson gave a short handout and overview of what he is preparing to give to the state.

- Prioritizing the land
- Locational Factors
  - Positive Factors
  - Negative Factors
- Efficient Accommodations of Land Needs
- Compatibility with Uses Outside the UGB

This is the kind of data that the state is looking for to validate the decision.

If we bring in 200 acres or 10 acres we need to know how much of that (gross) is needed for one unit of housing. The south and east hills score pretty well.

Commissioner Horning asked how they came up with the gross unit of lands needed in order to build 1 home. Mr. Hanson stated they take out the slopes, creeks and other water ways in order to come up with the gross unit of land needed to build one dwelling unit.

Historically the south end of the city is where growth has been. This is really a continuation of that and has the best access.

Vice Chair Carpenter asked if the zones that are written on the map are flexible or written in stone. Mr. Hanson stated he thinks that this is flexible; we are diagrammatical on the street location. He thinks that we are also just diagrammatical on the configuration of the comp plan designations. We wouldn't want one zone to overwhelm another so that we would fall out of compliance with the directives of our needs analysis. Minor changes probably will happen but major changes no. Vice Chair Carpenter asked if someone owns a piece of land that is R1 can they ask to have that designation changed to R2. Mr. Hanson stated that there is flexibility here too. Mr. Cupples stated that if someone were to say this land is better served as a R1 versus R2, he thinks a change would go through an amendment process that would make the actual change. From what he understands, the DLCD is more interested in making sure that your balance sheet totals the right numbers when we're done. The way this is laid out, you are looking at sparser density as you go out. This is a classic planning model and that's what this pretty much follows. The nice thing is if you are in a higher density residential zone and you want to create larger lots, there is nothing in the comp plan that says no you shall make sure that you have this many residences on that piece of land. There is a minimum lot size but not a maximum lot size right now under our current zoning.

Commissioner Ridout asked if we were pinning down the zoning with this plan. Mr. Hanson stated that we are pinning down the comprehensive plan designation but not the actual zoning on the ground.

Commissioner Ridout stated are we pinning it down in affect to where if a developer goes up to someone and says that he wants to buy their property and develop it, they are going to have to adhere to these zones. Mr. Hanson stated that is right. Commissioner Ridout didn't realize we were at that point. He thought it was just a general area that had enough acreage to accomplish this. He didn't realize we were earmarking where those different zones would be. Mr. Hanson also mentioned that at the last meeting Commissioner Ridout handed him a printout that asked the question, can cities force you to annex in and that is being looked at by a land use attorney. Commissioner Ridout asked if a condo developer thinks the high ground is a beautiful place to put his development could he do that. Mr. Cupples stated that is where a planned development would come into play, but you would have to give up some of the potential somewhere else on the property in order to do that. The planned development section in the ordinance says that if you have a large piece of property and you see a better way of developing it than a standard cookie cutter subdivision, you can cluster your housing. That winds up providing more open space elsewhere on the property in order to have that higher density use in another location. These are reviewed by the planning commission.

Commissioner Horning asked about the R3 zoning that is proposed on the lower slopes, it results in larger numbers of people in the tsunami inundation zone. We should maybe put those higher on the hill above the XL zone. We should shift the R3 zone higher on the hill, so that we are not unnecessarily in the large tsunami zone. Mr. Hanson stated he understands that but do you put them closer to the transportation or do you put them further away from it, that's a tough call. Commissioner Horning stated that he would like it further up the hill. Chair Romine stated that we need to provide some sort of zoning and planning document to the state for review. This does potentially put the higher density at higher risk, the planned development process allows developers an opportunity to develop in the R1 zone. Mr. Cupples stated that he would talk with the state regarding this issue.

Commissioner Ridout asked if we have this big protrusion into this expansion area and if we zoned that agricultural or something and brought in more than 200 acres is that a problem. Mr. Cupples stated yes, it is a problem but he will talk to the state. Mr. Cupples stated he thinks that adding policies to the plan that indicate these designations were conceptual when the UGB was expanded, there may be future shifts in those actual designated lines. You want the comp plan to support any plans that you have in the future, and you can add policies that recognize you may want to move the higher densities outside of the hazard zones. We would hope that the state would understand moving those higher densities to higher ground. Commissioner Ridout stated if you have an area that you think is too dangerous to build in, then why would you designate for any building. Isn't now the time to say No that doesn't fit and we need to get everything to higher ground. Commissioner Horning stated this is something that needs to be explored. Mr. Cupples stated that if there is any city able to make that argument it's Seaside. Chair Romine stated that there is more acreage that is higher and drier. Mr. Hanson stated that we have institutional and industrial down low and maybe we could move residential higher. Mr. Cupples stated that Commissioner Horning knows the history of the inundation area more than anyone else. The medium is the most likely to occur again and then you start getting out into the realm of less likely once you get past the large. Commissioner Horning stated the state's modeling shows that the large is the most probable and medium and small being guaranteed to occur. The extra large and extra extra large being extremely unlikely. The field work that has been done on the coast shows that the medium is more likely. The problem is that tsunamis don't carry sand up the hills, they get them wet but it stops at the bottom of the hill. Commissioner Horning stated that he would recommend that we locate things out of the L zone. Mr. Hanson stated that would encompass quite a few of the properties along Wahanna. There could be a double benefit if we move things up. Mr. Hanson stated that Mr. Cupples and he would discuss this with the state.

Chair Romine stated that this is now open for public discussion.

Angela Fairless, 846 10<sup>th</sup> Avenue, Seaside. Her main question is if they have done an environment impact study and if not, she asked that the city do that. She also thinks that the commission should get input from the Necanicum Watershed Council and the North Coast Land Conservancy. She also wanted to thank Commissioner Horning for his concerns regarding the tsunami inundation zone.

Mike Pihl, Vernonia. Mr. Pihl owns the 40 acres on the north hills.

- It's above the tsunami inundation zone.
- It's compatible with the neighborhood. (He brought in photos)
- It has a neighborhood already there.
- There's easy access, 12<sup>th</sup> Avenue already has a stop light.
- Ground is very similar to the ground that is already being developed to the north.
- Doesn't see any negatives.

Kathleen Peterson stated that she has talked to some of the residents and they have a fear that some of the proposed roads would go against the back of their property. They were told there would be very little room between the road and their property. She was wondering if that was true. Is this going to be a gateway to a bypass? She doesn't see any proposals for low income housing. She works for several of the businesses and they cannot get employees because there is no housing for low income families. They all live and work in Warrenton. She understands that you don't want to put them in the tsunami area, but that is where they need to be because they don't have cars and they walk to work. There are lots of buildings downtown that could be converted to housing for low income people. Vice Chair Carpenter stated that doesn't pertain to the UGB. Chair Romine stated that would be up to the developer if and when a piece of property was purchased and then he chose to develop it as low income housing but that is many steps down the road from where we are.

Mary Kemus, 86183 S Wahanna. She is curious about the school district and it's not included in the UGB. Since there has been discussion about the schools why is that not included in the UGB? Looking at the map it seems that Spruce Drive would be a great punch through street. It's already a wider street. Why would you go through Avenue S because the topography and environment is difficult. She keeps hearing the word diagrammatic a lot tonight. She is concerned that if we don't change it now it will remain as it is and we won't be able to change it once it is passed.

Buzz Ottem 86081 S Wahanna Rd. He has a lot of problems with this plan and the thing that worries him the most is that this plan will make Wahanna Road extend to Beerman Creek and then become a bypass. He is thinking of the 100's of residences that will be impacted by this from 12<sup>th</sup> Avenue to the end of Wahanna Road. If you want to go up somewhere go up Spruce Drive. This leaves him to wonder who were the people notified, he wants a copy of the people that were notified. Mr. Ottem wants to know if the people on Beerman Creek were notified. Mr. Cupples said no they were not notified because they are not the property owners of the UGB expansion. Mr. Ottem stated that when Wahanna Road connects to Beerman creek, this will impact these people, they should have been notified. Chair Romine stated that is not part of the discussion at this time, only the UGB. Mr. Ottem stated someone has put ink on the map and that means that the Beerman creek residences should be notified. Mr. Cupples state the road from Wahanna to Beerman creek is out past the 20 year time frame.

Rachel Cortez 86273 S Wahanna Rd, She has an organic farm on Wahanna Rd and they raise chickens and are organic gardening. The North end of Wahanna has some development potential that should really be looked at, even if the slopes are steeper. She also has concerns regarding the other residences on the property that have no voice, like the chickens, the deer, the elk and the hawks. If this land were developed, what would happen to them? This property floods every year. She is really just starting the farm to table kind of business so local restaurants can serve organic food to their customers. Chair Romine stated we are not currently changing the zone, even in the SR zone you can have chickens. Rachel also stated that there should be more sidewalks on the east side of Wahanna.

Maureen Hoffman, 1699 S Wahanna. She has many concerns and has been down this road before with all the development up on Cooper. The track record is not good. With the plan behind her home, it came in for a development of 150 apartments. They showed it has a big baseball field looking thing. At that time she told them that is not what it is. There are artesian wells there, there are 11 foot cuts with creeks going through them year round. At that time she told them it was not feasible. She felt like they patted her on the head and sent her home to bake cookies. The state guy came in and ribboned off everything immediately behind her house and south of that. Some of the homes are built on 10 feet of fill and all that water is now on her property. Chair Romine stated there are many regulations and that shouldn't have been done. Ms. Hoffman stated that she is only going off of her experience and it did happen and probably will happen again. The ordinances and the state laws were not followed. Chair Romine stated that this discussion is on whether this area should be developed. Ms. Hoffman stated that there are access points all over, are they all really necessary? Mr. Hanson stated that the map is just diagrammatic. It's not written in stone where these access points will be. Mr. Hanson also stated that there should be nothing developed behind her property. Ms. Hoffman was also wondering about infrastructure regarding this. Does the city have enough police force? Water? Sewer? Mr. Hanson stated that is why we develop things incrementally. As the landowners choose to develop their property they must show the city that they have the necessary infrastructure to serve the development they plan on building. Ms. Hoffman asked who is paying for the road. Mr. Hanson stated that the developer would need to pay for the infrastructure of the development and right now it is diagrammatic.

Maria Pincetich, 86273 S Wahanna Rd. Ms. Pincetich stated that diagrammatic becomes real. This will impact the value of their property, the tax they will pay, and how they will vote in the future. She understands the need for roads, and has concerns about emergency access. Past history is the best predictor for future performance. Chair Romine stated that Maureen has the floor. Maureen Hoffman stated that is all she really wanted to say.

Chair Romine stated that this is just a proposed urban growth boundary expansion for some future growth to occur. We are not saying that it will, we are saying that it can. All of the supporting network of roads and the infrastructure will be determined by the size and scope of the development that occurs in the area. Maureen asked if the UGB had to be contiguous. Mr. Hanson stated that no it does not have to be continuous, it could be in a number of locations..

