

SEASIDE PLANNING COMMISSION AGENDA
989 Broadway - City Hall Council Chambers
October 1, 2013
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:** September 3, 2013
6. **PUBLIC HEARING:**

A.) 13-030VRD is a request by Oliver Goe for a **three** (3) bedroom Vacation Rental Dwelling Permit with a maximum occupancy of not more than **nine** people. The property is located at **1176 Beach Drive** and it is zoned High Density Residential (R-2).

B.) 13-033VRD is a request by Mike Meyers for a **four** (4) bedroom Vacation Rental Dwelling Permit with a maximum occupancy of not more than **ten** people. The property is located at **781 Beach Drive** and it is zoned High Density Residential (R-2).

7. **ORDINANCE ADMINISTRATION:**
8. **PUBLIC COMMENTS:** Not related to specific agenda items:
9. **PLANNING COMMISSION & STAFF COMMENTS:**
10. **ADJOURNMENT**

MINUTES SEASIDE PLANNING COMMISSION
September 3, 2013

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

PLEDGE OF ALLEGIANCE

ATTENDANCE: Commissioners present: Virginia Dideum, Ray Romine, Tom Horning, Bill Carpenter, and Dick Ridout, Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director, Absent: Steve Winters and 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: Motion to approve the August 6, 2013 minutes;
Commissioner Carpenter made a motion to approve the minutes as submitted. Commissioner Horning seconded. The motion was carried unanimously.

PUBLIC HEARING REQUIREMENTS:

The following public hearing statements were read by Chair Romine:

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

PUBLIC HEARING:

A.) 13-027VRD is a request by Lyle Singular and Valerie Bouey for a **two (2)** bedroom Vacation Rental Dwelling Permit with a maximum occupancy of not more than **6** people. The property is located at **430 13th Avenue** and it is zoned Medium Density Residential (R-2).

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

Chair Romine asked if there was anyone who would like to offer testimony in favor of the request. Erin Barker – 800 N Roosevelt, Seaside. Erin has parking maps that she gives to each tenant and a notice that says if they do not park in the designated area they will be fined \$100.00 if they park on the street. Most people will park in front of the home to unload and then drive their cars around back for parking. Mr. Simpson has just sold the property and has some concerns regarding the paving of the parking area because it may cause standing water in the back. Right now the way the parking area is the water just goes straight into the ground and doesn't run off into the neighbor's yard. Mr. Simpson has remodeled the interior and exterior of the home.

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

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

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

Vice Chair Dideum asked about the parking on the street. Erin Barker stated that that is only to load and unload but they will be handed the parking map so they'll know how to access the designated parking on site.

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

Commissioner Carpenter seconded and the motion was carried unanimously.

ORDINANCE ADMINISTRATION: None.

COMMENTS FROM THE PUBLIC: None.

COMMENTS FROM COMMISSION/STAFF: Commissioner Ridout didn't know that it was a requirement to pave driveways for vacation rentals. Mr Cupples stated that it is a requirement for a change in use. Since this was previously licensed as a vacation rental they would not be required to to pave the driveway.

ADJOURNMENT: Adjourned at 7:25 pm.

Ray Romine, Chairperson

Debbie Kenyon, Admin. Assistant

To: Seaside Planning Commission
From: Administrative Assistant, Debbie Kenyon
Date: September 24, 2013
Applicant/: Oliver Goe: 446 W Lawrence, Helena, MT 59601
Owners: Roger Waller: 1176 Beach Drive, Seaside, OR 97138
Location: 1176 Beach Dr., T6-R10-S 21DB TL#15401
Subject: Conditional Use 13-030VRD; Vacation Rental Dwelling Permit

REQUEST:

The applicants are requesting a conditional use that will allow the establishment of a Vacation Rental Dwelling (VRD) at **1176 Beach Dr.** The subject property is zoned **Medium Density Residential (R-2)** and the **applicants** are requesting a maximum occupancy of **nine** within the existing **four** bedroom dwelling.

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

DECISION CRITERIA, FINDINGS AND CONCLUSIONS:

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

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

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

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

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

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

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

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

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

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

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

FINDINGS & JUSTIFICATION STATEMENTS:

1. The applicant is requesting a conditional use that will allow the establishment of a Vacation Rental Dwelling (VRD) at **1176 Beach Drive**. The subject property is zoned **Medium Density Residential (R-2)** and the **applicants are** requesting a maximum occupancy of **nine** within the existing **four** bedroom dwelling.

