

INTERVIEWS - PLANNING COMMISSION

6:10 PM - Norman Brown

6:20 PM - Louis Neubecker

6:30 PM - John Carter

**AGENDA SEASIDE CITY COUNCIL MEETING
APRIL 24, 2017 7:00 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. INTRODUCTION - SEASIDE POLICE SERGEANT, JOSH GREGORY
6. COMMENTS FROM STUDENT REPRESENTATIVE, Lizzy Barnes
7. COMMENTS – PUBLIC – (please keep speaking time to four minutes)
8. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
9. CONSENT AGENDA
 - a) PAYMENT OF THE BILLS - \$200,018.13
 - b) APPROVAL OF MINUTES - APRIL 10, 2017
10. UNFINISHED BUSINESS:
 - a) VACANCY - PLANNING COMMISSION
BUDGET COMMITTEE
11. NEW BUSINESS
 - a) PUBLIC HEARING - ORDINANCE 2017-03 - AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE ZONING MAP REFERENCED IN CODE OF SEASIDE ORDINANCE CHAPTER 151 CHANGING THE ZONING AT 2145 NORTH WAHANNA ROAD FROM SR TO R-3, Kevin Cupples
 - OPEN PUBLIC HEARING
 - CLOSE PUBLIC HEARING
 - COUNCIL COMMENTS
 - MOTION FOR FIRST READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION FOR SECOND READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - b) PUBLIC HEARING - ORDINANCE 2017-04 - AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, ANNEXING CERTAIN TERRITORY EAST OF THE CITY, (Property located at 2145 North Wahanna Road), Kevin Cupples
 - OPEN PUBLIC HEARING
 - CLOSE PUBLIC HEARING
 - COUNCIL COMMENTS
 - MOTION FOR FIRST READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - MOTION FOR SECOND READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED

- c) LIQUOR LICENSE APPLICATION - OSPREY CAFE, 2281 BEACH DRIVE
- d) LIQUOR LICENSE APPLICATION - TOM'S FISH AND CHIPS, 1 N. HOLLADAY
- e) PRESENTATION - SEASIDE GOLF COURSE ELK DEPREDATION, Phillip Warmbrodt
- f) ANNUAL REPORT - 2016 SEASIDE FIRE AND RESCUE, Joey Daniels
- g) DONATION OF 1,000 GALLON POLYMER TANK TO JEWELL SCHOOL DISTRICT #8, Dale McDowell
- h) VACANCY - PARKS ADVISORY COMMITTEE

12. COMMENTS FROM THE CITY STAFF

13. COMMENTS FROM THE COUNCIL

14. ADJOURNMENT

Complete copies of the Current Council meeting Agenda Packets can be viewed at: *Seaside Public Library and Seaside City Hall. The Agendas and Minutes can be viewed on our website at www.cityofseaside.us.*

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.

SEASIDE PLANNING COMMISSION

The purpose of the Seaside Planning Commission is to recommend and make suggestions to the Council and to other public authorities concerning the laying out, widening, extending and locating of public thoroughfares, the parking of vehicles, the relief of traffic congestion, betterment of housing and sanitation conditions, and the establishment of districts for limiting the use, height, area, bulk and other characteristics of buildings and structures related to land development. The Planning Commission is to recommend to the Council and other public authorities plans for regulating the future growth, development and beautification of the city with respect to its public and private buildings and works, streets, parks, ground and vacant lots, and plans consistent with future growth and development of the city in order to secure to the city and its inhabitants sanitation, proper service of public utilities, including appropriate public incentives for overall energy conservation, and plans for shipping and transportation facilities.

The commission consists of seven members who are not officials or employees of the city and who will be appointed by the Mayor, subject to the approval of the City Council. A minimum of five members shall reside within the city limits; a maximum of two members may reside within the urban growth boundary, but outside the city limits. All members shall serve for a term of four years. A Planning Commissioner's term of office shall commence on the first day of November of the first year of his or her term.

Each year, at the first Committee meeting in November, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson. One of the Committee members will serve as Secretary. Minutes of all meetings will be filed with the City Council.

