

**SEASIDE PLANNING COMMISSION AGENDA**  
**989 Broadway - City Hall Council Chambers**  
**December 3, 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:** November 19, 2013
6. **PUBLIC HEARING:**

**A.) 13-049VRD** is a request by **Dan & Tami Kent** for a **three** (3) bedroom Vacation Rental Dwelling Permit with a maximum occupancy of not more than **nine** (9) people. The property is located at **1420 S Columbia** and it is zoned Medium Density Residential (R-2).

**B.) 13-054HOZ** is a request by Scott Santos for the development of a new office building within the Highway 101 Overlay Zone. The building will have a gross area of approximately 5,280 square feet. Half of the building will be used by the applicant as a dental office and the occupancy of the other half has not been established yet. The property is located at 2283 N Roosevelt and it is zoned General Commercial (C-3).

**C.) Continuance - 13-040ACP-** Amendments to the Comprehensive Plan associated with the adoption of a new economic opportunities and housing analysis addressing Goals 9 & 10 that will justify the need for additional land within the City of Seaside's Urban Growth Boundary.

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

**MINUTES SEASIDE PLANNING COMMISSION**  
**November 19, 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, Chris Hoth, Bill Carpenter, and Dick Ridout, Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director

**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 October 1, 2013 minutes;  
Commissioner Carpenter made a motion to approve the minutes as submitted. Commissioner Horning seconded. The motion was carried unanimously.

**AGENDA:**

**PUBLIC HEARING REQUIREMENTS:**

The following public hearing statements were read by Chair Romine:

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

**PUBLIC HEARING:**

**A.) 13-036VRD-** A conditional use by **Phil and Melanie Reilly** that will allow the establishment of a Vacation Rental Dwelling (VRD) at **2421 Ocean Vista Drive (6-10-28BD-TL 2400)**. The subject property is zoned **medium density residential (R2)** and the **applicants** are requesting a maximum occupancy of **10 (ten)** within the existing **four** bedroom dwelling.

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. There was no response. Melanie Reilly was at the meeting but didn't want to speak because the staff report was self explanatory.

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

Chair Romine indicated the issue was opened for Commission discussion.

Commissioner Hoth mentioned that the property manager was in Portland and the local contact is here how does that work. Melanie stated that they will be the property manager but the local contact is Randy and he lives in town.

Commissioner Dideum stated that she had a hard time finding the property because the tree that is out front blocks the numbers on the house, maybe the owners could put something like a mailbox pole out front by the street so it would be easier to find. Melanie stated that would not be a problem.

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

Chair Romine asked the audience if there were any objections to moving 13-040ACP down to the third position on the agenda. There were no objection to hearing item C.13-050CU ahead of item B.13-040CPA on the agenda.

**C.) 13-050CU:** A conditional use request by **Lewis Hanson & Co. and Loren & Tami Williams** that will allow the re-use many of the existing buildings as storage/warehouse units, within 5 years build some additional small storage units and immediately convert the larger unoccupied building as the new "Miss Tami's" child daycare center which currently operates out of the applicants home and is in dire need of expansion due to the overwhelming demand in Seaside for childcare. The subject property is located on the SE corner of Jackson St. & Avenue M, tax lots 8700, 8800, 8900, & 9000 of T6, R10, 21DA and is zoned General Commercial C-3.

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

Chair Romine asked if there was anyone who would like to offer testimony in favor of the request. Loren Williams, 2022 Forest Dr, Seaside OR wished to testify. Mr. Williams stated that they have read the staff report and agree with the findings and the conditions. Mr. Williams stated that his wife Tami has been doing daycare in their home for the last 12 years and with the high demand for daycare in the area she needs to expand. This building is perfect because of the square footage. With this large building they can remodel it to their liking. They have talked with Betty Cook, the Oregon State Licensing agent, and she stated that the site would work out great for a childcare facility.

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

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

Chair Romine indicated the issue was opened for Commission discussion.

Commissioner Dideum asked Mr. Cupples about the amount of play area for the facility. The staff report states that the applicant has provided a secured outdoor play area that would provide approximately 100 sq. ft. for at least 16 children. This doesn't make sense. Mr. Cupples stated that he meant to put that there is 1600 sq. ft. outside for the children to play.

Commissioner Horning asked about the 100 year flood plain issues. The site is already filled, how can the floodway go through there without causing problems. Mr. Cupples stated that he could go over the flood plain issues for hours. But the basic answer is that FEMA takes the center of the river and then they do a thing called equal conveyance which means they dump a certain amount of water on one side of the river then they dump the same amount of water on the other side of the river. It has nothing to do with land forms or structure encroachments, that doesn't even figure into the equations. We have areas along the Neawanna that are currently under water and they are not in the flood way. We have areas that are on dry land with homes that are in the flood way. The flood way analysis is nothing more than a requirement to file a no rise certification. The applicant has floodplain restrictions that apply but at this time we are not sure how those will impact their proposed development. When they submit for building permits, that is when all the information will be needed.

Commissioner Hoth stated that it is in the inundation zone. The staff report says that occupancy greater than 50 may be prohibited; the ORS says that it IS prohibited. Mr. Cupples stated that if you read the ORS you can read it as it is prohibited but in actuality there are steps that you can go through to have a consultation with DOGAMI, have a public hearing and then they may be allowed. The reason it is worded that way is specific as it's a maybe, that's a matter of looking at all the alternatives rather than a matter of a straight prohibition. There are provisions in the ORS if you read further into it under Sub D. There is actually a provision that allows things to take place in that zone. Commissioner Hoth asked Mr. Cupples if he felt that it wasn't necessary to place restrictions on the development because there won't be problem. Mr. Cupples stated that he didn't see why the planning commission should place restrictions on something that is already regulated by the state. Mr. Cupples stated that he put that in his report so that the applicants could be aware that a situation could arise and that they needed to be

aware of it. Commissioner Hoth asked the applicant how they felt about it. Mr. Williams stated that if it comes to that then they will need to deal with it at that time.

Commissioner Dideum stated that she was going back to her original comment regarding the outside play area of 1600 square feet. That means you can only have 16 kids. Is the applicant going to have more than 16 children? The applicant stated yes, they are going to have more than 16, and the states require that different age groups be separated from each other so there will only be a maximum of 16 children outside at one time. Commissioner Dideum asked what is their business plan, how many kids do they plan on having? The applicant stated that when Betty Cook came out, she took measurements and she said that they could have up to 76 children. The applicant stated that right now she has 11 children on her waiting list. Commissioner Romine stated that those provision both at the state and city ordinance is the applicant's responsibility to make sure their growth is covered as they move forward. Commissioner Dideum stated that there are a lot of conditions that the planning department has put on this particular conditional use, are there problems with any of these conditions? Mr. Williams stated that he understands the conditions and the staff had done a good job with the report. An audience member asked if it was going to be open 24 hours a day? Mr. Williams stated that no it will be open from 6:30 a.m. to 6:30 p.m. Then the audience member asked if the storage unit is going to be open 24 hours a day and Mr. Williams stated that it will be the same as it is now.

Commissioner Hoth asked about the sidewalks and other conditions that were placed on the project when it was first submitted. Mr. Cupples stated that they are still conditions and that some of the responsibility for those conditions will be on the Public Works Department as well as the Planning Department. Commissioner Carpenter stated that he is very happy to see the sight being cleaned up. Chair Romine seconded that.

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

**B.) 13-040ACP-** Amendments to the Comprehensive Plan associated with the adoption of a new economic opportunities and housing analysis addressing Goals 9 & 10 that will justify the need for additional land within the City of Seaside's Urban Growth Boundary.

Kevin Cupples, City Planning Director stated that he would like to have the consultants do a review summary of the information that has been provided and then continue the item to the December 3<sup>rd</sup> meeting so the noted concerns can be addressed. If the public has any comments or wish to bring up any items that are discussed in this meeting, we can revisit them on December 3<sup>rd</sup>.

Don Hanson with OTAK introduced Brendan Buckley and Jerry Johnson from Johnson Reid and also Scott Dawlquist and Steve Ketz from Weyerhaeuser. Earlier in the year they did a presentation with the City Council and the Planning Commission. Mr. Hanson will give a short update on the activities that have been going on since that meeting and then Brendan will give a short update of the technical work that he has done to incorporate some of the items that were discussed during the joint work session.

At the joint work session council directed them to take this in a few steps, first the broad twenty year view. How much growth will there be and how much acreage will be needed to meet that twenty year land supply and at this time don't request a boundary modification. Come back at a later date once everybody has agreed to the needs and growth analysis. They have met with the school district and have been in continuous contact with Mr. Cupples. Mr. Hanson has been in contact with the county to keep them informed on the process. So they have continuously refined the reports and the documents that are enclosed in tonight's packet. Mr. Hanson also stated that he has been in continuous contact with Patrick Wingard at the State.

Brendan with Johnson Reid went over items that were in the packet. Goal 9 deals with the need for new employment lands. Goal 10 deals with the housing demand.