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

- a. The applicant's plot plan indicates there are **three** off-street parking spaces that are available on the site. **Two are located in the garage and one is along side the garage.**
- b. The existing **four** bedroom residence will have a limited occupancy of **nine (9) people**. This occupancy is below the 12 person occupancy permitted under the zoning ordinance based on the availability of parking.
- c. The plot plan shows that parking will not take up more than 50% of the front, side or rear yard areas.
- d. **Oceanside Vacation Rentals (43 N Holladay Dr., Seaside, OR 97138) will be the local manager for the VRD. Sharon Rauwolf will be the**

local contact for the VRD **and she can be reached at (503) 738-7767 during normal business hours or by cell phone at (503) 717-3483 after hours.**

- e. **The applicants** have read all of the standards and conditions applicable to VRDs.
2. The proposed VRD is located within a developed residential neighborhood primarily consisting of single family dwellings. Currently **45%** of the surrounding properties 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. VRDs are a conditionally permitted use in the R-2 zone.
5. The city's noise ordinance provisions apply to VRDs and non VRD's alike. Whereas noise complaints are generally reported to the police for follow-up, VRD's are required to have a local responsible party that can help address issues, if and when they arise.
6. The proposed use is located within the tsunami inundation zone identified by the State of Oregon.
7. 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."
8. The property **has** undergone a preliminary compliance inspection. All of the corrections noted during the inspection must be completed and approved by final inspection prior to any transient rental of the property under this permit.

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 (**13-030 VRD**) and reflected on the City of Seaside Business License. The license is not

valid until the appropriate occupancy has been established by the approval of a final compliance inspection by the Community Development Department.

2. **Parking spaces: Three off-street parking spaces (9' X 18' per space) are required on site.** These spaces shall be permanently maintained and available on-site for use by the vacation rental occupants. Vacation Rental Dwelling (VRD) tenants are required to park in the spaces provided on site for the VRD. No on-street parking associated with this VRD is allowed at this location. Vehicles parked at VRDs may not project over the sidewalk and block pedestrian traffic. A parking map shall be posted inside the dwelling for the VRD tenants.
3. **Maximum number of occupants: Nine 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. To prevent parking in the graveled area in front of the dwelling, additional landscaping will need to be added.
6. **Local Contact: Oceanside Vacation Rentals (43 N Holladay, Seaside, OR 97138) will be the local manager for the VRD. Sharon Rauwolf will be the local contact for the VRD and she can be reached at (503) 738-7767 during normal business hours or by cell phone at (503) 717-3483 after hours.** The contact person must be available 24 hours a day to address compliance issues while the property is rented. Upon any change in the local contact, the owner must provide formal notice of the updated contact information to the City and all of the neighboring property owners within 100'. **Managers** are required to notify the City any time they stop representing a VRD.

Local contact information is available at the Community Development Department (503) 738-7100, City Hall (503) 738-5511, or after business hours at the Seaside Police Department (503) 738-6311.
7. **Compatibility:** A VRD will be compatible with the surrounding land uses and shall not contribute to excessive parking congestion on site or along adjacent streets.
8. **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.

- 9. 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.**
- 10. 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.
- 11. 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.
- 12. 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.
- 13. 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.
- 14. 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 5th calendar year. If the re-inspection is not completed during the 5th year, the permit will expire and a new

VRD application must be approved prior to obtaining a new business license for the 6th calendar year. Compliance with the re-inspection requirements will reauthorize the VRD for an additional 5 calendar years.

15. Tsunami Information & Weather Radio: The owner shall post or otherwise provide a tsunami evacuation map in a conspicuous location within the VRD. In addition, a NOAA weather radio, with automatic alert capabilities, must be permanently affixed in a central part of the VRD along with an informational sheet that summarizes the warning capabilities of the radio in the event of a distant tsunami.

16. 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 **13-030VRD** allowing the establishment of a Vacation Rental Dwelling (VRD) with a maximum occupancy of **nine (9)** at **1176 Beach Drive**. This decision can be supported by the Commission adopting the findings, justification statements, and conclusions in this report subject to the previously stated conditions.

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

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

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

Attachments: Applicant's Submittal



City of Seaside, Planning Department

989 Broadway, Seaside, OR 97138 (503) 738-7100 Fax (503) 738-8766

Land Use Application

Kevin Cupples, Director

PLEASE PRINT OR TYPE

NAME OF APPLICANT Oliver Goe	ADDRESS 446 W Lawrence Helena	ZIP CODE Mt. 59601
STREET ADDRESS OR LOCATION OF PROPERTY		

ZONE R-2	OVERLAY ZONES nr	TOWNSHIP 6	RANGE 10	SECTION 21 DB	TAX LOT 15401
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PROPOSED USE OF PROPERTY AND PURPOSE OF APPLICATION(S):