Buzz Ottem asked why the R3 in the tsunami zone? Mr. Hanson stated that we put the R3 closest to Wahanna Road because it's closest to transportation, then the further you go up the hill the less dense the housing is. Mr. Hanson stated that the road will go up hill and that is where people should go in case of a tsunami, uphill.

Maria Pincetich 86273 S Wahanna. If history is any predictor of future performance then the concern has a lot more sensitivity and urgency than a normal planning conversation would have. We talk about diagrammatic roads once this is on paper can we change it. Mr. Hanson stated that the state criteria is in Goal 14 and he gave her a copy. She asked if it was state mandated. Mr. Hanson stated yes goal 14 is state mandated. Maria asked if the Wahanna Road expansion has been discussed. Chair Romine stated that we discussed in great detail the expansion of Wahanna Road during the TSP a few years ago and we went through that process which took several years. Maria asked that within the TSP was Wahanna used as an alternate for 101. Vice Chair Carpenter stated that no, there is no plan to have a bypass to go around Seaside and that includes Wahanna Rd. Maria asked if the city plans on having a stop light on Avenue S and Highway 101? Vice Chair Carpenter stated that No, that is in the TSP as a discussion point, but there are no plans for that. Mr. Hanson stated that as he said in the last meeting that as properties are annexed into the city, the developer will have to demonstrate there are adequate public facilities and that includes traffic. He explained to Maria that if she chooses to annex into the city, then it would be her responsibility to have the traffic impact analysis done and also she would need to talk with City Planning and Public Works to get the infrastructure in place before the development could proceed. Maria wanted to know if she can pick her zone. Mr. Cupples stated that is what we are doing now. Maria asked if there is a penalty if she decided not to develop her land. Mr. Cupples stated that the penalty is that we run out of development land in 20 years. Maria stated that there are several areas in Oregon that have decided not to develop their land. She would prefer smart growth. If there is no penalty then why do we have to do this.

At the end of the Commissioners discussion, Commissioner Carpenter made a motion to continue this to the next scheduled planning commission meeting on September 1<sup>st</sup> at 7pm at City Hall. Commissioner Perkel seconded and the motion was carried unanimously.

Commissioner Horning stated that we are at a moment in time where we are changing a neighborhood from rural to potentially suburban and highly urbanized and this is a culture shock to these people. Is it possible that we could devise a plan for this development in such a way that Wahanna Rd not be connected to these developments? Also, there are people who are buying these lands with the potential to develop it. Mr. Hanson stated if we consider that, if we don't connect to Wahanna, then where do we connect the development? Up the hill more? Spruce is a nice wide street but keep in mind that Spruce Street ends at the school district property. If it did go that way we would have to go across two drainages up there. We are always weighing one thing against another. One thing with the hillside road that moves in a north south direction is that it will take some of the traffic off of Wahanna and it gets more development area out of the tsunami zone. Today we don't have the right to go through the school district property.

Commissioner Ridout asked about the property on the north hills, Mr. Pihl's property and we pretty much dismissed that in the past because of access. Is there anything that has changed so that we can access. Mr. Hanson stated that they will look at it again. Can you get access to that property that can be built to city standards? The issue is the slope, if we do get in there, there wouldn't be much density and wouldn't be a second way out for emergency vehicles. Commissioner Ridout stated we have a willing property owner that would provide 40 acres of development. Mr. Hanson stated that about 10 to 15 acres is developable.

Chair Romine stated that he has employees who do not drive so if they could have housing closer to transportation that would be best for them. They don't have cars so they can't afford to live up the hill because there is no transportation. Mr. Hanson stated we are trying to balance the tsunami and the transportation needs of the people.

**ORDINANCE ADMINISTRATION: None**

**COMMENTS FROM THE PUBLIC:**

Rachel Cortez stated that we need a light or round about on Avenue S and the highway. Vice Chair Carpenter stated at the present time, and with the right-of-way that is there, it is highly unlikely that we can really fit in a round-about. Mr. Cupples stated that the City has actually pursued getting grant funding from transportation growth management to help look at Avenue S and Wahanna. Outside of what was written in the TSP, is there a refinement plan that can be developed? We are seeking grant funding for that. There may not be a plan in place but the city is looking for better solutions for what's going on at that location.

Maureen Hoffman asked what is happening with the development on Avenue S and Wahanna. Mr. Cupples stated that the property owner or the property owner's engineer has talked to the City's engineer about what would be necessary in order to make the repairs that are necessary to the infrastructure and finish that out. Time wise, we have no idea how long it will take the property owner to finish it up.

**COMMENTS FROM COMMISSION/STAFF: None**

**ADJOURNMENT:** Adjourned at 9:05 pm.

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Ray Romine, Chairperson

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Debbie Kenyon, Admin. Assistant

**To:** Seaside Planning Commission  
**From:** Administrative Assistant, Debbie Kenyon  
**Date:** September 1, 2015  
**Applicant/:** Anthony & Maureen Colburn  
**Owners** 1221 N Franklin  
Seaside, OR 97138  
**Subject:** Conditional Use 15-011VRD; Vacation Rental Dwelling @  
1221 N Franklin, T6-R10-S 16DA TL#10400

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**REQUEST:**

The **applicants** are requesting a conditional use that will allow a Vacation Rental Dwelling (VRD) at **1221 N Franklin**. The subject property is zoned **Medium Density Residential (R-2)** and the request is for a maximum occupancy of **ten (10)** people, regardless of age, within the existing **seven** bedroom dwelling.

The subject property has been licensed as a VRD a number of times in the past and it was also used as a five bedroom bed and breakfast in the past. The VRD 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 **1221 N Franklin**. The subject property is zoned **Medium Density Residential (R-2)** and the request is for a maximum occupancy of **ten (10)** people, regardless of age, within the existing **seven** bedroom dwelling.

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

- a. The applicant's plot plan indicates there are **seven** off-street parking spaces that are available on the site. **Six cars can be parked on the property and one in the garage.**
- b. The existing **seven** bedroom residence will have a limited occupancy of **ten people** regardless of age.
- c. Only six of the bedrooms will be available for use in conjunction with the VRD. One of the rooms will be locked off & used for personal use by the owners.
- d. The plot plan shows that parking will not take up more than 50% of the front, side or rear yard areas **and all of the parking spaces are pre-existing graveled spaces.**

- e. Local Contact: **Richard Donaldson with Vacasa (1803 S Roosevelt, Seaside OR 97138)** will be the local contact for the VRD and can be reached at **(503)-738-6680**.
  - f. The applicants, **Anthony & Maureen Colburn** have read all of the standards and conditions applicable to VRDs.
2. The proposed VRD is located within a developed residential neighborhood. Currently **40%** 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. Since the property has been licensed in the past for VRD & B&B use, staff did not indicate the graveled parking spaces would need to be surfaced since the occupancy was previously approved without the required surfacing.**
  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 (**15-011 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 undergone a preliminary compliance inspection, but it cannot be rented for transient occupancy until it has passed a final inspection.**

2. **Parking spaces: Four (4) 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: Ten (10) persons** 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: Richard Donaldson with Vacasa (1803 S Roosevelt, Seaside OR 97138)** will be the local contact for the VRD and can be reached at **(503)-738-6680**. .

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 **15-011VRD** allowing the establishment of a Vacation Rental Dwelling (VRD) with a maximum occupancy of **ten (10)** persons, regardless of age, at **1221 N 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.

- 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>Anthony &amp; Maureen Colburn</i>	ADDRESS <i>1221 N. Franklin St. Seaside, OR</i>	ZIP CODE <i>97138</i>
STREET ADDRESS OR LOCATION OF PROPERTY <i>1221 N. Franklin St. Seaside, OR 97138</i>		

ZONE <i>R-2</i>	OVERLAY ZONES <i>ce</i>	TOWNSHIP <i>10</i>	RANGE <i>16</i>	SECTION <i>DA</i>	TAX LOT <i>10400</i>
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PROPOSED USE OF PROPERTY AND PURPOSE OF APPLICATION(S):

*Vacation Rental Dwellings*

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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>Anthony &amp; Maureen Colburn</i>	PRINT NAME OF APPLICANT/REPRESENTATIVE
ADDRESS <i>1221 N. Franklin St. Seaside, OR 97138</i>	ADDRESS
PHONE / FAX / EMAIL <i>503-717-2028</i>	PHONE / FAX / EMAIL
SIGNATURE OF PROPERTY OWNER <i>Maureen W. Colburn</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 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"/>                       |

PLANNING DEPARTMENT USE:	
DATE ACCEPTED AS COMPLETE	BY
CASE NUMBER (S) <i>15-011VWD</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: Maureen Colburn
2. Mailing Address: 1221 N. Franklin St.
3. Telephone #: <sup>cell</sup> Home 503-717-2028, 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: 1221 N. Franklin St. Seaside
6. Tax Map Ref.: Township 10, Range 10, Section 16 DA, Tax lot # 10400
7. What is the total number of off-street parking spaces (9' X 18') that will be available for VRD occupant use? 7 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? 7 Is the applicant requesting that all the bedrooms be used to calculate the maximum occupancy, and if not, how many are being proposed? 7 Please multiply the last number by three (3) to indicate the requested maximum occupancy for the VRD 14. The VRD ordinance states: The maximum number of occupants cannot exceed three persons (over the age of three) per bedroom. The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations. The number of overnight renters or the maximum number of occupants may be reduced by the Code Enforcement Officer or Fire Marshal at the time of inspection for valid code reasons.
9. All off street parking spaces must be clearly indicated on the applicant's site plan. Will the existing parking spaces or any planned expansion of parking take

ORIGINAL

✓  
92526

120  
150  
430  
600

VRD Application updated 5-5-11

9662

CITY OF SEASIDE

MAR 12 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:

Maureen Colburn Phone # 503-717-2028 Address: 197 3rd St. Gearhart, OR 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: Maurice Cole Date: 3/12/15

