



CITY OF SEASIDE CITY COUNCIL AGENDA

Monday, March 11, 2024

To provide public comment for City Council meetings, participants should register prior to the meeting. Please complete the form linked below to offer public comment at an upcoming City Council meeting. You may provide public comment using the following methods:

1. In-person (meetings are held at Seaside City Hall, 989 Broadway, Seaside, OR)
2. Via Zoom web conference or telephone (obtain link and register at cityofseaside.us)
3. Written comments may be submitted using this [form](#), via e-mail to publiccomment@cityofseaside.us or in person at City Hall (989 Broadway, Seaside, OR).

If you are providing public comments in person or via Zoom, please keep in mind your comments will be limited to three (3) minutes. If your comments are longer than three (3) minutes, please submit your comment in writing and utilize your three (3) minutes to summarize your written document. Please review the [Public Comment Rules of Conduct](#) prior to the meeting.

CITY COUNCIL WORK SESSION: 5:00 PM

1. Rules and Procedures and Guidelines for Governing Council Members {40 min}
2. Discussion Future City Council Agenda Items {10 min}

CITY COUNCIL MEETING: 6:00 PM

1. **Call To Order**
2. **Pledge Of Allegiance**
3. **Roll Call**
4. **Approval Of Agenda**

5. **Proclamation:**

Proclamation – Child Abuse Prevention Month

6. **Recognition:**

No recognitions

7. **Public Comments**

Members of the public may use this time to provide comments to the City Council on items that are not scheduled on this agenda for a public hearing or public comment. Speaking time is limited to three minutes.

8. **Declaration Of Potential Conflict of Interest**
9. **Consent Agenda**
 - A. Payment of the bills - \$76,689.16
 - B. Approval of minutes – February 26, 2024
10. **Reports And Presentations:**
 - A. Annual Report Seaside Civic and Convention Center.
11. **City of Seaside Boards, Commissions, And Committees**

No items for boards, commissions, and committees
12. **Unfinished Business**
 - A. Ordinance 2024-02 – An Ordinance of the City of Seaside, Oregon, Amending the Zoning Map Referenced in Code of Seaside Ordinance Chapter 151 changing the Zoning at 201 N. Holladay Drive from R-2 to C-3
 - Open Public Hearing
 - Close Public Hearing
 - Council Comments
 - Motion to Read Ordinance 2024-02 second reading by title only.
 - Optional: Motion to Read Ordinance 2024-02 third reading by title only.
 - Optional if third reading: Motion to Adopt and Roll Call Vote
13. **New Business**
 - A. Liquor License Application – Taqueria Pelayos LLC, 1313 S. Roosevelt Drive
 - B. Seaside Civic and Convention Center Fee Structure
 - C. Intergovernmental Agreement for the Relocation of the Community Gardens
14. **Comments From City Staff**
15. **Comments From the City Council**
16. **Executive Session: Recess into Executive Session**

In accordance with ORS 192.660 (2) (e) regarding deliberations with persons designated to negotiate real property transactions.
17. **Reconvene into Regular Session:**

In accordance with ORS 192.660 (2) (e) regarding deliberations with persons designated to negotiate real property transactions. City Council action if any regarding executive session.
18. **Adjournment**

All meetings other than executive sessions are open to the public. When appropriate, any public member desiring to address the Council may be recognized by the presiding officer. Remarks are limited to the question under discussion except during public comment. This meeting is handicapped accessible. Please let us know at 503.738.5511 if you will need any special accommodation to participate in this meeting.



City of Seaside City Council Meeting Staff Report

Meeting Date: March 11, 2024
Author: Spencer Kyle, City Manager
Department: City Manager's Office
Subject: Update to Rules of Procedure and Conduct Guidelines for Governing Council Members
Type of Item: Discussion

Request:

The City Council is being asked to review and discuss the attached update to the Rules of Procedure and Conduct Guidelines for Governing Council Members.

Background:

The Rules of Procedure and Conduct Guidelines for Governing Council Members were originally approved by the City Council in 1993 and most recently updated in 2020. The City Council established a priority to update this policy. The Council has been working on this update for about a year.

Staff Analysis:

Since the last discussion the Council had on this item, the policy has undergone a legal review. The changes in the attached document are consistent with advice from the City Attorney.

Budget Impact:

There is no budget impact.

Requested Action:

This is a discussion item only; no action is needed.

Alternatives:

This is a discussion item only.

Attachments:

- Draft Rules of Procedure and Conduct Guidelines for Governing Council Members

CITY COUNCIL
CITY OF SEASIDE, OREGON

**RULES OF PROCEDURE AND
CONDUCT GUIDELINES
FOR GOVERNING
COUNCIL MEMBERS**

**Adopted by City Council
March 8, 1993**

(Amended December 8, 2003)

(Amended September 28, 2009)

(Amended October 26, 2020)

(Amended 2024)

Commented [SK1]: Needs to be amended when ready to approve.

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SECTION 1. AUTHORITY

- 1.1 The purpose of these rules is to provide for the orderly processing of council business. The underlying authority for action by the council ~~is shall be~~ the City Charter. Procedural matters have been here expanded in a “cookbook” fashion. Robert’s Rules of Order is used as the general guide to parliamentary procedures. Members of the council are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert’s Rules of Order when such points will obscure the issues before the council and confuse members of the public. The council may elect to deviate from these rules.

SECTION 2. THE COUNCIL

- 2.1 The council ~~is shall be~~ composed of seven members, six councilors elected from the four city wards and a mayor elected at large. As provided by the Charter, d During the November general election of every even numbered year, one half of the councilors are elected. The mayor ~~is shall be~~ elected every fourth year. Each councilor, including the mayor, ~~is shall be~~ entitled to make motions, participate in debate, and to vote on every subject which is to be decided by a vote of the council, except as limited by conflict or potential conflict of interest, described below.

The council ~~is shall be~~ the policy-making body of the city. The council speaks with one voice or not at all; many decisions are not unanimous but once voted upon define the position of the entire council.

Councilors have the right and obligation to be fully informed regarding issues which come before them. Councilors requesting a legal opinion from the City Attorney ~~normally~~ direct requests through the City Manager’s Office. If a councilor or councilors shy of a majority, ask for resources from the City Manager which are unusual or require an extensive amount of time on the part of staff, the City Manager can refer the matter to the council for direction.

SECTION 3. COUNCIL MEETINGS

- 3.1 As provided by the Charter, The council shall meet at least once each month. Per Ordinance ##, Starting in January 2023, the council shall meet in the council chambers at 6 PM the second and fourth Mondays of each month.

Pursuant to the city council’s Electronic Meeting Policy, meetings will be made available in an electronic format that allows councilors to participate remotely.

An additional meeting may be held on the fifth Monday of months having five Mondays, except Memorial Day. These meetings are primarily for acquiring

Commented [SK3]: We need to update our ordinance.

Commented [SK4]: Our charter states that the time and place is set by ordinance. Our ordinance states the dates but not the times. The ordinance needs to be updated.

information from staff, and discussion of important issues or joint meetings with other boards, commissions, or committees, or commissions. The council ~~does may~~ not vote on ordinances or resolutions during fifth Monday meetings.

3.2 Special Meetings These are meetings of the council that may be called at any time on the request of three members of the council, by the Mayor, or by the Council President in the Mayor's absence, by giving notice of the meeting to the council members and the public at least 24 hours in advance in a manner and for such time as the exigencies of the case may permit, but with a view to obtaining the largest possible attendance of council members.

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3.3 Emergency Meetings This is a special meeting that can be called with no more than 24 or less than 3 hours' notice. The minutes need to state the nature of the emergency. Emergency meetings may be held by consent of a majority of councilors.

3.4 Work Sessions, Per Ordinance ##, Starting January 2023, work sessions of the council are held at 5pm prior to regular council meetings. Such sessions may be called by the Mayor, ~~the~~ Council President in the Mayor's absence, City Manager, or three council members. Although sessions are informal, there ~~is~~ shall be an agenda, the session ~~is~~ shall be chaired by the Mayor (or the Council President in the Mayor's absence) and minutes are recorded.

Commented [SK5]: We need to update our ordinance.

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3.5 Executive Sessions These are special meetings as defined by ORS Chapter 192 and are closed except to the council, City Manager, City Attorney, City recorder and/or consultants or other persons invited by the City Manager or council. The media are allowed to attend executive sessions except those sessions during which the council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation, and the news media is a party to the litigation. Members of the media but may not report the discussion. Subjects for executive sessions are limited to those purposes allowed under ORS Chapter 192 and must meet appropriate statutory tests.

Commented [SK6]: We need to indicate who has authority to call an Executive Session. I assume it would be the Mayor, City Manager, and/or how many Councilors?

3.6 Open Meetings All council meetings other than executive sessions are open to the public.

3.7 Quorum Four members of the council constitute a quorum for the conduct of business.

3.8 Order of Business The order of business at each council meeting follows the agenda prepared by the Manager, Mayor, and Council President and approved by the council at the beginning of each meeting.

3.9 Attendance At Meeting Councilors will inform the Mayor, City Manager, or City Recorder if unable to attend any council meeting in person. If unable to attend, the Mayor notifies the Council President.

SECTION 4. AGENDA

- 4.1 Placing items on the Agenda: The Mayor, City Manager, or any two councilors may place an item on the agenda. Items should be requested to be added to the agenda **as early as possible** prior to the agenda being set, but at least 24 hours in advance of the meeting. Any resident of the city may, through the Mayor, City Manager, any city councilor or during public comment request to place an item on the agenda. Items of concern may always be brought to the council's attention during the public comments section during a council meeting.
- 4.2 Items to be acted on generally: Normally the council agenda ~~is shall be~~ set by the Tuesday preceding the council meeting. Prior to that day, the Mayor and Council President meet with the City Manager ~~and to~~ review the issues at hand and set the agenda. Matters deemed by the Mayor, ~~Councilor,~~ or City Manager to be emergencies or of an urgent nature may be added to the agenda by a ~~2/3 two-thirds~~ vote of the council prior to approval of the agenda. Once the agenda has been approved in a council meeting, no item may be added. The Mayor, Councilors or City Manager may bring items to the council under "Comments", but formal action ~~on the late item is shall be~~ deferred until a subsequent meeting.
- 4.3 Approval of Minutes: City council minutes refer to the official record of the proceedings of a council meeting. The minutes ~~typically~~ include a summary of the discussions, decisions, and actions taken by the council during the meeting. Minutes are not a verbatim transcript of the meeting. They serve as a permanent record of the council's decisions. Extensive or complex proposed corrections to the minutes should be presented in writing, ~~and, if approved,~~ ~~submitted~~ to the City Recorder prior to the council meeting.
- 4.4 Questioning of Administrative Staff by Council Members **During meetings.** ~~e~~Every council member may address questions directly to the City Manager or City Attorney, who may either answer the inquiry or designate a staff member to do so. Councilors are encouraged to present their questions prior to the meeting.
- 4.5 Questions of Personal Privilege The right of a council member, staff member, or member of the public to address the council on a question of personal privilege ~~is shall be~~ limited to cases in which the person's integrity, character or motives are assailed, questioned or impugned.
- 4.6 Expressing and Recording Dissents or Protests Any member of the council has the right to express dissent from or to protest any action of the council immediately following the vote on the action, and to have the reason entered in the minutes. Thereafter the issue will be considered closed unless placed again on the agenda according to ~~proper parliamentary~~ these rules.

Commented [SK7]: Is this supposed to be Council President or any Councilor?

Commented [SK8]: The Recorder doesn't approve corrections, that's what the final approval is during a Council meeting.

4.7 Public Members Addressing the Council Comments The agenda will designate a time for public comment. Rules shall be set for the public to follow in order to make public comment. The Chair will first allow comments by those properly signed up and may allow public comment from other people at their discretion. The Chair shall impose a time limit of three minutes on public comments. That time may be reduced if there are large numbers of public commenters, but shall be enforced uniformly. Comments from the public may be made in person or through online electronic means. Persons who wish to make public comment via electronic means must first pre-register their intent to provide comment. After recognition, the person shall state their name and city of residency for the record. All remarks and questions shall be addressed to the Chair and not to any individual council member, staff member or other person. No person may enter into discussions without being recognized by the Chair. Direct discussion between members of the audience and council members or city employees shall be permitted only at the discretion of the Chair.

Commented [SK9]: We needed to split this into 2 sections: general comments and public hearings

~~The agenda will designate specific items for public hearing or public comment. Rules shall be set for the public to follow in order to make public comment. The Chair will first allow comments by those properly signed up and may allow public comment from other people at their discretion. Comments from the public may be made in person or through online electronic means. Persons who wish to make public comment via electronic means must first pre-register their intent to provide comment. After recognition, the person shall states their name and city of residency for the record. Remarks are shall be limited to the question under discussion. All remarks and questions are shall be addressed to the Chair and not to any individual council member, staff member or other person. No person is to may enter into discussions without being recognized by the Chair. Direct discussion between members of the audience and council members or city employees is permitted only at the discretion of the Chair.~~

Commented [SK10]: This sounds like a public hearing rather than public comment.

~~For public hearings, the Chair shall first asks for public input from those in favor of an item, then those against, and then rebuttal by those in favor, in that order. The Chair may impose a time limit on public input and will make every effort to provide fairness between the views expressed. No public member is allowed to speak more than once upon any one subject until every other public member choosing to speak thereon has spoken. Once closed, the period of public input is not reopened. However, in any hearing other than quasi-judicial, any councilor may obtain the floor and ask the Chair to recognize a specific member of the audience for a comment or question. This does not reopen public input. The chair may elect to ask if a majority of the council approve of additional input.~~

4.8 Public Hearings The agenda will designate specific items for public hearing. Comments from the public may be made in person or through online electronic means. Remarks shall be limited to the topic under discussion. The Chair shall first ask for public input from those in favor of an item, then

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Commented [SK11]: I don't think we can require preregistration for a public hearings.

those against, and then rebuttal by those in favor, in that order. The Chair shall impose a time limit of three minutes on public input. That time may be reduced if there are large numbers of public commenters, but in either event the limit shall be enforced uniformly on all public testimony. The Chair shall make every effort to provide fairness between the views expressed. No public member shall be allowed to speak more than once upon any one subject until every other public member choosing to speak thereon has spoken. Once closed, the period of public input shall not reopen. However, in any hearing other than quasi-judicial, any councilor may obtain the floor and ask the Chair to recognize a specific member of the audience for a comment or question. This shall not reopen public input. The chair may elect to ask if a majority of the council approve of additional input.