Commissioner Hoth asked about the vacancies rates having held steady, does that figure effect anything in terms of the calculations that are made. Brendan stated that it does, in this community you have the permanent residents and then you have the part time residents. How do you capture that in a forecast. The way they forecasted that was to assume that it would more or less stay the same. Commissioner Hoth stated that the vacation rental properties are located in an area that cannot expand, so the additional lands needed, will not be affected by vacation rentals. Commissioner Carpenter asked if this number includes the total number of second homes that are not vacation homes. Brendan stated that it includes all vacant homes. Commissioner Carpenter asked about the concept of industrial lands, what does that mean? Brendan stated that it uses the same definition as the city ordinance.

Commissioner Carpenter asked if the 1.2 acres of industrial land is what we have now. Mr. Cupples stated yes that's what we currently have. Commissioner Carpenter asked how can we get from 1.2 acres to 7.7 acres in the 20 year land needs? The growth in manufacturing is less than 1% over the twenty year period. How could it jump that much? Brendan stated that some of the need for office space is assigned to industrial zones and the way the analysis is done and the net need for office and some extent is retail needs to be assigned to the different types of zoning available. Typically there will be some assumption of flex space or technical space that can take place on industrial land. That is increasing the need beyond just the growth for manufacturing there are other factors. Commissioner Carpenter stated that Seaside is unique in that we don't really have an industrial base. At one time we had logging and forestry products base and that went away and now we have tourism. That's where the term industrial base might be used more for your benefit and the benefit of the report. But it is confusing as it applies to Seaside. Don Hanson stated that he agrees with that comment, and when he thinks about the industrial and employment areas of Seaside a lot of them are small front office contractor types of business. The contractor has a small office and then in back has a small warehouse or yard area. There are a lot of cross over employment uses that could fall into this area. Mr. Cupples asked if other areas have reduced true industrial demand looking to the county. Do they ever say that demand is going to be satisfied with an industrial park somewhere in the county and not in the city? Because regionally we have an industrial demand and what I don't want see is the planning commission and the city council members struggling with where they're going to put this industrial land. Right now the outlet mall is placed in an industrial zone. Jerry Johnson stated that in different areas throughout the state they use lands that are outside the city limits as industrial land. Commissioner Romine mentioned that there was a significant amount of discussion of incorporating our industrial land need and fulfilling some of our industrial needs, hotels type lands into the city limits so the possibility of that land group may be larger than what is projected.

Commissioner Dideum stated that in this document it increases the population 25% in twenty years, yet in the past 12 years the population has increased less than 10%. Where did the consultants come up with the 25%? In the report it states that Seaside is a desirable location and you also use the term suburban and yet this is considered rural not suburban. Mr. Cupples stated that when you are dealing with urban land, yes we qualify for rural assistants because the federal government says we are rural but for the purpose of this we are dealing with urban areas and that's why we have a suburban residential zone. The vacation rental properties and hotels will not be in this suburban area. The hotels want to be within walking distance to the beach and near the downtown core area. Those kinds of businesses will not want to be located that far away. Brendan stated that this report doesn't say were the growth is going to go.

Don Hanson stated that the policy statement in the comp plan talks about the constraints of moving south and the city to the North and the ocean on the West. So the growth would have to be the land to the East. Commissioner Dideum stated that the school bond issue was voted down, and the school board has said that they do not have a plan B. Mr. Cupples stated that even though the bond issue has failed on its first run, it doesn't mean it will not come back several more times. Mr. Cupples stated that he is happy that the components for the schools are mentioned in the report and we do have policies now that state where we need to look for land if we start to relocate schools and hospitals. Commissioner Carpenter stated that we have 50 acres set aside to relocate schools and we know we need these out of the tsunami inundation zone. Does that free up the high school and the middle schools land? How is that land going to be used? Brendan stated that the land is not in the buildable lands inventory as of now. Potentially it will be when the schools relocate and the schools will have to come up with a disposition strategy when the time comes. Then it would become a redevelopment site. Commissioner Carpenter stated that the school is zoned R-2 right now and could we rezone that to commercial because it fronts highway 101. Mr. Cupples stated that part of the answer to your question hasn't even been finalized yet because we haven't gotten there. The DLCD has indicated that they have concerns with any rezone or intensification on that property that would go above and beyond the current zone classification. Just know that the property is zoned R-2 and what DLCD doesn't want to see happen is a change to higher density residential or commercial and put a hotel on the site. We are good with saving the kids but not with saving the people staying in the hotels. So what would likely happen is that there would be a plan policy in place that would say if you get ready to utilize that site, here are some sideboards and be able to go within those guidelines.

Don Hanson stated that the 50 acres on the hill is a number that was worked up early on. The number wasn't just thrown out there. 50 acres is the gross size of site. You are going to need level areas and need room to have playgrounds and there are ravines that are up there too.

Commissioner Horning asked how they account for the trend towards un-affordability of housing for the people working in the service industry. These people are coming from Warrenton and over the mountain from Jewell. Brendan stated that the methodology is that the state wants the community to come up with a projection of housing needs for all types of households. That is what goal 10 is intended to do. Commissioner Horning stated that back in the housing boom, we had a lot of apartments that were turned into condominiums or otherwise occupied by contractors who were coming down to construct new condos. At that time there were folks who were kicked out of their apartment complexes and when that house of cards collapsed and everything went back to a semi normal state, we found that the apartments that were available were \$200 more expensive. The people couldn't afford to come back. Every time we license one of these homes and turn it into a vacation rental, we take a home out of the market and it continues to drive the prices up a bit more. Mr. Johnson stated that there are other communities that have this same problem of where does our work force come from. In Sister Oregon they bus in people from other communities because it's too expensive to live close to where you work. Don Hanson stated that it's a very common issue in tourism communities. In Bandon they have created a community near the resort for just the work force and it's very successful.

Don Hanson stated that one of the things that will be discussed more in the next meeting is a response to the 1000 Friends of Oregon. They did a careful review and we need to come back with a solid response. In response to the policy clarification with the state on redevelopment of the school site, we will need a little bit more time to work that though.

Chair Romine stated that these issues will need to be continued at the next meeting. Commissioner Carpenter moved to continue the item to the December 3<sup>rd</sup> meeting at 7:00p.m. in the Council Chambers and Commissioner Dideum seconded and the motion was carried unanimously.

**ORDINANCE ADMINISTRATION:** Mr. Cupples asked if everyone was able to read the new verbiage that was applied to the lighting on the conditional use staff report. The Commissioners affirmed use of the new condition.

**COMMENTS FROM THE PUBLIC:** None

**COMMENTS FROM COMMISSION/STAFF:** Commissioner Horning wanted to mention the new NAPA store's outside lighting is perfect and it really makes Seaside look nice along the highway.

**ADJOURNMENT:** Adjourned at 8:30 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:** November 26, 2013  
**Applicant:** Dan & Tami Kent  
805 SE 32<sup>nd</sup> Avenue  
Portland, OR 97214  
**Owner:** Dan & Tami Kent  
**Location:** 1420 S Columbia, T6-R10-S 21CD TL#10401  
**Subject:** Conditional Use 13-049VRD; 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 **1420 S Columbia**. The subject property is zoned **Medium Density Residential (R-2)** and the **applicants are** requesting a maximum occupancy of **nine (9)** over the age of three (no more than 10 regardless of age) within the existing **three** bedroom dwelling.

The 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 **1420 S Columbia**. The subject property is zoned **Medium Density Residential (R-2)** and the applicant is requesting a maximum occupancy of **nine (9)** over the age of three (no more than 10 regardless of age) within the existing **three** bedroom dwelling.

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

- a. The applicant's plot plan indicates there are **three** off-street parking spaces that are available on the site. **Three cars in driveway.**
- b. The existing **three** bedroom residence will have a limited occupancy of **nine (9) people.**
- c. The plot plan shows that parking will not take up more than 50% of the front, side or rear yard areas.
- d. **Shelly Clouten (810 Avenue G, Seaside, OR 97138) will be the manager for the VRD (503-504-7435).**

- e. The owner/applicants, **Daniel & Tami Kent** 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 **33%** 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 has undergone a preliminary compliance inspection. All of the corrections noted during the inspection must be completed and approved by final inspection prior to any transient rental of the property.
6. The gravel parking area does not meet current standards and as a new use, the applicant will be required to pave their off street parking area.
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 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:

**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 **(13-049 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.

1. **Parking spaces: Three (3) off-street parking spaces (9' X 18' per space) are required on site.** These spaces shall be permanently maintained and available on-site for use by the vacation rental occupants. Vacation Rental Dwelling (VRD) tenants are required to park in the spaces provided on site for the VRD. No on-street parking associated with this VRD is allowed at this location. Vehicles parked at VRDs may not project over the sidewalk and block pedestrian traffic. A parking map shall be posted inside the dwelling for the VRD tenants. **The applicant will have one year from the date of approval in which to pave the off street parking area or the transient rental must be suspended until the paving has been completed.**
2. **Maximum number of occupants: Nine (9) persons over the age of three (no more than 10 regardless of age).** The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations. If the number of occupants is less than the original number requested, it may have been reduced for valid code reasons.
3. **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.
4. **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.
5. **Local Contact: Shelly Clooten (810 Avenue G, Seaside, OR 97138) will be the local contact for the VRD and can be reached at (503-504-7435).**

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.
6. Local contact information is available at the Community Development Department (503) 738-7100, City Hall (503) 738-5511, or after business hours at the Seaside Police Department (503) 738-6311.
7. **Compatibility:** A VRD will be compatible with the surrounding land uses and shall not contribute to excessive parking congestion on site or along adjacent streets.
8. **Exterior Outdoor Lighting:** All exterior lighting must conform to the newly adopted Outdoor Lighting Ordinance even if any pre-existing outdoor lighting would normally be exempt under the provisions of the ordinance. This will

basically require shielding of any exterior lighting fixtures such that glare will not be visible from the surrounding property for any fixture that exceeds the equivalent lumens of a 40 watt bulb.