No more than two members of the Commission may engage principally in the buying, selling or development of real estate for profit as individuals, or be members of any partnership, or officers or employees of any corporation, which engages principally in the buying, selling or developing of real estate for profit.

The Committee shall hold a regular meeting at least once each month of the calendar year. The meetings shall be open to the public. Any person appointed to serve on this committee who misses three or more regularly scheduled meetings during a 12 month period shall be notified by letter that the position must be vacated. The individual may appeal the decision to the City Council. (A 12 month period is defined as beginning in January of each calendar year.)

The members shall serve without salary or compensation of any nature.

Please Note: It is Council policy that applicants must be a city or urban growth boundary resident, business owner or employee of a business for at least one year, depending on committee/commission residency requirements.

CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

PLEASE RETURN TO CITY HALL BY: _____

NAME C A R T E R J O H N PHONE 503 / 738-4387
Last First
ADDRESS 1 4 6 0 S D O W N I N G S T R E E T
MAIL ADDRESS (DIFFERENT THEN ABOVE) P O B O X 6 7 9
EMAIL ADDRESS j.m.carter@comcast.net
LENGTH OF TIME IN SEASIDE 4 1/2 years ARE YOU A REGISTERED VOTER IN SEASIDE: Yes No
OCCUPATION RETIRED
PAST OCCUPATIONS SALES OF MANUFACTURING MACHINERY FOR INDUSTRIAL WOODWORKING, SALES TO AREOSPACE.

List committee/commissions on which you would like to serve: ANY WHERE I MIGHT BE USEFUL
PLANNING COMMISSION

List committee/commissions you are currently appointed to: _____

List fields in which you have interest or ability: _____

List employment and volunteer activities, which may relate to service on committee/commissions:

Managing a sales and service center for industrial tooling
working out of a home office as a branch of a larger company, keeping
expense and travel records, forecasting future customer sales.

I worked in machine shops for six years operating a variety of
metal working machines.

I currently drive veterans from their homes to medical appointments,
or to catch the DAV van going to the VA hospital in Portland.

List skills and special knowledge that you may have acquired from these activities:

Sales and negotiating skills, customer service, settling disagreements with customers or employees.

Have you ever been convicted, pled guilty or pled "no contest" to any crime, offense, or major traffic violation? Yes () No (X) If yes, what offense? _____

When? _____ Please explain: _____

Please list 3 references including an employer or supervisor, and people that have known you for at least 2 years. (No City Council Members, Please)

NAME	RELATIONSHIP	ADDRESS	PHONE
Judy Ann Dugan	friend	seaside	City Hall
Jim Osburn	friend	Cannon Beach	503-739-0959
Susan Peterson	friend	SEASIDE	503-739-1905

I authorize any person or entity contacted by the City of Seaside to furnish information relating to my appointment to the Commission/Committee/Board indicated above and I release any such person or entity from any and all liability for furnishing such information. I also release the City of Seaside from any and all liability for conducting such an investigation.

DATE March 15, 2017

SIGNATURE

John M. Carter

Please Note: It is Council policy that applicants must be a city or urban growth boundary resident, business owner or employee of a business for at least one year, depending on committee/commission residency requirements.

CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

PLEASE RETURN TO CITY HALL BY: _____

NAME Brown Norman PHONE 503/717-5132
Last First

ADDRESS 3041 Evergreen Drive
MAIL ADDRESS (DIFFERENT THAN ABOVE) _____

EMAIL ADDRESS norman.b3@sbcglobal.net

LENGTH OF TIME IN SEASIDE 3 yrs ARE YOU A REGISTERED VOTER IN SEASIDE: Yes No

OCCUPATION Retired Human Resources Manager

PAST OCCUPATIONS HR Director

HR / Staffing Manager

List committee/commissions on which you would like to serve: _____

Planning Commission

List committee/commissions you are currently appointed to: _____

Parks Advisory Committee

List fields in which you have interest or ability: _____

Budgeting / Finance Human Resource Mgmt

List employment and volunteer activities, which may relate to service on committee/commissions: _____

Human Resources Manager

Member of the Personnel Advisory Board for Sunnyvale, CA

List skills and special knowledge that you may have acquired from these activities: _____

- Understanding of laws/best practices in HR Management

- Exposure to processes/procedures of City Boards/Committees

- Good Decision Making Skills

Have you ever been convicted, pled guilty or pled "no contest" to any crime, offense, or major traffic violation?