-----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 ~~~~~

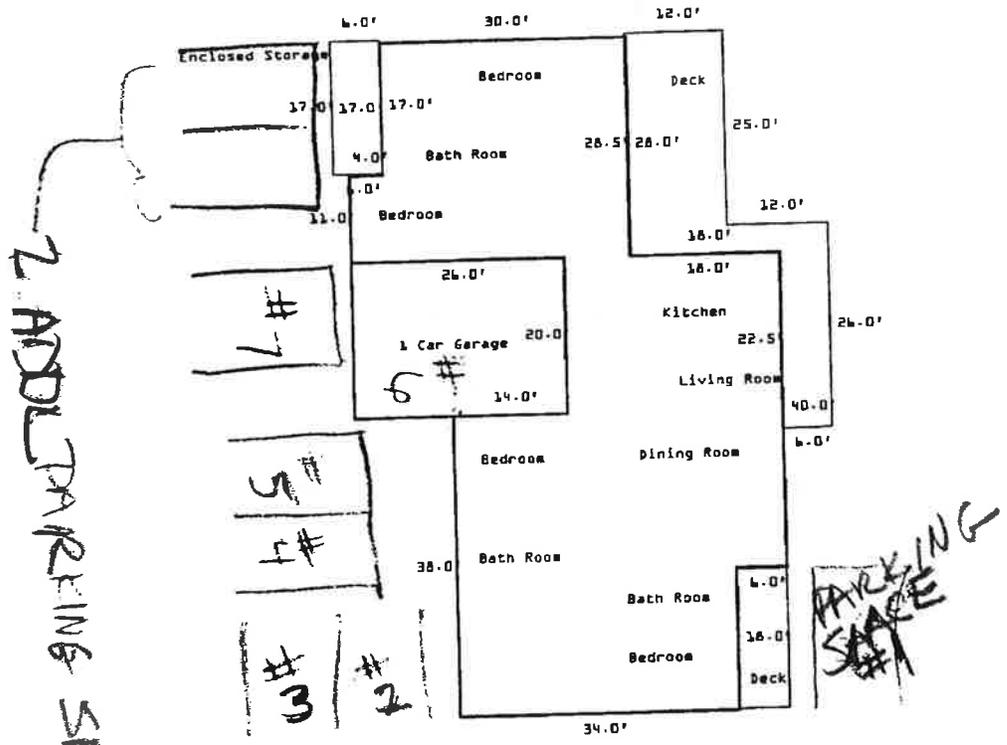
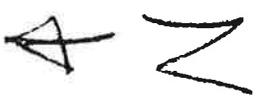
Date application was received at Community Development: \_\_\_\_\_

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

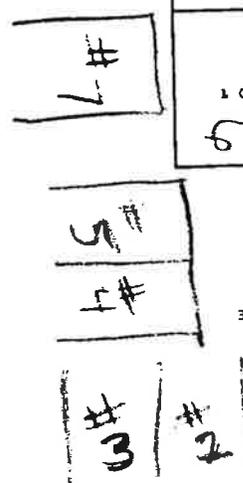
If applicable, date for Planning Commission Hearing: \_\_\_\_\_

# Building Sketch

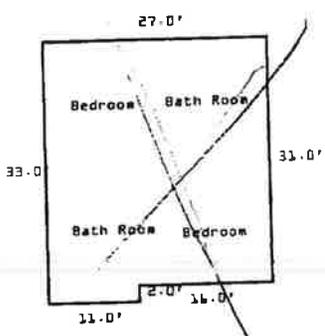
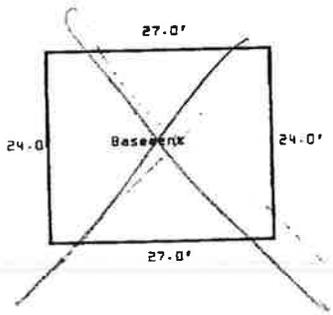
Owner: Meri, Jack & Leslie  
 Address: 1221 N. Franklin Street  
 County: Clatsop State: OR Zip Code: 97138  
 Insurance: Washington Mutual



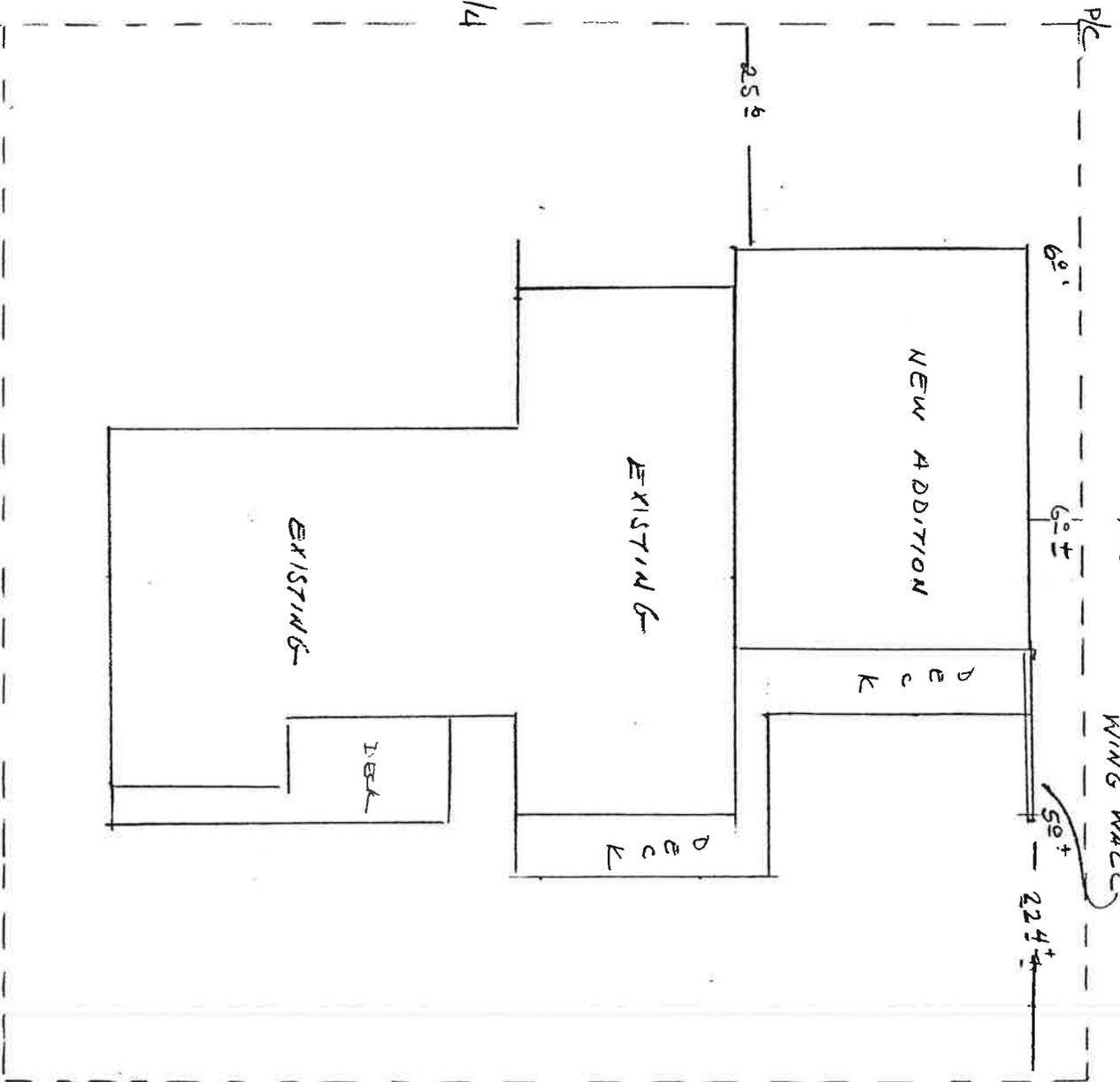
2 ADDITIONAL PARKING SPACES, IF NEEDED



**PARKING SPACE #1**







13th

P/L

P/C

100'0"

WING WALL

6'0"

5'0"

22'4"

NEW ADDITION

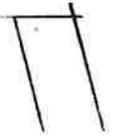
EXISTING

EXISTING

DECK

DECK

DECK



100'0"

