

MINUTES SEASIDE PLANNING COMMISSION

March 3, 2020

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

PLEDGE OF ALLEGIANCE

ATTENDANCE: Commissioners present: Chair Chris Hoth, Vice Chair David Posalski, Bill Carpenter, Lou Neubecker; Robin Montero, Teri Carpenter, Jon Wickersham. Staff present: Kevin Cupples, Planning Director, Anne McBride, Community Development Assistant, Jordan Sprague, Administrative Assistant.

APPROVAL OF MINUTES: Chair Hoth made a motion to revise the minutes of February 4, 2020 meeting to reflect the Chair's no vote for the office of Chairperson. The minutes will be amended to read "The motion was passed 5-1 with Chair Hoth voting no." This would amend the vote tally to 5 votes in favor and 1 against; Commissioner Wickersham was not present for the vote. Commissioner Teri Carpenter seconded the motion. The motion passed.

INTRODUCTORY STATEMENTS

This is the time duly advertised for the Seaside Planning Commission to hold its monthly meeting. Agenda items can be initiated by the general public, any legal property owner, Seaside City Council, City staff, and the Seaside Planning Commission.

Chair Hoth 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.

PUBLIC HEARING PROCEDURES, EX PARTE CONTACTS & CONFLICTS OF INTEREST:

Chair Hoth stated it is standard procedure for the members of the Commission to visit the sites to be dealt with at these meetings. He then asked if any of the Commissioners wished to declare an ex parte contact or conflict of interest.

AGENDA:

PUBLIC HEARING REQUIREMENTS:

The following public hearing statements were read by Chair Hoth:

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. Vacation Rental Dwelling Conditional Use 20-004VRD:** A conditional use request by **John Savage** for a **three (3) bedroom** Vacation Rental Dwelling (VRD) permit with a maximum occupancy of **six (6)** people over the age of three. The property is located at **832 N Holladay (T6-R10-S16DD-TL11300)** and it is zoned **High Density Residential (R-3)**.

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions, and conclusions. Mr. Cupples cited a letter from neighboring property

owners David and Shirley Durham regarding parking conditions, landscaping requirements, and smoking on the property.

Chair Hoth asked if there was anyone who would like to offer testimony in favor of the request. Ann Westerlund, Astoria, OR, stated that they are in agreement with the letter submitted by Mr. and Mrs. Durham. She stated that Mr. Savage will want to use the house as a second home, but also wants to be able to rent the house on a short-term basis.

Chair Hoth asked if there was anyone who would like to offer public testimony in favor. Shirley Durham, 830 N Holladay, spoke in favor of the short term rental however voiced her concerns regarding the rental occupants. Her apprehension was in regard to the house having one bathroom and an occupancy of six adults and children. Smoking is an additional concern as tenants in the past have left cigarette butts on the ground. Pets have also been a problem in the past as occupants would often allow their dogs to relieve themselves on their property. She noted the parking area is tight for moving vehicles and turning around. She also stated that previous management companies would often be unresponsive to their complaints. Chair Hoth asked if Shirley Durham was in favor of the VRD as long as the extra conditions were in place. Shirley Durham stated she was in favor of the approval of the home as a VRD but wanted to voice her concerns for the Commission's consideration.

Chair Hoth asked if there was anyone who would like to offer public testimony in opposition. There were none.

The public hearing was opened to the Commission for discussion. Commissioner Wickersham asked for clarification regarding the bedroom in the basement as shown on the application. Mr. Cupples stated that the third bedroom lacked egress so it could not be utilized as a bedroom. The basement would only be used to access the electrical panel. Commissioner Teri Carpenter asked when the last time this house was approved as a VRD. Mr. Cupples stated the last approval was in 2014. Commissioner Neubecker asked if the previous approval was for only two bedrooms. Mr. Cupples stated it was. In similar cases additional bedrooms that were not approved for use were required to be locked off. The policy now stands that if a dwelling has more bedrooms than is allowed the additional bedrooms are available but are not advertised as sleeping rooms. VRDs are limited in occupancy by the number of off street parking spaces. Vice Chair Posalski asked if the proposed application included approval of the third bedroom. Ann Westerlund stated the house was not intended to be advertised as a three-bedroom rental. Chair Hoth stated that the Planning Commission has the authority to alter applications to meet requirements. Commissioner Teri Carpenter stated she had concerns with the parking because the easement is narrow and the back parking spaces are tight which could make parking difficult to maneuver. Vice Chair Posalski asked Mr. Durham if there had been parking difficulties in the past. David Durham stated that people do park and block the easement and he occasionally has had to ask tenants to move their vehicles. Vice Chair Posalski suggested a solution could be to designate the parking space in the easement with painted parking markings.

After the discussion Vice Chair Posalski made a motion to approve 20-004VRD with additional conditions. First, the applicant must designate, with yellow markings, the location of the one parking space on the south side of the home that is in the easement. Second, the VRD is restricted to a two-bedroom rental and must be advertised as such. Commissioner Neubecker seconded the motion contingent upon approval of the two conditions. The vote passed 6-1 with Commissioner Teri Carpenter voting no.

ORDINANCE ADMINISTRATION

- A. Parking Provisions:** Mr. Cupples stated the City Council has completed the first reading of the zoning amendment for the downtown core and general parking regulations proposed by the Commission. The second reading by the Council is scheduled for March 9, 2020.

Planning Commission Meeting Schedule Change: Mr. Cupples stated that the City Council and City Manager are aware the Planning Commission will be changing Commission meetings to begin at 6 p.m. instead of 7 p.m. starting April 7, 2020.

Joint Work Session: There will be a City Council joint work session on March 30, 2020. The Planning Commission will not be required to attend the meeting.

OTHER BUSINESS

- A. VRD Application Fees:** Commissioner Montero questioned the fees noted on the VRD application that had been approved. The document had the previous year's fees shown and asked if that would be a problem down the road. Mr. Cupples stated that the form used was not the updated application and the fees have been corrected on the current application.

COMMENTS FROM THE PUBLIC

Chair Hoth asked if there were any comments from the public. There were none.

COMMENTS FROM COMMISSION/STAFF

Chair Hoth wanted to clarify that the applicant will only advertise the number of bedrooms that have been approved in the decision. Mr. Cupples agreed that when making the decision, one of the conditions is the number of occupants in the rental.

ADJOURNMENT: Adjourned at 7:23 PM.

Chris Hoth, Chairperson

Jordan Sprague, Admin. Assistant