

Appendix A:

Proposed Comprehensive Plan and Zoning Ordinance Text Amendments

Proposed Seaside Comprehensive Plan Text Amendments (June 7, 2017 Draft)

Plan Section	Suggested New Text	Commentary
3.1	<p>Public, Semi-Public is divided into two categories: Open Space and Institutional.</p> <p><u>Open Space:</u> These areas are designated for public park and recreational uses.</p> <p><u>Institutional Campus:</u> These areas are intended for large-scale (20 acres or greater) institutional uses such as hospital and school campuses. Master planning for large-scale institutional campus uses is encouraged.</p>	<p>The Comprehensive Plan has a Public, Semi-Public land use designation but (unlike Industrial, Commercial, Residential and Rural designations) the implementing zoning districts are not described in the plan. The City already has an Open Space zone that is applied to public park and recreational facilities. A new Institutional Campus (IC) zone is proposed for hospitals, schools and other public and semi-public uses that typically have large sites that would benefit from master planning.</p>
6.0	<p><u>Schools:</u> In 2016 the voters approved a \$99.7 million bond measure to relocate deteriorating schools and the district administration building to a large (approximately 40 acres) site southeast of Providence Seaside Hospital. The consolidated school campus will include an expanded Seaside Heights Elementary School, new middle and high schools, district administration facilities, athletic, parking and related facilities. All new school buildings will be located in the East Hills above the tsunami inundation zone.</p>	<p>The existing school text which is outdated should be updated.</p>
10.0	<p><u>Forest Lands:</u> Statewide Planning Goal 4 (Forest Lands) does not apply within the Seaside Urban Growth Boundary. However, Goal 4 does apply to commercial forest lands that border the UGB near Tillamook Head and the East Hills. The propagation and harvesting of forest products is allowed in the City's Exclusive Farm Use Zone, which applies outside the UGB but within the City Limits. The Forest Practices Act applies to commercial timber harvests on land outside the UGB, including land that is outside the UGB and inside the City Limits. The FPA also applies to commercial timber harvests inside the UGB unless commercial timber harvests are expressly prohibited by the Seaside</p>	<p>Remove the existing text from this section because (a) while Statewide Planning Goal 4 does not apply inside UGBs, (b) the Forest Practices Act does apply to commercial forest operations inside the UGB and City Limits: There are no commercial forest lands in the Seaside Urban Growth Boundary. The northeast portion of the city, the golf course, the Earl property to the south, and the Seaside Cove area have a Class II or III forest site class and provide a variety of urban non-commercial forest uses including open space, outdoor recreational uses, soil and slope stabilization, and wildlife and fisheries. Commercial forest lands border the UGB on the southwest on</p>

	<p>Zoning Ordinance.</p> <p>The northeast portion of the City, including the golf course, the Earl property to the south, and Seaside Cove has forested areas that provide urban forest uses such as open space, outdoor recreation, soil and slope stabilization, and fish and wildlife habitat. Such urban forest uses will be retained by application of open space zoning and by retaining vegetation in hazardous, riparian and shoreland areas. All land proposed for clearing must obtain a clearing and erosion control permit pursuant to Section 4.200 of the Zoning Ordinance.</p> <p>If the proposing ground disturbance area is one acre or more, a Department of Environmental Quality (DEQ) Section 1200c permit is also required.</p> <p>Non-commercial forest uses will be retained by the application of open space zoning and by retaining vegetation in hazardous, riparian, and shoreland areas. Selective harvesting may be allowed within the Freshwater Wetland (A3) Zone through the conditional use process.</p>	<p>Tillamook Head and on the east hills.</p> <p>Non-commercial forest uses will be retained by the application of open space zoning and by retaining vegetation in hazardous, riparian, and shoreland areas. Selective harvesting is allowed within the Freshwater Wetland Zone, and the propagation of harvesting of forest products is allowed in the Exclusive Farm Use Zone.</p> <p>The Forest Practices Act does not apply inside the Seaside Urban Growth Boundary; however, all of the Exclusive Farm Use Zone and some of the Freshwater Lake and Wetland Zone falls into an area that is inside the city limits but outside of the Urban Growth Boundary. In this area, only the Forest Practices Act applies and no city regulations can apply.</p>
14.0	<p>In 2017, the Urban Growth Boundary was expanded by approximately 40 acres to accommodate a new school campus above the tsunami inundation zone (at approximately the 80 foot elevation contour line), served by South Wahanna Road and Spruce Drive. The property had been in commercial forest use but has the site characteristics required for a school campus identified in Section 14 Policy 10 of this plan (Ordinance 2010-03). Policy 10 includes criteria for expansion of the UGB for hospitals and schools, as authorized by ORS 197.298. The school campus site will be zoned IC – Institutional Campus.</p>	<p>This new text recognizes that the UGB has been amended to include the school district campus based on acknowledged UGB expansion criteria found in the Seaside Comprehensive Plan.</p> <p>Application of the IC – Institutional Campus zone ensures that the only institutional and related uses will be allowed within the 2017 UGB expansion area.</p>

Revised Draft Seaside Zoning Ordinance Amendments

(Seaside School District / March 6, 2017 Draft)

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Proposed Amendments to Section 1.030 Definitions

Commentary: New Institutional Master Plan (IMP) and Institutional Development Plan (IDP) definitions are proposed. These definitions would apply in the proposed Institutional Campus Zone. Please note that underlined text is new.