Yes () No () If yes, what offense? _____

When? _____ Please explain: _____

Please list 3 references including an employer or supervisor, and people that have known you for at least 2 years.
(No City Council Members, Please)

NAME	RELATIONSHIP	ADDRESS	PHONE
<u>Phil Duncan</u>	<u>Former Manager</u>	<u>1000 Sitwell Court Pleasanton, CA</u>	<u>575-4275</u>
<u>Tom Kenny</u>	<u>Neighbor</u>	<u>491 Fairwell Court Seaside, OR</u>	<u>503-717-8432</u>
<u>Nancy Holmes</u>	<u>Park* Member</u>	<u>1520 Cooper St Seaside, OR</u>	<u>503-717-1214</u>

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DATE 4-10-17 SIGNATURE Norman T. Brown

* Parks Advisory Committee

Norman T. Brown
 3041 Evergreen Drive, Seaside, OR 97138
 H: 503-717-5132 C: 510-417-5241
norman.b3@sbcglobal.net
 LinkedIn Profile: www.linkedin.com/in/normanbrown

SUMMARY OF QUALIFICATIONS/STRENGTHS

Hands-on Human Resources Professional with significant experience managing staffing departments in hi-tech and service oriented companies. Experience includes management of Immigration, Relocation and Contingent Staffing as well as oversight of International recruiting activities.

Characteristics	Industry Knowledge
<ul style="list-style-type: none"> • Analytical/metric-oriented 	<ul style="list-style-type: none"> • Semiconductor
<ul style="list-style-type: none"> • Insightful, positive and enthusiastic 	<ul style="list-style-type: none"> • Mass Storage/HDD
<ul style="list-style-type: none"> • Mentor/leads by example 	<ul style="list-style-type: none"> • Retail Grocery

SELECTED ACCOMPLISHMENTS

- Turned around staffing effectiveness at small rapidly-growing division by researching issues, reallocating resources, establishing high visibility presence and providing regular reporting on improved hiring statistics.
- Developed and presented training program on “Selling the Company during the Recruiting Process” to all recruiters world-wide.
- Managed project to analyze source of hires and recommend strategy for internet sourcing tools.
- Led team to complete assessment questions in Taleo ATS for the 42 most-recruited-for job families.

EXPERIENCE

SAFEWAY, Inc., Seaside, OR 2016
Courtesy Clerk

Headway Technologies, Milpitas, CA 2011-2014
Director of Staffing and Compensation

- Senior member of Corporate HR Team. Interfaced with staff from parent company in Japan.
- Managed compensation system and annual review process (including performance reviews).
- Directly recruited for both exempt and non-exempt positions. Dealt with immigration issues.

B365, A SEAGATE COMPANY, Santa Clara, CA 2009-2011
Staffing Manager (Position moving to Salt Lake City)

- Rebuilt Staffing Department to meet staffing needs in California, Utah and Canada as well as the UK and the Netherlands
- Revised Staffing Policies and increased sourcing resources including LinkedIn Recruiter
- Converted I-9 Process using outside SaaS company
- Completed EEO-1 Reports and AAP for 2010-11

HITACHI GLOBAL STORAGE TECHNOLOGY, San Jose, CA 2009
Contract Recruiter

- Filled over 20 technical positions in engineering and manufacturing during 4 month assignment
- Developed excellent relationships with technical and non-technical managers

SEAGATE TECHNOLOGY, Scotts Valley, CA

2007-2009

Senior Manager, Staffing

- Led team of up to 9 in support of all staffing needs for 4 sites in Northern California.
- Managed staffing efforts for Colorado site for 6 months until a manager could be hired.
- Managed college relations efforts for site responsibilities.
- Managed US contractor compliance/payrolling program through Workforce Logic.
- Hired dedicated Sourcer and managed sourcing program.