Vacation Rental Dwelling

(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 Roger D Walker	PRINT NAME OF APPLICANT/REPRESENTATIVE Oliver Goe
ADDRESS 1176 Beach Dr	ADDRESS 446 W. Lawrence Helena Mt. 59601
PHONE / FAX / EMAIL 503-739-0238 - cell	PHONE / FAX / EMAIL 406-461-6985 (cell)
SIGNATURE OF PROPERTY OWNER <i>Roger D Walker</i>	SIGNATURE OF DULY AUTHORIZED APPLICANT/REPRESENTATIVE <i>Oliver Goe</i>

CHECK TYPE OF PERMIT REQUESTED:

- CONDITIONAL USE
- LANDSCAPE/ACCESS REVIEW
- MAJOR PARTITION
- MINOR PARTITION
- NON CONFORMING
- PLANNED DEVELOPMENT
- PROPERTY LINE ADJUSTMENT
- SETBACK REDUCTION
- SUBDIVISION
- TEMPORARY USE
- VACATION RENTAL
- VARIANCE
- ZONING CODE AMENDMENT
- ZONING MAP AMENDMENT
- APPEAL

PLANNING DEPARTMENT USE:	
DATE ACCEPTED AS COMPLETE	BY
8-24-13	8-24-13
CASE NUMBER (S)	
13-030 VRD	
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: Oliver Goe
2. Mailing Address: 446 W. Lawrence Helena Mt. 59601
3. Telephone #: Home (406) 461-6985 Work (406) 443-6820 Fax 406-443-6882
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: 1176 Beach Dr Seaside Or.
6. Tax Map Ref.: Township 6, Range 10, Section 21 DB, Tax lot # 15401
7. What is the total number of off-street parking spaces (9' X 18') that will be available for VRD occupant use? 3 The VRD ordinance states: One 9' X 18' off-street space will be provided for each bedroom in the unit, but in no event shall fewer than two spaces be provided.
8. How many bedrooms are in the dwelling? 4 Is the applicant requesting that all the bedrooms be used to calculate the maximum occupancy, and if not, how many are being proposed? 3 Please multiply the last number by three (3) to indicate the requested maximum occupancy for the VRD 9. The VRD ordinance states: The maximum number of occupants cannot exceed three persons (over the age of three) per bedroom. The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations. The number of overnight renters or the maximum number of occupants may be reduced by the Code Enforcement Officer or Fire Marshal at the time of inspection for valid code reasons.
9. All off street parking spaces must be clearly indicated on the applicant's site plan. Will the existing parking spaces or any planned expansion of parking take

oliver@BKBH.COM

ORIGINAL

VRD Application updated 5-5-11

20
100
430
550

9626

CITY OF SEASIDE

AUG 22 2013

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:

Sharon Radwolf Phone # 503.738.7767 Address: 43 N. Holladay Drive Seaside OR. 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:

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: Oliver Gop Date: 8/22/13
My Realtor Barbara Scott will act as authorized representative if
Property goes to planning commission.
~~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 ~~~~~