#1-16" OEDM. SHIMMER

15# REBT OEDM. GLASS BASE SHEET

5/8" CD X

2X6 DEPT SILC

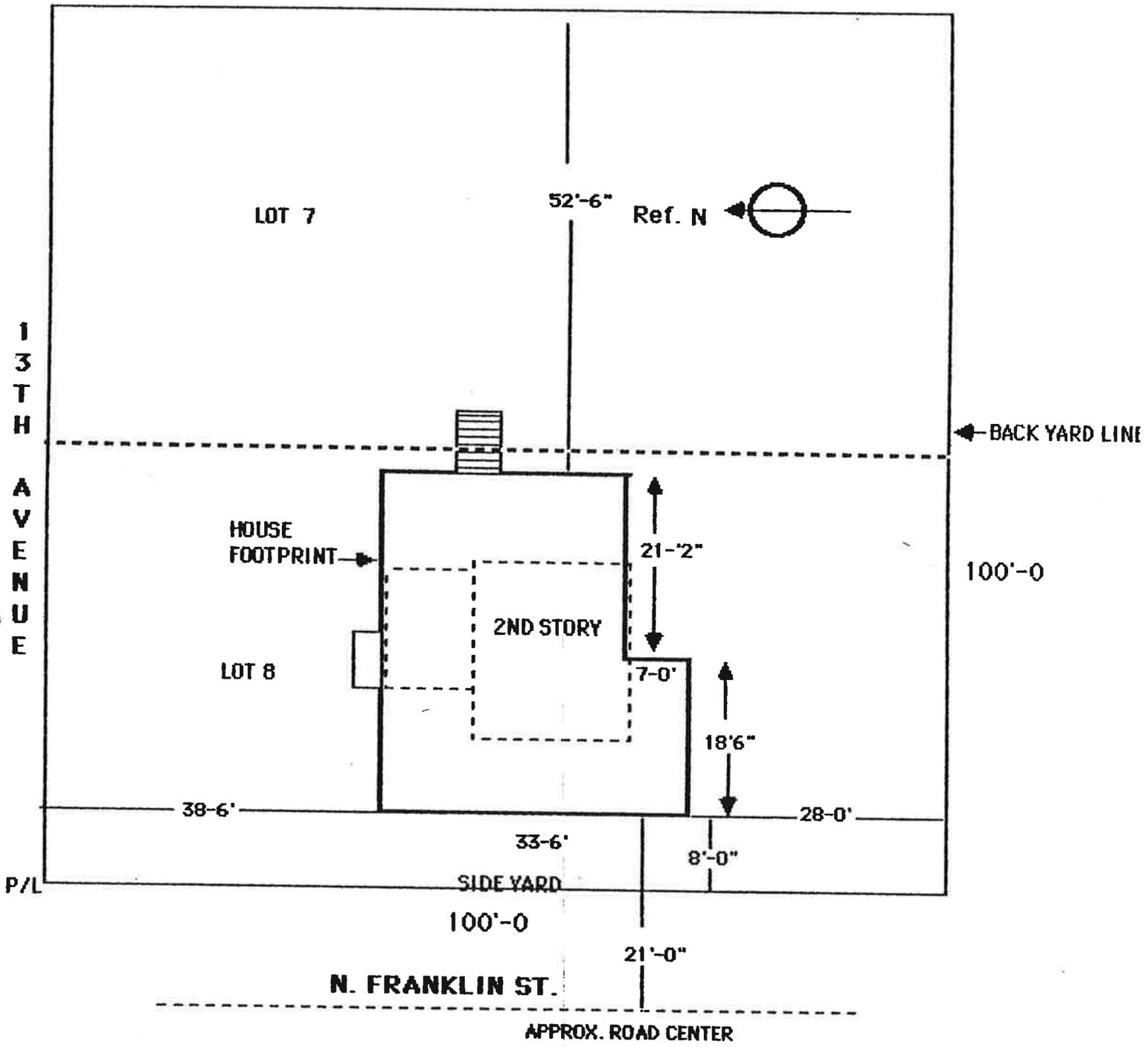
APPROVED

*[Signature]*

10/9/91

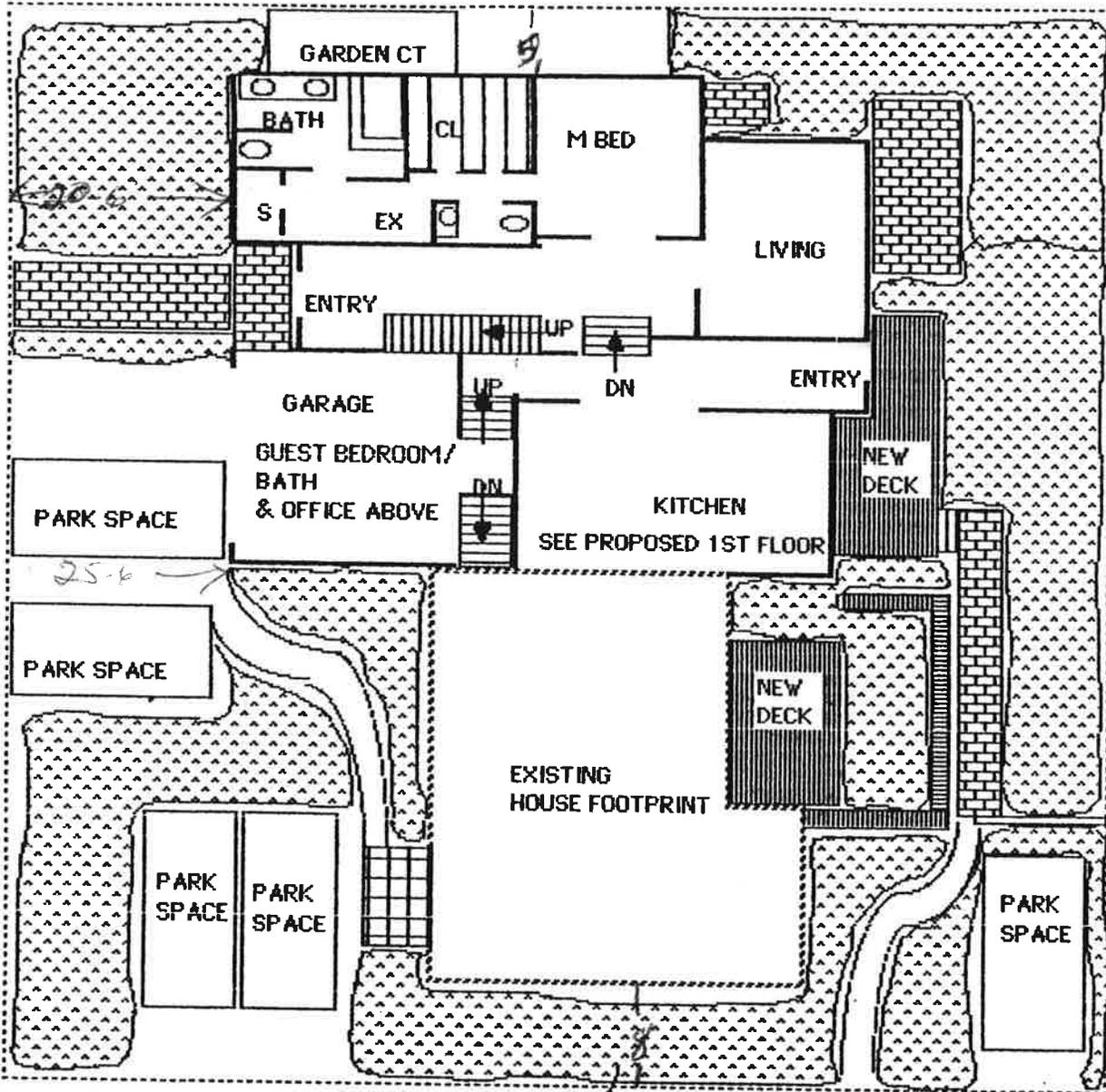
BOARD 11/11

✓ 738-5740



1221 N. FRANKLIN ST. , SEASIDE, OREGON  
SITE PLAN- EXISTING REISIDENCE FOOTPRINT  
SCALE 1/16"= 1'-0"

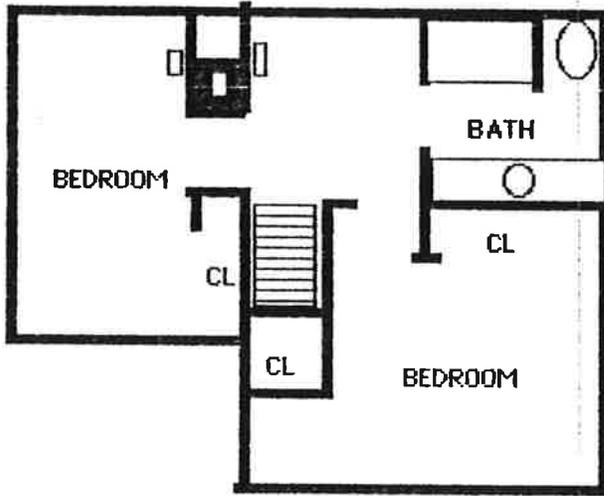
LOT SIZE 10,000 SQUARE FEET, CORNER OF N FRANKLIN AND 13TH  
LOTS RUN NORTH AND SOUTH



LANDSCAPED AREAS  
*N. FRANKLIN*

SITE DEVELOPEMENT PLAN FOR 1221 N FRANKLIN

SCALE 1/16" = 1'-0"



EXISTING 2ND FLOOR PLAN

SCALE 1/8" = 1'-0"



## Seaside Oregon

### Urban Growth Boundary Amendment

Review of ORS 197.298 and Goal 14 Locational  
Factors

**Planning Commission**

**Draft 9/1/2015**

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

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



Otak Project #15012  
August 27, 2015

## Introduction

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

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

The identified mix and quantity of land use types is as follows:

Table 1

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

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

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

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

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

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

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

Following is a description of how these priorities were analyzed.

### Urban Reserves

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

### Adjacent, Non-Resource Lands

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

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

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

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

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

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

Clatsop County Comprehensive Plan: Non-Resource Lands



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

## Resource Lands

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

Resource Lands within our study area include:

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

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

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

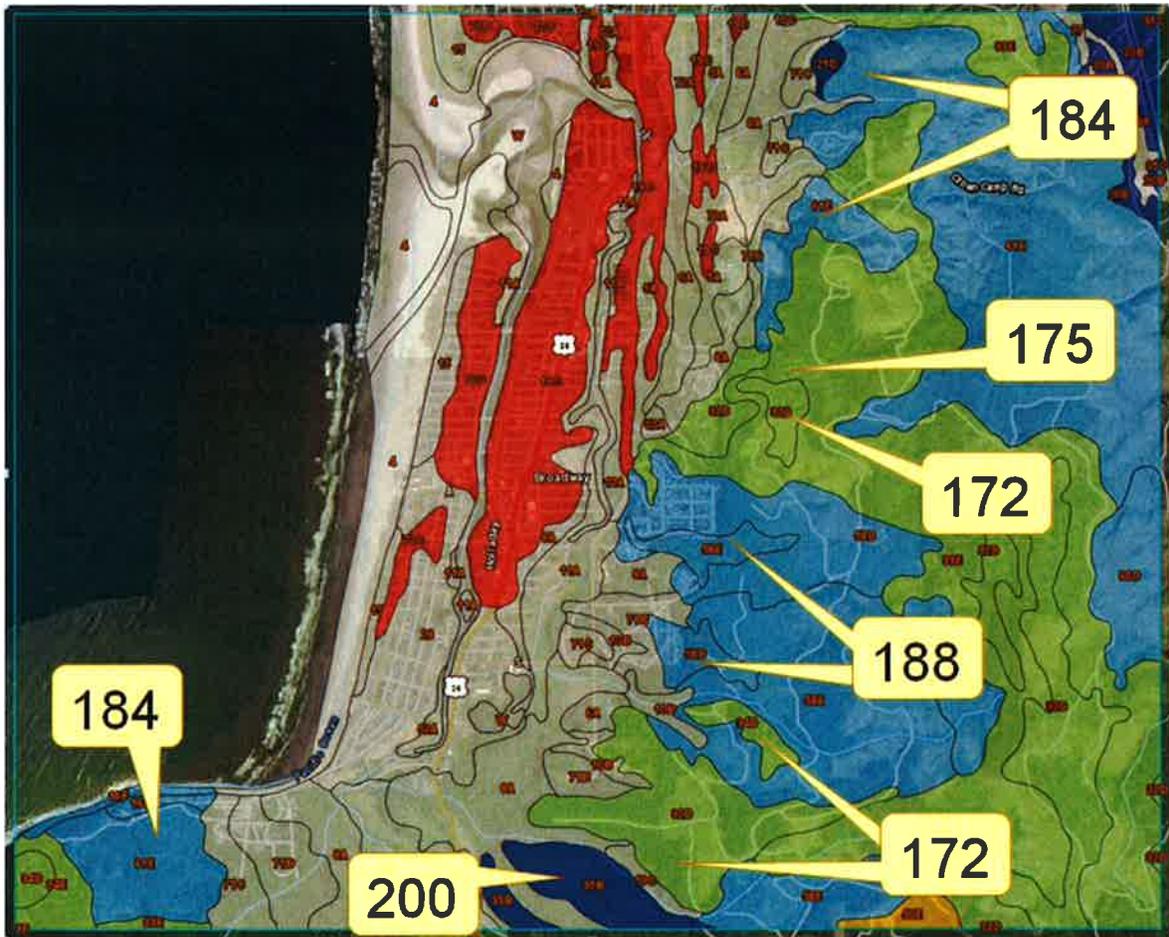
Clatsop County Comprehensive Plan: Resource Lands



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

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

The Natural Resources Conservation Services provides an online tool for viewing the productivity class for most lands within the State, and the US as a whole. The map below shows the information attained from this online tool <http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>



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

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

#### Conclusion: 197.298 Analyses

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

### Locational Factors Evaluation

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

The following analysis considers topographical constraints to examine development capacity for Factor 1. Access to existing street and infrastructure connections is mapped in regard to factor 2. Proximity to public services such as the Hospital, Schools, and the Tsunami Assembly areas, solar aspect are measured to consider factor 3. Factor 4 is analyzed by looking an ownership maps through Clatsop County's GIS servers.