ROBERT HALF INTERNATIONAL, INC, Pleasanton, CA

2005-2007

Director, Staffing

- Manage Staff of 10 in Corporate Staffing Department
- Lead/participate in Talent Management Initiatives concerning succession planning and high potential employee and development program
- Lead implementation team for new applicant tracking system for Corporate Staffing
- Rewrote all Staffing-related Policies & Procedures

MAXTOR CORPORATION, Milpitas, CA

1997-2005

Director, Staffing

- Managed Staffing for \$4B Company during periods of high growth, acquisition, and downsizing.
- Managed over 20 employees at 4 sites with dotted line responsibility for EMEA.
- Personally conducted Director/Executive level searches.
- Managed Immigration, Relocation and Contingent Staffing.
- Built highly competent and motivated staffing team.

OTHER SIGNIFICANT EXPERIENCE:

- **Director, Staffing**, CIRBUS LOGIC, INC., Fremont, CA
- **Employment Manager / ER Representative**, AVANTEK, INC., Milpitas, CA
- **Employment Manager / HR Generalist**, MEMOREX CORPORATION, Santa Clara, CA
- **Employment Manager**, FINNIGAN CORPORATION, Milpitas, CA
- **College Relations Manager / HR Generalist**, INTEL CORPORATION, Santa Clara, CA
- **Employment Supervisor**, SYNTEX CORPORATION, Palo Alto, CA
- **Journeyman Grocery Professional**, Claremont, San Bernardino, Riverside, CA

EDUCATION

- M.B.A. (Management emphasis), University of Southern California, Los Angeles, CA
- B.S.B.A. (Management emphasis), University of Southern California, Los Angeles, CA

TRAINING

- Kerr-Hill: Managers Performance Program for Robert Half International
- Zenger-Miller: Supervisory Training Program
- American Management Assn: Finance & Accounting for Non-financial Mangers (Certified Trainer)

PROFESSIONAL AND COMMUNITY AFFILIATIONS

- Former member of Bay Area Talent Management Group
- Past President of the Northern California Technical Personnel Committee
- Past Member and Chair of the City of Sunnyvale Personnel Advisory Board

Please Note: It is Council policy that applicants must be a city or urban growth boundary resident, business owner or employee of a business for at least one year, depending on committee/commission residency requirements.

CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

PLEASE RETURN TO CITY HALL BY: _____

NAME Neubecker, Louis J PHONE 503/717-0153

Last First

ADDRESS 1859 Broadway

MAIL ADDRESS (DIFFERENT THEN ABOVE) _____

EMAIL ADDRESS neube@att.net

LENGTH OF TIME IN SEASIDE 13 yrs ARE YOU A REGISTERED VOTER IN SEASIDE: Yes No

OCCUPATION _____

PAST OCCUPATIONS U. S. Marine (Ret), Sr Engineer for the Boeing Airplane Company 25 years

List committee/commissions on which you would like to serve: Planning Commission

List committee/commissions you are currently appointed to: _____

Community Center & Senior Commission

Parks and Rec Budget Committee

List fields in which you have interest or ability: _____

List employment and volunteer activities, which may relate to service on committee/commissions:

I volunteer for all Veterans Organizations on the Coast

On the Community Center re-fresh project

List skills and special knowledge that you may have acquired from these activities:

Learned how to read blue prints in both jobs I've held, I understand variances on drawings, can read and understand

surveyor documents, city

ordinances.