- 4.8-9 Voting Generally The vote on every motion ~~is- shall be~~ by voice vote or roll call and entered in full upon the record. A roll call vote ~~is- shall be~~ used for all ordinances. Any other question before the council ~~does- shall~~ not require a roll call vote unless requested by a member of the council. It is not appropriate for members to explain their vote during roll call.

Any member may change his or her vote prior to the next order of business. Where not otherwise controlled by Charter provision, the concurrence of a majority of the members of the council present at a council meeting ~~is- shall be~~ necessary to decide any questions before the council.

- 4.9-10 Reconsideration of Actions Taken Any member who voted with the majority may move for reconsideration of an action at the same or the subsequent regular meeting only.

SECTION 5. ORDINANCES

- 5.1 ~~This is~~ Ordinances are the senior order of business. An ordinance is a law of the city and remains in effect until amended or repealed, must be enforced in total, and cannot be partially set aside by routine council action. An ordinance ~~is- shall be~~ fully and distinctly read in open council meeting on at least two different days before being voted on by the council. ~~For example,~~ it may be read twice on the day of introduction, ~~and with~~ the third and final reading ~~will be on at~~ a subsequent council meeting. Substantial changes may be made to the ordinance after the first reading. Only minor changes that do not substantially change the ordinance may be made after the second reading.

- 5.1.1 ~~As provided by the Charter,~~ Rreading in full may be dispensed with and the ordinance read by title only if no council member present at the reading requests that the ordinance be read in full, and at least ~~two business days~~ one week before the reading;

- 5.1.1.1 A copy of the ordinance ~~is- is~~ provided ~~for- to~~ each council member;

Commented [SK12]: We are not following the one-week rule that's contained in our charter.

- 5.1.1.2 ~~Three c~~Copies of the ordinance are available for public inspection in the office of the ~~custodian of city records~~Mayor;
- and
- 5.1.1.3 Notice of their availability ~~is- shall be~~ given by written notice posted at the City Hall ~~and two other public places in the city.~~
- 5.1.2 An ordinance read by title only has no legal effect if it differs substantially from its terms as it was filed prior to the reading unless each section so differing is read fully and distinctly in open council meeting before the council adopts the ordinance.
- 5.1.3 The council may hear and vote on an ordinance at a single meeting by ~~the express unanimous vote of all voting council members present, applying an emergency clause.~~In this case the ordinance ~~is- shall be~~ read three times at a single meeting. If ~~one-any~~ councilor objects to the ~~emergency label the emergency clause is deleted~~ordinance being read at a single meeting, ~~and~~the ordinance ~~is- shall be~~ read according to regular ~~procedure.~~procedure.
- 5.1.4 Following the third reading a motion to adopt ~~is- shall be~~ made and seconded and a roll call of councilors ~~is- shall be~~ taken. The ayes and nays are entered by name in the record of council proceedings.

Commented [SK13]: This section is conflating two separate ideas: emergency meetings and passing an ordinance in a single meeting. Emergency meetings are already addressed in section 3.3. This should only address passing an ordinance in one meeting. As stated, this can only happen with unanimous approval, which is a high bar.

- 5.2 Council procedures for processing ordinances On the agenda an ordinance ~~shall~~ appears twice, once for the public hearing and once for council discussion and action. The sequence ~~is- shall be~~ as follows:
 - 5.2.1 The City Manager introduces the subject and explains the significance of the proposed ordinance.
 - 5.2.2 The Chair opens the public hearing and closes it upon completion of public comment.
 - 5.2.3 The Chair asks the council if there are any questions from the audience or staff. This ~~is- shall be~~ the time to clarify issues. Communications are carried out through the ~~C~~chair.
 - 5.2.4 The City Manager is asked to make additional comments if something has been said either by the audience or council, ~~which that~~ needs explanation.
 - 5.2.5 The Chair asks for first reading and a councilor moves that the ordinance be read. The motion is seconded, vote ~~is- shall be~~ taken without discussion and, if the motion to read has passed, the City Manager or another designated staff member reads the ordinance by title only. This places the ordinance “on the floor”. A vote to read an ordinance ~~does- shall~~ not necessarily indicate support for the ordinance.
 - 5.2.6 The chair will ask for council discussion. Councilors seek recognition from the chair and express their opinions. This is also the appropriate time for amendments or a motion to postpone. If a motion to postpone passes, the ordinance ~~is- shall be~~ picked up at this same point in the subsequent meeting designated by the motion. The Chair may impose time limitations at their discretion.
 - 5.2.7 When all councilors have had the opportunity to speak, a councilor may move to read the ordinance for the second time. This is followed

by a second, the vote to read, and reading by the City Manager or another designated staff member. The second reading may be postponed to a subsequent meeting when time for further consideration is desired.

- 5.2.8 An ordinance ~~with an emergency clause that Council wants to adopt at a single meeting~~ receives its third and final reading according to the same sequence at this point.
- 5.2.9 If ~~the ordinance has no emergency clause, or when~~ a councilor objects to the ~~emergency clause ordinance being adopted at a single meeting~~, the ordinance ~~is shall be~~ placed on the agenda for a subsequent council meeting.
- 5.2.10 At a subsequent council meeting the City Manager again introduces the ordinance and final public input ~~is shall be~~ sought by the Chair.
- 5.2.11 After final public input, the councilors are asked if they have any final questions.
- 5.2.12 After final questions a motion for third and final reading is made, seconded, and voted upon, and the ordinance ~~is shall be~~ read by the City Manager or another designated staff member.
- 5.2.13 The Chair asks for final council discussion. All amendments or motions that were appropriate after the first reading are in order at this time as well. If significant amendments are made at this time, it may be appropriate to postpone final action (vote by roll call) until a following meeting to permit further public input.
- 5.2.14 After the third and final reading, a motion to adopt is made, seconded, and a roll call of councilors read. Based upon the vote, the Chair announces that the Ordinance has been adopted or has failed to be adopted.
- 5.2.15 Nonemergency oOrdinances become effective 30 days after final passage unless a later date is specified, ~~except for emergency ordinances~~. Emergency ordinances take effect immediately unless otherwise specified, and must state, within the ordinance, the reason for the emergency.

SECTION 6. RESOLUTIONS

- 6.1 A resolution follows a similar procedure as an ordinance, but has only one reading, followed by discussion and possible amendments or other motions, and finally a motion to adopt. Resolutions require a majority vote of the council.

SECTION 7. MOTIONS

- 7.1 Business that requires only a motion ~~is shall be~~ introduced by the City Manager. There may or not be public input and council questions.
- 7.2 The sequence ~~is shall be~~ motion, second, discussion, and vote.
- 7.3 Motions need to be stated clearly and concisely before being seconded. The Mayor will state the name of the councilor who made the motion and the

name of the councilor who made the second. If a motion does not receive a second, it dies.

- 7.4 Motions not needing a second include: Nominations, Withdrawal of Motion, Request for Roll Call Vote and Point of Order.
- 7.5 A motion may be withdrawn by the mover at any time without the consent of the council.
- 7.6 A motion receiving a tie vote fails.
- 7.7 When the council ~~concurs or~~ agrees to an item not requiring a formal motion, the Mayor summarizes the agreement at the conclusion of discussion.
- 7.8 A motion to Call for the Question closes debate on the main motion and ~~is~~ shall be undebatable. This motion must receive a second and fails without a two-thirds vote; debate ~~is~~ shall be reopened if the motion fails.

SECTION 8. MAYOR AND COUNCIL PRESIDENT

- 8.1 Mayor and Council President The Charter provides for the Mayor to preside over the council meetings. In the Mayor's absence, or whenever the Mayor is unable to perform the functions of the office, the Council President acts as chair. In the absence of both the Mayor and the Council President, the council designates a senior member of the council to serve as the presiding officer.
- 8.2 Sergeant-at-Arms The City Manager, or an appropriate designee, shall serve as sergeant-at-arms. The sergeant-at-arms assists the presiding officer, as appropriate, in maintaining order and decorum at all meetings.

SECTION 9. ~~UNAUTHORIZED, IMPERTINENT OR SLANDEROUS REMARKS~~ ~~DISRUPTIONS~~

- 9.1 ~~Any person making impertinent or slanderous remarks or who becomes boisterous during a council meeting may be removed from the room by the sergeant at arms when so directed by the presiding officer. Any such person may be barred from making further remarks before that session of the council. Unauthorized remarks and dDisruptions from the audience that prevent the council from conducting its business, and other similar demonstrations are not permitted. Disorderly conduct at council meetings may be prosecuted upon appropriate complaint signed by the Chair.~~ Before the Sergeant-at-Arms is directed to remove any person from the meeting hall for conduct described above, that person (those persons) shall be given a warning by the Chair to cease the disruptive conduct. If a meeting is disrupted by members of the audience, the Chair may order that the council chambers ~~will~~ be cleared, and a recess called until order is restored.

Commented [SK14]: As discussed with the Zoom bombings, we cannot regulate the content of speech. These changes follow federal and state constitutional laws.

SECTION 10. COUNCIL RELATIONS WITH CITY STAFF

- 10.1 City staff and council will avoid a show of anger during a public meeting.

- 10.2 There will be mutual respect from both staff and councilors of their respective roles and responsibilities when and if expressing ~~criticism-disagreement~~ in a Public meeting.
- 10.3 The council sets policy; staff administers policy. These are separate functions whose boundaries are to be respected.
- 10.4 All councilor requests for information or questions go directly to the City Manager, City Attorney, City Recorder or Department heads.
- 10.5 Complaints against staff ~~go shall be made~~ to the City Manager in private.
- 10.6 Written informational material requested by individual councilors ~~is shall be~~ given to all councilors with a notation indicating which councilor requested the information. If this creates a burden because of the volume of material, only the facts of the request and the councilor requesting will be presented to the rest of the council; the material will be made available to any additional councilor who requests it.
- 10.7 ~~The Mayor or an individual councilor~~ Members of council may not direct staff to initiate any action or prepare any report that is significant in nature, or initiate any project or study, without approval of the council in a regular council meeting.
- 10.8 Councilors shall not attempt to coerce or influence staff in the making of appointments, the awarding of contracts, the selection of consultants, the processing of development applications, the granting of city licenses or permits, except by direction of the entire council acting in a regular council meeting.
- 10.9 The council ~~does shall~~ not attempt to change or interfere with the operating rules and practices of any city department, except through the City Manager.
- 10.10 Mail addressed to the Mayor and council will be circulated by staff as soon as practical after it arrives and placed in mailboxes at City Hall. The staff will not open mail addressed to individual officials without authorization to do so.
- 10.11 At no time will staff open any mail that is marked personal and/or confidential.

SECTION 11. COUNCIL SEATING AT MEETINGS

- 11.1 During regular meetings of the council, the Mayor determines the seating of the council.

SECTION 12. PUBLIC HEARINGS

- 12.1 Quasi-Judicial hearings These hearings require council to follow specific procedures which include criteria, evidence, and specific findings. The most common ~~Quasi-judicial hearings typically pertain to are~~ land use appeals. For quasi-judicial hearings, a councilor may be disqualified from the hearing by a two-thirds vote of the council; the councilor subject to disqualification cannot vote on this motion.
- 12.2 A councilor's qualifications may be challenged for bias, pre-judgment, personal interest, or other reasons. The challenge may prevail if it shows a councilor cannot be impartial.

A member of the council shall not participate in a discussion or vote on an agenda item if the member has an actual conflict of interest as defined by the Oregon Revised Statutes. This includes: The State Code of Ethics Laws stipulates that councilor shall not participate in the discussion nor vote when any of the following conditions exist:

12.2.1 Ffamily financial interest,

12.2.2 Ownership of property within noticed area,

12.2.3 Direct private interest, or any

12.2.4 Other ~~valid reasons showing that a councilor cannot be impartial~~ as defined in Oregon Revised Statutes.

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- 12.3 For quasi-judicial hearings, the law requires councilors ~~shall to~~ refrain from having prehearing or ex parte ~~(a one-sided point of view)~~ contacts relating to the issue. This ~~does shall~~ not limit a councilor's access to staff who can provide information on the subject (and, consistent with Rule 10.6, staff will provide that information to all council members).

If a councilor has prehearing or ex parte contacts prior to any hearing, the councilor must reveal ~~the~~ his contacts at the meeting and prior to the hearing. The councilor must also state whether such contact has impaired the councilor's impartiality or ability to vote on the matter; the councilor must state whether they will participate or abstain.

- 12.4 For quasi-judicial hearings, a councilor who was absent during presentation of evidence cannot participate in any deliberations or decision regarding the matter unless the councilor has reviewed all the evidence and testimony received.

- 12.5 ~~The Seaside City Attorney, has advised against e~~Councilors generally should not attend or viewing meetings of the Seaside Planning Commission. This helps to minimize developing an opinion-prehearing attitude on an issue which later might be appealed to the council and reduces the risk of the councilor's inability to hear the appeal due to bias.

SECTION 13. COUNCIL RELATIONSHIP WITH CITY BOARDS, COMMISSION, AND COMMITTEES; COUNCILOR REPRESENTATION TO OTHER AGENCIES, COMMUNITY ORGANIZATIONS OR MEDIA.