Section 1.030 DEFINITIONS

Institutional Development Plan: A detailed development plan that substantially complies with and implements one or more phases of an Institutional Master Plan (IMP) approved by the Planning Commission. An IDP shows the precise type, location and height of proposed structures, open space, landscaping, parking and circulation, and public infrastructure shown conceptually on approved IMP.

Institutional Master Plan: A conceptual development plan that applies to all land under the control of an institution. An IMP identifies proposed uses, the general location and height of proposed structures, and the general location of areas devoted to open space, landscaping, parking and circulation, and public infrastructure. An IMP focuses on impacts that would likely result from institutional development during the life of the plan (up to 10 years) and must identify effective mitigation measures.

Proposed Amendments to Section 2.020 Classification of Zones

Commentary: The proposed Institutional Campus (IC) zone would be added to the list of Seaside zoning districts.

Section 2.020	CLASSIFICATION OF ZONES
Zone Description	Abbreviated
<u>Institutional Campus</u>	<u>IC</u>

Proposed New Section 3.210 – Institutional Campus Zone

Commentary: A new Institutional Campus (IC) Zone is proposed for large-scale institutional uses such as hospital and school campuses on sites of 20 acres or greater. This zone ensures that land added to the Seaside urban growth boundary for institutional purposes will be used for institutions and not for other uses, such as housing or commerce.

Section 3.210 - INSTITUTIONAL CAMPUS ZONE

Section 3.211 Purpose

The purposes of this zone are to:

1. Foster the establishment and growth of schools, colleges, hospitals and other major public or semi-public institutions through long-term institutional master planning;
2. Identify and mitigate impacts of such growth on surrounding properties, natural hazard and resource areas, and public infrastructure; and
3. Allow for administrative review of Institutional Development Plans (IDP) that implement and are consistent with an Institutional Master Plan (IMP) approved by the Planning Commission.

Section 3.212 Establishment of and Changes to the IC Zone Boundary

The IC zone boundary may be established or amended pursuant to Article 9: Amendments.

1. The IC zone may be applied to sites of 20 acres or greater if requested by the owner or lessee of the property.
2. The IC zone shall automatically be applied to any site of 20 acres or greater added to the urban growth boundary to meet a specific institutional need.

Section 3.213 Conditional Uses

In the IC zone, the following conditional uses and their accessory uses are permitted subject to the provisions of this section and Article 6: Conditional Uses. In cases of conflict, the provisions of Section 3.210 shall prevail.

1. Colleges and universities
2. Public and private schools
3. Hospitals and health facilities
4. Other large-scale public or semi-public institutional facilities
5. Administrative offices
6. Parking, loading and bus facilities
7. Retail (not to exceed 10% of total gross floor area of all buildings)
8. Child care centers or nursery schools
9. Group Living (dorms, hospice, etc.)
10. Stadiums, arenas, and auditoriums
11. Scientific, educational, or medical research facilities and laboratories.
12. Religious institutions
13. Museums
14. Supporting public facilities
15. Open space and natural areas

Section 3.214 Development Standards

The following standards shall apply in the IC zone:

1. Site size: Minimum of 20 acres.
2. Height restriction: Within 50 feet of any residential zone building height shall not exceed 35 feet; elsewhere on the site, the maximum building height shall not exceed 70 feet.
3. Required front, side and rear yard setbacks: Buildings shall be setback at least 20 feet from the property line where abutting a street or open space, residential or aquatic zone.
4. Open space: At least 20% of the institutional site area shall be planned for open space. Open space may include natural areas, outdoor athletic fields, planted areas or hardscapes such as plazas and playgrounds.
5. All uses shall comply with applicable supplementary provisions of Article 4, unless an adjustment has been approved pursuant to Section 3.215.4.

Section 3.215 Institutional Master Plan (IMP) Option

An institution requesting development related to uses listed in Section 3.213 may apply for a conditional use permit subject to applicable procedures, time limits and standards of Article 6: Conditional Uses. Alternatively, an institution may request approval of an IMP subject to the provisions of this section. If an institution chooses to apply for an IMP the following procedures and standards shall apply.

