



Community Development Land Use Application

Mailing: 989 Broadway Seaside, OR 97138
Location: 1387 Avenue U. Seaside, OR 97138

E-mail: cdadmin@cityofseaside.us
Office: (503) 738-7100

| Property Information: | | | | | |
|--|--------------|----------|-------|---------|------------|
| STREET ADDRESS OR LOCATION OF PROPERTY | | | | | |
| ZONE | OVERLAY ZONE | TOWNSHIP | RANGE | SECTION | TAX LOT(S) |

| Owner: | Applicant/Representative Other than Owner: |
|-----------|--|
| NAME | NAME OF APPLICANT / REPRESENTATIVE |
| ADDRESS | ADDRESS |
| PHONE | PHONE |
| EMAIL | EMAIL |
| SIGNATURE | SIGNATURE |

Proposed Use:

Existing Use:

Site Plan:

Please attach a site plan of the property showing lot dimensions, sizes, and locations of all existing and proposed structures. The site plan must show the structure's setbacks to all property lines as well as access to the site and the parking area layout. Site plans must be drawn to scale and show the needed information pertinent to the request. Parking Maps for VRDs must have scaled dimensions showing the location of required 9'x18' car spaces.

| Specific of Request: | | | |
|-------------------------|--------------------------|-----------------|-----------------------|
| Conditional Use | Non-conforming | Subdivision | Zoning Code Amendment |
| Landscape/Access Review | Planned Development | Temporary Use | Zoning Map Amendment |
| Major Partition | Property Line Adjustment | Vacation Rental | Appeal |
| Minor Partition | Setback Reduction | Variance | |

| For Office Use Only | |
|------------------------------|----------------------|
| Application Received: | File Number: |
| Application Deemed Complete: | 120-Day Decision: |
| Staff Decision (Type 1) | PC Decision (Type 2) |



Community Development

Hwy 101 Overlay Zone

Please describe the scope of your project.

The Planning Commission will do a site review of all proposed developments within 200' of Roosevelt Drive (Highway 101) whenever they cause a significant number of vehicle trips. For the purpose of this review, a significant number of trips is 30 trips per day or 5 trips per hour. This review is intended to determine compliance with the City of Seaside Transportation System Plan and consider the impacts of the development on the traffic carrying capacity and safety of Hwy 101.

The City of Seaside and the State Highway Division shall cooperate during the review of the proposed development to ensure the standards of the Overlay Zone are upheld. Certain actions will require the additional submittal of a Traffic Impact Analysis (TIA) in accordance with Section 3.406.1, A & B. These include:

- I. Proposed developments generating vehicle trips that equal or exceed 600 daily trips or 100 hourly trips; or
- II. Proposed zone changes or comprehensive plan changes; or
- III. An onsite review by the Oregon Department of Transportation Region Manager, or authorized designee, indicates that operational or safety problems exist or are anticipated at the development property.

Daily Trips: Hourly Trips: AM PM

Does your proposed development require the additional submittal of a Traffic Impact Analysis (TIA)? Yes No

Section 3.400 Highway Overlay Zone

Section 3.401 Purpose

This overlay district provides a flexible process to review proposed development or redevelopment of land in a manner that is compatible with long-term highway capacity, safety and operations, and the community's efforts to reduce these and other adverse effects of traffic congestion.

Section 3.402 Zone Boundaries

The boundaries for the Highway Overlay Zone extend from Mill Creek on the northern end of Seaside, to Dooley Bridge at the southern end of Seaside, extending 200' on either side of US 101.

Section 3.403 Definitions

Development – All improvements proposed on a previously unimproved site, including buildings, other structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display, storage, or activities. New development includes improved open areas such as plazas and walkways, but does not include natural geologic forms or unimproved land.

Redevelopment - means the act or process of changing existing development including replacement, remodeling, or reuse of existing structures to accommodate a new use.

Significant number of additional trips- The generation of more than 5 peak hour trips or 30 average daily trips. Trip volumes are to be based upon the most recent edition of ITE's *Trip Generation*, inclusive of all pass by trips.

Traffic Impact Analysis - a study prepared by a professional engineer that analyzes existing and future roadway conditions resulting from traffic generated by a particular development.

Typical Weekday - a traffic operations measure used to indicate the median traffic volumes in a given geographic area over the course of a year. Typical weekday conditions are determined by exploring how traffic volumes vary throughout the year, and selecting the median day, for which there are equal numbers of days where traffic volumes are heavier as there are days where traffic volumes are lighter. The traffic analysis is then conducted for the busiest hour during that day. NOTE: typical weekday conditions do not necessarily occur on a Monday-Friday timeframe. All days during the year are considered.