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

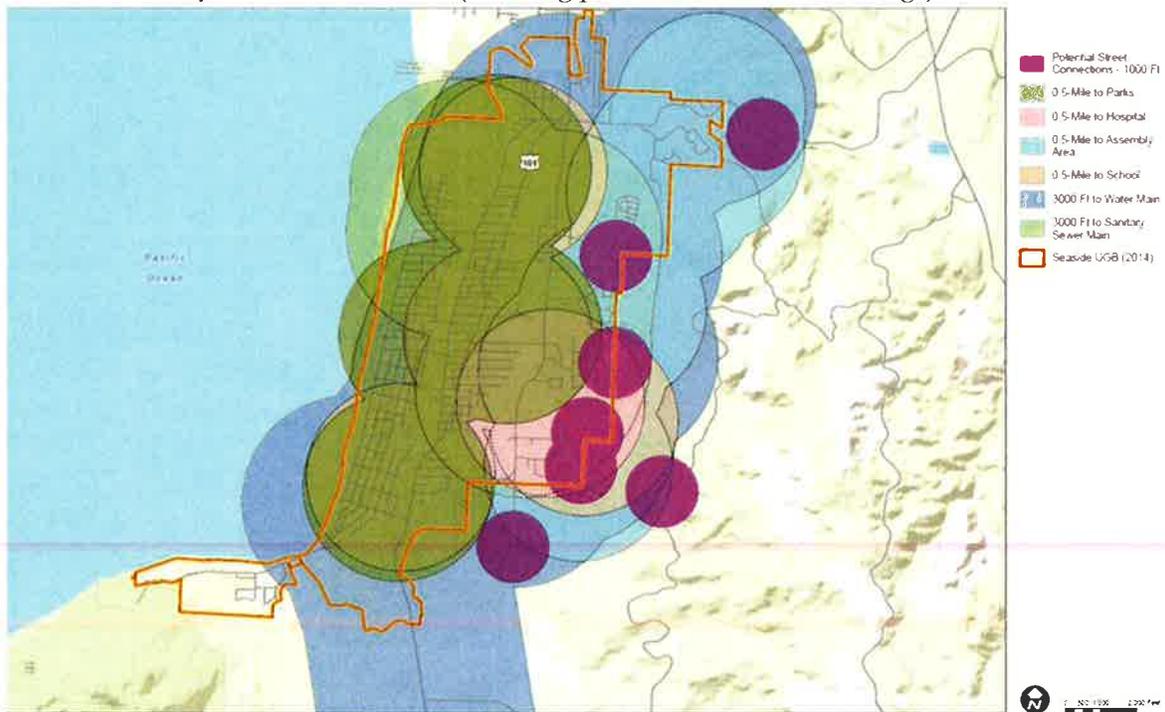
- Positive Conditions – conditions which favor a site or location for urbanization
- Negative Conditions – conditions that limit the urbanization value of a site or location

## Positive Conditions

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

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

- Connections to existing streets
- Distances to
  - Parks
  - The hospital
  - Tsunami assembly areas
  - Schools
- Proximity to Sewer and Water (including potential locations for storage)



Map: Positive Conditions

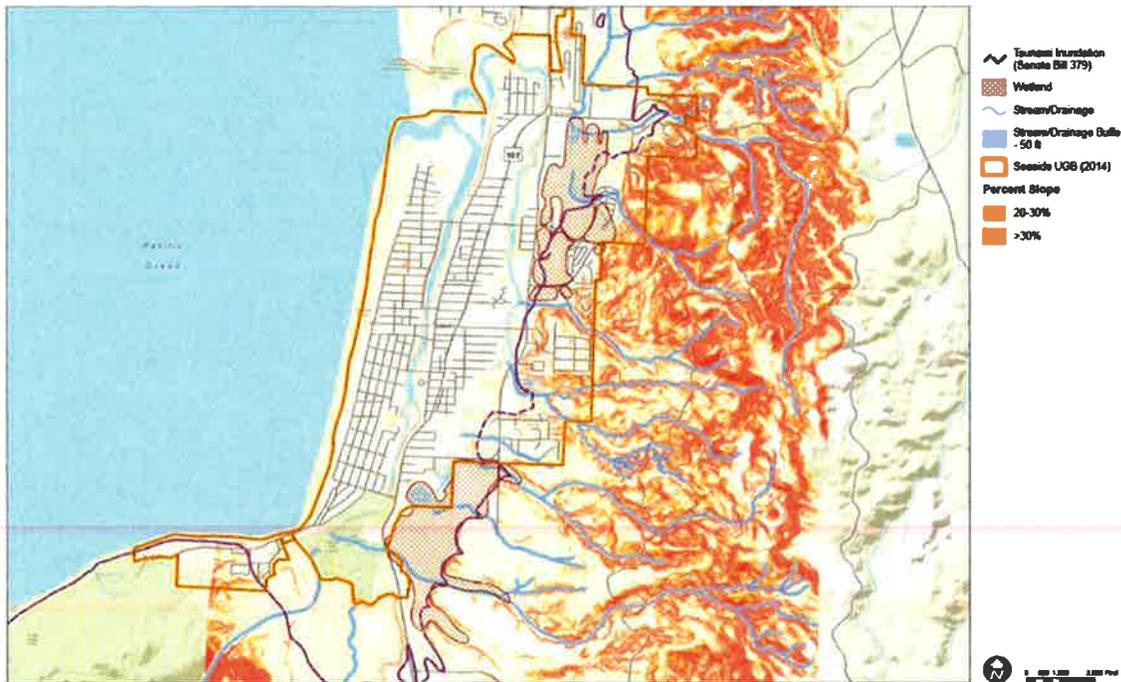
As can be seen many locations have good access to tsunami assembly areas. Access to water and sewer infrastructure is also similar for many locations. The southeastern edge of the City's UGB rises slightly above other areas in terms of access to existing roadway connections, the hospital and the school.

## Negative Conditions

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

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

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

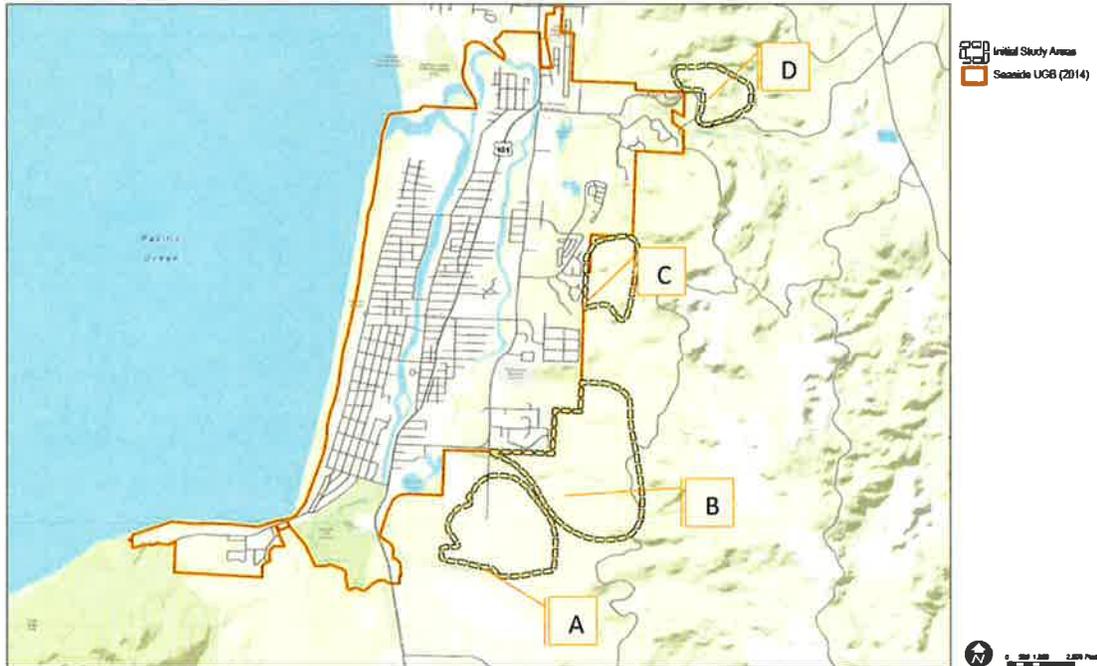


Map: Negative Conditions

The most pronounced negative condition is the wetland areas identified by the County Comprehensive Plan as Conservation Other Resources and from the Oregon Spatial Data Library,

followed closely by topography. The wetlands, combined with the SB379 tsunami inundation line limit the ability of the southern and southeastern most areas in regards to safe and sustainable urbanization. The steep sloping lands to the northeast also limit the ability for urbanization, both in terms of capacity and safety.

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



Map of study areas

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

#### 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.

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

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

#### Site 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 feet. Sewer system upgrades would include extending a main line south in Wahanna Road and pumping it north into the existing city system.
- **Vehicular access.** The area can be served from Wahanna Road. Improvements would include upgrades to Wahanna Road and a series of local loop roads to provide access to the future development areas to the east and west of Wahanna.
- **Site constraints.** Constraints are limited given the absence of steep slopes. The one drainage corridor that traverses the site would need to be protected with adequate buffering in a resource overlay.
- **Logical growth pattern.** The South Hills area is a logical growth area for the city. It is proximate to existing services and extends an existing road, (Wahanna), for easy access to and from the city's major arterial.

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

#### Site C – North Hills.

The North Hills area is approximately 69 acres in size and is located at a higher elevation and east of Shore Terrace Road. Although directly east of the city limits and current UGB, it has no access points or potential utility connection points. It is characterized by steep slopes. There are 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 west of the study area but there are no access easements in place to extend the services uphill to the study area. This site is also somewhat remote from where a future elevation 400 feet water tank would logically be installed.
- **Vehicular access.** The site does not have access to any public roads that could be expanded in a feasible manner to serve the area. The one potential access point on Shore Terrace 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 3 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.

The North hills site contains 25 acres of unconstrained land. It is important to note that while this area is measured at 25 acres, the pattern of the 3 ledges divide the site into separate land areas that are not feasible for future development.

#### Site D – Lewis and Clark Hills.

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

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

- **Site Constraints.** The eastern and northern portions of the study area do contain steep slopes that restrict development and should be preserved. There is also an existing drainage along the eastern and northern edges of the site that will require protective buffers. Potential development area is limited to the southern portion of the site closest to the potential access along Lewis and Clark Road.
- **Logical Growth Pattern.** The site is 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.

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

Table 2

| 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.

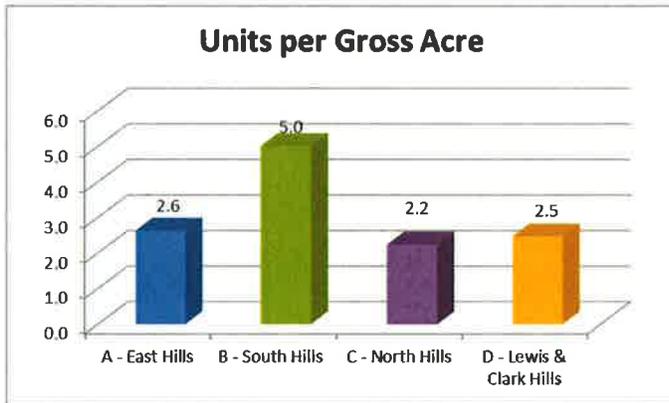
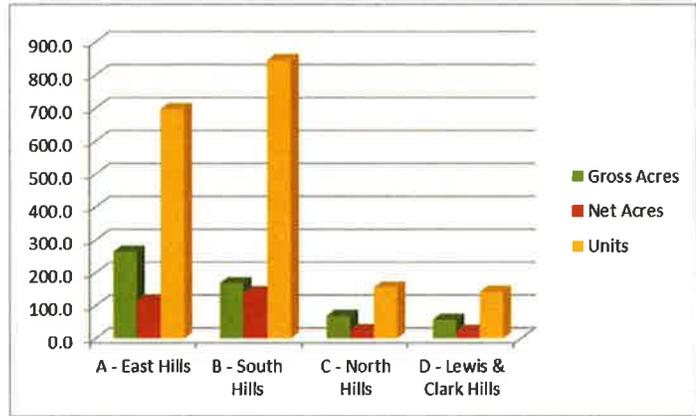
\*\*Non-constrained land area is the leftover acreage after constrained land area is excluded.

