

MINUTES SEASIDE PLANNING COMMISSION
September 7, 2010

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

PLEDGE OF ALLEGIANCE:

ATTENDANCE: Commissioners present: Steve Winters, Virginia Dideum, Dick Rees, Tom Horning, Chris Hoth, Bill Carpenter, and Dick Ridout, Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director, Glenn Taylor, Planner

OPENING REMARKS & CONFLICT OF INTEREST/EXPARTE CONTACT: Chair Horning 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 Horning then asked if any of the Commissioners wished to declare a conflict of interest or exparte contact. There was no response.

APPROVAL OF MINUTES: Motion to approve the August 3, 2010 minutes;
Commissioner Carpenter made a motion to approve August 3, 2010 minutes as submitted.
Commissioner Rees seconded the motion was carried unanimously.

PUBLIC HEARING REQUIREMENTS:

The following public hearing statements were read by Chair Horning:

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.) 10-034VRD is a request by H & S Resort Development for a Three (3) bedroom Vacation Rental Dwelling Permit within the Residential Medium Density (R-2) zone. The property is located at 1680 North Franklin.

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 criteria for Vacation Rental Dwellings are included in Section 6.137 of the Ordinance.

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

Chair Horning asked if there was anyone who would like to offer testimony in favor of the request. Randy Harrison, Budget Blinds in Gearhart. This house was built as a vacation rental dwelling. It was built to meet all the standards of a vacation rental. This home has two inside play areas.

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

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

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

Commissioner Hoth asked if Randy was going to be the local contact. Mr. Harrison stated that Sharon Rauwolf would be the local contact.

Commissioner Ridout asked about the landscaping. Mr. Harrison stated that there will be a yard this fall. He wants to put black top in on the street to alleviate the pot holes that gather at the stop signs.

Chair Horning asked about the re-inspection period for 5 years and will this property be the first one to have that?

Mr. Cupples stated that it could go into effect immediately or if the Planning Commission wishes to review these policies first and then start at a later date it is up to the planning commission to decide when it will go into effect.

Chair Horning would like to have the 5 year re-inspection as one of the conditions if other commissioners would like to add that also.

Commissioner Ridout stated that he would like to read the document first then adopt it later.

Commissioner Winters would like to read the document also.

Commissioner Hoth agreed.

Commissioner Carpenter would like to review and then adopt at the next meeting.

Commissioner Rees also agreed.

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

Commissioner Winters seconded and the motion was carried unanimously.

ORDINANCE ADMINISTRATION: Mr. Cupples stated that these VRD issues have been gone over and gone over. The City Council has looked at them in a joint work session and these issues have been decided upon. The City Council had no changes. The action that needs to be taken is deciding when these regulations will take effect. Mr. Cupples stated that these guidelines/policies should be effective on 10-10-10.

COMMENTS FROM THE PUBLIC: Erin Barker stated that parking on the street is unenforceable. Many families rent one or two homes and them not being able to visit one another is ridiculous, it makes Seaside seem unfriendly.

Commissioner Hoth stated that any rule by its very nature isn't perfect. The reason for these rules is not to go out and enforce them all. It is to deal with rules that are being violated in excess. If you have someone who keeps violating the rules we have something in writing that says we can enforce these rules. If there is nothing in writing, no policies, then there is no way to enforce the rules.

Erin thinks that the parking rule is just going over the top.

Commissioner Carpenter stated that on the parking matter, we are requesting the people who rent the unit to park in the designated parking spots. We are asking them not to park in the street.

Commissioner Ridout asked if Ms. Barker is referring to page 1 item 3. Ms. Barker stated that it says "No on street parking is allowed at this location". If the house is rented and they park on the street they are violating the rule. Ms. Barker stated that her point is that if people lived in the house year around they would be parking on the street. But being as this is a vacation rental and there is a neighbor who is always watching to see the comings and goings of the occupants of the house and a friend stops by to visit for 3 hours that neighbor can write a complaint to the City that states "there was a car parked on the street for three hours" that makes it a violation of the rule.

Commissioner Winters stated it seems that there is concern about it because obviously someone is complaining or it wouldn't be an issue. We have some people looking in trash cans, if we have people out there looking for open garage doors, if we have people out there looking on the internet for illegal vacation rentals, we have people out there looking for trash on the prom, and we have people out there counting heads at certain vacation rentals, then somebody is obviously paying attention. Where is the neutrality of it? Some people must have too much time on there hands. We need to monitor the complaints and then take action at that time.

COMMENTS FROM COMMISSION/STAFF: Chair Horning wants to acknowledge Vice Chair Rees for his long service and good thinking over the years. Vice Chair Rees stated that it has been a pleasure working on the Planning Commission he's enjoyed his time.

Chair Horning asked about the tree trimming that's been going on from Ave U South to the old Pete Anderson Building. Mr. Cupples stated that he wasn't sure what was going on. The owner of the Pete Anderson Building came in and asked to remove some of the vegetation and they were given the approval to remove non-native vegetation. But other than that no other permission was given. If they took out vegetation within the riparian setback they shouldn't have done that. Please call if you see anything you feel is suspicious so that we can check it out before the damage is done.

Commissioner Dideum asked about the issue with city lights. Chair Horning stated that yes there is some issues with the lighting on some of the commercial buildings in town. Commissioner Winters asked how could we have a lighting ordinance such as not having lights light up the night sky when we live in city. The city is lighted.

ADJOURNMENT: Adjourned at 7:50pm.

Tom Horning, Chairperson

Debbie Kenyon, Admin. Assistant