Mobility Standard – For US 101, the mobility standard is set by the Oregon Transportation Commission (OTC) and administered by the Oregon Department of Transportation (ODOT). The mobility standard is measured by a volume to capacity (v/c) ratio. A v/c ratio is the volume of vehicles moving along a roadway segment vs. the capacity of the lanes to handle traffic. A v/c ratio of 1.0 or higher indicates that there are more vehicles on the road than the road can process within a given time frame (generally one hour). When this occurs, full capacity utilization of the roadway extends beyond the usual one hour time frame that is typically used to calculate a v/c ratio. Intersection operations are also measured using a v/c ratio and include the volume of

vehicles moving through an intersection vs. the capacity of that intersection to handle traffic.

Section 3.404 Administration

This section establishes responsibilities of the City and ODOT to monitor and evaluate vehicle trip generation impacts on US 101 from new development and redevelopment

within the overlay zone. To maintain highway mobility along US 101 through Seaside, land use decisions concerning new development and redevelopment within the Urban Growth Boundary shall not authorize traffic flows to exceed the mobility standards for US 101 in Seaside established by the OTC. The following analyses and coordination procedures are established to ensure new development and redevelopment of parcels along US 101 will not exceed this standard. An evaluation of compliance with the standards of this Overlay Zone shall be conducted by ODOT and the Seaside Planning Commission, and shall comply or be brought into compliance prior to issuance of any permits or approvals; if any of the following circumstances will generate a significant number of additional trips:

1. Proposed new development or redevelopment of property.
2. Proposed land division or property line adjustment.
3. Proposed construction or expansion of a parking lot for existing development with access to US 101
4. Any other circumstances where a business license, zoning, or occupancy certificate is sought from the City for use, site upgrade, or change of use for any land, buildings, or structures. This section does not apply to temporary permits or those short term special events or activities identified in Section 5.100; however, it may be required as a special condition of approval.

Section 3.405 Outright Uses Permitted

Uses allowed in the underlying zoning district are allowed subject to the standards in that zone and all of the applicable provisions of this Overlay zone, Section 3.400. The regulations of this overlay zone apply in addition to and simultaneously with the other applicable regulations, including permitted, conditional, and special land uses of the underlying zone. Where conflicts occur between the US 101 Overlay Zone and the underlying zones, the more restrictive provisions shall apply.

Section 3.406 Review Uses and Activities

The purpose of the review use process is to provide the Seaside Planning Commission with an opportunity to ensure that a proposed new development or redevelopment conforms to policies, standards, and criteria for the Highway Overlay Zone. At the time a request for new development, redevelopment, or other activity identified under Section 3.404 is proposed, the use or activity shall be reviewed in accordance with the following:

1. Applications for review shall be made by the owner of the property or the authorized agent, and shall be filed on a form prescribed by the Planning Department accompanied by the following supplemental information:
 - A. Traffic Impact Analysis (TIA) - A TIA is required for all land use applications subject to the provisions in OAR 734-051-070 summarized below :
 - (i) Proposed developments generating vehicle trips that equal or exceed 600 daily trips or 100 hourly trips; or
 - (ii) Proposed zone changes or comprehensive plan changes; or
 - (iii) An onsite review by the ODOT Region Manager, or authorized designee, indicates that operational or safety problems exist or are anticipated at the development property.
 - B. If a TIA is required, the scope, methodology, and process for the TIA shall be reviewed with ODOT prior to implementation. Developers are advised to coordinate directly with ODOT's Development Review Coordinator.

- C. A minimum of ten hard copies and one electronic copy of the proposed development plan must be submitted showing: streets, driveways, sidewalks, pedestrian ways, drainage facilities, off-street parking and loading areas; location and approximate dimensions of structures, utilization of structures, including activities and the number of living units; major landscaping areas; relevant operational data, drawings and/or elevations clearly establishing the scale, character and relationship of buildings, streets and open space. All elements listed in this subsection shall be characterized as existing or proposed and sufficiently detailed to indicate intent and impact.
 - D. Vicinity maps and information on the use and points of access utilized by any abutting property within 200 feet of the development site.
 - E. A boundary survey by a registered engineer or licensed surveyor.
 - F. If the final development plan will be executed in phases, a schedule thereof will be required.
2. Pursuant to OAR 734-051, direct access to US 101 falls under the regulatory control of ODOT.
 3. Within 5 working days of filing the application, the Planning Director shall forward a copy of the proposed development plan and the original application to the Public Works Department and ODOT for review and comment. The Director shall not deem the application complete until these Departments have had 5 working days to comment on the completeness of the submittal.
 4. An application for review use shall be considered by the Seaside Planning Commission at a public hearing. Notice of the public hearing shall be provided once the Planning Director has determined that the application is complete. After the hearing, the Commission shall determine whether the proposal conforms to the standards and criteria set forth in the U.S. 101 overlay zone.
 5. The Commission shall render a final decision to approve, approve with condition(s), or deny the request based on adopted findings and conclusions. The written decision shall be issued in accordance Section 10.066.
 6. Appeals of the Commission's final decision shall be in accordance with Sections 10.068.
 7. The City shall provide written notification to ODOT when land use applications approved under this Section, combined with approved building permits, result in traffic generation estimates that adversely impact the City's alternative mobility standard (defined as triggering a deviation from alternate mobility standard).