- 13.1 The Charter provides for the council to make all appointments to city standing boards, commissions, and committees ~~and commissions~~. The ~~council~~ has made the following rules prescribe the method for filling vacancies and making appointments:
- 13.1.1 The council announces vacancies.
- 13.1.2 Candidates fill out an application.
- 13.1.3 The Mayor and each councilor ~~has have~~ the opportunity to make nominations for every board, commission, or committee, ~~commission, or~~

~~council board~~ vacancy. Nominations can be written or verbal at the meeting designated for that purpose. The selection ~~is~~ shall be made at the next regular council Meeting.

13.1.3.1 The Secretary reads the names of nominees in alphabetical order.

13.1.3.2 The Secretary conducts a roll call vote with the Mayor and each councilor naming a candidate. The majority vote constitutes the appointment. In case of a tie the two nominees with the most votes will stand for a second ballot.

13.1.4 The council conducts interviews of nominees who wish to be interviewed for the boards, commissions, or committees and ~~commissions~~ prior to making appointments. Nominees must live in the City of Seaside, except where the ordinance says otherwise.

13.1.5 An appointed member of any City of Seaside board, commission, or committee who moves outside of the geographical limits required by the rules governing appointment to the body on which they sit, but is actively searching for a residence within the geographical limits, may continue to serve on said body in good faith for a maximum of six months from the date of relocation outside the boundary, or until relocation outside the geographic boundary is considered permanent. Whichever date occurs chronologically first, the date six months after original move, or if earlier of permanent relocation decision would be considered the date of resignation.

13.1.6 No person shall be appointed to serve on a board, commission, or committee ~~or commission~~ for more than two (2) consecutive terms. Any portion of a term exceeding one-half the period of the term shall be considered a term for the purpose of this policy.

13.1.7 ~~A citizen~~ No person may ~~not~~ serve on more than two city boards, commissions, or committees simultaneously. No ~~citizen-person~~ may serve as chairperson of two committees/commissions simultaneously without council approval.

13.1.8 Any person appointed by the city council to serve on a city board, committee or commission who misses three (3) or more regularly scheduled meetings during a twelve-month period shall be notified by letter that the position must be vacated. The individual may appeal the decision; if the absences are found not to have been for good cause, the position must be vacated.

13.1.9 Council members appointed to a board, commission, or committee ~~or commission~~ will not serve as chairman of that body.

13.2 Members of the council shall not attempt to lobby or influence city board, commission, or committee ~~or commission~~ members on any item under their consideration. Councilors who attempt to influence positions on any item may prejudice or hinder their role in reviewing the recommendation as a member of the city council.

13.3 Councilors have the right to attend meetings but are cautioned about becoming involved in the meetings/discussions unless appointed to that body.

Commented [SK15]: Are these only unexcused absences or all? Have we been following this practice and do we intend to enforce it?

13.4 If the Mayor or a councilor represents the city before another governmental agency, before a community organization, or through the media, the ~~official council member~~ should always present the majority position of the council. Personal opinions and comments may be expressed only if the councilor clarifies that these statements do not represent the position of the city council.

SECTION 14. COUNCIL EXPENSES

14.1 The Mayor and councilors are reimbursed for out-of-pocket expenses spent as a result of their official duties according to city policy regarding such expenses.

SECTION 15. PUBLIC RECORDS

15.1 Public records, created or received by the Mayor or councilors, ~~are shall be~~ transferred to the City Recorder for retention in accordance with Oregon Public Records Law. Anonymous correspondence ~~will shall be~~ retained and ~~destroyed upon receipt and not otherwise retained or~~ distributed at the discretion of city staff.

SECTION 16. COUNCILOR PROTOCOLS

16.1 The following protocols are intended to set expectations for members of the Seaside council and provide a model to guide the conduct and working relationships of council members. While some protocols relate specifically to council meetings, others are meant to apply broadly to the full scope of council members' official interactions. The list is not intended to be exhaustive and may be augmented or amended by future action of the council.

16.1.1 Respect: Council members agree to use respectful speech and positive body language when interacting with each other, staff, and the public, and will follow meeting procedures and protocols as established by the council.

16.1.2 Civility: Council members agree to demonstrate civility in their professional interactions, both within and outside of the city organization. Comments during meetings will remain thoughtful and measured, avoiding exaggerated, provocative, or personal remarks.

16.1.3 Compromise: Council members agree to practice Open-mindedness and active listening ~~will be practiced by council members~~ during deliberations in an effort to pursue compromise whenever possible.

16.1.4 Tolerance: Council members will endeavor to respectfully 'agree to disagree' in the event compromise is not possible.

16.1.5 Brevity: Council members will ensure their comments during meetings are succinct and relevant to the topic at hand.

16.1.6 Public unity: Out of respect for the institution and the process through which policy is made, council members will refrain from publicly denigrating council decisions once they are made.

SECTION 17. CONFIDENTIALITY

17.1 Confidentiality

17.1.1 Councilors ~~do shall~~ not ~~repeat-attribute~~ by name ~~to persons not on the council~~ what others have said to persons not on the council in a way that might embarrass fellow councilors.

17.1.2 Councilors should keep in complete confidence all written materials and verbal information provided to them on matters that are confidential under law, to ensure that the city's position ~~is shall be~~ not compromised. No mention of information read or heard should be made to anyone other than other councilors, the City Manager, or City Attorney.

17.1.3 If the council, in executive session, has provided direction or consensus to staff on proposed terms and conditions for any type of negotiation whether it be related to property acquisition or disposal, a proposed or pending claim or litigation, and/or employee negotiations, all contact with the other party should be done by the designated staff representative handling the negotiations or litigation. A councilor should not have any contact or discussion with the other party, or its representative involved with the issue and should not communicate any discussion conducted in executive session.

SECTION 18. SUSPENSION AND AMENDMENT OF RULES

18.1 Any provision of these rules not governed by State Law, or the Charter may be temporarily suspended by a majority vote of the council.

18.2 These rules may be amended, and new rules adopted by a majority vote of the council.

Adopted March 8, 1993
(Amended December 8, 2003)
(Amended September 28, 2009)
(Amended xxx, xx, 2025)

Commented [SK16]: Needs to be updated when complete



989 Broadway
Seaside, OR 97138

(503) 738-5511
cityofseaside.us

PROCLAMATION

Whereas, child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone; and

Whereas, every child is precious and deserves to grow up in a healthy, safe, nurturing environment free from the dangers and harmful effects of child abuse and neglect; and

Whereas, our children are our most valuable resources and will shape the future of Clatsop County, Oregon; and

Whereas, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

Whereas, child abuse prevention succeeds through partnerships among parents, child-welfare agencies, mental and physical health care providers, schools, law enforcement agencies, faith-based organizations, businesses and community members by fostering loving, supportive and violence-free homes; and

Whereas, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment; and

Whereas, prevention remains the best defense for our children and families.

NOW, THEREFORE, I, Steve Wright, Mayor of the City of Seaside, do hereby proclaim the month of April, 2024, as:

CHILD ABUSE PREVENTION MONTH

in the City of Seaside, and urge all citizens to recognize this month and help to improve the quality of life for all children and families.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of the City of Seaside to be affixed this 11th day of March, 2024.

STEVE WRIGHT, MAYOR



CITY OF SEASIDE CITY COUNCIL

DRAFT MEETING MINUTES

City Hall, 989 Broadway, Seaside, OR 97138

Monday, February 26, 2024

Work Session 5:00 PM

1. [Discussion of Plans for Railroad Park Gardens.](#)

Mayor Wright opened the work session with a discussion on plans for the Railroad Park Gardens.

City Manager Kyle explained the School District and Sunset Empire have been working together and the City has been involved as well. Superintendent Penrod had put a letter together to discuss with the City Council.

Susan Penrod, Seaside School District Superintendent updated the Council on the gardens survey and the listening session for the location of the community gardens. The priority is to have a safe open space for the gardens. The Seaside School District's proposal is to provide \$75,200.00 that was proposed for a previous location to improve and expand Railroad Park Gardens which would fulfill the school district's requirements for relocating the community gardens.

City Manager Kyle recommended the City Council to direct the school district to draft an IGA and work with Sunset Empire Park and Recreation to come up with a plan and policy for the Railroad Park Gardens. The City would then work with Sunset Empire Park and Recreation on the improvements and upkeep and maintenance of the Railroad Park Gardens.

2. [Discussion of Future City Council Agenda Items.](#)

City Manager Kyle discussed the Fire Department Seismic upgrade project and renovations. The contract price has exceeded the amount budgeted and the contractor needs final direction on the scope of work for the fire department.

Fire Chief Daniels has gone through the plans line by line and until going out to bid the final numbers are not known. There were many cuts made to the plans and it would be better to budget the extra cost now to fund the construction because a year from now the cost will be even more. The amount budgeted was \$1,000,000 and now the estimated cost is \$1,500,000.

The City Council directed staff to move forward with the plans for \$1,500,000 to be added to the budget for the additional construction needed for the Seaside Fire Department for the Seismic Construction project.

1. [City Council Meeting 6:00 PM](#)

2. [Call to Order and Pledge of Allegiance](#)

3. [Roll Call](#)

Council Members	P/A
Steve Dillard	P
Steve Wright, Mayor	P
Tita Montero	P
David Posalski, Council President	P
Tom Horning	A
Randy Frank (Zoom)	P
Seth Morrisey	P

Staff Members	
Spencer Kyle, City Manager	Jon Rahl, Assistant City Manager
Kim Jordan, City Recorder	Dave Ham, Police Chief
Joey Daniels, Fire Chief	Jeff Flory, Community Development Director

Visitors in Chambers (attendance sheet)	Visitors on Zoom
Susan Penrod	
Craig Johnston	
Steven Squier	
Dave Koller	
Katie McCloud	
BraeAnn Bortlelt	
Destiny Deras	
Nancy Holmes	
Jim Beasley	

4. [Approval of Agenda](#)

Mayor Wright asked for approval of the agenda.

Motion:	So, moved.			
Moved:	Morrisey			
Seconded:	Posalski			
Ayes:	Wright, Frank, Dillard, Morrisey, Posalski, Montero	Nays: 0	Absent: 1 Horning	Recused: 0
Passed:	6/0			

5. [Proclamations](#)

A. Woman’s History Month.

Katie McCloud, Seaside Chamber of Commerce CEO, discussed how Woman’s History Month started in 1987 and in 2024 it is still essential, and Katie reflected on why it was still pertinent to this day in our modern era.

Tita Montero read the proclamation for Woman’s History Month.

B. American Red Cross Month.

There was no representative to speak for the proclamation for American Red Cross Month.

Councilor Dillard read the proclamation for American Red Cross Month.

6. Recognition

There was no recognition.

7. Public Comments (time is limited to 3 minute’s)

There were no public comments.

8. Declaration of Potential Conflict of Interest

Council Members	Y/N
Steve Wright, Mayor	N
Tom Horning	-
Randy Frank	N
Seth Morrisey	N
Steve Dillard	N
David Posalski, President	N
Tita Montero	N

9. Consent Agenda

Motion:	Move to approve the consent agenda, pay the bills, and approve the minutes of February 12, 2024.			
Moved:	Morrisey			
Seconded:	Montero			
Ayes:	Wright, Dillard, Morrisey, Frank, Posalski, Montero	Nays: 0	Absent: 1 Horning	Recused: 0
Passed:	6/0			

10. Reports and Presentations.

Craig Johnston, Sunset Empire Transportation District Executive Director, updated the City Council on the Sunset Empire Transportation District.

11. City of Seaside boards, commissions, and committees.

There were no board, commission, or committee items.

12. Unfinished Business

There was no unfinished business.

13. New Business

- A. [Ordinance 2024-02 – An Ordinance of the City of Seaside, Oregon, Amending the Zoning at 201 N. Holladay.](#)

Community Development Director Flory introduced a zone change request by Roger Mitchell for the property located at 201 N. Holladay Drive. The proposal will rezone the property from Medium Density Residential (R-2) to General Commercial (C-3).

Roger Mitchell, 201 N. Holladay Owner, requested the zone change for the 201 N. Holladay, the Evergreen Lodge which in the past has been used for a commercial garage, a hospitality building/hotel, and a fraternal hall was now more suitable for commercial use rather than residential housing.

Mayor Wright opened the public hearing for comments in support of the zone change.

Jim Beasley, Seaside, stated he was in support of the zone change.

David Collier, Seaside, stated he was in support of the zone change.

Destiny Deras, Seaside, stated she was in support of the zone change.

Mayor Wright asked if anyone was opposed to the zone change, there were no comments.

Motion:	Move to read Ordinance 2024-01, first reading by title only.			
Moved:	Morrisey			
Seconded:	Frank			
Ayes:	Wright, Dillard, Morrisey, Frank, Posalski, Montero	Nays: 0	Absent: 1 Horning	Recused: 0
Passed:	6/0			

B. [Discussion of Future Use of Church Property](#)

Carrie Bond, North Coast Arts Directive, Seaside, discussed the community of Seaside’s interest in a Seaside Arts Center and the Lutheran Church could be that location for the arts center.

RJ Marx, Seaside, believed the Lutheran Church would be an ideal location to create a Seaside Performing Arts Center.

City Manager Kyle updated the City Council with a presentation on the church property and the possible use for a performing arts center and a preliminary parking analysis for the building.

Community Development Director Flory updated the City Council on the parking that would be required if there was a Performing Arts Center at that location.

Nancy Holmes, Seaside, supported a Performing Arts Center in Seaside.

Mayor Wright asked if there was a motion?

Motion:	Move to conduct up to \$4,500.00 for an engineering study on the church building.
Moved:	Morrisey
Seconded:	Dillard

Ayes:	Wright, Dillard, Morrisey	Nays: 3 Frank, Posalski, Montero	Absent: 1 Horning	Recused: 0
Failed:	3/3			

14. Comments from City Staff and Partner Organizations

Community Development Director Flory reminded the City Council and the public regarding the Comprehensive Plan Summit at the Convention Center.