- 9. Ordinance Compliance & Solid Waste Pick-up:** All vacation rentals must comply with City ordinances regarding noise, smoke, dust, litter, odor, and solid waste collection. Weekly solid waste pick-up is required during all months.
- 10. Required Maintenance:** It is the property owner's responsibility to assure that the vacation rental dwelling remains in substantial compliance with Oregon State requirements for the following: Health, Safety, Building, and Fire Codes, Traveler's Accommodation Statutes, and with the Uniform Housing Code. **Owners are hereby advised that Carbon Monoxide detectors must be installed and maintained in all newly established transient rental occupancies.**
- 11. Permit Non-transferability:** Vacation rental dwelling permits are personal in nature and accordingly are not transferable. Upon transfer of the property, the new owner, if he or she so desires, may apply for a new permit in accordance with City Ordinance.
- 12. Business License, Room Tax Requirements, & Revocation for Non Payment:** A City Business License is required and all transient room tax provisions apply to VRD's. The business license must be obtained prior to any rental of the property. Renewals must be made in January of the permit year. If the business license fee or the transient room tax payments are thirty (30) days past due, the VRD Permit will be revoked unless a written extension is granted by the Finance Director.
- 13. Conflicts & Potential Denial for Non Compliance:** Upon receipt of two written complaints from two or more occupants of different residences who claim to be adversely affected by the use of the property as a vacation rental dwelling, or by notice from the City Code Compliance Officer that requirements or conditions of approval are not being met, the Planning Department will work with the parties involved to settle any conflicts. If the problems are not resolved, the permit will be reviewed by the Planning Commission as provided in Subsection 5 of this Section. Failure on the applicant's part to meet the standards or conditions will result in modification or denial of the permit.
- 14. Complaints:** Applicants are hereby advised the City Code Compliance Officer routinely follows-up on individual complaints if there is a valid code issue that needs to be addressed by the owner and/or manager of a VRD. Staff does not wait until the occupants of two different residences submit written complaints before they take action to achieve compliance. The VRD complaint procedures are outlined in an attachment to the notice of decision and the forms can also be accessed on the City of Seaside's web site <http://www.cityofseaside.us/sites/default/files/docs/VRD-COMPLAINTFORM.pdf> This

should be used to report alleged violations that are not being addressed by the local contact or property manager.

**15. Time Period for Approval, Required Re-inspection:** This VRD approval shall be limited to 5 calendar years unless the dwelling is re-inspected (subject to the applicable fee) for compliance with the VRD policies and ordinances applicable at the time of the re-inspection. Re-inspection notices will be provided to the owners at the time business licenses are issued for the 5<sup>th</sup> calendar year. If the re-inspection is not completed during the 5<sup>th</sup> year, the permit will expire and a new VRD application must be approved prior to obtaining a new business license for the 6<sup>th</sup> calendar year. Compliance with the re-inspection requirements will reauthorize the VRD for an additional 5 calendar years.

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

**17. Grace Period:** If a currently licensed VRD sells to another party, staff is allowed to grant a temporary grace period of not more than 60 days in which current bookings can be cleared without being recognized as a violation. The manager or owner must provide staff with a list of the bookings during the grace period and no additional bookings can be taken during that time.

### **FINAL STAFF RECOMMENDATION**

Conditionally approve application **13-049VRD** allowing the establishment of a Vacation Rental Dwelling (VRD) with a maximum occupancy of **nine (9)** persons over the age of three (no more than 10 regardless of age) at **1420 S Columbia**. This decision can be supported by the Commission adopting the findings, justification statements, and conclusions in this report subject to the previously stated conditions.

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

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

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

**Attachments:** Applicant's Submittal



# City of Seaside, Planning Department

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

## Land Use Application

Kevin Cupples, Director

PLEASE PRINT OR TYPE

NAME OF APPLICANT Daniel & Tami Kent	ADDRESS 805 SE 32nd Avenue	PORTLAND, OR	ZIP CODE 97214
STREET ADDRESS OR LOCATION OF PROPERTY 1420 S Columbia, Seaside, OR 97138			

ZONE	OVERLAY ZONES	TOWNSHIP	RANGE	SECTION	TAX LOT
R-2		6	10	21C D	10401

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

Vacation rental

(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 Dan & Tami Kent	PRINT NAME OF APPLICANT/REPRESENTATIVE
ADDRESS 805 SE 32nd Avenue, Portland, OR 97214	ADDRESS
PHONE / FAX / EMAIL 503-236-9296 danielckent@mac.com	PHONE / FAX / EMAIL
SIGNATURE OF PROPERTY OWNER 	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) 13-049VRD	
HEARING DATE	P.C. ACTION

OFFICE USE:	
FEE	RECEIPT
DATE FILED	BY

# CITY OF SEASIDE

OCT 18 2013

## PAID

9630

ORIGINAL

**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:** Dan & Tami Kent
2. **Mailing Address:** 805 SE 32nd Avenue Portland OR 97214
3. **Telephone #:** Home 503-226-9296, 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:** 1420 S Columbia, Seaside
6. **Tax Map Ref.:** Township \_\_, Range \_\_, Section \_\_ \_\_ \_\_, Tax lot # \_\_\_\_
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?** 3 **Is the applicant requesting that all the bedrooms be used to calculate the maximum occupancy, and if not, how many are being proposed?** 3 **Please multiply the last number by three (3) to indicate the requested maximum occupancy for the VRD** 9. *The VRD ordinance states: The maximum number of occupants cannot exceed three persons (over the age of three) per bedroom. The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations. The number of overnight renters or the maximum number of occupants may be reduced by the Code Enforcement Officer or Fire Marshal at the time of inspection for valid code reasons.*
9. **All off street parking spaces must be clearly indicated on the applicant's site plan. Will the existing parking spaces or any planned expansion of parking take**

VRD Application updated 5-5-11

20  
75 CC  
430  
525

9630

1  
**CITY OF SEASIDE**

OCT 18 2013

**PAID**

ORIGINAL



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:  Date: 10/17/2013

Digitally signed by  
com.apple.idms.appleid.prd.537078714c6131215  
74352514c71355452465a567573d3d  
DN:  
cns-com.apple.idms.appleid.prd.537078714c613  
13524332514c71355452465a567573d3d  
Date: 2013.10.17.21:05:18 -0800