Section 3.407 Standards. In the Highway Overlay Zone, the following standards shall apply:

1. Building Size: The maximum building size will be 20,000 square feet. Buildings larger than 20,000 square feet may be considered, but are subject to additional design review.
2. Landscaping: A landscaped area must be provided along the highway frontage to assure that a buffer is provided between the development and the road surface. As a minimum requirement, the area must be equal to a 10' width multiplied by the length of the highway frontage. Any public sidewalk area provided on private property adjacent to the highway would be deducted from the required area.

3. **Exterior Lighting:** All exterior lighting shall be designed so the lighting source or lamp is recessed or otherwise covered to eliminate line of site visibility from neighboring properties, street travel lanes, or the surrounding environment. All exterior lighting must be dark sky compliant and shielded, screened, or otherwise provided with cut-offs in order to prevent direct lighting on the adjacent properties, riparian area, or the state highway subject to the following exception: Line of site visibility and direct lighting of neighboring property can be permitted subject to a formal agreement with the neighboring property owner when the lighting will benefit joint parking, access, or safety.
4. **Yards Abutting the Highway Frontage:** In an effort to promote more pedestrian oriented development, regardless of yard requirements of the underlying zone, buildings must be located close to the property line adjacent to highway such that the property line setback for the building entrance will not exceed 10’.
5. **Off Street Parking:** In addition to the requirements in Section 4.100, parking areas must address the specific design standards in Section 3.410.

Section 3.408 Criteria. Development proposals shall be evaluated according to the following criteria:

1. The proposal is consistent with the purpose of the overlay zone, and protects the capacity of US 101.
2. If the proposal involves a development with frontage along US 101, the required permits from ODOT will need to be obtained prior to construction. If a permit already exists, proof of permit shall be provided to the City and ODOT. Developers are advised to coordinate with ODOT concurrently with their development proposal to discern the appropriate permit requirements. To confirm an appropriate permit, or to obtain a permit, contact the Permit Specialist at ODOT.
3. The location, design, and size of the development are such that the development can be well integrated with the surrounding transportation facilities or anticipated future developments, and will adequately address the impact of development on US 101.
4. The location, design, and size of the development are such that traffic generated by the development can be accommodated safely and is less than the mobility standard on existing or planned streets, including US 101.
5. The location, design, and size of the development are such that the proposed uses will be adequately served by existing or planned facilities or services.
6. The location, design, and size of the development are such that the proposed uses will provide functional and efficient access and circulation for anticipated pedestrians, bicycles, and vehicles.

Section 3.409 US 101 Capacity Preservation Standards

Land use applications subject to the provisions of Section 3.400 shall consider the following:

1. Transportation demand management (TDM) measures shall be strongly encouraged as a way to minimize peak hour vehicle trips. The City will compile and adopt a list of TDM measures they wish to promote in an effort to help preserve the capacity of US 101. This list will be reviewed and evaluated by the City on an annual basis.

Section 3.410 Automobile Parking Standards

1. Off-street parking, driveways, and other vehicle areas shall not be placed between buildings and the highway; except the following vehicle areas are allowed where the approval body finds that they will not adversely affect pedestrian safety and convenience:
 - a. Schools, assisted living facilities, and other institutional uses may have one driveway not exceeding 20 feet in width plus parallel parking, including ADA accessible spaces, located between the street and the primary building entrance, provided that the building's primary entrance is connected to an adjacent street by a pedestrian walkway and the driveway/parking area is crossed by a clearly defined pedestrian walkway. The intent of this exception is allow driveways for particular uses that exhibit street-like features;
 - b. Attached single family housing developments (townhomes) with street-facing garages may have one driveway access located between the street and the primary building entrance for every two dwelling units, provided they meet the following criteria:
 - 1) Where two abutting townhomes have street-facing garages, they shall share one driveway access that does not exceed 16 feet in width where it crosses the street right-of-way;
 - 2) All primary building entrances shall be connected to a driveway (and sidewalk) via a pedestrian walkway that is not less than six (6) feet wide;
 - 3) The maximum number of consecutively attached townhomes with garages facing the same street is four (4) (two driveways); and
 - 4) Street-facing garages shall be setback a minimum of 20 feet from the street; where a building is placed less than 20 feet from the street, the 20-foot garage setback may be accomplished by recessing the garage behind the front building elevation.
 - c. Commercial buildings and uses (e.g., neighborhood commercial or mixed-use) shall be encouraged to locate all of their off-street parking located behind or to the side of such buildings and uses and screened from abutting properties. Off-street parking shall not be located between any building and US 101.