Kerri Lambert, SDDA Seaside, commented on the PBL kids and some issues with downtown businesses. There was a Feed the Starfish event to raise money for the starfish and the swag. There was a Blooming event for the flower baskets coming up in March.

Police Chief Ham updated the City Council on the construction at the Seaside Police Department.

Assistant City Manager Rahl discussed the Building Official process has been opened for applications. Assistant City Manager Rahl updated the City Council regarding the annual training that is available to City Council and City employees.

Fire Chief Daniels updated the City Council on the fire department training tower, and the fire department would start the construction with the seismic grant received in March.

City Manager Kyle commented on the extensive Emergency Management training exercise at the Convention Center on Wednesday with our staff and other staff in the County and State.

15. Comments from City Council

Councilor Dillard announced the Community Center fundraiser downtown and is the Fascination Tournament.

Councilor Frank indicated there were no updates for the Airport Advisory Committee, the next meeting is in March.

Councilor Morrisey commented on the Tourism Advisory Committee meeting and the discussion was Mobi mats on the beach. The City received permission from the State of Oregon for the first Mobi mat on the beach and has received permission for a second mat with the location to be discussed.

Councilor Montero notified the Council that she would be in Washinton DC at the city summit for National Leagues during the next City Council meeting in March. Councilor Montero announced coffee with a Councilor on Thursday at Bagels by the Sea.

Mayor Wright announced Coffee with the Mayor at the Seaside Coffee House on Tuesday. Mayor Wright was with two other Mayors Barb and Kerri to conduct a meeting with the Seaside School District 4th grade classes to explain the “If I Were Mayor” contest. Mayor Wright announced items going on with the state legislation and the priorities going into the 2025 session.

16. Executive Session: Recess into Executive Session at 7:57 PM:

Mayor Wright recessed into executive session in accordance with ORS 192.660 (2) (e) regarding deliberations with persons designated to negotiate real property transactions, and

In accordance with ORS 192.660 (2) (f) regarding consideration of information or records that are exempt from disclosure by law.

17. Reconvene into Regular Session at 8:17 PM:

City Council action if any regarding executive session in accordance with ORS 192.660 (2) (e):
There was no action taken.

City Council action if any regarding executive session in accordance with ORS 192.660 (2) (f):
There was no action taken.

18. Adjourn City Council Meeting 8:17 PM

Approved by Council on: _____

Minutes prepared by: _____
Kim Jordan, City Recorder

STEVE WRIGHT, Mayor



APPLICATION(S):	769-23-000083-PLNG – Zoning Map Amendment
MEETING DATE:	March 11, 2024
PUBLIC HEARING:	Yes
Report Date:	March 5, 2024
Applicant:	Roger Mitchell
Owner:	201 N Holladay Lodge LLC
Location:	201 N Holladay Dr., Seaside, OR 97138
Major Street Access:	N. Holladay Dr.
Parcel Number(s) & Size:	6-10-21AA-10300 Approximately .23 Acres
Parcel Zoning:	Medium Density Residential (R-2)
Adjacent Zoning:	Medium Density Residential (R-2), General Commercial (C-3)
Current Use of Parcel:	Former Masonic Lodge
Adjacent Uses:	Single-Family Residential, Commercial Offices, Hotel, Church
Previous Meetings:	None
Previous Approvals:	None
Type of Action:	Quasi-Judicial
Land Use Authority:	City Council
Planner:	Jeff Flory, Community Development Director

A. Summary:

A zone change request by Roger Mitchell for the property located at 201 N. Holladay Dr. (6-10-21AA-10300). The proposal will rezone the approximate .23-acre property from Medium Density Residential (R-2) to General Commercial (C-3).

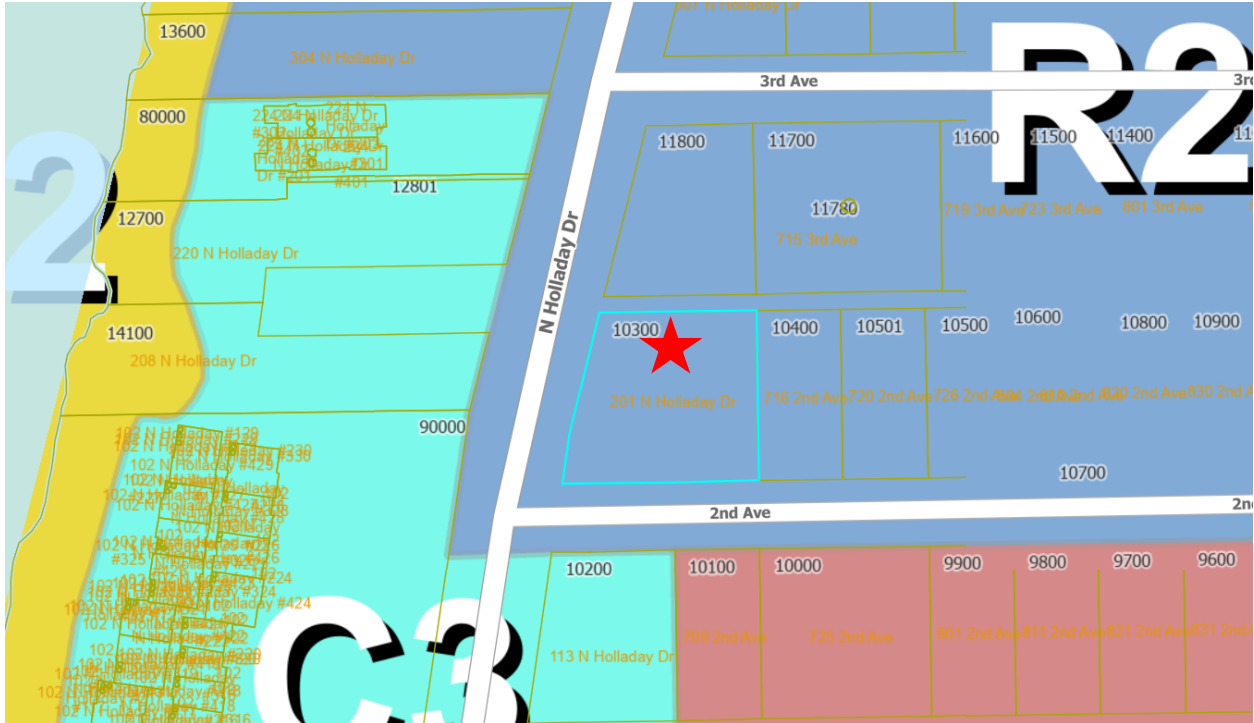
Staff Recommendation:

Staff recommends the City Council conduct a public hearing on the application, take public comments, and review and discuss the request. The City Council should consider any public comments, the findings presented in the staff report, the applicant’s justifications, and the Planning Commission’s recommendation, and determine if the applicant’s request is consistent with the Comprehensive Plan.

B. Exhibits:

- 1. Ordinance 2024-02**
- 2. Planning Commission Staff Report**
- 3. Planning Commission Staff Report Addendum**

Location: 201 N. Holladay Dr., Seaside OR 97138, (6-10-21AA- 10300)



Jeff Flory, Community Development Director
jflory@cityofseaside.us
989 Broadway, Seaside, OR 97138
(503) 738-7100

C. Prior City Council Meeting:

On February 26, 2024, the City Council held a public hearing and took public testimony in favor of this zone change. There was no testimony in opposition. The City Council unanimously voted for the first reading of Ordinance 2024-02.

D. Planning Commission Recommendation:

On February 6, 2024, the Seaside Planning Commission conducted a public hearing on the above-mentioned request. The Planning Commission heard testimony from the applicant, the applicant’s representatives, as well as members of the public. The Planning Commission unanimously voted to recommend to the City Council approval of the zone change request.

E. Required Dates:

This application was accepted as complete on December 1, 2023. The 120-day decision timeframe is March 30, 2024

F. Written Comments:

Written comments have been incorporated with the Planning Commission Staff Report Addendum. No additional comments have been received by staff.

G. Community Review:

Notice of this public hearing was published in the Daily Astorian on February 29, 2024. Additionally, a mailed notice was sent to all property owners within 100 feet of the subject property and other interested parties on February 28, 2024

H. Staff Recommendation:

Staff recommends the City Council conduct a public hearing on the application, take public comments, and review and discuss the request. The City Council should consider any public comments, the findings presented in the staff reports, and the applicant’s justifications and make one of the following motions.

Alternative 1:

If the Council determines the applicant's request is consistent with the Seaside Comprehensive Plan, a Councilor may make the following motion:

“I move to approve a second reading of Ordinance 2024-02 by title only.”

If the Council so chooses, they may make a motion for a third reading of the ordinance by stating the following:

“I move to approve a third reading Ordinance 2024-02 by title only.

If a third reading of the ordinance is approved a Councilor may make the following motion:

“I move to adopt Ordinance 2024-02.”

Alternative 2:

If the Council determines the applicant’s request is not sufficient to meet the requirements and goals of the Comprehensive Plan a Councilor may make the following motion:

“I move to deny the applicant’s request.”

Alternative 3:

The City Council can also request a continuance to gather further information from staff or the applicant and set a date for a second City Council public hearing (third public hearing overall including the Planning Commission meeting) at the March 25, 2024, City Council meeting. A counselor will need to make the following motion:

“I move to continue this agenda item and schedule a public hearing for the March 25, 2024 City Council meeting.”

ORDINANCE NO. 2024-02

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE ZONING MAP REFERENCED IN CODE OF SEASIDE ORDINANCE CHAPTER 151 CHANGING THE ZONING AT 201 N HOLLADAY DR. FROM R-2 TO C-3.

WHEREAS, the Planning Commission conducted a public hearing regarding a proposed zone map amendment at 201 N. Holladay Dr. Seaside, OR 97138 (T6 R10 21AA TL:10300) that would re-designate the Medium Density Residential (R-2) zoned subject property to General Commercial (C-3) in order to permit commercial use of the property, and

WHEREAS, following the Planning Commission’s public hearing on February 6, 2024, the Planning Commission recommended the City Council approve zone change request 769-23-000083-PLNG based on the applicant’s submittal, the staff report, public testimony, adopted findings, and conclusions that support the proposed amendment; and

WHEREAS, the City Council held its own public hearing and reviewed the Commission’s recommendation on zone change request 769-23-000083-PLNG during their meeting on February 26, 2024, and determined the request is consistent with the provisions in the City’s Comprehensive Plan.

NOW, THEREFORE, THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

SECTION 1. Amend the zoning map referenced in Section 2.030 of the Seaside Zoning Ordinance, as follows:

Change the Medium Density Residential (R-2) zoned property located at 201 N. Holladay Dr. Seaside, OR 97138 (T6 R10 21AA TL:10300) to General Commercial (C-3). Said property to be rezoned is identified on the attached map.

SECTION 2. The Seaside City Council held a public hearing on February 26, 2024, during which the public was given an opportunity to testify in favor and in opposition of the zone change.

SECTION 3. The City Council hereby approves the zone change (file reference 769-23-000083-PLNG) based on the adopted information in the staff reports, the Planning Commission’s recommendation, and the testimony and information obtained during the Council’s public hearing process.

ADOPTED by the City Council of the City of Seaside on this ___ day of _____, 2024, by the following roll call vote:

- YEAS:
- NAYS:
- ABSTAIN:
- ABSENT:

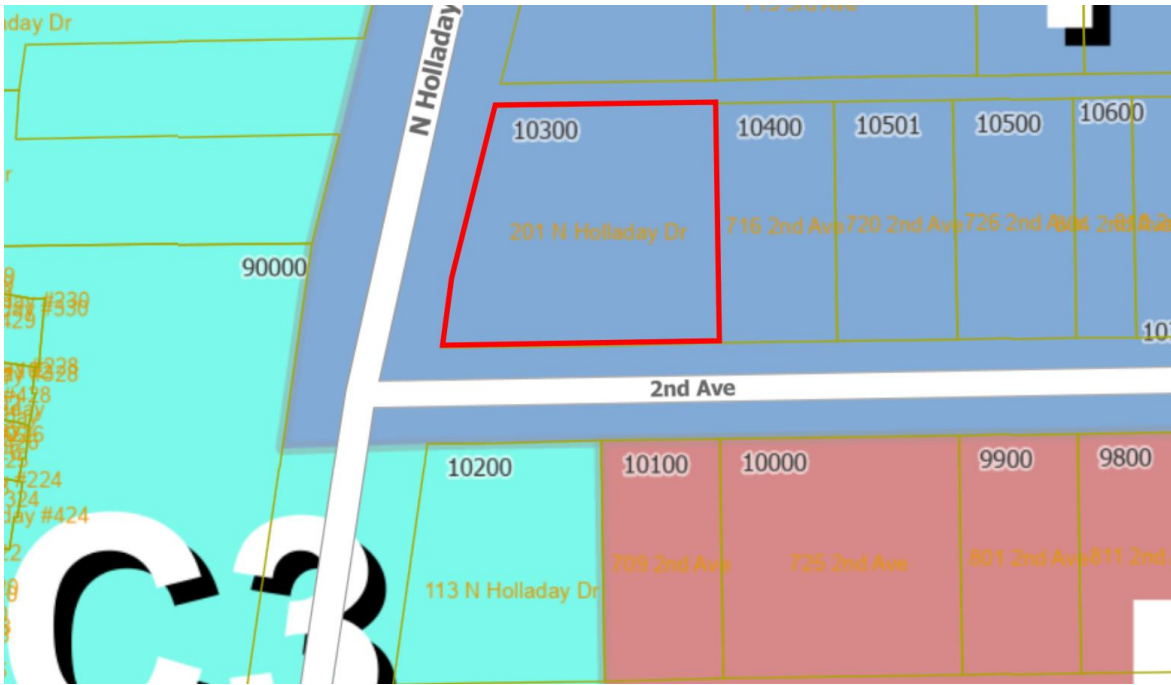
SUBMITTED to and **APPROVED** by the Mayor on this ___ day of _____, 2024.