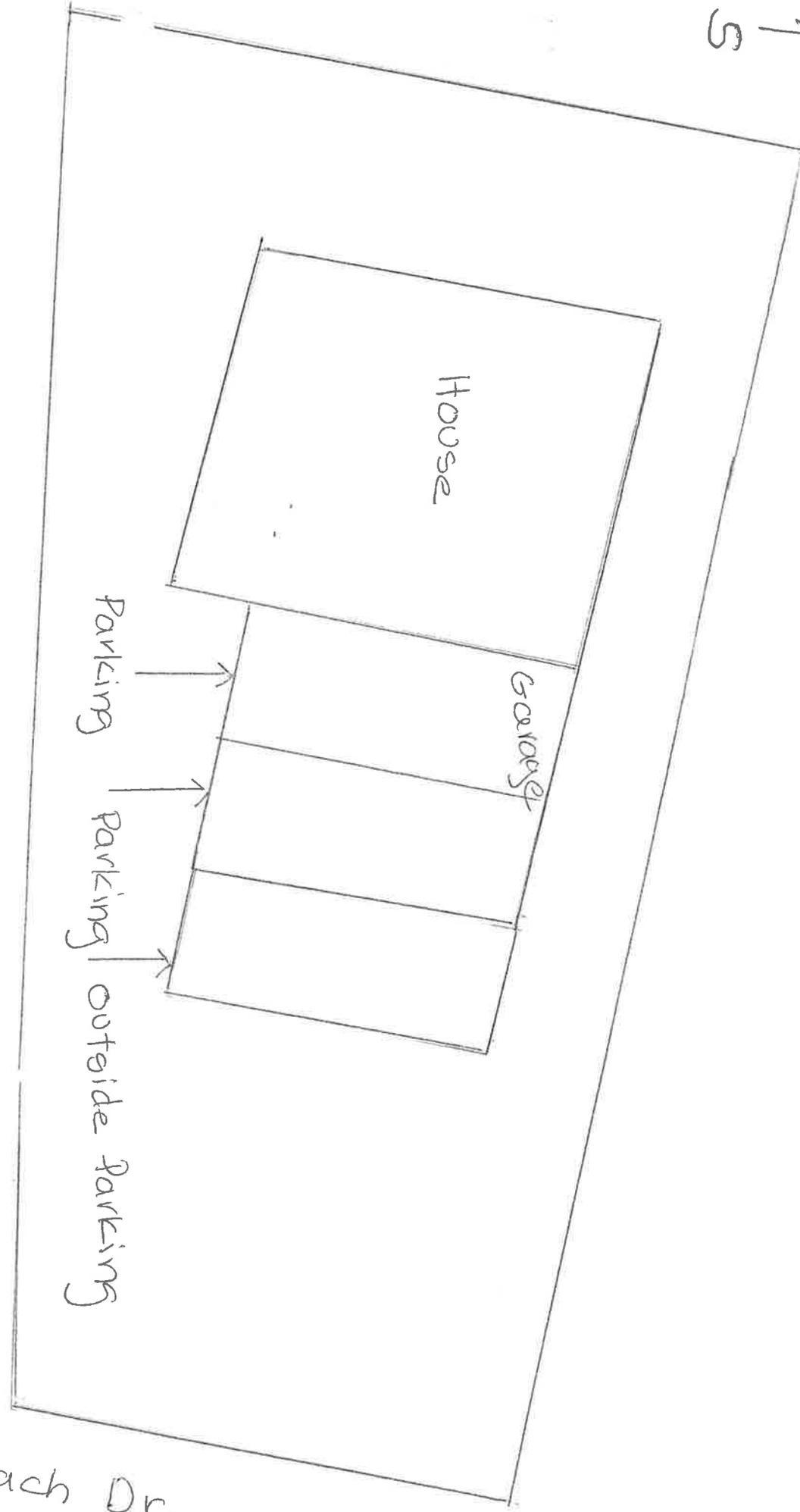
Date application was received at Community Development: \_\_\_\_\_

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

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

N  
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Parking Map  
1176 Beach Dr

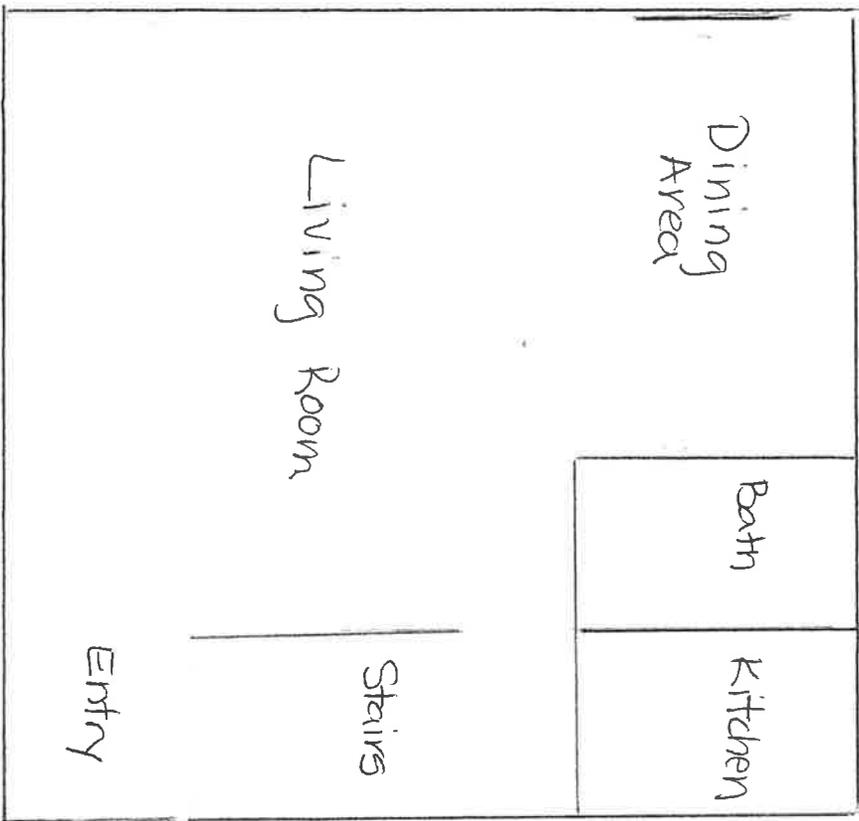


Avenue L

Beach Dr.

