

# Memorandum



808 SW 3<sup>rd</sup> Avenue  
Suite 300  
Portland, OR 97204  
Phone (503) 287-6825  
Fax (503) 415-2304

**To:** Kevin Cupples  
Seaside Planning Director  
City of Seaside

**From:** Don Hanson

**Copies:**

**Date:** July 21, 2015

**Subject:** Seaside UGB Expansion

**Project No.:** 15012

The following summarizes responses to items raised in the July 7<sup>th</sup>, 2015 Planning Commission hearing. It also summarizes additional progress on the UGB application.

- North Hills site (parcel 6). Mike Peal requested that his site be added to the UGB. Staff committed to walk the site and evaluate it further. Staff went back and reviewed the mapping for lot 6. Staff also visited the site on July 17<sup>th</sup>. It was determined that the slopes are too severe, access options are not adequate and crossing drainage areas would be too impactful. Also Jim Arshan testified. Jim owns parcel 5 adjacent to number 6. Same issues of slopes and resource area impacts as parcel 6.
- South Hills. Two land owners testified with concerns. Maria Pincetich was concerned about the changes to their rural area. Her cousin reinforced this concern. They posed the question “Why does Seaside have to grow?” We discussed the 20 year land supply requirement. Attached is an explanation of the state land use/legal framework for the requirement prepared by Steve Pfeiffer, attorney. The Ottens testified regarding the rural character loss as well as map errors and the proposed road locations. The maps have been corrected and it was explained that the road locations are very diagrammatic and subject to refinements. Larger scaled maps have been provided for better clarity. Buzz also raised traffic as a concern. Parcels that do annex and develop in the future will be required to submit traffic studies.

## State DLCD items raised:

1. ORS 197.298. Exception lands and rural residential lands should be prioritized over resource land for UGB expansion. The report will be modified to include additional zoning/soils mapping to address this item.

2. Prioritizing lands. The report is being reformatted to respond directly to goal 14 criteria.
3. Employment/Institutional lands. The map combines these two designations. The state wants to see the two uses separated. Solution options include creating a new institutional comp plan designation and future zone (a list of potential land uses allowed is attached ) and changing the proposed map or allow institutional uses in the industrial/employment zone as a conditional use.
4. Future expansion area status. The map shows a future development parcel inside the proposed UGB line. This is not allowed. A map showing this revision is attached.

### **School district:**

The school district has submitted a letter requesting that 40 acres be included in the UGB for their future facilities. This will be discussed and the state DLCD will also provide feedback.

Attachments:     Email from Steven Pfeiffer  
                      Email from Brendan Buckley  
                      Map Revision

**Jennifer Snider**

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**From:** Pfeiffer, Steven L. (Perkins Coie) [<mailto:SPfeiffer@perkinscoie.com>]  
**Sent:** Monday, July 20, 2015 11:15 AM  
**To:** Don Hanson  
**Cc:** Bradley Johnson ([bradley.johnson@weyerhaeuser.com](mailto:bradley.johnson@weyerhaeuser.com))  
**Subject:** City of Seaside - 20 year land supply

Don,

Per our recent discussion, please see the following re the legal basis for the City's obligation to maintain a 20 year residential land supply:

*ORS 197.296 (2) At periodic review pursuant to ORS 197.628 (Periodic review) to 197.651 (Appeal to Court of Appeals for judicial review of final order of Land Conservation and Development Commission) or at any other legislative review of the comprehensive plan or regional plan that concerns the urban growth boundary and requires the application of a statewide planning goal relating to buildable lands for residential use, a local government shall demonstrate that its comprehensive plan or regional plan provides sufficient buildable lands within the urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years. The 20-year period shall commence on the date initially scheduled for completion of the periodic or legislative review.*

*(3) In performing the duties under subsection (2) of this section, a local government shall:*

*(a) Inventory the supply of buildable lands within the urban growth boundary and determine the housing capacity of the buildable lands; and*