STEVE WRIGHT, MAYOR

ATTEST:

Spencer Kyle, City Manager

Proposed Zone Change
File #769-23-000083-PLNG



**ZONE CHANGE OF SUBJECT PROPERTY (OUTLINED
IN RED) FROM MEDIUM-DENSITY RESIDENTIAL (R-
2) TO GENERAL COMMERCIAL (C-3)**



APPLICATION(S):	769-23-000083-PLNG – Zoning Map Amendment
MEETING DATE:	February 6, 2024
PUBLIC HEARING:	Yes
Report Date:	January 26, 2024
Applicant:	Roger Mitchell
Owner:	201 N Holladay Lodge LLC
Location:	201 N Holladay Dr., Seaside, OR 97138
Major Street Access:	N. Holladay Dr.
Parcel Number(s) & Size:	6-10-21AA-10300 Approximately .23 Acres
Parcel Zoning:	Medium Density Residential (R-2)
Adjacent Zoning:	Medium Density Residential (R-2), General Commercial (C-3)
Current Use of Parcel:	Former Masonic Lodge
Adjacent Uses:	Single-Family Residential, Commercial Offices, Hotel, Church
Previous Meetings:	None
Previous Approvals:	None
Type of Action:	Legislative
Land Use Authority:	City Council
Planner:	Jeff Flory, Community Development Director

A. Summary:

A zone change request by Roger Mitchell for the property located at 201 N. Holladay Dr. (6-10-21AA-10300). The proposal will rezone the approximate .23-acre property from Medium Density Residential (R-2) to General Commercial (C-3).

Staff Recommendation:

Staff recommends the Planning Commission conduct a public hearing on the application, take public comments, and review and discuss the request. The Planning Commission should consider any public comments, the findings presented in the staff report, and the applicant’s justifications and make a recommendation to the City Council to approve, or deny the applicant’s request.

B. Exhibits:

1. Applicant Submittals

C. Existing Conditions:

The subject property at 201 N. Holladay Dr., features a two-story building spanning approximately 7,457 sq. ft. It is believed the building was constructed in the early 1900s and has served as the Evergreen Masonic Lodge since the 1920s.

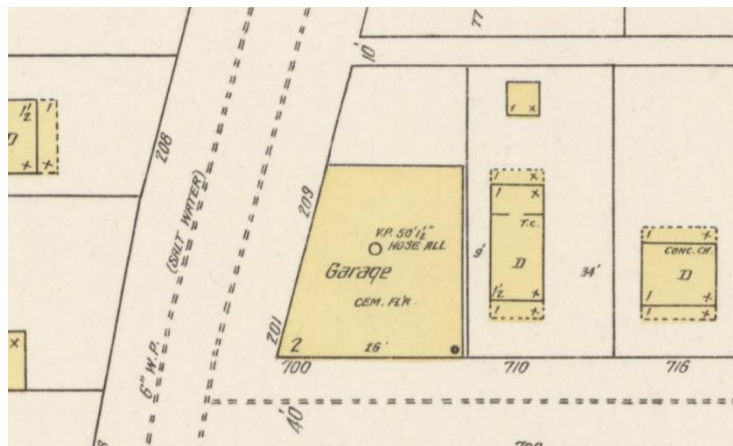
The property is accompanied by an asphalt and gravel parking lot, encompassing the north and west sides of the building. The northern boundary of the property abuts a narrow alleyway, measuring 10 feet in width, with N. Holladay Dr. situated to the west and 2nd Ave. to the east. Access to the parking area is facilitated through the alley which shares a common driveway apron from N. Holladay Dr., and an entrance on 2nd Ave. although the owner presently has the 2nd Ave. approach closed to vehicular traffic.

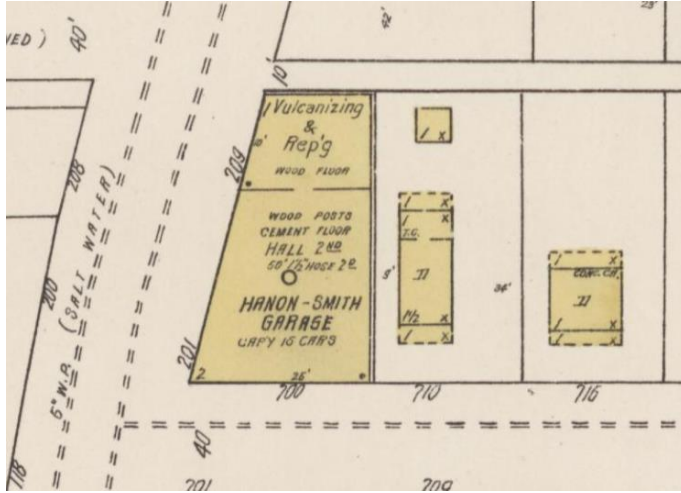


D. Background:

The applicant purchased this property in 2020. The building historically has been used as a garage and vulcanizing shop, hospitality, and most recently the Evergreen Masonic Lodge. The property has been used in a commercial capacity for more than 100 years as demonstrated by the below Sanborn Fire Insurance Maps.

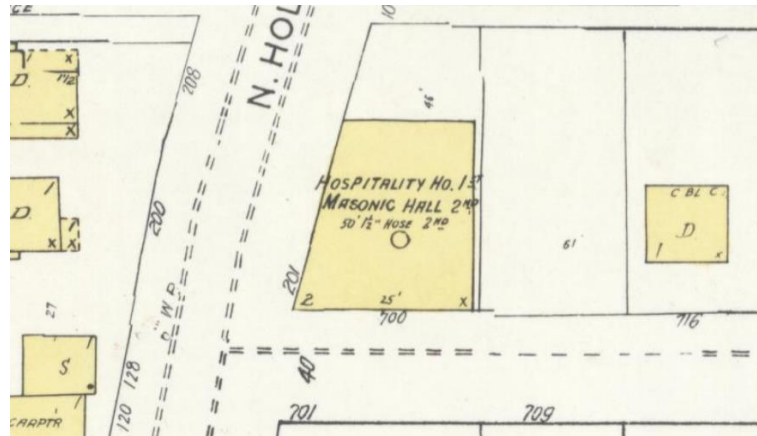
The 1914 Sanborn Fire Insurance Maps show the use at that time as a garage.





The 1921 map shows the use again as a garage with a 15-car capacity and a vulcanizing shop with a “HALL” on the second floor.

The 1949 revised map shows the first floor was used as hospitality while the second floor was the Masonic Hall. The revision also shows the buildings to the west have been removed.



While the use of the building as a fraternal organization has been abandoned, the structure remains usable and in good condition. The building was constructed for commercial use and a conversion to residential space would entail substantial costs. The dwelling unit density requirements in the R-2 zone limit the applicant’s ability to redevelop the property. Dwelling unit density will only allow for one or two single-family dwellings or one duplex. The applicant has stated he has a desire to keep the historical significance of the building and maintain the commercial use of the property.

E. Required Dates:

This application was accepted as complete on December 1, 2023. The 120-day decision timeframe is March 30, 2024.

F. Specific Request:

A zone change request by Roger Mitchell for the property located at 201 N. Holladay Dr. (6-10-21AA-10300). The proposal will rezone the approximate .23-acre property from Medium Density Residential (R-2) to General Commercial (C-3).

G. Process:

This request is being reviewed under Article 9 and Article 10 of the Seaside Zoning Ordinance. Article 9 establishes the criteria for amendments to the Zoning Ordinance or Zoning Map and Article 10 establishes the process and procedures that are applicable to this request.

H. Community Review:

Notice of this public hearing was published in the Daily Astorian on January 18, 2024. Additionally, a mailed notice was sent to all property owners within 100 feet of the subject property on January 16, 2024.

I. Written Comments:

No comments have been received at the time of this report.

J. Comprehensive Plan:

The zoning of the applicant's property suggests it is located within the medium-density residential land use designation of the Comprehensive Plan. The property borders a residential neighborhood to the north and east and commercial development to the south and west. Although the property to the north is zoned residential, the use is as a religious institution and has been the Calvary Church since the late 1800s. The commercial properties to the west across N. Holliday Dr. are a large condo-hotel, mortuary, and residential treatment facility.

The General Commercial designation in the Comprehensive Plan states the higher intensity commercial uses should be located east of the Necanicum River. In section 5.0 of the Plan, the city is to make an effort "to improve the appearance of the city and encourage continued improvements of tourist and recreation facilities, and areas such as the Seaside Civic and Convention Center and supporting tourist accommodations, the downtown area, cultural attractions, and expanded river access." The location of the applicant's property is on the fringe of the downtown area within walking distance to the Convention Center, several hotels, and Broadway. The applicant's desire to maintain the existing structure will enhance the appearance of the surrounding neighborhood and N. Holladay Dr.

The applicant's proposal includes potential plans for a community meeting area that could be used as overflow for conventions or meeting space for adjacent hotels. The historic use of the property has been for community meetings, weddings, funerals, birthday parties, and other activities associated with the fraternal organization.

Additionally, the Comprehensive Plan states the City is to make an effort to "support economic development activities which enhance the area's economic base, which is tourism." The applicant's proposal would further the City's other goals related to off-season tourism by creating an indoor meeting space that can be used regardless of weather.

K. Additional Findings, Conclusions, and Justification Statements:

The 2013 Buildable Lands Inventory (BLI) commissioned by the City of Seaside found that the city has a shortage in both employment and residential developable acreage. The projection for the planning period (2013-2032) found that 790 additional dwelling units will be needed which translates into approximately 135 gross acres of buildable residential land. The same study found that the city is also short on employment lands. Based on the growth scenarios presented, the city will need 34.4 - 46.6 acres of employment land through the 2032 planning period. The city explored an Urban Growth Boundary expansion in 2015-2016 but it was never completed.

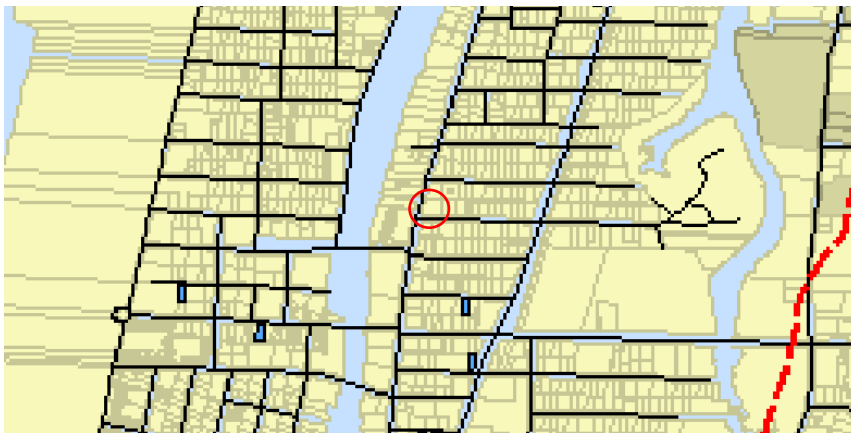
Recent project approvals in the city have taken approximately 5.54 acres of employment land and converted it to residential use. Apartments are a conditionally permitted use within the

General Commercial (C3) zone. The Red Lion Hotel conversion to the Hawk’s Eye Apartments (approximately 55 units) and the Cross Creek Development (approximately 74 apartments) have broken ground and are in various stages of construction, both properties are zoned General Commercial C-3. Additionally, 1.85 acres of employment land zoned Industrial (M1) are earmarked for an affordable housing project.

Reviewing the methodology used in the 2013 BLI, mapping shows the Evergreen Lodge was considered fully developed and not included as vacant land or land suitable for redevelopment for either residential or employment purposes.

Residential Buildable Lands Inventory

- Vacant Residential Land
- Redevelopable Residential
- Land Conservancy Land
- Tsunami Line
- Seaside City Taxlots
- Seaside UGB Taxlots



Employment Buildable Lands Inventory.

- Vacant Commercial Land
- Redevelopable Commercial
- Land Conservancy Land
- Tsunami Line
- Seaside City Taxlots
- Seaside UGB Taxlots

The subject property spans approximately 0.23 acres, equivalent to approximately 10,018.8 sq. ft. Under the Medium Density Residential (R2) zoning, ten (10) dwelling units per acre are permitted. Consequently, the applicant's lot size will only allow for a maximum of two (2) dwelling units. However, if the property were zoned as General Commercial (C3), the potential dwelling unit density would only be limited by the requisite number of parking spaces mandated per dwelling unit. Although the potential for maximizing the number of dwelling units permitted exists with a C3 designation, the applicant desires to preserve the existing historic building.

While the Evergreen Lodge remains in satisfactory condition, it was not originally intended or built for residential purposes. As a result, redevelopment of the property would likely necessitate the demolition of the Lodge. Given its age, there is a probability that the structure contains

Asbestos Containing Materials (ACMs). Undertaking a redevelopment project involving ACMs can significantly elevate the overall costs of the final product. Consequently, any housing established on this site, whether in the form of a duplex, single-family detached dwelling, or single-family attached dwelling, would need to be marketed or rented at the utmost profitability to offset the increased project expenses.









Additionally, redeveloping the property into residential housing will not be compatible with the immediate, surrounding land uses. Situated on a major arterial, N. Holliday Dr., the property is more suited to continue its historical commercial use.