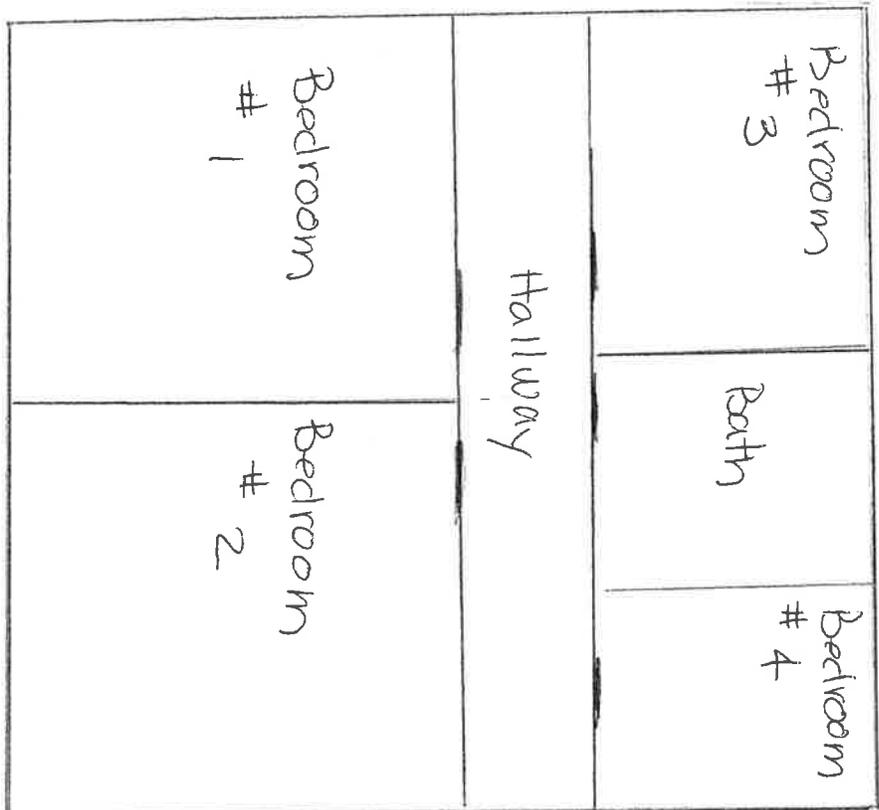
1176 Beach Dr Seaside Or

1st Floor



Ave L

2nd Floor



Beach Dr

**To:** Seaside Planning Commission  
**From:** Administrative Assistant, Debbie Kenyon  
**Date:** September 24, 2013  
**Applicant/:** Michael Meyer: 16950 SW Meyer Lane  
**Owners:** Tigard, OR 97224  
**Location:** 781 Beach Drive, T6-R10-S 21DB TL#6000  
**Subject:** Conditional Use 13-033VRD; Vacation Rental Dwelling Permit

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**REQUEST:**

The applicants are requesting a conditional use that will allow the establishment of a Vacation Rental Dwelling (VRD) at **781 Beach**. The subject property is zoned **High Density Residential (R-3)** and the **applicants are** requesting a maximum occupancy of **ten** within the existing **four** bedroom dwelling.

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

**DECISION CRITERIA, FINDINGS AND CONCLUSIONS:**

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

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

- A. Parking.** One 9' x 18' off-street space will be provided for each bedroom in the unit, but in no event shall fewer than two spaces be provided.
- B. Number of Occupants.** The maximum number of occupants cannot exceed three persons (over the age of three) per bedroom. The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations.

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

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

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

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

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

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

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

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

1. The applicant is requesting a conditional use that will allow the establishment of a Vacation Rental Dwelling (VRD) at **781 Beach Drive**. The subject property is zoned **High Density Residential (R-3)** and the **applicant is** requesting a maximum occupancy of **ten** within the existing **four** bedroom dwelling.

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

- a. The applicant's plot plan indicates there are **four** off-street parking spaces that are available on the site. **Three are along the north property line and one is in front of the garage.**
- b. The existing **four** bedroom residence will have a limited occupancy of **ten (10) people**. This occupancy is below the 12 person occupancy permitted under the zoning ordinance.
- c. The plot plan shows that parking will not take up more than 50% of the front, side or rear yard areas.
- d. **Kathy Thiebert will be the local manager/contact for the VRD and she can be reached at (503) 704-6353.**