*(b) Conduct an analysis of housing need by type and density range, in accordance with ORS 197.303 (Needed housing defined) and statewide planning goals and rules relating to housing, to determine the number of units and amount of land needed for each needed housing type for the next 20 years.*

**660-024-0040**

**Land Need**

*(1) The UGB must be based on the appropriate 20-year population forecast for the urban area as determined under Rules in OAR 660, div 32, and must provide for needed housing, employment and other urban uses such as public facilities, streets and roads, schools, parks and open space over the 20-year planning period consistent with the land need requirements of Goal 14 and this rule. The 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision.*

Taken together, these statutory and LCDC implementing regulations establish the City's obligation to maintain the 20 year supply and to ensure that this obligation is met whenever they undertake a review of the City's land supply, whether under periodic review or as applicant or City initiated PAPA. In other words, the decision by the City to initiate the current policy review means they cannot conclude without making this demonstrations.

Steve

**Steven Pfeiffer | Perkins Coie LLP**

**PARTNER**

1120 N.W. Couch Street Tenth Floor

Portland, OR 97209-4128

D. +1.503.727.2261

F. +1 503.346.2261

E. [SPfeiffer@perkinscoie.com](mailto:SPfeiffer@perkinscoie.com)

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## Jennifer Snider

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**From:** Brendan Buckley [<mailto:bwb@johnsoneconomics.com>]

**Sent:** Wednesday, July 15, 2015 8:57 AM

**To:** Kevin Cupples

**Subject:** Re: Industrial vs Institutional

Kevin,

Institutional generally refers to public buildings, schools (K - university), religious buildings, hospitals or large clinics, museums or the like. If I recall, in Seaside the discussion was for the need for additional school and perhaps hospital land above the tsunami line.

The definition of institutional will differ by community. I would say that the minimum would probably be public facilities (including things like community centers which may locate in a residential zone where other busy uses would not be permitted), schools, religious buildings, and hospitals. (Parks and rec facilities may be included, but we broke out the need for parks separately on the Goal 10 side.)

Here is a longer list I found online with some examples from another community that you may want to consider:

Land Uses	P-I'
Government services	PP
Libraries and museums	PP
Emergency shelters	PP
Air transportation facilities	C
Cemeteries	C
Clubs, lodges, and meeting halls	C
Community centers	C
Maintenance and service facilities	C
Public safety facilities	C
Recreational facilities, public	C
Religious facilities	C
Schools	C
Transportation terminals	C
Utilities, major	C
Gravel mining	C

Hope this helps,  
Brendan

Brendan Buckley

Senior Project Manager  
(503)295-7832 ext.112  
[bwb@johnsoneconomics.com](mailto:bwb@johnsoneconomics.com)

Johnson Economics LLC  
621 SW Alder Ave.  
Suite 605  
Portland, OR 97205

On 7/14/2015 2:09 PM, Kevin Cupples wrote:

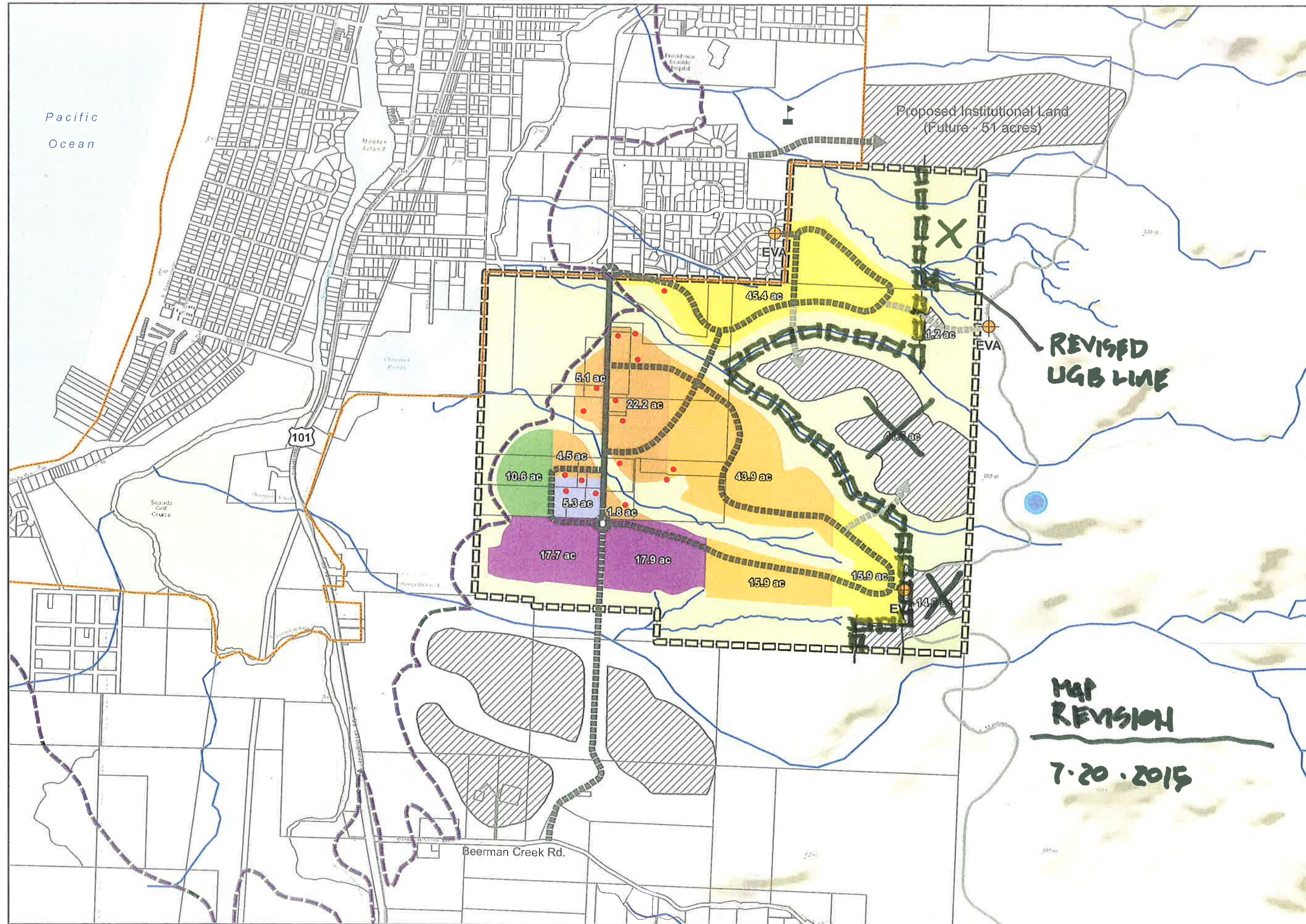
Brendan: We are currently working on our UGB expansion and I was wondering if you could clarify what uses or activities are anticipated under "Institutional" needs. I may have missed it in your study, but I don't recall a detailed list of any kind. Don & I are attempting to refine the actual zone that would be applied to it and wanted to make sure we had all the anticipated uses adequately covered. I know that we discussed schools or perhaps medical uses, but I didn't see the range of uses clarified within that classification.

Any help would be greatly appreciated.

Thanks!

Kevin S. Cupples  
Seaside Planning Director  
Ph: 503-738-7100  
Fx: 503-738-8765

# Southeast Hills - Draft Comprehensive Plan Designations



- Proposed Expansion Area
  - Seaside UGB
  - Tsunami Inundation (Senate Bill 379)
  - Stream/Drainage
  - School Site
  - Existing Home
  - Proposed Water Tower
  - Emergency Vehicle Access
  - Wahanna Rd.
  - Proposed Street
  - Future Street
  - Tax Lot
- Proposed Land Use**
- R-1 (61.3 ac)
  - R-2 (59.8 ac)
  - R-3 (33.5 ac)
  - RR (5.3 ac)
  - Employment (35.6 ac)
  - Park (10.6 ac)
  - Potential Expansion Area (186 ac - Long Term Future)
  - OPR (253 ac)