As previously confirmed by the Sanborn Maps, the structure located on the applicant's property has no history of residential use. Land use maps from the 50s and the 60s show the use of the property as "Public & Semi-Public"

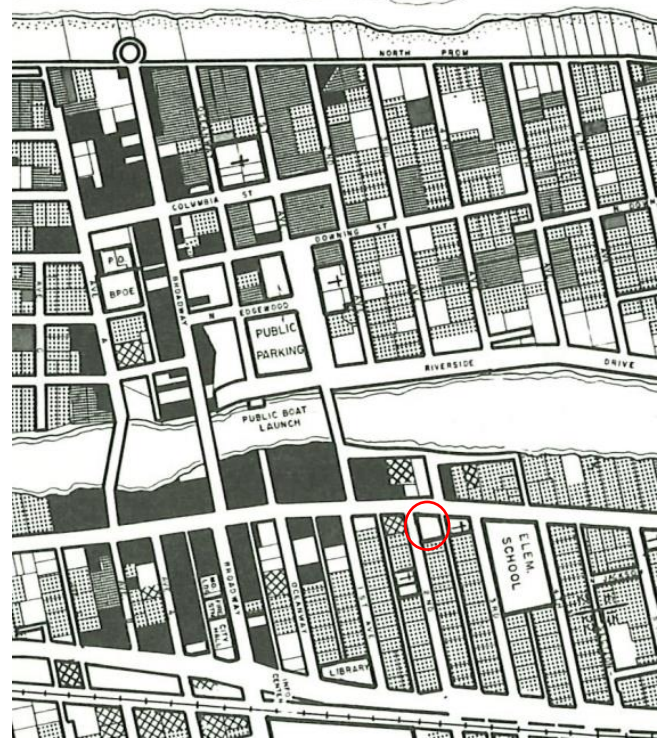
1957 Land Use Map











LEGEND

-  SINGLE FAMILY
Includes trailer used as dwelling
-  MULTI-FAMILY
Includes duplexes
-  MULTI-FAMILY (TOURIST)
Includes motels, cottages & trailer parks
-  COMMERCIAL
-  INDUSTRIAL
-  UTILITY OR TRANSPORTATION
-  PUBLIC & SEMI-PUBLIC
-  CHURCH

1968 Land Use Map

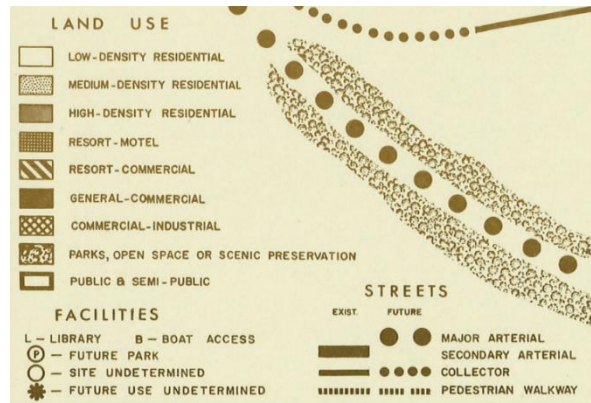
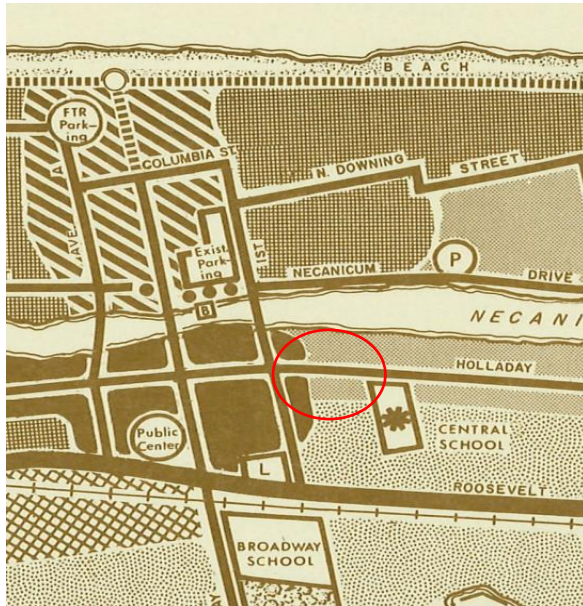


LEGEND

-  SINGLE FAMILY
Includes trailer used as dwelling
-  MULTI-FAMILY
Includes duplexes
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-  CHURCH

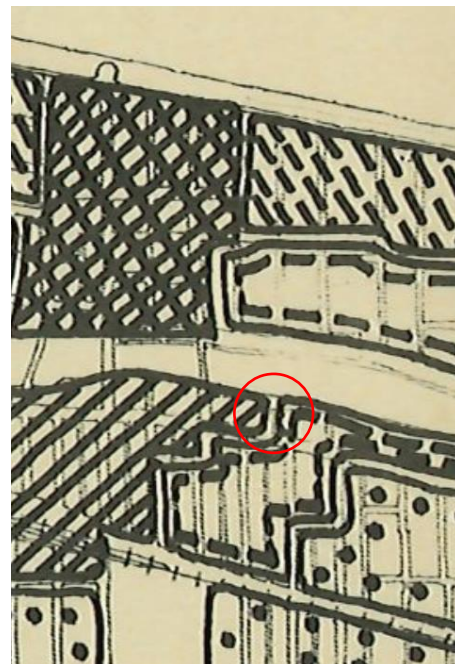
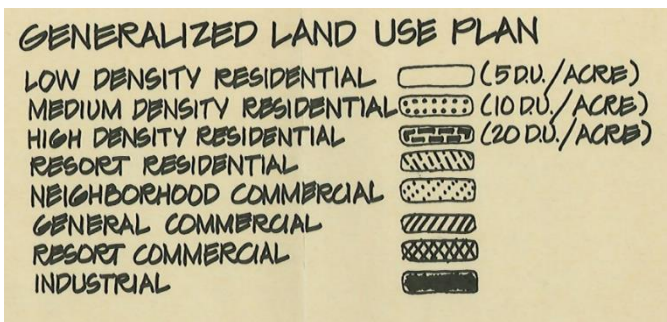
Although the detail is not sufficient to determine individual properties, the 1969 proposed Comprehensive Plan map shows the area of the Evergreen Lodge could be High-Density Residential or General Commercial. An argument can be made that due to the lack of detail in this early land use map, the use of individual properties near the different land use boundaries cannot be determined.

1969 Land Use Map



The 1977 Generalized Land Use Plan indicates the Lodge was designated as High Density Residential which is contradictory to the following 1979 map and our current zoning map.

1977 Generalized Land Use Plan





The image above provides a visual overview of the adjacent land uses when viewed from N. Holliday Dr. looking south. Directly to the west, across N. Holliday Dr., are predominantly commercial properties, with the exception of a 4-story condominium building designated for residential use. Interestingly, despite its residential function, the condominium building is zoned as General Commercial.

Moving southward from the Lodge, the properties exclusively feature commercial uses and are uniformly zoned as General Commercial. To the east, the landscape is characterized by residential single-family dwellings. On the northern side, the property is zoned residential, although its current use is institutional in nature.

The historical utilization of the property as commercial, coupled with the mapping disparities highlighted earlier, lend support to the conjecture that the zoning of the Evergreen Lodge may have been inaccurately designated in past mapping endeavors. The property's location on N. Holliday Dr. and adjacent to neighboring commercial uses and zoning make for a logical expansion of the C3 zone.

L. Recommendation:

Staff Recommendation:

Staff recommends the Planning Commission conduct a public hearing on the application, take public comments, and review and discuss the request. The Planning Commission should consider any public comments, the findings presented in the staff report, and the applicant's justifications and make a recommendation to the City Council to approve, or deny the application.

Alternative 1:

The Planning Commission may choose to continue this request and schedule a future, Planning Commission meeting to allow the Commission time to review submitted evidence or to allow the applicant, other affected parties, and the public, additional time to review or submit further evidence, rebuttals, or justifications.

Alternative 2:

The Planning Commission may choose to hold the public hearing and review additional submitted comments or evidence. If new evidence justifies the denial of the applicant's request, the Planning Commission could move to recommend the denial of this application.

The information in this report and the recommendation of staff are not binding on the Planning Commission and may be altered or amended during the public hearing.



APPLICATION(S):	769-23-000083-PLNG – Zoning Map Amendment
MEETING DATE:	February 6, 2024
PUBLIC HEARING:	Yes
Report Date:	February 6, 2024
Applicant:	Roger Mitchell
Owner:	201 N Holladay Lodge LLC
Location:	201 N Holladay Dr., Seaside, OR 97138
Major Street Access:	N. Holladay Dr.
Parcel Number(s) & Size:	6-10-21AA-10300 Approximately .23 Acres
Parcel Zoning:	Medium Density Residential (R-2)
Adjacent Zoning:	Medium Density Residential (R-2), General Commercial (C-3)
Current Use of Parcel:	Former Masonic Lodge
Adjacent Uses:	Single-Family Residential, Commercial Offices, Hotel, Church
Previous Meetings:	None
Previous Approvals:	None
Type of Action:	Legislative
Land Use Authority:	City Council
Planner:	Jeff Flory, Community Development Director

A. Summary:

A zone change request by Roger Mitchell for the property located at 201 N. Holladay Dr. (6-10-21AA-10300). The proposal will rezone the approximate .23-acre property from Medium Density Residential (R-2) to General Commercial (C-3).

Staff Recommendation:

Staff recommends the Planning Commission conduct a public hearing on the application, take public comments, and review and discuss the request. The Planning Commission should consider any public comments, the findings presented in the staff report, and the applicant’s justifications and make a recommendation to the City Council to approve, or deny the applicant’s request.

B. Exhibits:

1. Public Comments

C. Corrections to the Staff Report

Under the Existing Conditions section, the description of the parking lot encompasses the north and east sides of the building, not the north and west sides. Under the Background section in the 1949 revised Sanborn Maps description, the buildings were removed from the east side and not the west side. Under the Comprehensive Plan section, the church described was incorrectly named. The Seaside United Methodist Church neighbors the applicant's property, not the Calvary Church.

D. Written Comments

The applicant submitted several letters in support of the zone change.

1. Ruth Swenson wrote in support of the zone change as an advocate for “preserving Seaside history while creating economic growth.” Ruth states the Lodge's location and significance as a cultural landmark makes it an ideal candidate for the conversion.
2. Kerri Lambert’s letter of support states that in her position as the manager of the Times Theater and Public House she receives numerous phone calls and emails weekly asking to rent the Times for small, private events. Kerri states that they are unable to accommodate 80% of the inquiries at a cost that is feasible for the customer. Kerri believes the Masonic Lodge could fill this void.
3. Taylor Bowyn of Bowyn Entertainment LLC. states that as a caterer and event planner, there are not enough venues and community meeting centers in Seaside. Taylor believes having this event space will benefit many local businesses and will preserve the historical value of the Lodge.
4. The owner of two nearby commercial properties, David Koller, wrote in support of the zone change and believes the residential zoning seems outdated. The unique structure is more suitable for commercial use and the property has never been used residentially.
5. Owner of the Starry Night Inn, Anastasia Corya, states the Lodges use as a residence does not make sense due to its size and design. Anastasia states the building sitting empty is of no use to anyone. The location on Holladay is mainly commercially zoned and the change in zoning of this property would be a benefit to the community.
6. Owners of 749 4th Ave., Dick and Carole Demaret and Matt and Michelle Saruwatari, are in favor of the zone change as the Lodge has “great potential to be a public resource with the proper zoning in place.”
7. Destiny Deras, owner of Chez and The Culinary Concierge, states the zone change would be a boost for the local economy. Destiny states the historic building is currently underutilized and has a great deal of potential for both locals and tourism. Seaside is a town with a rich history and the Masonic Lodge is one of the few remaining buildings that reflects that history. The proposed conversion would allow the historic building to be restored to its former glory and used in a way that benefits the community and small catering and event businesses.
8. Briana Smith states the “Lodge’s strategic location and its significance as a cultural landmark makes it an ideal candidate for this conversion.”
9. Eric Saucedo, of 109 N Holladay, wrote in support of converting the Masonic Lodge to commercial use. The distinctive character is a reminder of the town’s past and a source

of pride for many residents. The development would create new jobs and businesses in the neighborhood and would lead to increased spending at other businesses which benefits the entire community. The proposed conversion would enhance the overall appeal of Seaside and its central location would be a welcome addition to the downtown business district.

10. Terry Bichsel, owner of the Rivertide Suites states the Lodge has a strategic location near the Seaside Civic and Convention Center and is in favor of it being rezoned so it can be converted to event space.

Staff received one letter expressing some concerns.

1. Deborah Vail, Council President of the Seaside United Methodist Church, states they “fully support the applicant’s desire to preserve the historical essence of the landmark.” The church is concerned about the change to commercial zoning and retail businesses and the potential impact that could have if the applicant sells the building due to unforeseen circumstances. The zone change could potentially make the applicant’s property significantly more valuable and a new owner could demolish the building and establish a new business that could irreversibly impact their neighborhood. The church is concerned about the prospect of being exposed to the scents of a restaurant or brew pub and becoming neighbors to a noisy establishment, including a bakery. The Church Council is conflicted in making a definitive proposal to the Commission and is requesting to extend the date of the Commission’s decision so they can gather as a congregation and neighborhood to arrive at a decision.

Staff Note: The Planning Commission does not make the final decision on a zone change, they only make a recommendation to the City Council. The City Council will also hold a public hearing on this matter. Further public comment can be presented to the Council should the Commission recommend approval.

E. Recommendation:

Staff Recommendation:

Staff recommends the Planning Commission conduct a public hearing on the application, take public comments, and review and discuss the request. The Planning Commission should consider any public comments, the findings presented in the staff report, and the applicant’s justifications and make a recommendation to the City Council to approve, or deny the application.

Alternative 1:

The Planning Commission may choose to continue this request and schedule a future, Planning Commission meeting to allow the Commission time to review submitted evidence or to allow the applicant, other affected parties, and the public, additional time to review or submit further evidence, rebuttals, or justifications.

Alternative 2:

The Planning Commission may choose to hold the public hearing and review additional submitted comments or evidence. If new evidence justifies the denial of the applicant’s request, the Planning Commission could move to recommend the denial of this application.