## The Location Factors

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

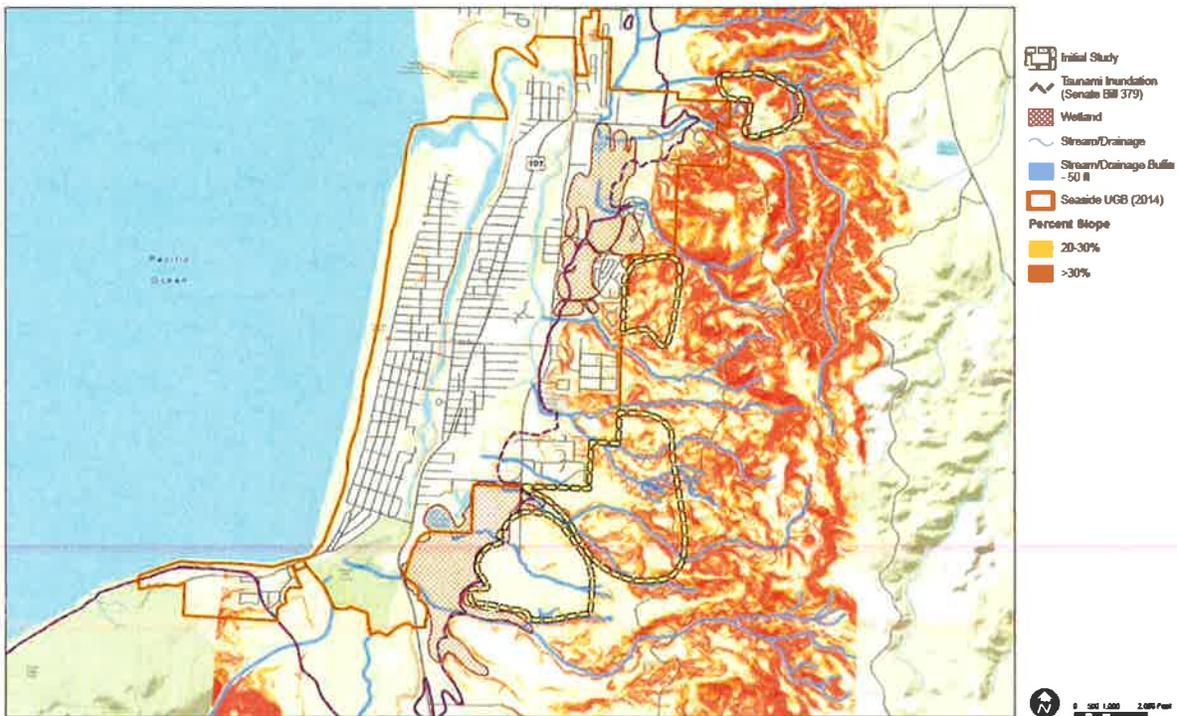
Comparing the housing yield to the amount of land required describes the overall efficiency of the area. Each area was modeled to develop at 6 units per net residential acre. (6 units per net acre is considered standard for cities with fewer than 8,000 population)

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



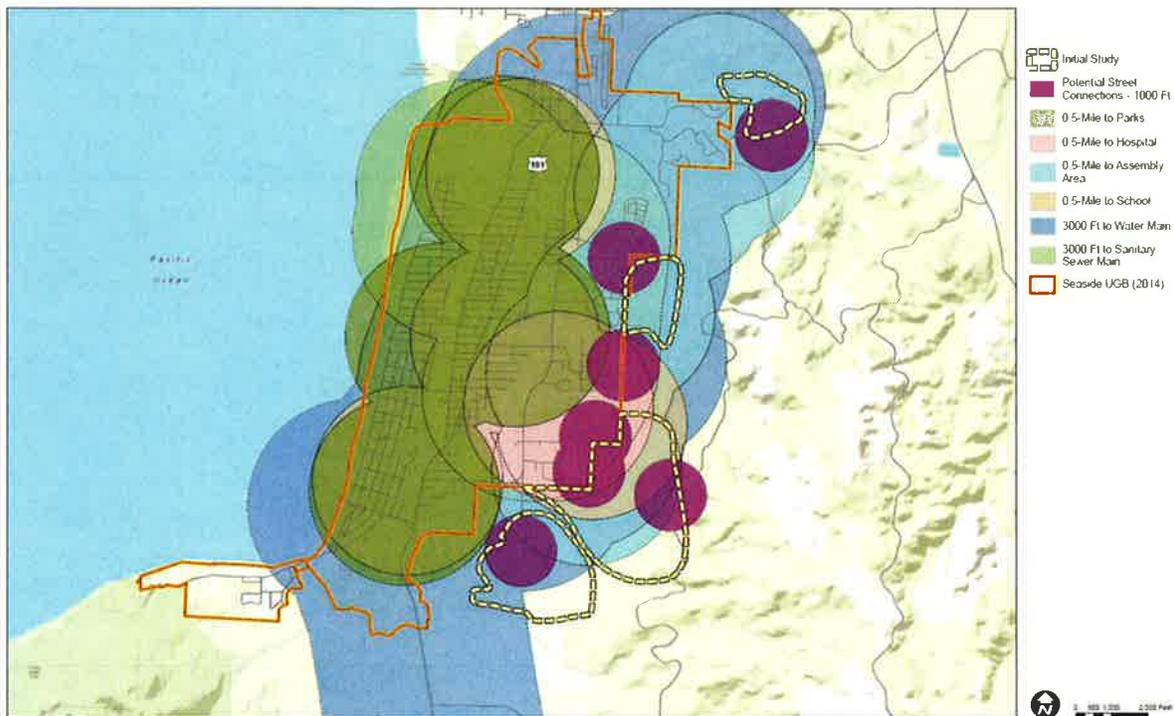
Examined another way, looking at the theoretical units per gross acre tells a similar story, using more conventional metrics. All of the sites were modeled with the same net densities (6 per net acre).

The map below shows that much of the land lost to constraints is a result of the steep nature of the forest land. The southern sites (A and B) fair the best in this analysis



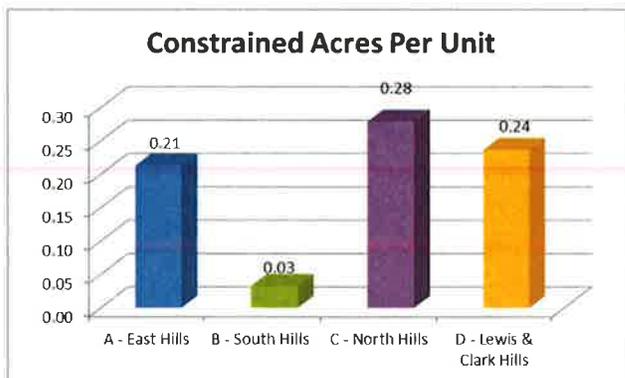
Map: Environmental and topographical considerations

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



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

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



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

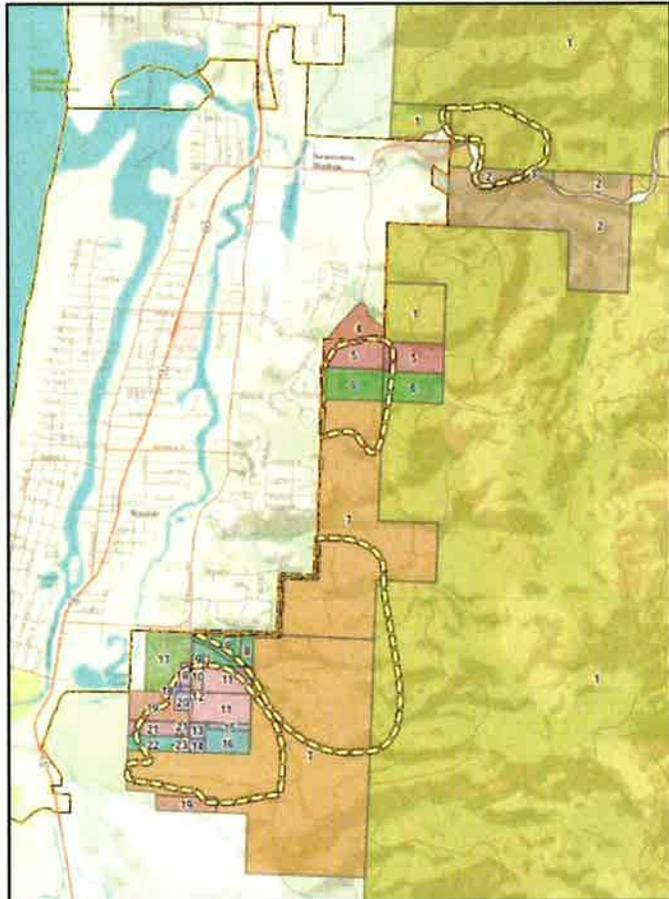


### Growth Trends:

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

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

| Number | Owner                                    |
|--------|------------------------------------------|
| 1      | Lewis & Clark Oregon Timber LLC          |
| 2      | City of Gearhart                         |
| 3      | Clatsop county                           |
| 5      | PDP LLC                                  |
| 6      | Diane Dillard                            |
| 7      | Weyerhaeuser Real Estate Development Co. |
| 19     | Marjorie Stevens                         |