~~-----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: 10/18/2013 Amount Paid: \$530.00 525.

~~~~~~~ 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: \_\_\_\_\_

**VACATION RENTAL DWELLING "BASIC" CHECKLIST  
(Additional Requirements May Apply)**

Address 1420 S. Columbia Owner Dan Kent  
Phone: (home) 503-236-9296 (work) 503-473-3665  
Local Contact Shelly Clooten Phone 503-504-7435

OCCUPANT LOAD FOR THIS BUILDING: \_\_\_\_\_ PERSONS \_\_\_\_\_ BEDROOMS \_\_\_\_\_  
(Based on two persons per bedroom, or one person per each 300 s.f. of total floor area, whichever is more.)

**PARKING REQUIREMENTS**

- ( ) A minimum of two off street parking spaces shall be available, plus one additional for each bedroom over two.  
(# documented \_\_\_\_\_ by \_\_\_\_\_.) **NOTE: On-street parking is not allowed.**

**SANITATION:**

- ( ) A bathroom with approved plumbing fixtures.  
( ) A kitchen containing cooking facilities, refrigerator and an approved kitchen sink.  
( ) No signs of mold or mildew on wall surfaces or dry rot of any wood member.  
( ) No signs of infestation from rodents or insects.  
( ) Provide two garbage cans with lids, and suitable storage. Weekly garbage service is required.

**MECHANICAL/ELECTRICAL**

- ( ) Every habitable room must contain at least two electrical outlets or one outlet and one light fixture.  
( ) All electrical equipment, wiring and appliances must be installed and maintained in a safe manner.  
( ) Heating facilities, capable of maintaining a temperature of 70 degrees Fahrenheit, three feet above the floor.  
( ) All fuel appliances and fireplaces shall be approved by the local building department. Chimneys must be cleaned each year.  
( ) An openable window or an approved mechanical venting system is required in bathrooms and kitchens.

**WEATHER PROTECTION**

- ( ) No broken windows or damaged doors. No visible penetrations that would allow weather to enter.  
( ) Doors must have weather stripping applied, have working locks, and be openable from the inside without the use of a key or special knowledge.  
( ) Exterior wall coverings and roof membranes shall be in good condition. There shall be no paint exposed that is peeling or deteriorating.  
( ) No sags, splits or buckling of ceilings, walls, roofs, ceiling or roof supports, stairs, decks or other horizontal members due to defective material or deterioration is permitted.

**SAFETY**

- ( ) Basements and all sleeping rooms shall be provided with an approved egress opening directly to the outdoors.  
Exception: Basements used only to house mechanical equipment and not exceeding 200 sq. ft.  
( ) All stairs, decks, and balconies over 30" above grade, shall have a guardrail, 36" in height, with intermediate rails per code  
( ) All stairs with two or more risers shall have a handrail, not less than 34", nor more than 38" high. The gripping surface shall not exceed 2 5/8", and the ends shall be returned.  
( ) A 2A10BC Fire extinguisher must be mounted in the kitchen 5 - 10 ft. from the cooking stove.

**GENERAL REQUIREMENTS**

- ( ) Smoke alarms are required in all sleeping areas, the hallway serving them, and every floor.  
( ) Carbon Monoxide Alarms - shall be located in each bedroom or 15 ft outside of each bedroom door. Bedrooms on separate floor levels in a structure consisting of two or more stories shall have separate carbon monoxide alarms serving each story.  
( ) The address must be visible from the street.  
( ) A NOAA Radio - along with an informational sheet that summarizes the warning capabilities of the radio in the event of a distant tsunami must be posted.

**POSTINGS REQUIRED**

- ( ) Maximum number of occupants and good neighbor rules must be posted inside the front door.  
( ) Tenants are required to park in the spaces provided on-site. These sites must be identified on a parking map posted in the VRD and on-street parking by the occupants is not allowed at this location.  
( ) The owner shall post or otherwise provide a tsunami evacuation map in a conspicuous location within the VRD.

\_\_\_\_\_  
INSPECTOR

\_\_\_\_\_  
DATE

Additional note regarding 1420 S. Columbia VRD application

This 1930 cottage has been extensively renovated and upgraded with the goal of maintaining the original character of the house while significantly improving energy efficiency and indoor air quality. Major enhancements include the addition of a 90 percent efficient heat pump and electric furnace, replacing six windows with new double pane architecturally congruent windows. In two bedrooms, windows were replaced with larger windows (as the space allowed) in order to best meet egress guidelines. One of the energy efficiency improvements was the replacement of a drafty aluminum sliding single pane glass door with a new insulated wall and new double pane windows. Insulation was added to the attic and several walls. We insulated a vintage fir door that was kept for character. The door was insulated with rigid foam and weather stripping was applied. All appliances were replaced with high efficiency ones with energy star rating where feasible.

With respect to parking, the property has extensive off-street space including a long driveway that we are proposing be paved winter 2014 after a first rental season for the house.

Co. 15

Yard

Area

Garage

Garage

20ft

16'

DRIVEWAY  
(PARKING  
PREPARED)

for 3 spaces  
to be paved with  
25' x 70'

25'

N →

1/4" SCALE



## CITY OF SEASIDE STAFF REPORT

**To:** Seaside Planning Commission  
**From:** Planning Director, Kevin Cupples  
**Date:** December 3, 2013  
**Applicant:** Chris Rose, 930 13<sup>th</sup> Ave; Seaside, OR 97138  
**Owner:** Scott Santos, P.O. Box 2853; Gearhart, OR 97138  
**Location:** 2283 N Roosevelt; T6 R10 15BA TL: 5805  
**Subject:** Highway Overlay Zone 13-054, 5,280 Sq. Ft. Office Building

---

### **REQUEST:**

The owner, Scott Santos, is requesting approval to develop a new office building within the Highway 101 Overlay Zone. The building will have a gross area of approximately 5,280 square feet. Half of the building will be used by the owner as a dental office and the occupancy of the other half has not been established yet. The property is located at 2283 N Roosevelt and it is zoned General Commercial (C-3).

The review will be conducted in accordance with Section 3.400 and Article 10 of the Seaside Zoning Ordinance which establishes the review criteria and procedures for a Planning Commission review within the Highway Overlay Zone.

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

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

**REVIEW CRITERIA # 1:** Pursuant to Section 3.400 of Appendix G of Seaside's TSP, all development that will create a significant number of additional trips (more than 5 peak hour or 30 average daily trips) must address the following review standards and criteria:

#### **Section 3.407 Highway Overlay Zone Standards**

- 1. Building Size:** The maximum building size will be 20,000 square feet. Buildings larger than 20,000 square feet may be considered, but are subject to additional design review.
- 2. Landscaping:** A landscaped area must be provided along the highway frontage to assure that a buffer is provided between the development and the road

surface. As a minimum requirement, the area must be equal to a 10' width multiplied by the length of the highway frontage. Any public sidewalk area provided on private property adjacent to the highway would be deducted from the required area.

**3. Exterior Lighting:** All exterior lighting shall be designed so the lighting source or lamp is recessed or otherwise covered to eliminate line of site visibility from neighboring properties, street travel lanes, or the surrounding environment. All exterior lighting must be dark sky compliant and shielded, screened, or otherwise provided with cut-offs in order to prevent direct lighting on the adjacent properties, riparian area, or the state highway subject to the following exception: Line of site visibility and direct lighting of neighboring property can be permitted subject to a formal agreement with the neighboring property owner when the lighting will benefit joint parking, access, or safety.

**4. Yards Abutting the Highway Frontage:** In an effort to promote more pedestrian oriented development, regardless of yard requirements of the underlying zone, buildings must be located close to the property line adjacent to highway such that the property line setback for the building entrance will not exceed 10'.

**5. Off Street Parking:** In addition to the requirements in Section 4.100, parking areas must address the specific design standards in Section 3.410.

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

1. The applicant's submitted justification, site plan, and development rendering is adopted by reference. The applicant's plan calls for the following:
  - A Traffic Impact Analysis (TIA) is not required for the proposed use because it will not generate more than 600 daily trips or 100 hourly trips.
  - The proposed building is accessed by way of an established access into the TLC commercial building complex. The access was previously reviewed and approved by ODOT.
  - The proposed commercial building will be divided into two office spaces. One half will be utilized as a dental office and the other half will provide commercial lease space.
  - Landscaping areas are provided around the building and provide a buffer between the parking lot and the exterior property boundaries.
  - The site will provide 31 automobile parking spaces and these will include two accessible spaces with a common van accessible isle.
  - Short and long term bike parking facilities will be provided on site.
  - A screened trash and recycle area is provided along the back side of the property.
2. The building is 5280 square feet.

3. Access to the property is by way of a private drive so it does not have any frontage on North Roosevelt, Highway 101.
4. Exterior pole lights are depicted on the applicant's rendering of the building. Although cut sheets for the lights were not submitted, all exterior lighting must conform to the City's Outdoor Lighting Ordinance. This ordinance does not permit pole lights greater than 20 feet in height.
5. The applicant's proposed parking spaces exceed the requirements in Section 4.100. The provisions in Section 3.410 prescribe the location of parking when uses have frontage on the highway and they are not applicable to non-frontage property.

**CONCLUSION TO CRITERIA #1:**

The proposed office building will satisfy the applicable development standards in the Highway Overlay Zone provided the following conditions are attached to the approval.

**Condition 1:** .The applicant must submit a detailed exterior lighting plan along with their building plans. The plan must documents that all outdoor lighting fixtures will have translucent covers that eliminate glare or directed shielding so as to prevent direct light from the fixture to shine beyond the property limits, street travel lanes, or the surrounding environment where the fixture is installed subject to the following exception: Line of site visibility and direct lighting of neighboring property can be permitted subject to a formal agreement with the neighboring property owner when the lighting will benefit joint parking, access, or safety.

The plan must be approved by the Planning Director in accordance with the City's Outdoor Lighting Ordinance.

**Condition 2:** Minor modifications to the applicant's proposed plan must be reviewed and approved by the Planning Director. These could be required in order to comply with other code issues applicable to the request or reduce impacts to the neighboring property. Any major changes or conflicts over a proposed modification will be reviewed with the Planning Commission prior to the approval of any development permits.

**REVIEW CRITERIA #2: Section 3.408 Highway Overlay Zone Criteria**

- 1. The proposal is consistent with the purpose of the overlay zone, and protects the capacity of US 101.**
- 2. If the proposal involves a development with frontage along US 101, the required permits from ODOT will need to be obtained prior to construction. If a permit already exists, proof of permit shall be provided to the City and ODOT. Developers are advised to coordinate with ODOT concurrently with their development proposal to discern the appropriate permit requirements. To confirm an appropriate permit, or to obtain a permit, contact the Permit Specialist at ODOT.**
- 3. The location, design, and size of the development are such that the development can be well integrated with the surrounding transportation facilities**

or anticipated future developments, and will adequately address the impact of development on US 101.

4. The location, design, and size of the development are such that traffic generated by the development can be accommodated safely and is less than the mobility standard on existing or planned streets, including US 101.

5. The location, design, and size of the development are such that the proposed uses will be adequately served by existing or planned facilities or services.

6. The location, design, and size of the development are such that the proposed uses will provide functional and efficient access and circulation for anticipated pedestrians, bicycles, and vehicles.

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

6. The proposed use will not create any new accesses onto N Roosevelt, Highway 101 and it will have a negligible impact on the long term traffic carrying capacity of this transportation facility.

7. The access permit for this site was obtained at the time the land division for the entire TLC site was approved by the Planning Commission.

8. There is one consolidated driveway for the proposed development and it is well integrated into the surrounding site's private road system and it will not have an adverse impact on the mobility standards approved under Seaside's TSP.

9. The vehicle and bicycle circulation appears to be functional and efficient. The site design has also incorporated a pedestrian walkway that will lead directly to the front door of each commercial space.

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

The proposed office building site design will satisfy the applicable criteria in the Highway Overlay Zone.

#### **FINAL STAFF RECOMMENDATION**

Conditionally approve the proposed dental clinic and commercial lease space at childcare, preschool, and future mini-storage use at 2263 & 2283 N Roosevelt. 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.

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

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

Attachments:

Applicant's Submittal



# City of Seaside, Planning Department

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

## Land Use Application

Kevin Cupples, Director

PLEASE PRINT OR TYPE

|                                                                                           |                                               |                          |
|-------------------------------------------------------------------------------------------|-----------------------------------------------|--------------------------|
| NAME OF APPLICANT<br><b>SCOTT SANTOS</b>                                                  | ADDRESS<br><b>P.O. Box 2853, Gearhart, OR</b> | ZIP CODE<br><b>97138</b> |
| STREET ADDRESS OR LOCATION OF PROPERTY<br><b>2283 ROOSEVELT AVE., SEASIDE, OR (42263)</b> |                                               |                          |

|                   |               |                       |                    |                         |                        |
|-------------------|---------------|-----------------------|--------------------|-------------------------|------------------------|
| ZONE<br><b>C3</b> | OVERLAY ZONES | TOWNSHIP<br><b>12</b> | RANGE<br><b>10</b> | SECTION<br><b>15 BA</b> | TAX LOT<br><b>5805</b> |
|-------------------|---------------|-----------------------|--------------------|-------------------------|------------------------|

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

**NEW COMMERCIAL BUILDING — 1/2 FOR DENTAL OFFICE AND THE OTHER HALF FOR LEASE.**

(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>Scott Santos</b>                                | PRINT NAME OF APPLICANT/REPRESENTATIVE<br><b>CHRIS ROSE</b>                 |
| ADDRESS<br><b>PO Box 2853 Gearhart, OR 97138</b>                                   | ADDRESS<br><b>930 13 TH. AVE SEASIDE, OR 97138</b>                          |
| PHONE / FAX / EMAIL<br><b>503. 717. 0850 / 503. 738. 7617 / toothdoc77@mea.com</b> | PHONE / FAX / EMAIL<br><b>503-440-0764 CHRISLROSE@GMAIL.COM</b>             |
| SIGNATURE OF PROPERTY OWNER<br><i>[Signature]</i>                                  | SIGNATURE OF DULY AUTHORIZED APPLICANT/REPRESENTATIVE<br><i>[Signature]</i> |

FOR CITY USE ONLY - DO NOT WRITE BELOW THIS LINE

### CHECK TYPE OF PERMIT REQUESTED:

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

|                                      |             |
|--------------------------------------|-------------|
| <b>PLANNING DEPARTMENT USE:</b>      |             |
| DATE ACCEPTED AS COMPLETE            | BY          |
| CASE NUMBER (S)<br><b>13-054 TIA</b> |             |
| HEARING DATE                         | P.C. ACTION |

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

Traffic Impact Analysis

**ACCESS REVIEW**

The Planning Commission will do a site review of all proposed developments within 200' of Roosevelt Drive (Highway 101) whenever they will cause a significant number of vehicle trips. For the purpose of this review, a significant number of trips is 30 trips per day or 5 trips per hour. This review is intended to determine compliance with the City of Seaside Transportation System Plan and consider impacts of the development on the traffic carrying capacity and safety of Hwy 101.