- e. **The applicants** have read all of the standards and conditions applicable to VRDs.
  - f. The applicant provided a supplemental letter describing his experience owning a VRD in the same neighborhood. He has also indicated that he would be unable to attend the meeting in person but would have a representative at the public hearing.
2. Although the number of bedrooms and parking spaces would permit an occupancy of **twelve** people over the age of three based on the provisions in the zoning ordinance, the building official has indicated the building code requires an approved sprinkler system for an occupancy over **ten** regardless of age. The applicant is not planning to install an approved sprinkler system, so the additional occupancy restriction should be reflected in the conditions that govern the use of the property.
  3. The proposed VRD is located within a developed residential neighborhood primarily consisting of single family dwellings but also includes some multi-family dwellings. Currently **36%** of the surrounding properties are licensed for VRD use and all of the property is zoned **High Density Residential (R-3)**.
  4. 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 from any neighbors.
  5. VRDs are a conditionally permitted use in the R-3 zone.
  6. The city's noise ordinance provisions apply to VRDs and non VRD's alike. Whereas noise complaints are generally reported to the police for follow-up, VRD's are required to have a local responsible party that can help address issues, if and when they arise.
  7. The proposed use is located within the tsunami inundation zone identified by the State of Oregon.
  8. 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."
  9. The property **has** undergone a preliminary compliance inspection. All of the corrections noted during the inspection must be completed and approved by final inspection prior to any transient rental of the property.
  10. During the site inspection, the applicant indicated he may be removing the sunroom and deck on the south side of the dwelling. In addition, the carport on the north side may also be removed (in whole or in part) but the applicant will be

extending the paved parking area under the carport in order to meet their off street parking requirements.

11. The local contact's phone number listed in the application is not a local phone number. The Commission routinely requires these contact numbers to be a local phone number or toll free call so a person contacting them does not need to pay for a long distance phone call in case there is an issue to be resolved.

**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 **(13-033 VRD)** and reflected on the City of Seaside Business License. **The license is not valid until the appropriate occupancy has been established by the approval of a final compliance inspection by the Community Development Department.**
2. **Parking spaces: Four 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 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: Kathy Thiebert will be the local manager/contact for the VRD and she can be reached at (503) 704-6353. This person must**

**provide a local phone number or a new local contact will need to be identified.**

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. **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.
9. **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.**
10. **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.
11. **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.
12. **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.

- 13. 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.
- 14. 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.
- 15. Tsunami Information & Weather Radio:** The owner shall post or otherwise provide a tsunami evacuation map in a conspicuous location within the VRD. In addition, a NOAA weather radio, with automatic alert capabilities, must be permanently affixed in a central part of the VRD along with an informational sheet that summarizes the warning capabilities of the radio in the event of a distant tsunami.
- 16. 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 **13-033VRD** allowing the establishment of a Vacation Rental Dwelling (VRD) with a maximum occupancy of **ten (10)** at **781 Beach Drive**. This decision can be supported by the Commission adopting the findings, justification statements, and conclusions in this report subject to the previously stated conditions.

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

- This approval will become void one (1) year from the date of decision unless final plans are submitted or an extension of time is approved in the manner prescribed under the Seaside Zoning Ordinance.

- As with any permit, the applicant must meet all applicable standards in the Seaside Zoning Ordinance such as erosion control provisions and any other applicable City of Seaside Ordinances.

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

**Attachments:**      Applicant's Submittal

Seaside Planning Commission  
Public Hearing 10/1/13  
13-033VRD – 781 Beach Drive

I am requesting the Seaside Planning Commission approve a Vacation Rental Dwelling permit located at 781 Beach Drive. I am a pilot for United Airlines and will be in Denver for an annual simulator proficiency event on the date of this hearing. Larry Blakely, address 761 S. Prom, will be in attendance and will be my representative. I regret very much not being able to attend this hearing and am providing the following arguments to support my request;

781 Beach Drive is currently permitted as a VRD under the previous ownership. I understand this permit is non transferrable but approving my application would not be adding an additional VRD to the area.

Based on the home being a VRD and my conversation with City Hall prior to making the purchase of the home, I decided to buy based on the ability to offset some of the cost of the purchase and improvements. I have made a significant investment and in the last month of ownership have employed Diamond Heating to replace the heating system, Borland Electric to replace the electrical panel and plan to improve other aspects of the home in the coming months. I have heard from several full time residents in the area that are happy to see the improvements being made.

I have operated a VRD at 757 S. Prom since 2007 and have done so without a single complaint and have been extremely successful with screening quality guests. I have continually strived to keep the home impeccably maintained and routinely pickup garbage and keep the public area mowed between my home and the Promenade. I recently organized several residents, South of G and along the Prom, to concrete the driveway and will soon be landscaping the area to provide a more aesthetically pleasing landscape. This home is an example of my VRD management abilities.