Alternative 3:

The Planning Commission may choose to leave the record open and continue the public hearing to a later date. Unless the applicant waves the 120-day decision timeframe, the Commission will have to schedule a special meeting on February 14, February 15, or February 16, 2024, to conclude this hearing.

The information in this report and the recommendation of staff are not binding on the Planning Commission and may be altered or amended during the public hearing.

Ruth Swenson
118 N Columbia Street
Seaside, Oregon 97138

City of Seaside Planning Commission
989 Broadway
Seaside, Oregon 97138

Subject: Support for Masonic Lodge Zoning Conversion to Commercial

Dear Members of the Planning Commission,

I am writing to express my support for the proposed zoning conversion of the historic Masonic Lodge from residential to commercial use. The Lodge's strategic location and its significance as a cultural landmark make it an ideal candidate for this conversion. As some of you may know, I am a strong proponent of preserving Seaside history while creating economic growth.

The project enjoys broad neighborhood support, reflecting its potential positive impact on the area's development.

Please consider granting approval for this zoning conversion, as it aligns with the vision of progress and community prosperity.

Thank you for your attention to this matter.

Sincerely,

Ruth Swenson

Kerri Lambert
765 4 th Ave
Seaside, OR 97138
Subject: Support for Masonic Lodge Zoning Conversion to Commercial

Dear Members of the Planning Commission,

I am writing to express my support for the proposed zoning conversion of the historic Masonic Lodge from residential to commercial use. The Lodge's strategic location and its significance as a cultural landmark make it an ideal candidate for this conversion. Converting the Lodge to a commercial space will preserve its historical value while promoting economic growth in our community. The project enjoys broad neighborhood support, reflecting its potential positive impact on the area's development. I have lived two blocks from the Masonic Lodge for over four years and would love to see this building used commercially. Given the number of vacant residential properties in this neighborhood, I do not believe converting the Masonic Lodge into a residence would improve our neighborhood.

As the manager of the Times Theatre & Public House I receive numerous phone calls and emails weekly asking to rent the Times for small, private events. We are not able to accommodate 80% of these inquiries at a cost that is feasible for the customer. A moderately sized and dedicated event space would fill the void left between the small conference rooms available at the neighborhood hotels and the size and expense of the Seaside Civic & Convention Center. I also believe that allowing the Masonic Lodge to operate as an event space will help other neighborhood businesses succeed by increasing the foot traffic to the area. The blocks between Holladay and Roosevelt on First and Ocean Way have struggled in this area.

Please consider granting approval for this zoning conversion, as it aligns with the vision of progress and community prosperity.

Thank you for your attention to this matter.
Sincerely,
Kerri Lambert

**BOWYN ENTERTAINMENT LLC
4580 FAIRWAY DR S
GEARHART, OR, 97138**

Issued: 08/24/23



989 Broadway
Seaside, OR 97138]

Subject: Support for Masonic Lodge Zoning Conversion to Commercial

Dear Members of the Planning Commission,

I am writing to express my support for the proposed zoning conversion of the historic Masonic Lodge from residential to commercial use. The Lodge's strategic location and its significance as a cultural landmark make it an ideal candidate for this conversion. In my time spent as an event planner and caterer in the area, I have found that we are in desperate need of more venues and community meeting centers in Seaside. We have a serious need for more development in this area and the ability to provide more venues will benefit many local businesses, including, but not limited to my own.

Converting the Lodge to a commercial space will preserve its historical value while promoting economic growth in our community. The project enjoys broad neighborhood support, reflecting its potential positive impact on the area's development.

Please consider granting approval for this zoning conversion, as it aligns with the vision of progress and community prosperity.

Thank you for your attention to this matter.

Sincerely,
Taylor Bowyn



Taylor Bowyn,
4580 Fairway Dr S
Gearhart, OR 97138

530-205-8814
taylorbowyn@gmail.com

February 6, 2024

Seaside Planning Commission,

I am writing this letter in support of a requested zone change at the property located at 201 S. Holladay. I own two C3 properties on First Avenue (748 and 719) and would welcome the zone change on this particular property. Historically, this property has not been used residentially although it is currently in an R2 zone. The current R2 zone seems outdated.

The current structure is unique and more suited to a commercial use, and the property is adjacent to the existing C3 zone. There is ample parking at this location for most commercial uses so it does not seem like it would put added parking stress on nearby businesses. Hotels and lodging have expanded across the street so it makes sense that we would expand the commercial area to serve additional visitors.

Best Regards,

Dave Koller

To whom it may concern,

I am a small business owner in Seaside, Oregon. I have a small Inn on 1st Ave called the Starry Night Inn. We are part of a small business section of downtown Seaside.

The Masonic Lodge that is located around the corner from us would be a great addition to the business and local economy if it could be used as a commercial space. It does not make sense as a residence with its size and design and when it sits empty, it is of no use to anyone.

The property is on Holiday street and is mainly a commercial zone. Please consider the benefit to the community that a thriving local economy would provide. Please consider changing this property to a commercial use and get it back to its glory days of entertaining the local community.

Thanks for your consideration,
Anastasia Corya

Dick and Carole Demaret and Matt and Michelle Saruwatari
749 4th Ave
Seaside OR 97138

To the City of Seaside.

We are neighbors of the Masonic Hall at 201 N Holladay Drive.

We wholeheartedly endorse this change of zoning from R2 to C3. The Lodge has great potential to be a public resource with the proper zoning in place.

Thank you



To the Seaside Planning Commission,

I am writing to express my support for the proposed conversion of the Masonic Lodge from residential to commercial use. I am a member of the Chamber of Commerce & a small business owner in Seaside, and I believe that this development would be a major boost for the local economy, as well, very beneficial for my business and others alike.

The Masonic Lodge is a historic building that is currently underutilized & has a great deal of potential for both locals and travel/tourism. The proposed conversion would generate new jobs for the community, and it would attract more visitors to the area through the use of it as a venue/hall.

Seaside is a town with a rich history, and the Masonic Lodge is one of the few remaining buildings that reflects this history. The proposed conversion would allow this historic building to be restored to its former glory and used in a way that benefits the community & small catering/event businesses like myself.

In addition to the economic benefits, the proposed conversion of the Masonic Lodge would also help to enhance the overall appeal of the Seaside area. The lodge is located in a central location, and it would be a welcome addition to the downtown business district. It would also be a popular destination for tourists, who would be drawn to its historic charm and its unique character.

I believe that the proposed conversion of the Masonic Lodge is a wise use of this historic property. It would preserve the building's distinctive character, create new jobs and businesses, attract more visitors to Seaside, and help other businesses in the area- mine included. I urge the Planning Commission to approve this proposal.

Sincerely,

Destiny D Deras
Owner of Chez & The Culinary Concierge
destiny@theculinaryconcierge.com
(503) 917-0808

Briana Smith, 872 15th St Astoria, OR, 97103

Subject: Support for Masonic Lodge Zoning Conversion to Commercial

Dear Members of the Planning Commission,

I am writing to express my support for the proposed zoning conversion of the historic Masonic Lodge from residential to commercial use. The Lodge's strategic location and its significance as a cultural landmark makes it an ideal candidate for this conversion.

Converting the Lodge to a commercial space will preserve its historical value while promoting economic growth in our community. The project enjoys broad neighborhood support, reflecting its potential positive impact on the area's development.

Please consider granting approval for this zoning conversion, as it aligns with the vision of progress and community prosperity.

Thank you for your attention to this matter.

Sincerely,

Briana Smith

Eric Saucedo 109 N Holladay Seaside, OR, 97138

02/05/2024

To Whom It May Concern,

I am writing to express my support for the proposed conversion of the Masonic Lodge at 123 Main Street to commercial use. I am a resident of Seaside for over 30 years, and I have seen the neighborhood evolve over time. The Masonic Lodge is a beautiful building with a rich history, and I believe that it has the potential to be a valuable asset to the community.

The Masonic Lodge is one of the few buildings in Seaside that still retains its distinctive character. It is a reminder of the town's past, and it is a source of pride for many residents. The proposed conversion would allow the building to be restored to its former glory and used in a way that benefits the entire community.

This development would create new jobs and businesses in the neighborhood, and it would also attract more visitors to the area. This would lead to increased spending at local businesses, which would benefit the entire community.

In addition to the economic benefits, the proposed conversion of the Masonic Lodge would also help to enhance the overall appeal of the Seaside area. The lodge is located in a central location, and it would be a welcome addition to the downtown business district. It would also be a popular destination for tourists, who would be drawn to its historic charm and its unique character.

I believe that the proposed conversion of the Masonic Lodge is a wise use of this historic property. It would preserve the building's distinctive character, create new jobs and businesses, and attract more visitors to Seaside. I urge the Planning Commission to approve this proposal.

Sincerely,

Eric Saucedo

Rivertide Suites

Rivertide Suites
102 N Holladay Drive, Seaside, OR 97138

August 16, 2023

Seaside Planning Commission

989 Broadway

Seaside OR 97138

Re: Conversion of the Masonic Lodge Zoning to Commercial

Dear Planning Commission;

My name is Terry Bichsel and I am writing in support of the conversion of the Masonic Lodge (located on Holladay Drive) to Commercial Zone allowing it to be converted into event space.

The Lodge has a strategic location near the Seaside Civic and Convention Center and most of the City's major hotel rooms, downtown retail and area restaurants. It is a cultural landmark making it ideal for a re-investment. Its historic value will be preserved allowing for outside visitors and locals within the community to enjoy its historic nature.

As owner of the Rivertide Suites Hotel for the last 16 years (and previous of the Best Western Plus Ocean View Resort for the last 20 years) I can attest that the conversion of this building to event space would promote the kind of growth consistent with the City of Seaside's charter.

Please consider approving this conversion.

Thank you for your consideration as well as your service to our community.

Kindest regards,



Terrance J, Bichsel

Owner-Rivertide Suites Hotel

102 N. Holladay Drive

Seaside OR 97138

February 4, 2024

Seaside United Methodist Church
211 N Holladay Drive
Seaside, OR 97138

City of Seaside Planning Commission
City of Seaside
989 Broadway
Seaside, OR 97138

Dear Planning Commission,

We are writing to express our concerns about the proposed changes to the zoning of a portion of our historic block, which holds immense historical significance for our community.

First and foremost, we fully support the applicant's desire to preserve the historical essence of the landmark. The meeting hall has served as an important space for community gatherings since 1921, and we believe it can continue to do so. The applicant has made it clear his intention is to re-create Evergreen Lodge as a community space that complements neighboring venues and provides overflow event space for our city's local events, a sentiment we wholeheartedly support.

However, we are concerned about the proposed change to commercial zoning and retail business, which feels misaligned with the residential character of our neighborhood. Despite its proximity to the downtown core, this area has been consistently zoned R2, a fact well-documented in the staff report. It's perplexing to both the author of the report and to us as readers why the meeting hall has never been reclassified as C3, especially given the numerous opportunities to do so over the years. This situation suggests that planners might have intentionally preserved the residential zoning to protect the neighborhood's ambiance. The historical significance of the Seaside United Methodist Church (misnamed the Calvary Church in the staff report), established in 1899, and its neighbor, Evergreen Lodge, established in 1921, likely contributed positively to the local neighborhood. Their close proximity to residences, reinforces the belief that planners deliberately intended to have this remain R2 to maintain its residential character. It appears that planners did not envision carving out this particular corner lot for commercial use, as proposed in the current application.

What if the applicant discovers that remodeling is financially unfeasible and decides to either sell the land or demolish the building? There is a substantial amount of land available on this lot, 10,000 square feet, which would now be suitable for accommodating a large retail space. And, while we appreciate the good intentions of the applicant, we acknowledge that unforeseen circumstances can arise. Allowing a zoning change could potentially make the applicant's property significantly more valuable. The commercial property's proximity to the downtown core would be highly valuable to a developer if the applicant were to market his property. There is a concern that a new owner may not share the same positive intentions, leading to the demolition of the building and the establishment of a new business, which could irreversibly impact our neighborhood. We are especially concerned about the prospect of being exposed to the scents of a restaurant or brew pub and becoming neighbors to a noisy establishment, including even a bakery. The odors emanating from these businesses could significantly impact our church's worship and fellowship services and our neighbors.

The applicant has indicated he has made an agreement with our church to share the parking lot for overflow parking. We strive to be good neighbors and have willingly agreed, under specific terms and times, to share our parking lot. We currently share it with the AA house next door and the funeral home across the street. However, if a retail business is permitted, we anticipate challenges in maintaining this arrangement, as it would be difficult to regulate parking lot usage during business hours. Our elderly church members heavily rely on the parking spaces we provide and their proximity to the church entrance.

During his presentation to our church council, the applicant presented the idea of reopening the hall as a meeting place. Upon reviewing the application and staff report, it appears that the applicant has changed his mind. It seems the applicant has various ideas for the building's development. This is concerning to our church council as his presentation was different than what is being presented here.

Members of the Commission, we are not planners and are challenged in understanding the impacts of this rezoning application and long-term effects on the neighborhood and the Seaside United Methodist church. This letter states some of our concerns, but our Church Council is conflicted in making a definitive proposal to the Commission at this time. May we request that you extend the date of the Commission's decision so we might gather as a congregation and neighborhood to arrive at a collective decision? Our goal is to present our findings at the next Planning Commission meeting.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in cursive script that reads "Deborah L. Vail". The signature is written in dark ink and is positioned above the typed name.

Deborah Vail
Council President
Seaside United Methodist Church



City of Seaside City Council Meeting Staff Report

Meeting Date: March 11, 2024
Author: Kim Jordan, City Recorder
Department: City Manager's Office
Subject: Recommendation
Type of Item: Liquor License

Request:

Taqueria Pelayos LLC., is requesting approval of a Limited On-Premises Liquor License.

Background:

Taqueria Pelayos LLC., is a restaurant offering a selection of beer and wine while dining.

