

Zone Change Procedure Summary:

Zoning change applications are scheduled for a public hearing before the City of Seaside Planning Commission. Prior to the hearing, the Community Development Department notifies the Department of Land Conservation & Development and all the property owners within 100 feet of the subject property. The applicant submits a complete application that supports the proposed request along with all the supplemental information. Staff reviews the submittal and prepares a staff report for the Planning Commission prior to the public hearing. During the hearing, the chairman will open the hearing and ask for a brief summary of the staff report. Following staff's brief summary of their report the applicant will be given an opportunity to testify and any other individuals in favor of the request, and then individuals in opposition to the request. An opportunity for rebuttal will be provided after we have heard from everyone that wishes to testify.

After the public hearing, the Planning Commission will make a recommendation to the City Council. The City Council will then hear the request in light of the Commission's recommendation before making a final decision. A decision by the Council to approve the request will require formal reading and adoption of an ordinance amendment authorizing a change to the Zoning Map of Seaside, Oregon. The decision by the City Council can be appealed to the Land Use Board of Appeals in accordance with State Statute.

Zoning Map Amendment Request and Review Criteria:

Prior to completing any application, the request should be discussed with the Planning Director. It may be advisable to take advantage of a formal pre-application conference to promote an exchange of information about the applicant's proposal and how it relates to the requirements of the Seaside Zoning Ordinance, Comprehensive Plan, or other applicable ordinances.

The City of Seaside City Council may authorize a zone change in accordance with the provisions in the City of Seaside Zoning Ordinance when the proposed change is found to be consistent with the Seaside of Seaside Comprehensive Plan.

In accordance with Section 15.4 Implementation and Procedural Policies of the Comprehensive Plan, the property owner must justify the zone change based on the following considerations:

1. Any revision shall be based on examination of development trends, population growth, and effectiveness of policy statement since the adoption or previous revision date.
2. Changes to the Comprehensive Plan shall be based on adequate finding of public need and factual information.
3. Findings of fact for requested Comprehensive Plan revisions shall, as a minimum:
 - a. Explain which plan goals, objectives, or policies are being furthered by the change:
 - b. Present the facts used in making the decision; and
 - c. Explain how the change will serve the public need.

4. As with the preparation of the Comprehensive Plan, other jurisdictions and agencies shall be involved in the process of revision or updating.
5. Zone changes shall be consistent with the Comprehensive Plan.

QUESTIONS TO BE ADDRESSED IN NARRATIVE STATEMENT

Please provide the following information in full and attach to this application as Exhibit B.

1. **COMPREHENSIVE PLAN MAP AMENDMENT.** Is the proposed amendment compatible with the provisions of the Comprehensive Plan when measured by the following?

- a. What is the land area that will be affected by the map amendment?
- b. What are the current land uses in the surrounding area?
- c. What is the proposed use of the site?
- d. What is the impact of the proposed amendment on land use and development patterns in the City regarding:
 - i. Traffic generation and circulation patterns
 - ii. Population concentrations
 - iii. Demand for public facilities and services
 - iv. Maintenance of public health and safety
 - v. Level of park and recreation facilities
 - vi. Economic activities
 - vii. Protection and use of natural resources
 - viii. Natural hazards and constraints
 - ix. Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvement programs
- e. Is there a need for the proposed map change based on the lack of available land in the districts where the proposed use is allowed?
- f. Are adequate urban services available to the site for the proposed use?
- g. How does the proposed amendment comply with all the applicable Statewide Planning Goals and administrative rule requirements? The State's Transportation Planning Rule requires an amendment to an acknowledged comprehensive plan or a land use regulation to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of transportation facilities. If there is a proposed change in the urban growth boundary, then compliance with Goal 14 and the Urban Growth Policies of the City of Seaside will also need to be described.
- h. Can the proposed amendment be implemented within the existing framework of the comprehensive plan?
 - i. Is the proposed amendment an appropriate action under one or more of the following criteria?
 - i. It corrects identified error(s) in the provisions of the comprehensive plan.
 - ii. It represents a logical implementation of the plan,

iii. It is mandated by changes in federal, state or local law.

iv. It is otherwise desirable, appropriate and proper.

SUBMITTAL REQUIREMENTS (ZONE CHANGE)

- Ten (10) copies plus the original, signed application form with a written narrative describing and justifying the zone change requested. This information must be reproduced so please print clearly using black or blue ink or type.
- Ten (10) copies plus the original of a site plan and other materials essential to understanding the proposal.
- All submitted material must be folded and collated in sets and drawings & maps must be to scale (1" = 20', 1" = 40' or other approved by staff).
- The appropriate filing fee payable to the City of Seaside.

SUBMITTAL RECOMMENDATIONS

- Applicants are advised to schedule a pre-application meeting with Planning staff to discuss request prior to submittal of application.
- Applicants are advised to submit three (3) draft application packages one week in advance of deadline dates for public hearings.