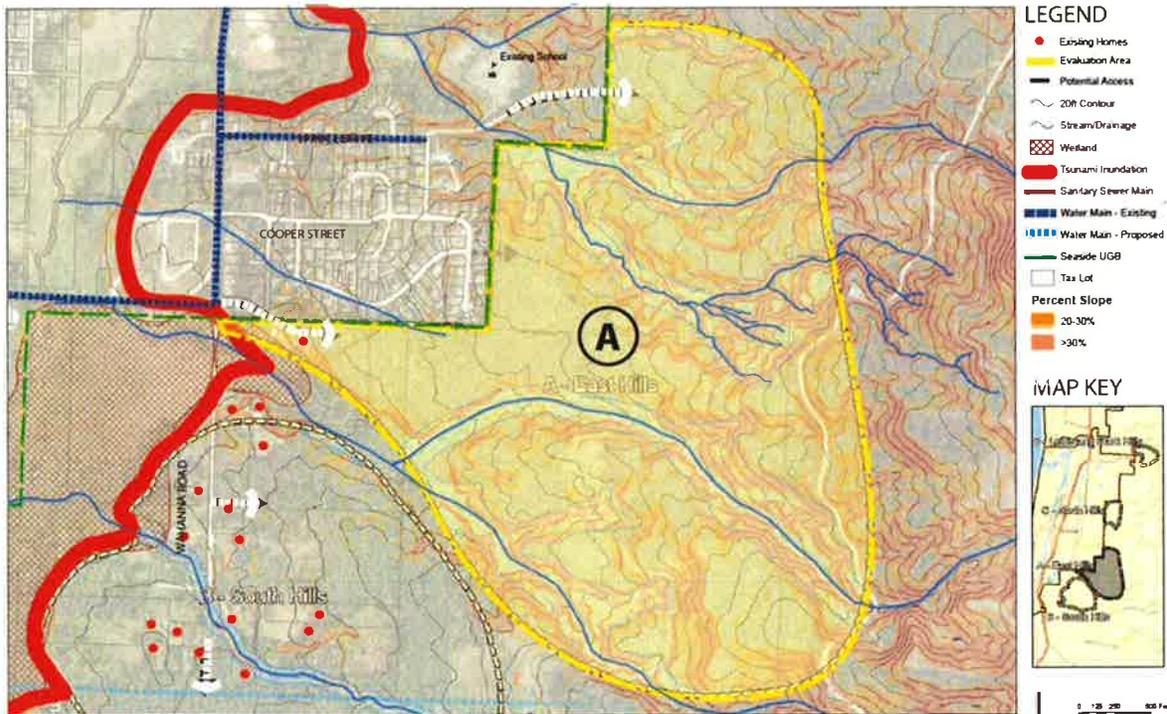


Of the four study areas the South Hills (Site A) is adjacent to 1 primary owner - Lewis and Clark LLC, who has expressed supportive for future development, plus one smaller AF parcel owned by Marjorie Stevens. The East Hills (Site B) is adjacent to 1 primary owner - Lewis and Clark LLC, the same who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

## Site by Site Summary

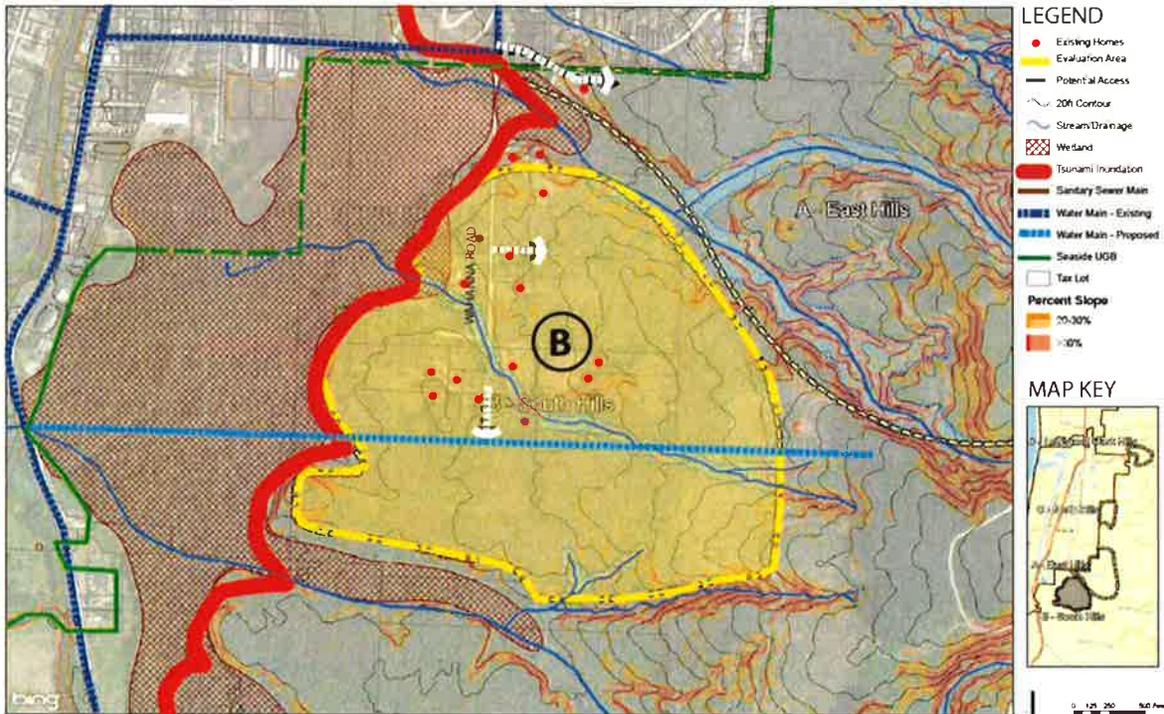
With the overall analysis considered, each site is evaluated below based on the above locational factors.

Site A – East Hills



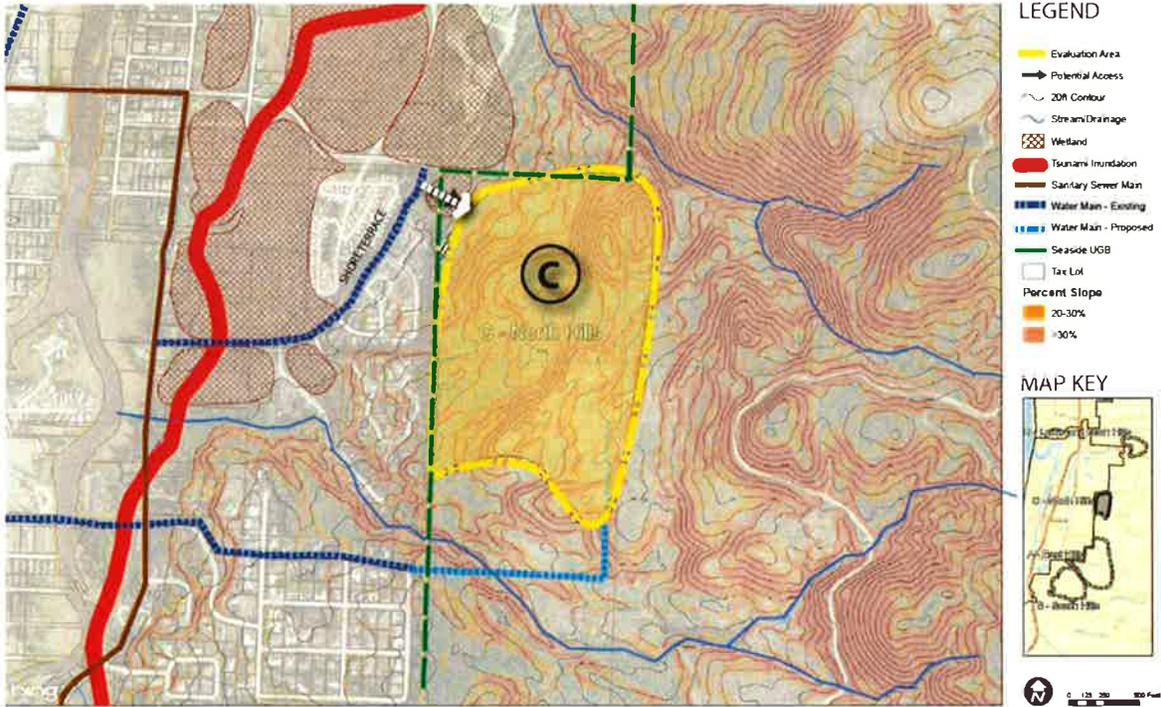
| Site/Factor                              | A – East Hills                                                                                                                                                                                                                                                 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

## Site B – South Hills



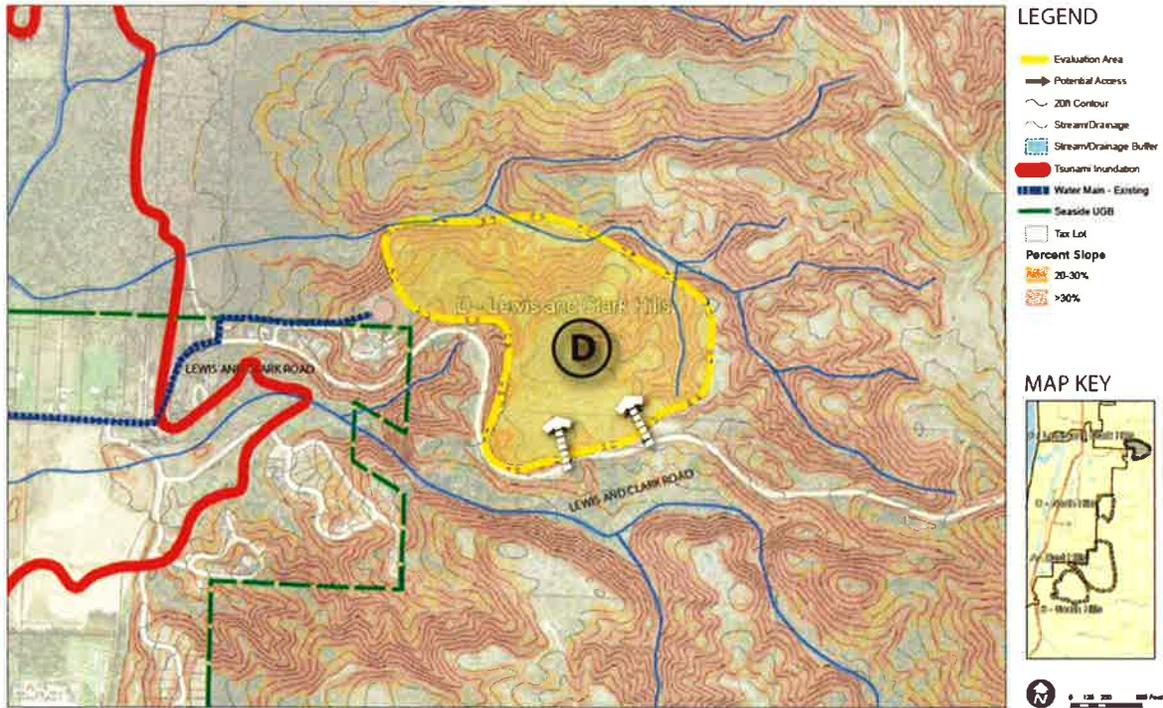
| Site/Factor                              | B – South Hills                                                                                                                                                                                                                                                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