The City of Seaside and the State Highway Division shall cooperate during the review of the proposed development to ensure the standard of the Overlay Zone are upheld. Certain actions will require the additional submittal of a Traffic Impact Analysis (TIA) in accordance with Section 3.406.1, A & B. These include:

- (i) Proposed developments generating vehicle trips that equal or exceed 600 daily trips or 100 hourly trips; or
- (ii) Proposed zone changes or comprehensive plan changes; or
- (iii) An onsite review by the Oregon Department of Transportation Region Manager, or authorized designee, indicates that operational or safety problems exist or are anticipated at the development property.

1. At this time, has the Planning Director indicated that a TIA must be submitted. NO. If yes, a TIA must be included with the applicant's submittal. The scope, methodology, and process for the TIA shall be reviewed with ODOT prior to implementation. Developers are hereby advised to coordinate directly with ODOT's Development Review Coordinator.

2. Plan Submittal Requirements:

- a. A minimum of ten hard copies and one electronic copy of the proposed development plan must be submitted showing: streets, driveways, sidewalks, pedestrian ways, drainage facilities, off-street parking and loading areas; location and approximate dimensions of structures, utilization of structures, including activities and the number of living units; major landscaping areas; relevant operational data, drawings and/or elevations clearly establishing the scale, character and relationship of buildings, streets and open space. All elements listed in this subsection shall be characterized as existing or proposed and sufficiently detailed to indicate intent and impact.
- b. Vicinity maps and information on the use and points of access utilized by any abutting property within 200 feet of the development site.
- c. A boundary survey by a registered engineer or licensed surveyor.
- d. If the final development plan will be executed in phases, a schedule thereof will be required.

Review Standards and Criteria: The planning Commission will review the submittal during a public hearing and determine whether the proposal conforms to the attached standards and criteria set forth in the U.S. 101 overlay zone.

**Section 3.407 Standards. In the Highway Overlay Zone, the following standards shall apply:**

1. **Building Size:** The maximum building size will be 20,000 square feet. Buildings larger than 20,000 square feet may be considered, but are subject to additional design review.
2. **Landscaping:** A landscaped area must be provided along the highway frontage to assure that a buffer is provided between the development and the road surface. As a minimum requirement, the area must be equal to a 10' width multiplied by the length of the highway frontage. Any public sidewalk area provided on private property adjacent to the highway would be deducted from the required area.
3. **Exterior Lighting:** All exterior lighting shall be designed so the lighting source or lamp is recessed or otherwise covered to eliminate line of site visibility from neighboring properties, street travel lanes, or the surrounding environment. All exterior lighting must be dark sky compliant and shielded, screened, or otherwise provided with cut-offs in order to prevent direct lighting on the adjacent properties, riparian area, or the state highway subject to the following exception: Line of site visibility and direct lighting of neighboring property can be permitted subject to a formal agreement with the neighboring property owner when the lighting will benefit joint parking, access, or safety.
4. **Yards Abutting the Highway Frontage:** In an effort to promote more pedestrian oriented development, regardless of yard requirements of the underlying zone, buildings must be located close to the property line adjacent to highway such that the property line setback for the building entrance will not exceed 10'.
5. **Off Street Parking:** In addition to the requirements in Section 4.100, parking areas must address the specific design standards in Section 3.410.

**Section 3.408 Criteria.** Development proposals shall be evaluated according to the following criteria:

1. The proposal is consistent with the purpose of the overlay zone, and protects the capacity of US 101.
2. If the proposal involves a development with frontage along US 101, the required permits from ODOT will need to be obtained prior to construction. If a permit already exists, proof of permit shall be provided to the City and ODOT. Developers are advised to coordinate with ODOT concurrently with their development proposal to discern the appropriate permit requirements. To confirm an appropriate permit, or to obtain a permit, contact the Permit Specialist at ODOT.
3. The location, design, and size of the development are such that the development can be well integrated with the surrounding transportation facilities or anticipated future developments, and will adequately address the impact of development on US 101.
4. The location, design, and size of the development are such that traffic generated by the development can be accommodated safely and is less than the mobility standard on existing or planned streets, including US 101.
5. The location, design, and size of the development are such that the proposed uses will be adequately served by existing or planned facilities or services.

6. The location, design, and size of the development are such that the proposed uses will provide functional and efficient access and circulation for anticipated pedestrians, bicycles, and vehicles.

### **Section 3.409 US 101 Capacity Preservation Standards**

Land use applications subject to the provisions of Section 3.400 shall consider the following:

1. Transportation demand management (TDM) measures shall be strongly encouraged as a way to minimize peak hour vehicle trips. The City will compile and adopt a list of TDM measures they wish to promote in an effort to help preserve the capacity of US 101. This list will be reviewed and evaluated by the City on an annual basis.

### **Section 3.410 Automobile Parking Standards**

1. Off-street parking, driveways, and other vehicle areas shall not be placed between buildings and the highway; except the following vehicle areas are allowed where the approval body finds that they will not adversely affect pedestrian safety and convenience:
  - a. Schools, assisted living facilities, and other institutional uses may have one driveway not exceeding 20 feet in width plus parallel parking, including ADA accessible spaces, located between the street and the primary building entrance, provided that the building's primary entrance is connected to an adjacent street by a pedestrian walkway and the driveway/parking area is crossed by a clearly defined pedestrian walkway. The intent of this exception is allow driveways for particular uses that exhibit street-like features;
  - b. Attached single family housing developments (townhomes) with street-facing garages may have one driveway access located between the street and the primary building entrance for every two dwelling units, provided they meet the following criteria:
    - 1) Where two abutting townhomes have street-facing garages, they shall share one driveway access that does not exceed 16 feet in width where it crosses the street right-of-way;
    - 2) All primary building entrances shall be connected to a driveway (and sidewalk) via a pedestrian walkway that is not less than six (6) feet wide;
    - 3) The maximum number of consecutively attached townhomes with garages facing the same street is four (4) (two driveways); and
    - 4) Street-facing garages shall be setback a minimum of 20 feet from the street; where a building is placed less than 20 feet from the street, the 20-foot garage setback may be accomplished by recessing the garage behind the front building elevation.
  - c. Commercial buildings and uses (e.g., neighborhood commercial or mixed-use) shall be encouraged to locate all of their off-street parking located behind or to the side of such buildings and uses and screened from abutting properties. Off-street parking shall not be located between any building and US 101.

### **Section 3.420 Design Standards Vehicular Access and Circulation**

1. Permit Requirement – Access to US 101 requires an access permit from the Oregon Department of Transportation. The access permit or a condition that requires obtaining the permit must be attached as a condition of approval to a land use decision.

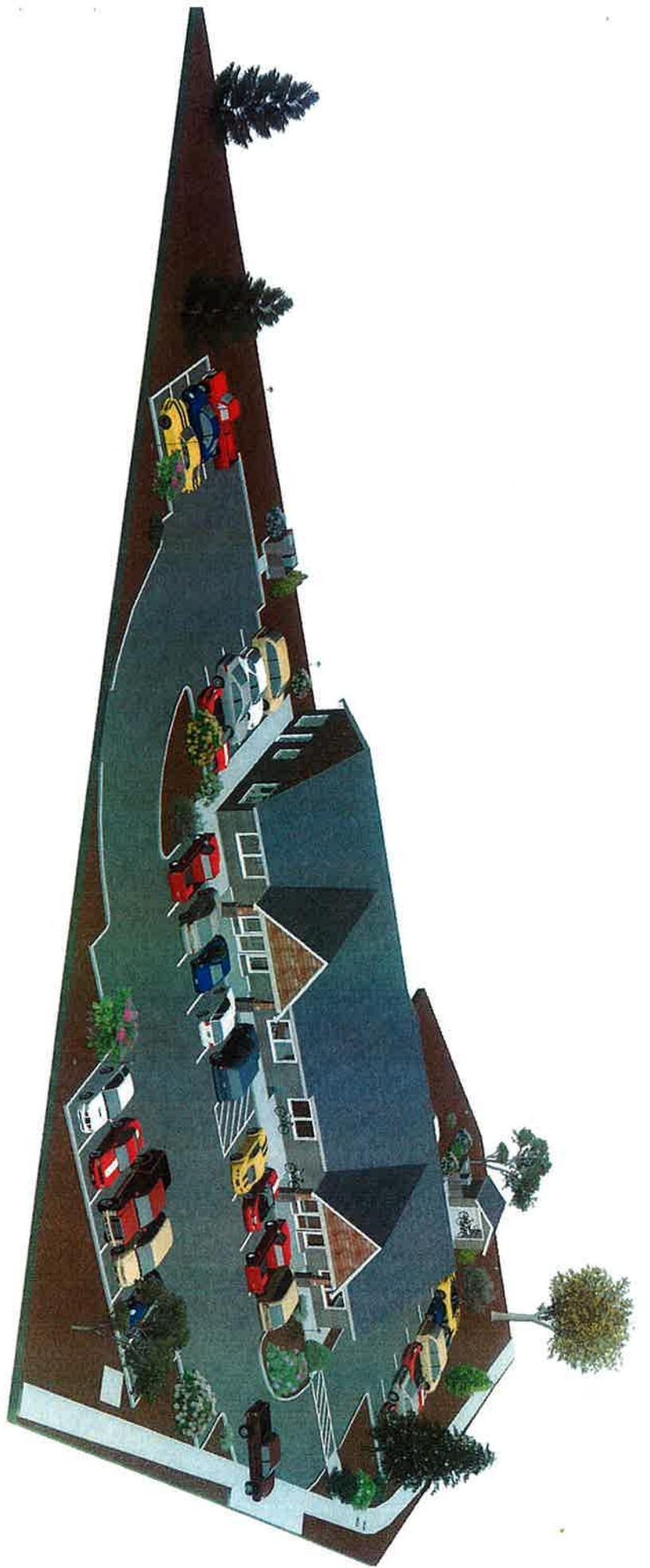