Even though I live in Tigard I am a part of the Seaside community. My family and I spend as much time in Seaside as possible, have made the Fourth of July event a family tradition, take part in the SOLV cleanups every year, support the local Fire Department and donate to the yearly fireworks display. We spend many weekends throughout the year supporting local restaurants and businesses.

The economic value of VRD's to the City of Seaside keeps the city employed and improving. Lodging taxes from 757 S. Prom provided \$4,800 to the City last year not to mention property taxes paid. My guest's support of the local economy is significant and my use of local plumbers, electricians, appliance repairman, cleaning services, local hardware stores and so forth to maintain my VRD is worth mention. If a VRD permit had not been available for 757 S. Prom, I would not have been able to afford and maintain the property.

I mention 757 S. Prom because my intention is to model 781 Beach Drive on the same principals. Enhance the existing home to provide a quality rental experience and thereby a quality clientele being a good neighbor in the process. My hope is to one day remove one or both homes from the VRD pool, once financially feasible to do so. This would allow my wife and I to spend an even greater amount of our retired life, the sooner the better, on the Oregon Coast. A goal of ours for 781 Beach Drive is to allow children, grandchildren and friends a convenient place to stay right across the street from 757. The proximity to our other home was a driving force in the decision to buy.

I hope I have provided enough information so that you will be assured that allowing a permit for this particular property is good for the City of Seaside and it's citizens.

Respectfully,

Mike Meyer  
503-330-3182



**City of Seaside, Planning Department**

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

**Land Use Application**

Kevin Cupples, Director

PLEASE PRINT OR TYPE

|                                                                          |                                                 |                          |
|--------------------------------------------------------------------------|-------------------------------------------------|--------------------------|
| NAME OF APPLICANT<br><b>MICHAEL MEYER</b>                                | ADDRESS<br><b>16950 SW Meyer Lane Tigard OR</b> | ZIP CODE<br><b>97224</b> |
| STREET ADDRESS OR LOCATION OF PROPERTY<br><b>781 Beach Drive Seaside</b> |                                                 |                          |

|                    |               |                      |                    |                         |                        |
|--------------------|---------------|----------------------|--------------------|-------------------------|------------------------|
| ZONE<br><b>R-3</b> | OVERLAY ZONES | TOWNSHIP<br><b>6</b> | RANGE<br><b>10</b> | SECTION<br><b>2, DB</b> | TAX LOT<br><b>6000</b> |
|--------------------|---------------|----------------------|--------------------|-------------------------|------------------------|

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

**VRD**

(PLEASE INCLUDE THE APPROPRIATE PLOT PLAN.

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

|                                                      |                                                       |
|------------------------------------------------------|-------------------------------------------------------|
| <b>OWNER:</b>                                        | <b>APPLICANT/REPRESENTATIVE (OTHER THAN OWNER):</b>   |
| PRINT NAME OF PROPERTY OWNER<br><b>Michael Meyer</b> | PRINT NAME OF APPLICANT/REPRESENTATIVE                |
| ADDRESS<br><b>16950 SW Meyer Lane Tigard OR</b>      | ADDRESS                                               |
| PHONE / FAX / EMAIL<br><b>503-590-0226</b>           | PHONE / FAX / EMAIL                                   |
| SIGNATURE OF PROPERTY OWNER<br><i>M. Meyer</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"/>                       |

|                                 |             |
|---------------------------------|-------------|
| <b>PLANNING DEPARTMENT USE:</b> |             |
| DATE ACCEPTED AS COMPLETE       | BY          |
| <b>9-4-13</b>                   | <b>DK</b>   |
| CASE NUMBER (S)                 |             |
| <b>13-033VRD</b>                |             |
| HEARING DATE                    | P.C. ACTION |
| <b>10-1-13</b>                  |             |

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

City of Seaside

AUG 26 2013

PAID

ck 8212  
\$600.00

CITY OF SEASIDE  
VACATION RENTAL DWELLING (VRD) APPLICATION

COPY

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: Michael Meyer
2. Mailing Address: 16950 SW Meyer Lane TIGARD OR 97224
3. Telephone #: Home 503-590-0226, Work 503-330-3182, 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: 781 Beach Drive Seaside
6. Tax Map Ref.: Township 6, Range 10, Section 21 DB, Tax lot # \_\_\_\_\_
7. What is the total number of off-street parking spaces (9' X 18') that will be available for VRD occupant use? 4 The VRD ordinance states: One 9' X 18' off-street space will be provided for each bedroom in the unit, but in no event shall fewer than two spaces be provided.
8. How many bedrooms are in the dwelling? 4 Is the applicant requesting that all the bedrooms be used to calculate the maximum occupancy, and if not, how many are being proposed? \_\_\_\_\_ Please multiply the last number by three (3) to indicate the requested maximum occupancy for the VRD 12. 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

per  
mike

10

9627

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:

Kathy Thiebert Phone # 503-704-6353 Address: 2150 Skyline Drive Seaside 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? R3. 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: [Signature] Date: 8/26/13  
-----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: \_\_\_\_\_

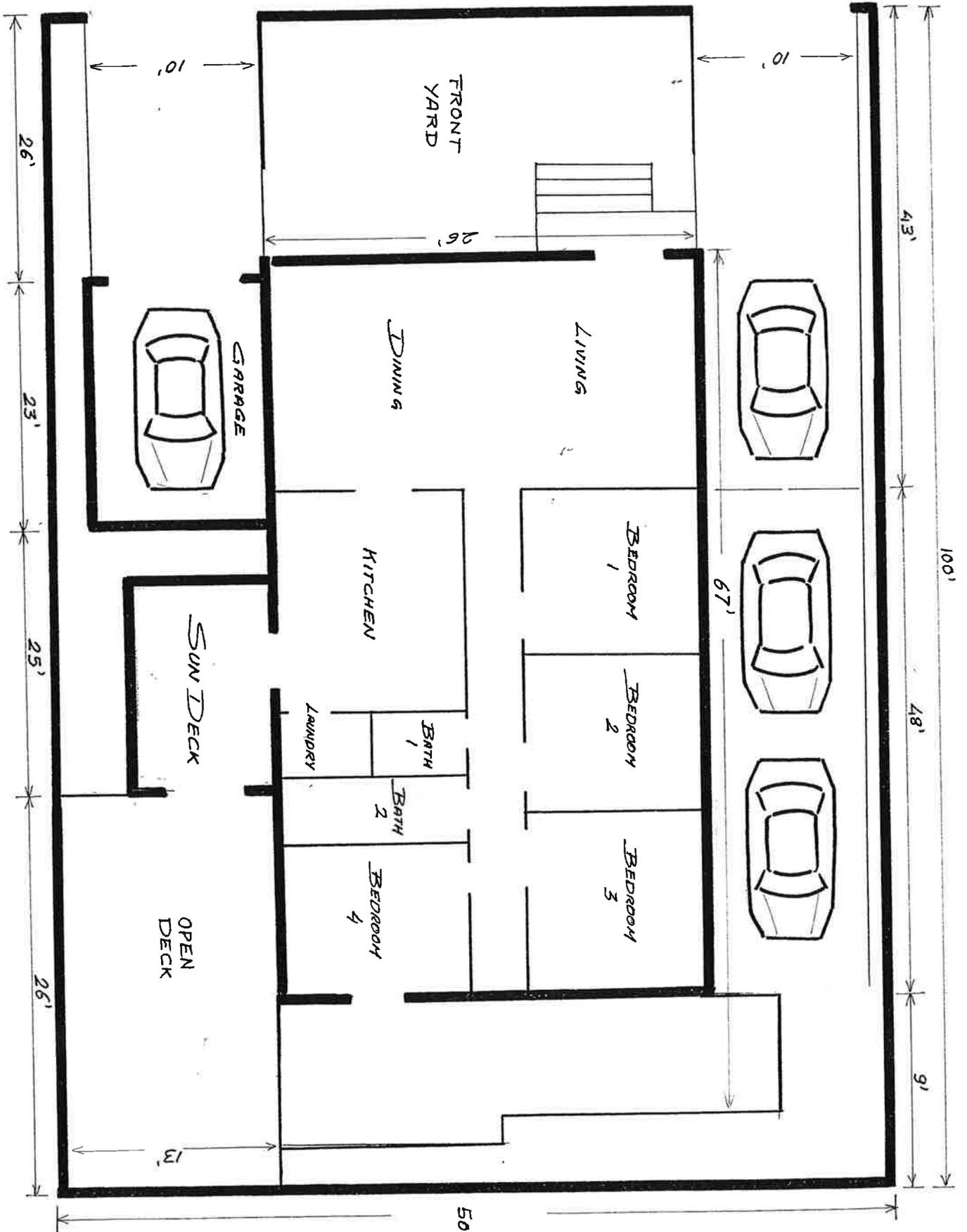
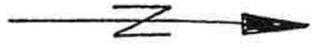
~~~~~ For Community Development Use ~~~~~

Date application was received at Community Development: _____

File Reference # _____ Date determined to be complete: _____

If applicable, date for Planning Commission Hearing: _____

SOUTH BEACH DR.



Plot Plan

Lot: .12 Acre
SFR House: 1740

781 MAIL DRIVE