Site C - North Hills



| Site/Factor                              | C – South Hills                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Efficient Accommodation                  | <ul style="list-style-type: none"> <li>• Smaller site (69.3 acres) may provide some mixed housing types, but the range would be relatively narrow</li> <li>• Can accommodate housing, but not likely suitable for jobs.</li> <li>• Lowest yield in terms of potential units per gross acre (2.2 units)</li> </ul>                                                                                                                                            |
| Orderly, efficient provision of services | <ul style="list-style-type: none"> <li>• Single access location potentially compromised by wetlands, second access would need to go outside of UGB</li> <li>• Gravity sewer capable</li> <li>• Hookup to existing infrastructure to supply fresh water</li> <li>• Located above Skyline Drive Tsunami gathering location</li> <li>• Steep terrain may require additional infrastructure expense</li> <li>• Most constrained acres per unit (0.28)</li> </ul> |
| Environment, energy, economic and social | <ul style="list-style-type: none"> <li>• Gravity sewer minimizes need pumping</li> <li>• West and Northwest exposure provides minimal solar access</li> <li>• Limited connections to roadway and trail network could lengthen trip length and limit walking and biking</li> <li>• Elevation above tsunami zone preserves life</li> </ul>                                                                                                                     |
| Compatibility                            | <ul style="list-style-type: none"> <li>• Three different adjacent forest owners could require additional coordination.</li> <li>• Recently logged, minimal conflict</li> </ul>                                                                                                                                                                                                                                                                               |

## Site D Lewis and Clark Hills



| Site/Factor                              | D – Lewis & Clark Hills                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Efficient Accommodation                  | <ul style="list-style-type: none"> <li>• Smallest site (57.4 acres) may provide some mixed housing types, but the range would be relatively narrow</li> <li>• Can accommodate housing, but not likely suitable for jobs.</li> <li>• Second lowest yield in terms of potential units per gross acre (2.5 units)</li> </ul>                                                                       |
| Orderly, efficient provision of services | <ul style="list-style-type: none"> <li>• Access locations would be outside of UGB</li> <li>• Gravity sewer capable</li> <li>• Hookup to existing infrastructure to supply fresh water for homes and fire suppression</li> <li>• Contains Tsunami gathering location on Royal View.</li> <li>• 58% of land environmentally constrained</li> </ul>                                                |
| Environment, energy, economic and social | <ul style="list-style-type: none"> <li>• Gravity sewer minimizes need pumping</li> <li>• Large portion of site with southern exposure for solar access</li> <li>• Limited connections to roadway and trail network could lengthen trip length and limit walking and biking</li> <li>• Elevation above tsunami zone preserves life</li> <li>• 58% of land environmentally constrained</li> </ul> |
| Compatibility                            | <ul style="list-style-type: none"> <li>• Two different adjacent forest owners could require additional coordination. Lewis &amp; Clark and City of Gearhart</li> </ul>                                                                                                                                                                                                                          |

The following table provides an at-a-glance summary of the comparison between the sites.

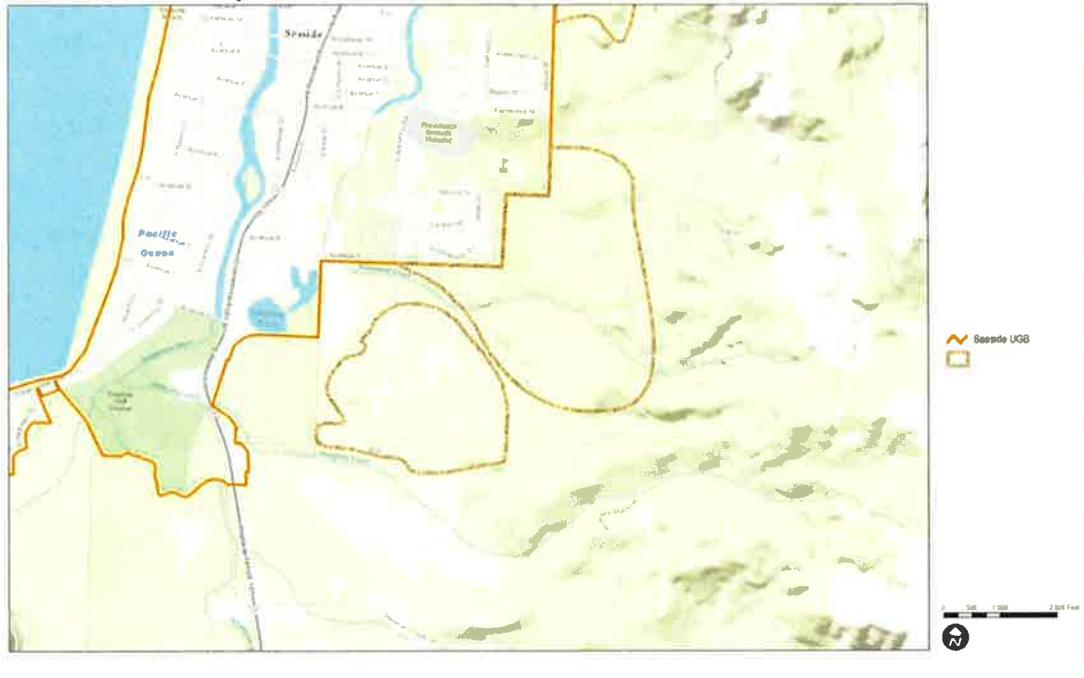
| <b>Site/Factor</b>                       | <b>A – East Hills</b> | <b>B – South Hills</b> | <b>C – North Hills</b> | <b>D – Lewis &amp; Clark Hills</b> |
|------------------------------------------|-----------------------|------------------------|------------------------|------------------------------------|
| Efficient Accommodation                  | Good                  | Best                   | Fair                   | Fair                               |
| Orderly, efficient provision of services | Better                | Best                   | Poor                   | Fair                               |
| Environment, energy, economic            | Good                  | Best                   | Fair                   | Fair                               |
| Compatibility                            | Best                  | Best                   | Good                   | Good                               |

## Refinement of Study Areas

The four site study areas were reviewed in detail with the Seaside Planning Director and Public Works Director. The study areas were also presented and discussed with both the Seaside Planning Commission and 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

South and East Hills Study Areas



The following describes potential performance of the combined area.:

- **Land need.** Combining the two areas means that there are more than 430 acres of land from which to select locations for future UGB inclusion. With an established land need of roughly 200 acres (detailed below), there is adequate land within the area for identifying the best lands for inclusion.

Table 3

| Land Use Type     | Gross Acreage Needed |
|-------------------|----------------------|
| Residential       | 154.6                |
| Employment        | 35.6                 |
| Parks             | 10.6                 |
| <b>Total Need</b> | <b>200.8</b>         |

After selecting the needed 200.8 acres, the remaining lands would stay outside of the UGB with continuation of their Goal 4 and 5 protections through Clatsop County’s comprehensive plan.

- **Access/circulation.** Primary access could be provided by an extension and improvement of Wahanna Road south of Avenue S. This expansion would also likely entail reconstructing the Avenue S intersection at Wahanna to improve safety. Three emergency vehicle access (EVA) points are in proximity. One is located directly east of Cooper Street and will also serve as a pedestrian link. Two are located uphill and connect to the existing mainline tree farm road.

- **Open space/natural resource areas.** Seaside’s Parks Master Plan was based on a 2003 population estimate of 6,040 people. The 2032 population forecasted in by the Goal 10 analysis is 8,215. To serve a population of 8,215 people at a Level of Service of 3 acres of developed park per 1,000 residents, the City of Seaside would need 24.65 acres of developed parks. Subtracting the current inventory of 14.05 acres of park, this leaves a 20-year need for 10.6 acres of new parks. There is ample room within the area to accommodate some or all of this need.

The Seaside comprehensive plan states that “All rivers and streams with a perennial flow are considered to be sensitive fish habitat areas. The most important species that these rivers and streams support are: Coho and Chinook salmon, Steelhead, sea-run Cutthroat and Rainbow trout.” The combined Southeast Hills area is encumbered by perennial streams. Several options exist for treatment of these resources, two are:

- a. To minimize UGB expansion, the final boundary of the amendment area could exclude these streams to the extent practicable. They would therefore remain as Conservation Forest Lands within Clatsop County’s comprehensive plan and be subject to existing regulations for protection and facilitation of forestry practices.
- b. Stream areas could be included in the UGB amendment with the expectation that they be protected from development by the City of Seaside. The City has a designation of OPR that could be assigned for protection. The Goal 5 safe harbor specifies a 50 buffer from the centerline of streams for consideration as non-buildable, accordingly an OPR, or similar designation could be applied to this geography, or another protection method put in place.

Wetlands are also present in the study area. To the extent feasible, these areas should not be included in the boundary amendment so as to prevent urbanization. If wetlands are included in the boundary amendment the City may need to expand its Goal 5 mapping through site research. If it is deemed necessary to include lands in the amendment area for which no urban development is desired, the City could apply any of a number of tools, such as code provisions that would preclude any subsequent actions that would allow development on said lands.

- **Provision of infrastructure.** Development of land within the selected study area 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.

The summary response to the locational factors for the joint South and East Hills study area is summarized in the table on the following page.

| Site/Factor                              | Proposed UGB Amendment Area                                                                                                                                                                                                                                                                                                                                                                     |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Efficient Accommodation                  | <ul style="list-style-type: none"> <li>• Satisfies complete need for housing, jobs and recreation within one site</li> <li>• Allows for a range of housing types to serve diverse needs of residents</li> <li>• Respectable yield in terms of potential units per gross acre</li> </ul>                                                                                                         |
| Orderly, efficient provision of services | <ul style="list-style-type: none"> <li>• Multiple roadway access locations</li> <li>• Gravity sewer capable</li> <li>• Uniquely situated for service by new reservoir to supply fresh water and fire suppression</li> <li>• Located above and near Tsunami gathering spot on Huckleberry</li> </ul>                                                                                             |
| Environment, energy, economic and social | <ul style="list-style-type: none"> <li>• Gravity sewer minimizes need pumping</li> <li>• South and West exposure provides good solar access</li> <li>• Multiple connections to roadway and trail network reduces trip length and supports walking and biking</li> <li>• Elevation above tsunami zone preserves life</li> <li>• Continues with recent city growth direction toward SW</li> </ul> |
| Compatibility                            | <ul style="list-style-type: none"> <li>• Adjacent forest owner, Lewis &amp; Clark LLC is supportive of urban development within the site.</li> </ul>                                                                                                                                                                                                                                            |

## Next Steps

The Southeast Hills study area should undergo refinement planning. This planning should:

- Identify appropriate lands for the identified housing and job needs
- Designate said lands into residential density categories (high, medium, and low) and employment categories (industrial and institutional)
- Identify a location, or locations of needed park infrastructure to serve the additional community needs
- Develop a strategy for addressing natural habitat areas either through exclusion from the amendment or protection via Seaside's comprehensive plan and implementing ordinances
- Identify the smallest expansion area that satisfies the need for land and efficient provision of infrastructure

To date, two draft proposals for the UGB expansion have been discussed by the City of Seaside's Planning Commission. During this process revisions to the map are being considered to better address comments from DLCD, consultation with 1,000 Friends of Oregon and concerns related to tsunami inundation mapping and overall community character.

The UGB and Comprehensive Plan amendments will continue to progress through the public hearing process and then need to be adopted by the City Council, and acknowledged by the Land Conservation and Development Commission. City of Seaside annexations/ zoning would occur incrementally as land owners opt to develop their lands.