2. Closure or consolidation – The City (and/or ODOT if the parcel fronts US 101) may require the closing or consolidation of existing curb cuts or other vehicle access points, installation of traffic control devices and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the transportation system.
3. Site circulation – new developments shall be required to provide a circulation system that accommodates expected traffic on site. Pedestrian connections on the site, including connections through large sites, and connections between sites (as applicable) and adjacent sidewalks, must conform to the provisions in section 4.040.
4. Joint and cross access – requirement – The number of driveway and private street intersections with US 101 shall be minimized by the use of shared driveways for adjoining lots where deemed feasible by the City. When necessary for traffic safety and access management purposes, or to access flag lots, the City may require joint access and/or shared driveways in the following situations:
  - a. Shared parking areas
  - b. Adjacent developments
  - c. Multi-tenant developments and developments on multiple lots or parcels. Such joint accesses and shared driveways shall incorporate all of the following:
    - i. A continuous service drive or cross-access corridor that provides for driveway separation consistent with the applicable ODOT access management classification system and standards
    - ii. A design speed of 10 miles per hour and a maximum width of 20 feet, in addition to any parking alongside the driveway; additional driveway width or fire lanes may be approved when necessary to accommodate specific types of service vehicles, loading vehicles, or emergency service provider vehicles
    - iii. Driveway stubs to property lines (for future extension) and other design features to make it easy to see that the abutting properties may be required with future development to connect to the cross-access driveway;
5. Joint and cross access – reduction in required parking allowed – when a shared driveway is provided or required as a condition of approval, the land uses adjacent to the shared driveway may have their minimum parking standards reduced by 25 percent.
6. Joint and cross access – easement and use and maintenance agreement – property owners shall:
  - a. Record an easement with the deed allowing cross-access to and from other properties served by the joint-use driveways and cross-access or service drive
  - b. Record an agreement with the deed that remaining access rights along the roadway for the subject property shall be dedicated to the City and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
  - c. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.
7. Access connections and driveway design – all driveway connections to local street right-of-way (access) and driveways shall conform to all of the following design standards:

- a. Driveway width – driveways on local streets shall meet the following standards:
    - i. One-way driveways (one way in or out) shall have a minimum driveway width of 10 feet, and a maximum width of 12 feet, and shall have appropriate signage designating the driveway as a one-way connection.
    - ii. For two-way access, each lane shall have a minimum width of 10 feet and a maximum width of 12 feet.
  - b. Driveway approaches – local street driveway approaches shall be designed and located to provide exiting vehicles with an unobstructed view of other vehicles and pedestrians, and to prevent vehicles from backing into the flow of traffic on the public street or causing conflicts with on-site circulation (an exception may be provided for single family dwellings). Construction of driveway accesses along acceleration or deceleration lanes or tapers shall be avoided due to the potential for vehicular conflicts. Driveways shall be located to allow for safe maneuvering in and around loading areas. Driveway approaches to US 101 are subject to ODOT approval and must be consistent with state requirements.
  - c. Driveway construction – local street driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive. Driveway aprons shall conform to ADA requirements for sidewalks and walkways, which generally require a continuous unobstructed route of travel that is not less than 6' feet in width, with a cross slope not exceeding 2 percent, and providing for landing areas and ramps at intersections. Driveway Construction on US 101 is subject to requirements for access found in OAR Division 51.
8. Relocate access along local streets – upon property development or redevelopment, driveways and approaches on US 101 shall be analyzed to determine if the approach could be relocated onto a side street as far from the intersection with US 101 as possible, allowing closure of the approach on US 101.
  9. Variance to Vehicular Access and Circulation Standards. Where vehicular access and circulation cannot be reasonably designed to conform to Code standards within a particular parcel, shared access with an adjoining property shall be considered. If shared access in conjunction with another parcel is not feasible, the City may grant a variance to the access requirements after finding all of the following:
    - A. There is not adequate physical space for shared access, or the owners of abutting properties do not agree to execute a joint access easement;
    - B. There are no other alternative access points on the street in question or from another street;
    - C. The access separation requirements cannot be met;
    - D. The request is the minimum variance required to provide adequate access;
    - E. The approved access or access approved with conditions will result in a reasonably safe access;
    - F. The visual clearance requirements of Chapter 3.1 will be met; and
    - G. Variances for street access deviations shall be subject to review and approval by the roadway authority.

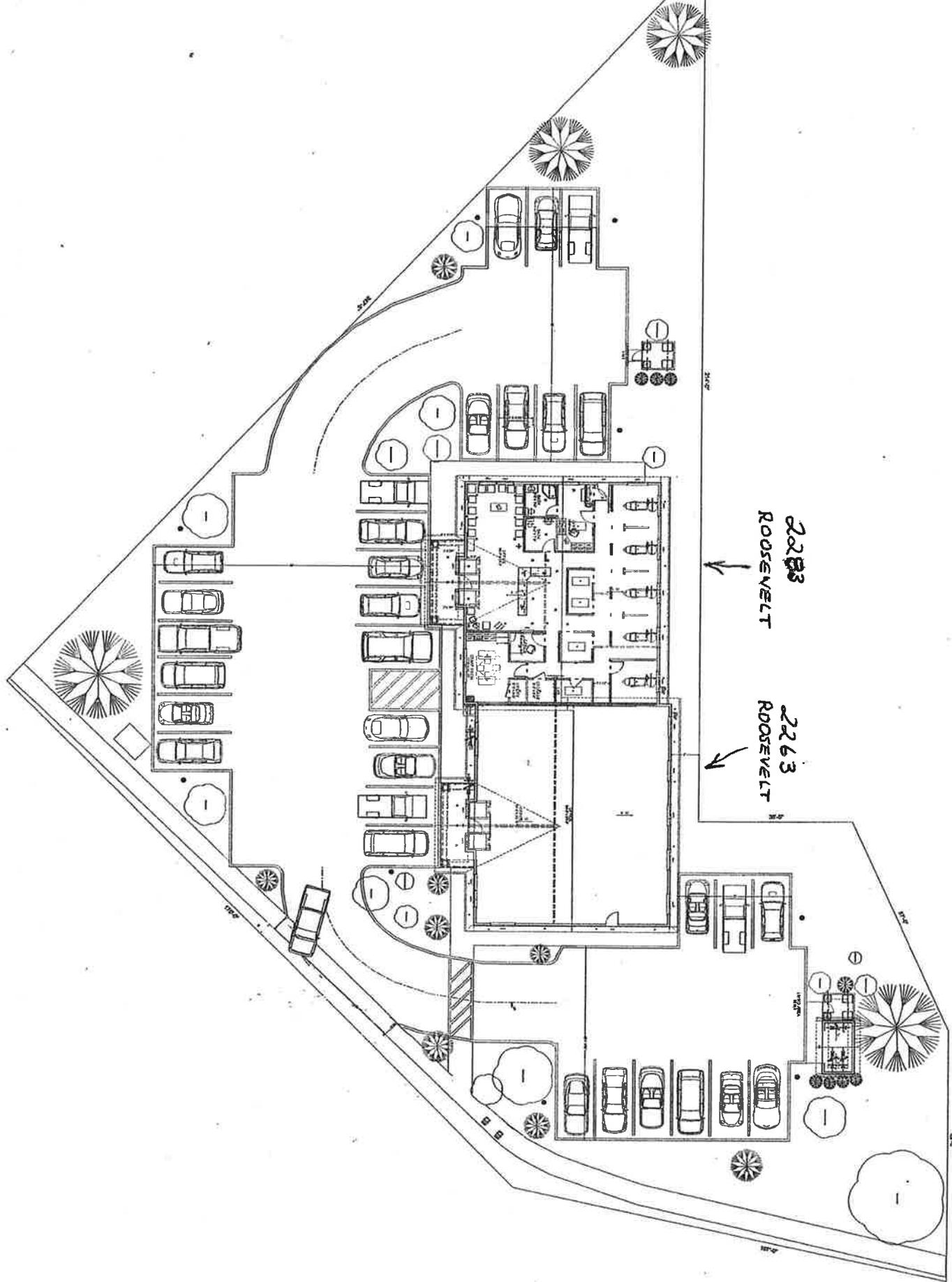
# NEW OFFICE BUILDING FOR



SCOTT N. SANTOS D.D.S.  
2283 ROOSEVELT  
SEASIDE, OR 97138



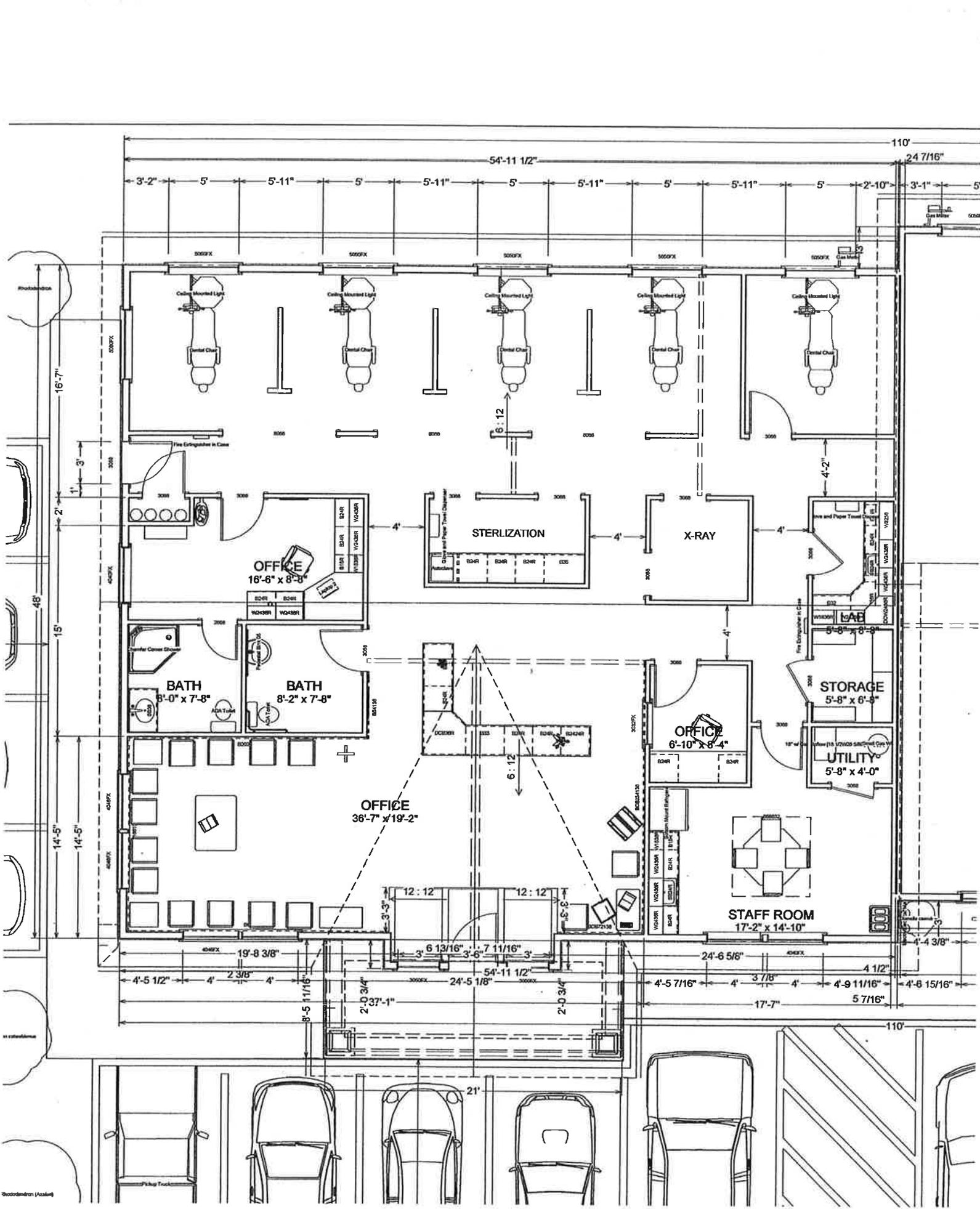




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**MEMORANDUM**

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DATE: December 2, 2013

TO: Mia Nelson  
Willamette Valley Advocate  
1000 FRIENDS OF OREGON  
  
CITY OF SEASIDE

FROM: Jerry Johnson  
Brendan Buckley  
JOHNSON ECONOMICS, LLC

SUBJECT: Comments from 1000 Friends of Oregon on the Seaside Goal 9 and 10 Analysis

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This memo is in response to comments submitted by 1000 Friends of Oregon regarding the 1/3/13 drafts of the following documents:

- Goal 9 Economic Opportunities Analysis
- Goal 10 Housing Needs Analysis

These draft documents were submitted in October to the City of Seaside as part of the Periodic Review Process. Mia Nelson of 1000 Friends of Oregon completed a thorough review of these drafts and submitted well-considered comments to the City.

This memo is meant to respond to Ms. Nelson's comments, and explain how they will be addressed, or to clarify misunderstandings. For clarity, this memo summarizes Ms. Nelson's comments, with Johnson Reid responses added below each one in blue text.

\* \* \*

1) What is the evidence that 2032 household size should be based on the 30-year lookback of national trends (-0.2% per year decrease from current size)? A 30-year lookback seems inappropriate since the rate of HH size decrease has leveled off in recent years....the 20-year national trend lookback is only -0.08%. Also, local data is available - why isn't Seaside's actual experience more relevant than national data? Seaside's HH size is much lower than the national size, and as HH size decreases, the rate of reduction also decreases. The 10-year Seaside lookback is only -0.05%....it seems to me that this is the most relevant trend and should be used in lieu of the 30-year national trend which is 4x faster. It appears to me that use of the 30-year national trend inflates the UGB expansion for housing by about 30%, beyond what would happen using the 10-year Seaside trend. See also the attached Oregon household size chart prepared by PSU - household size is rising in some parts of Oregon.

*Response:* The 30-year national trend in household size (-0.2% annually) is used in order to reflect the persistent long-term trend towards smaller household sizes. This is a standard factor to use given the lack



of household size data on most localities from prior to 2000. Moving forward, coastal communities like Seaside will experience a greater impact from the continued movement of the baby boom generation towards “empty nests” and retirement. This large generation predominantly live in one- and two-person households, and will contribute to the continued reduction of the average household size, particularly in communities that cater to retirees and seasonal residents.