1. **IMP Coverage Area.** The IMP shall cover the entire institutional site, defined as all contiguous land under the control of the subject institution, zoned IC and within the urban growth boundary.
2. **Application Requirements.** In addition to meeting the application submittal requirements of Section 6.041, an IMP application shall:
 - a. Show the general location and height of new structures, circulation and parking areas, landscaping, and open space.
 - b. Identify potential impacts on development within 500 feet of the institutional site and recommend effective mitigation measures. At a minimum, the IMP application shall address impacts related to transportation, natural hazards, significant streams and wetlands, coastal resources, public facilities (sanitary sewer, domestic water and stormwater drainage) and lighting.
 - c. Comply with all applicable development standards or demonstrate that one or more adjustments to applicable development standards is/are justified under Section 3.215.4.
3. **Planning Commission Review.** An application for an IMP shall be reviewed by the Planning Commission pursuant to Article 6: Conditional Uses and the provisions of this Section. In cases of conflict, the provisions of this section shall prevail.
 - a. Notwithstanding time limits set forth in Section 6.050, an IMP may be approved for a period of up to 10 years and may include one or more phases.
 - b. Pursuant to Section 6.025, if an IMP has been approved by the Planning Commission, the Planning Director is authorized to administratively approve one or more IDP applications that implement and substantially comply with the approved IMP.
 - c. An applicant may concurrently apply for an IMP and an implementing IDP. Such concurrent applications are reviewed by the Planning Commission pursuant to Article 6: Conditional Uses.
 - d. Any IDP proposal that deviates substantially from the approved IMP shall be referred to the Planning Commission for review pursuant to Article 6: Conditional Uses.
4. **Adjustments to Development Standards.** Notwithstanding the variance criteria found in Section 7.032, the Planning Commission may approve one or more adjustments to

development standards set forth in Section 3.214, when the Planning Commission determines that all of the following criteria are met:

- a. Each proposed adjustment equally or better meets the purposes of the IC zone as stated in Section 3.211.
- b. Each proposed adjustment shall be supported by an impact study provided by the applicant pursuant to Section 3.215. For example, the off-street parking requirements set forth in Section 4.102 Public and Semi-Public Buildings and Uses may be adjusted by the Planning Commission when justified by a parking analysis as part of a professional Transportation Impact Study.

Section 3.216 Review Criteria for Institutional Master Plans

The Planning Commission shall approve an application for an IMP if the following approval criteria are met:

1. The proposal complies with applicable approval criteria and conditions set forth in Article 6: Conditional Uses;
2. The proposal complies with applicable development standards set forth in Section 3.214 and Article 4: Supplemental Provisions, unless an adjustment has been applied for and approved by the Planning Commission pursuant to Section 3.215.4;
3. The transportation system has sufficient capacity based on the City's level of service standards and is capable of safely supporting the development proposed in addition to the existing and planned uses in the area, or will be made adequate by the time each phase of the development is completed;
4. Public services for water supply, police, fire, sanitary waste disposal, and storm-water disposal are capable of serving the proposed development, or will be made capable by the time each phase of the development is completed; and
5. The proposed IMP includes measures to avoid or protect any inventoried natural, historic or cultural resources located on the site consistent with the provisions of any applicable overlay zones.

Section 3.217 Review Standards for Institutional Development Plans (IDP)

The Planning Commission shall approve an application for an implementing IDP upon finding that:

1. The proposed uses and development layout substantially complies with the approved IMP and any related conditions or adjustments approved by the Planning Commission.
2. The application meets all other applicable development standards Section found in 3.214 except where an adjustment has been approved.

Pursuant to ORS 227.178(3), after an IMP is approved, and so long as that IMP is in effect, an applicant for an implementing IDP is entitled to rely on the land use regulations in effect on the date its IMP application was initially submitted.

Proposed Amendments to Article 6: Conditional Uses

Several amendments to Article 6 are recommended to carry out the provisions in the proposed Institutional Campus (IC) zone.

Section 6.020 PLANNING COMMISSION AUTHORITY

The Planning Commission shall have the authority to approve, approve with conditions, or disapprove Conditional Use Permits in accordance with the standards and procedures set forth in Sections 6.030 through 6.140 and Section 3.210 Institutional Campus Zone.

Section 6.050 THE LIMIT ON A PERMIT FOR CONDITIONAL USE.

Except for Institutional Master Plans and Institutional Development Plans approved pursuant to Section 3.210, authorization of a conditional use shall be void after one year unless substantial construction pursuant thereto has taken place. However, the Planning Commission may, at its discretion, extend authorization for an additional six months upon request, provided such request is submitted in writing at least ten (10) days prior to expiration of the permit.

Section 6.070 SCHOOLS

Section 6.071 Nursery Schools. Nursery schools shall provide and maintain at least 100 square feet of outdoor play area per child. A sight-obscuring fence, at least four feet but not more than six feet high, shall separate the play area from abutting lots and from a street.

Section 6.072 Elementary Schools. Elementary schools shall provide a basic site area of five acres plus one additional acre for each 100 pupils of predicted ultimate enrollment.

Section 6.073 Secondary Schools. Secondary schools shall provide a basic site area of ten (10) acres plus one additional acre for each 100 pupils of predicted ultimate enrollment.

Section 6.074 School Campuses. School campuses with both elementary and secondary schools in the Institutional Campus (IC) zone shall have a basic site area of at least 30 acres and shall be subject to the provisions of Section 3.210 Institutional Campus Zone. The provisions of Sections 6.072 through 6.073 shall not apply to school campus sites in the IC zone.