Section 3.420 Design Standards Vehicular Access and Circulation

1. Permit Requirement – Access to US 101 requires an access permit from the Oregon Department of Transportation. The access permit or a condition that requires obtaining the permit must be attached as a condition of approval to a land use decision.
2. Closure or consolidation – The City (and/or ODOT if the parcel fronts US 101) may require the closing or consolidation of existing curb cuts or other vehicle access points, installation of traffic control devices and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the transportation system.
3. Site circulation – new developments shall be required to provide a circulation system that accommodates expected traffic on site. Pedestrian connections on the site, including connections through large sites, and connections between sites (as applicable) and adjacent sidewalks, must conform to the provisions in section 4.040.

4. Joint and cross access – requirement – The number of driveway and private street intersections with US 101 shall be minimized by the use of shared driveways for adjoining lots where deemed feasible by the City. When necessary for traffic safety and access management purposes, or to access flag lots, the City may require joint access and/or shared driveways in the following situations:
 - a. Shared parking areas
 - b. Adjacent developments
 - c. Multi-tenant developments and developments on multiple lots or parcels. Such joint accesses and shared driveways shall incorporate all of the following:
 - i. A continuous service drive or cross-access corridor that provides for driveway separation consistent with the applicable ODOT access management classification system and standards
 - ii. A design speed of 10 miles per hour and a maximum width of 20 feet, in addition to any parking alongside the driveway; additional driveway width or fire lanes may be approved when necessary to accommodate specific types of service vehicles, loading vehicles, or emergency service provider vehicles
 - iii. Driveway stubs to property lines (for future extension) and other design features to make it easy to see that the abutting properties may be required with future development to connect to the cross-access driveway;
5. Joint and cross access – reduction in required parking allowed – when a shared driveway is provided or required as a condition of approval, the land uses adjacent to the shared driveway may have their minimum parking standards reduced by 25 percent.
6. Joint and cross access – easement and use and maintenance agreement – property owners shall:
 - a. Record an easement with the deed allowing cross-access to and from other properties served by the joint-use driveways and cross-access or service drive
 - b. Record an agreement with the deed that remaining access rights along the roadway for the subject property shall be dedicated to the City and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
 - c. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.
7. Access connections and driveway design – all driveway connections to local street right-of-way (access) and driveways shall conform to all of the following design standards:
 - a. Driveway width – driveways on local streets shall meet the following standards:
 - i. One-way driveways (one way in or out) shall have a minimum driveway width of 10 feet, and a maximum width of 12 feet, and shall have appropriate signage designating the driveway as a one-way connection.

- ii. For two-way access, each lane shall have a minimum width of 10 feet and a maximum width of 12 feet.
 - b. Driveway approaches – local street driveway approaches shall be designed and located to provide exiting vehicles with an unobstructed view of other vehicles and pedestrians, and to prevent vehicles from backing into the flow of traffic on the public street or causing conflicts with on-site circulation (an exception may be provided for single family dwellings). Construction of driveway accesses along acceleration or deceleration lanes or tapers shall be avoided due to the potential for vehicular conflicts. Driveways shall be located to allow for safe maneuvering in and around loading areas. Driveway approaches to US 101 are subject to ODOT approval and must be consistent with state requirements.
 - c. Driveway construction – local street driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive. Driveway aprons shall conform to ADA requirements for sidewalks and walkways, which generally require a continuous unobstructed route of travel that is not less than 6' feet in width, with a cross slope not exceeding 2 percent, and providing for landing areas and ramps at intersections. Driveway Construction on US 101 is subject to requirements for access found in OAR Division 51.
8. Relocate access along local streets – upon property development or redevelopment, driveways and approaches on US 101 shall be analyzed to determine if the approach could be relocated onto a side street as far from the intersection with US 101 as possible, allowing closure of the approach on US 101.
9. Variance to Vehicular Access and Circulation Standards. Where vehicular access and circulation cannot be reasonably designed to conform to Code standards within a particular parcel, shared access with an adjoining property shall be considered. If shared access in conjunction with another parcel is not feasible, the City may grant a variance to the access requirements after finding all of the following:
- A. There is not adequate physical space for shared access, or the owners of abutting properties do not agree to execute a joint access easement;
 - B. There are no other alternative access points on the street in question or from another street;
 - C. The access separation requirements cannot be met;
 - D. The request is the minimum variance required to provide adequate access;
 - E. The approved access or access approved with conditions will result in a reasonably safe access;
 - F. The visual clearance requirements of Chapter 3.1 will be met; and
 - G. Variances for street access deviations shall be subject to review and approval by the roadway authority.