Staff Analysis:

Taqueria Pelayos LLC., is a business located at 1313 S. Roosevelt Drive. The business is an existing outlet and is applying for a limited on-premises liquor license. The owner is Heather Vazquez Pelayo.

A limited on-premises license allows the company to sell and serve on premises malt beverages (beer), wine, and cider. The Seaside Police Department reviewed the liquor application for Taqueria Pelayos LLC., located at 1313 S. Roosevelt Drive, Seaside, OR. The Seaside Police Department review of the application did not discover any disqualifying information or reason to deny the application.

This is a request for a limited on-premises liquor license. This license would allow the sales of malt beverages (beer), wine, and cider. Listed on the application is Heather Vazquez Pelayo, owner. I spoke with Heather and learned that Taqueria Pelayos has never had a liquor license although they had applied for one in the past. Heather indicated their plan was to add beer and wine to their menu. From this date until present there have been no reported alcohol involved incidents at this location.

Budget Impact:

There is no budget impact.

Requested Action:

If the City Council is inclined to recommend the liquor license application, a Councilor would state:

"I move to recommend approval of the liquor license application for Taqueria Pelayos LLC."

Alternatives:

The City Council, after consideration, may determine whether to make a favorable, unfavorable, conditionally favorable or no recommendations to the OLCC. If the City Council makes an unfavorable or conditionally favorable recommendation to the OLCC regarding any application for liquor license, the recommendation will be based on a finding that one or more of the following conditions exist:

There is a history or pattern of illegal or disorderly activity on the premises.

2. There have been disturbances and/or other problems (such as fights, altercations, drug dealing by patrons, furnishing alcohol to minors by patrons, public drunkenness, alcohol related litter, etc.) related to the exercise of the applicant's alcohol license privilege and the applicant has failed to take reasonable and timely corrective action when notified of these problems by the police or the OLCC.
3. There is a continuing problem of noise from this business disturbing neighbors.
4. The applicant would be a poor risk for compliance with liquor laws, as indicated by a felony conviction, which reflects on the applicant's ability to be a responsible liquor licensee.
5. The applicant would be a poor risk for compliance with liquor laws, as indicated by a failure to comply with liquor laws.
6. The applicant has a history of abusing alcohol or other controlled substances and would be a poor risk for compliance with liquor laws.
7. The applicant has made an intentional and materially false statement about a matter that reflects on the applicant's ability to comply with the State's liquor laws.
8. An unlicensable person or a party not named as applicant has an ownership interest in the business to be licensed.
9. The applicant has failed to operate as originally proposed to the City Council, the original proposal having been a deciding factor in the Council's favorable recommendation to the OLCC.
10. The applicant has expanded the boundaries of the licensed premises to areas not originally considered by the Council and without City and OLCC approval.
11. The business is located within 500 feet of a school, childcare facility, church, hospital, nursing or convalescent care facility, a park or child-oriented recreation facility, or an alcohol and other drug treatment facility and there is evidence that the business will adversely impact the facility.

Attachments:

- Seaside Police Department Recommendation

Seaside Police Department

February 26, 2024

MEMORANDUM

TO: Mayor and City Council
FROM: Shauna Stelson, Detective Sergeant
SUBJECT: Taqueria Pelayos LLC

The Seaside Police Department has reviewed the liquor application for Taqueria Pelayos LLC, located at 1313 S. Roosevelt Dr., Seaside, OR. This is a request for a limited on-premises liquor license. This license would allow the sales of malt beverages (beer), wine, and cider.

Listed on the application is Heather Vazquez Pelayo, owner. I spoke with Heather and learned that Taqueria Pelayos has never had a liquor license although they had applied for one in the past. Heather indicated their plan was to add beer and wine to their menu. From this date until present there have been no reported alcohol involved incidents at this location.

The review of the application did not discover any disqualifying information or reason to deny this application.

If you have any additional questions, please let me know.





City of Seaside City Council Meeting Staff Report

Meeting Date: March 11, 2024
Author: Brian J Owen, General Manager
Department: Civic & Convention Center
Subject: Rate Changes
Type of Item: Approval

Request:

Staff request the City Council approve the attached Seaside Civic & Convention Center fee structure.

Background:

The Civic & Convention Center annually analyzes all fees and adjusts them to meet current labor, supplies, utilities, and maintenance expenses.

Staff Analysis:

After evaluating our space, services, and location compared to our three nearest competitors, our staff recommends implementing three fee updates.

We have recently engaged with our business community to gather feedback. We participated in events like Good Morning Seaside hosted by the Seaside Chamber of Commerce and the weekly breakfast meeting with the Seaside Downtown Development Association. Both entities have appreciated our approach and emphasized the importance of providing input around this fee adjustment. Both organizations have written letters thanking us for the opportunity and not opposing the proposed fee adjustment.

The first adjustment pertains to our building rental fee, reflecting an increase ranging from 8% to 33%, with the majority being between 11% and 20 %, depending on the specific room(s) and facility usage. Please refer to the attached rate schedule dated 01/22/24 for detailed information. It's important to note that all non-profit, compassion, and other applicable discounts will still be honored.

The second update involves introducing a set a daily fee for Audio Video (A/V) services and products. Currently, we do not have a separate additional fee for A/V usage or services. We propose the following fee structure:

- Entire Building rental – A/V fee of \$250
- Pacific Room rental – A/V fee of \$100
- Necanicum Room rental – A/V fee of \$100
- All other rooms – A/V fee of \$25

The third and final update is the addition of a room reset fee of \$150 per reset. This fee will be applied to events that necessitate significant alterations to a room throughout the day.

Fee adjustments would commence on April 1st, 2024, and will be reviewed annually, starting July 2025.

Budget Impact:

The rise in rental rates is a strategic measure to align our revenue with escalating expenses. Simultaneously, the introduction of two new fees, anticipated to generate an additional \$25,000 to \$32,000 in revenue, is poised to provide us the means to gradually address maintenance needs, carry out replacements, and evolve in tandem with our client's expectations over time.

Requested Action:

If the City Council is inclined to approve the request, a Councilor would state:

“I move to approve the Civic & Convention Center Rate Schedule as presented.”

Alternatives:

The alternative to this recommendation would be one of these three:

- Remove chosen new fees.
- Keep rates the same as current year.

Attachments:

- SCCC Facility Rates 1-22-24
- SCOC Letter March 1st, 2024
- SDDA Letter March 1st, 2024

SCCC Rate Schedule 2024

Fee Type of Event 2023 Rate 2024 rate % Change

Entire Facility

Ticketed	\$ 1,600.00	\$ 1,800.00	13%
Single Day	\$ 1,300.00	\$ 1,500.00	15%
Trade Show/Exhibit	\$ 1,100.00	\$ 1,300.00	18%
Convention/Conference			
2024-25	\$ 1,000.00	\$ 1,200.00	20%
2026-30	\$ 1,200.00	\$ 1,400.00	17%
2031-35	\$ 1,400.00	\$ 1,600.00	14%
Compasson/Funeral	\$ 500.00	\$ 550.00	10%
Civic Related	\$ 400.00	\$ 450.00	13%
Community Fundraising	\$ 300.00	\$ 350.00	17%

Pacific Room

Ticketed	\$ 1,300.00	\$ 1,400.00	8%
Single Day	\$ 1,000.00	\$ 1,100.00	10%
Trade Show/Exhibit	\$ 900.00	\$ 1,000.00	11%
Convention/Conference			
2024-25	\$ 900.00	\$ 1,000.00	11%
2026-30	\$ 1,100.00	\$ 1,200.00	9%
2031-35	\$ 1,300.00	\$ 1,400.00	8%
Compasson/Funeral	\$ 400.00	\$ 450.00	13%
Civic Related	\$ 300.00	\$ 350.00	17%
Community Fundraising	\$ 200.00	\$ 225.00	13%

Necanicum Room

Ticketed	\$ 1,100.00	\$ 1,200.00	9%
Single Day	\$ 800.00	\$ 900.00	13%
Trade Show/Exhibit	\$ 700.00	\$ 800.00	14%
Convention/Conference			
2024-25	\$ 800.00	\$ 900.00	13%
2026-30	\$ 1,000.00	\$ 1,100.00	10%
2031-35	\$ 1,200.00	\$ 1,300.00	8%
Compasson/Funeral	\$ 400.00	\$ 400.00	0%
Civic Related	\$ 300.00	\$ 300.00	0%
Community Fundraising	\$ 200.00	\$ 200.00	0%

2023 Rate 2024 rate % Change

Room Rentals

Riverside Room(s)

3 Rooms	\$ 500.00	\$ 550.00	10%
2 Rooms	\$ 400.00	\$ 450.00	13%
1 Room	\$ 300.00	\$ 350.00	17%

Sand Dollar Room(s)

4 Rooms	\$ 100.00	\$ 125.00	25%
3 Rooms	\$ 80.00	\$ 100.00	25%
2 Rooms	\$ 60.00	\$ 75.00	20%
1 Room	\$ 40.00	\$ 50.00	25%

Seaside Room(s)

3 Rooms	\$ 200.00	\$ 225.00	13%
2 Rooms	\$ 150.00	\$ 175.00	17%
1 Room	\$ 100.00	\$ 125.00	25%

Sunrise Room \$ 250.00 \$ 275.00 10%

Sunset Room \$ 200.00 \$ 225.00 11%

Seamist Room \$ 100.00 \$ 125.00 20%

Brian Owen

From: Katie McCloud <Katie@seasidechamber.com>
Sent: Friday, March 1, 2024 2:07 PM
To: Brian Owen
Subject: lwetter of supprt

The Chamber values the chance to contribute to discussions regarding fee adjustments at the Seaside Civic & Convention Center. We do not oppose the proposed annual fee adjustment and support its implementation.





Katie McCloud

CEO

Seaside Chamber of Commerce

your city. your county. your **CHAMBER.**



 (503) 738-6391
 katie@seasidechamber.com
 www.seasidechamber.com
 7 N Roosevelt Dr., Seaside, OR



Brian Owen

From: Kerri Lambert <admin@seasidedowntown.com>
Sent: Friday, March 1, 2024 12:03 PM
To: Brian Owen
Subject: Convention Center Rate Changes

Hello. I am writing to convey that the Board of the Seaside Downtown Development Association feels that they have been given adequate time and opportunity to convey the price increase request from the Seaside Civic & Convention Center to our membership via email, social media, in-person and through a formal presentation to the Seaside Downtown Development Association. We are thankful for the time and opportunity to communicate this to the public. We are satisfied that all of our questions have been answered and appreciate Brian's thoughtfulness and time in answering our questions.

Kerri Lambert
Executive Director
Seaside Downtown Development Association



City of Seaside City Council Meeting Staff Report

Meeting Date: March 11, 2024
Author: Spencer Kyle, City Manager
Department: City Manager's Office
Subject: Community Gardens
Type of Item: Intergovernmental Agreement

Request:

The City Council is being asked to consider and approve the attached intergovernmental agreement (IGA) between the Seaside School District (SSD) and Sunset Empire Park & Recreation District (SEPRD) for the relocation of the community gardens.

Background:

There have been two Community Gardens in Seaside, one has been located at Broadway Park, and another is currently located adjacent to Roosevelt Drive between Avenue J and M. The gardens at Broadway Park need to be relocated due to the construction of the new softball field and the relocation of the Herche Family Training Facility. SSD is responsible for the relocation of the gardens. The school district has been working with the city and SEPRD to identify a location for the community gardens. At the February 26, 2024, City Council work session, all three organizations identified Railroad Park as the preferred location.

Staff Analysis:

SSD has prepared the attached draft IGA for consideration. Their attorneys are currently working on the final IGA. When the City receives that final IGA, it will be sent to the City Council separately and the packet updated prior to the Council meeting.

Staff has reviewed the drafted IGA and believes it is consistent with the direction the City Council gave at the February 26, 2024, work session.

Budget Impact:

The IGA provides \$75,200 in funding for the garden relocation. The funds will be given to the Sunset Empire Park & Recreation Foundation and will be used by SEPRD in the upgrades and expansion of the gardens.

Requested Action:

If the City Council is inclined to approve the IGA, a Councilor would state:

“I move to approve the Intergovernmental Agreement for the Relocation of the Community Gardens.”

Alternatives:

The City Council may choose to postpone the decision or may request changes to the agreement. Changes to the agreement will need to be approved by SSD and SEPRD.

Attachments:

- Draft Intergovernmental Agreement for the Relocation of the Community Gardens

Seaside School District

Intergovernmental Agreement

Relocation of City of Seaside Community Garden

This agreement is made and entered into between the Seaside School District (SSD), City of Seaside, and Sunset Empire Parks and Recreation District (SEPRD) to establish an agreement for relocation of the Sunny Hunt Community Garden.

One of the conditions by the City of Seaside for approval of the Broadway Field location for the improved softball field, was the requirement that Seaside School District relocate the Sunny Hunt Community Gardens, which was previously located at Broadway Field.

SSD will pay \$75,200 for the relocation of the community garden.

SEPRD and the City of Seaside will work together to improve the current Railroad Gardens or for relocation to a chosen location. These funds are to be used only for community garden purposes and will be placed in the SEPRD Foundation account.

This payment fulfills all requirements of the Seaside School District to relocate the community garden, and absolves the district from any additional funding requirements.

Nothing in this agreement is intended to conflict with current laws or regulations of the United States of America, the State of Oregon or local government. If a term of this agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.

This agreement shall become effective on February 28, 2024, and may be modified upon the mutual written consent of the parties.

AND NOW, this twenty-eighth day of February, 2023, the parties hereby acknowledge the foregoing as the terms and conditions of their understanding.

_____	_____
Susan Penrod, Superintendent	Skyler Archibald, Executive Director
Seaside School District	Sunset Empire Parks and Recreation District

Date: _____ Date: _____

Spencer Kyle, City Manager

City of Seaside

Date: _____

Draft