In the 2010 Census, 48% of the householders in Seaside were 55 or older, in comparison to a national trend of 40%, reflecting the nature of Seaside, like many coastal cities, as a traditional retirement location. The aging of the baby boom cohort will only exacerbate this trend over the next twenty years. These households will continue to shrink in size, as the youngest of this cohort has not reached 50 and many of these households still have children present. Within the 20-year projection period most will become one- or two-person households.

While we understand Ms. Nelson’s suggestion to use shorter-term, local data, we believe that Seaside’s longer term data would likely conform more closely to the national trend used in this analysis. Household size data from the last decade is impacted by the recent recession which considerably slowed new household formation; this had the effect of slowing the rate of decline in household size. New household formation has only begun to recover. Therefore using just the most recent decade of data will not provide an accurate picture of the longer term rate of household size decline.

It is true that the rate of decline in household size has moderated from earlier in the 20<sup>th</sup> Century, this moderation began in Oregon with the 1980 Census, and therefore using the 30-year trend does not include the more drastic declines experienced before 1980. We believe the figure used in this analysis is appropriate.

2) School - 50 acres are said to be needed to relocate the school above the tsunami line. If that happened, wouldn't the land the school is on now become available for development? It appears that land below the tsunami line is considered buildable. Also - can you provide the part of the school master plan or other adopted document that shows that the school must be relocated? It also seems important to condition the UGB expansion for this on the actual moving of the school....if it doesn't happen, then the land shouldn't be made available for any other purpose.

*Response:* The need for 50 acres of land for the school district comes from discussion with the school superintendent and the publicized long-term hope to move local school facilities above the tsunami line. The land is anticipated for an expanded elementary school, a new middle school, and new high school to serve Seaside and the surrounding the coastal communities. In addition, the property is envisioned as providing shelter and staging grounds during emergencies, and must contend with difficult topography and other constraints above the tsunami line. This 50 acres of need is for school use and measures should be taken to ensure that if included in a UGB expansion, that it is used for the intended purpose.

However, at this time, there is significant uncertainty around the plan to relocate school facilities, following the voter defeat of a bond measure to help accomplish it. Furthermore, the relocation plan, while acknowledged is not yet a documented part of an official District facilities plan. There is additional uncertainty on the reuse of current District lands if facilities were to move.

Due to this uncertainty, we are considering the approach of removing the school needs from the Goal 10 analysis. This leaves the issue of school land need open for future consideration. The District will still have means to document land need and make purchase and/or annexation decisions in the future, but that need will not be explicitly included in this Goal 10 analysis.

(This issue will be discussed further at the Planning Commission hearing.)



3) Employment forecast - the actual Seaside job growth from 2002-2011 was only 0.7% AAGR. Safe Harbor (Region 1 forecast) is 1.4% AAGR. Instead of using the 1.4% AAGR overall safe harbor rate, the EOA claims a "baseline" of 1.68%, then offers a "medium" forecast of 1.78% and a "high" of 1.96%. In reality, even the safe harbor of 1.4% would be double Seaside's actual historical rate and therefore seems to itself be a "high" estimate. What evidence shows why it would be reasonable to exceed the 1.4% safe harbor rate - especially given that Seaside's actual job growth has been significantly less than Region 1 overall (0.7% vs. 1.1% from 2002-2011)?

*Response:* This analysis actually does use the Region 1 forecast. While the Region 1 forecast does have an overall AAGR of 1.4%, the different industries have their own projected AAGR. When these industry-specific rates from Region 1 are applied to the breakdown of employment by industry in Seaside (which has a different distribution than Region 1) the result is that the overall AAGR in Seaside is 1.7%. In other words, Seaside has greater representation in some faster-growing industries than is found in Region 1 as a whole.

While Seaside has experienced slow employment growth over the past decade (which includes the recent prolonged recession) it is not in the community's interest to strive for low growth going forward. The use of the Region 1 forecast by industry, as used here, is appropriate.

4) Commercial land need - It is a violation of OAR 660-024-0040(1) to base land need on a population forecast that is different than the official Clatsop county coordinated forecast. The medium and high scenarios on page 23 of the EOA exceed the 1.3% AAGR household growth rate derived by applying the coordinated forecast and the 30-year national trend -0.2% AAGR for household size. All three scenarios exceed the 1.2% AAGR household growth rate derived by applying the coordinated forecast and the 10-year Seaside -.05% AAGR for household size.

*Response:* We acknowledge a mistake in this part of the analysis. The household growth rate is used to forecast the amount those households will spend in the future, and thus the need for retail commercial space. As the comment notes, the approach of using a "baseline/medium/high" for this part of the analysis does not make sense, because the projection should reflect the growth rate in the Clatsop County forecast (and the Goal 10 analysis). Therefore, this should be changed to reflect the growth rate of 1.34% found in the Goal 10 housing analysis. This will be changed in the document and should result in the forecasted need for retail commercial land to be constant across the economic growth scenarios. Other categories such as industrial or office need will still vary because they are calculated with different methodology and not based on household growth.

The result of this change is to reduce the projected need for retail commercial space to 10.7 gross acres in all three scenarios. This reduces the need in the baseline scenario by 0.2 gross acres, 1.6 acres in the medium growth scenario, and 3.2 acres in the high growth scenario.

5) Specialized Uses land need - While it does appear that 65% of the "health care & social assistance" jobs would need land in this category (because they were not assigned office land) that is only 439 jobs x 65% = 285 jobs ("baseline" forecast). Why would 285 office jobs need so much land (19.5 acres)? Is school demand assumed to be part of this? The EOA does include schools in the specialized uses category, but 50 acres was already added for this purpose - so that would be double counting if schools are included.

*Response:* Specialized Uses include hospitals, clinics, assisted living facilities, and non-K-12 schools. For instance, it can include community colleges or trade schools. The total estimated need for Specialized Use space includes some share of employment in the Health and Social Services, Private Education, Leisure and Hospitality and Government sectors, a total of 309 jobs in the baseline growth scenario. It does not include overlap with the 50 acres of need from the k-12 school system.



Ms. Nelson points out that the distribution of 309 jobs over 16.2 net acres (19.5 gross acres) yields a fairly low overall density of 19 jobs per net acre. After review, we agree that this assumed density may be low. A revised density of 22 jobs per net acre, or roughly 550 s.f. of space per employee, would yield a projected baseline need for 14 net acres of Specialized Use land (down from 16.2 net), and a projected need of 16.8 gross acres (down from 19.5 gross).

6) Can you please explain the re-shuffling of land need in the commercial and industrial categories between Tables 26 and 30? I'm unclear as to why medical clinics, assisted living, schools, lodging, or retail uses would need any industrial land. For example, how did the industrial land need increase from 7.7 acres in Table 26 to 17.3 acres in Table 30?

*Response:* The broader number of categories in Table 26 is consolidated in Table 30 to just three categories. Therefore the totals are reconfigured. A share of office employment is assigned to light industrial land and therefore the amount of industrial land needed reflects true industrial jobs as well as businesses which use flex space or office park space in light industrial zones.

This is a presentation issue that will be clarified and better explained in the next draft.