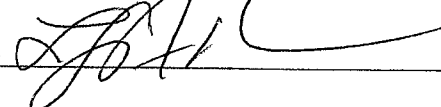
Have you ever been convicted, pled guilty or pled "no contest" to any crime, offense, or major traffic violation? Yes () No (X) If yes, what offense? _____

When? _____ Please explain: _____

Please list 3 references including an employer or supervisor, and people that have known you for at least 2 years. (No City Council Members, Please)

NAME	RELATIONSHIP	ADDRESS	PHONE
<u>Vivienne Higgs</u>	<u>Former Supervisor</u>	<u>340 Ave E</u>	<u>503-791-5442</u>
<u>Piper O'Brien</u>	<u>Committee Member</u>	<u>720 S Lincoln</u>	<u>503-738-3169</u>
<u>Molly Irons</u>	<u>Friend/ Same Church</u>	<u>221 7th St</u>	<u>503-738-7005</u>

I authorize, any person or entity contacted by the City of Seaside to furnish information relating to my appointment to the Commission/Committee/Board indicated above and I release any such person or entity from any and all liability for furnishing such information. I also release the City of Seaside from any and all liability for conducting such an investigation.

DATE April 12, 2017 SIGNATURE 

COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** **March 13, 2017**
Name: **Steve Wright**
Commission/Committee: **Planning Commission**
Resignation Date: **March 1, 2017**
Term Expiration Date: **November 1, 2019**
Wants to be considered again: **No - City Councilor**

2. **Applicants:**
John Carter
Norman Brown
Louis Neubecker

3. **Nominations:**

4. **Appointment:**



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

989 BROADWAY
SEASIDE, OREGON 97138
(503) 738-5511

PLANNING COMMISSION

Term of Office: 4 years

Number of Members: 7

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
DAVID POSALSKI	1659 WHISPERING PINES DR.	503-536-5396	11/01/2017
RICHARD RIDOUT	860 BEACH DRIVE	738-8078	11/01/2018
CHRIS HOTH	420 AVENUE I	738-7861	11/01/2018
RAY ROMINE	2170 SKYLINE DR.	440-9561	11/01/2019
VACANCY			11/01/2019
BILL CARPENTER	PO BOX 797	738-5410	11/01/2020
TERI CARPENTER	220 AVENUE 'U'	425-246-9962	11/01/2020

EX OFFICIO MEMBERS: MAYOR, CITY ATTORNEY, CITY MANAGER, CITY ENGINEER, CODE ENFORCEMENT OFFICER

*CHAIR

**VICE CHAIR

SEASIDE BUDGET COMMITTEE

The Seaside Budget Committee meets publicly to review the budget documents as proposed by the budget officer. The budget committee receives the budget and budget message and provides an opportunity for the public to ask questions about and comment on the budget. The committee also approves a budget, and, if ad valorem property taxes are required, approves an amount or rate of tax for all funds that receive property taxes.

The budget committee is composed of the governing body and an equal number of electors appointed by the governing body. All members of the budget committee have equal authority. An elector is a qualified voter who has the right to vote for the adoption of any measure. If the governing body cannot find a sufficient number of electors who are willing to serve, those who are willing and the governing body become the budget committee.

Applicants for the Budget Committee need to be registered voters of the City of Seaside for at least one year prior to serving on the Committee. The appointive members of the budget committee cannot be officers, agents or employees of the local government. Spouses of officers, agents or employees of the local government are not barred from serving on the budget committee if they are qualified electors and not themselves officers, agents, or employees. Appointive members of the budget committee are appointed for three-year terms.

The committee shall elect a presiding officer from among the members at the first meeting. No member of the budget committee may receive any compensation for their services as a member of the committee.

COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** March 13, 2017

Name: Steve Wright
Genesee Dennis

Commission/Committee: Budget Committee

Resignation Date: Wright - March 1, 2017
Dennis - March 13, 2017

Term Expiration Date: December 31, 2018

Wants to be considered again: Wright - No (City Councilor)
Dennis - No
2. **Applicants:**
3. **Nominations:**
4. **Appointment:**

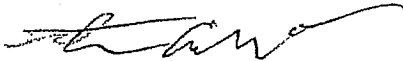
March 1, 2017

Mark Winstanley

City Manager, City of Seaside

Due to the February 27, 2017 action by the City Council selecting me as City Councilor, Ward 1, I hereby resign from the Planning Commission and the Budget Committee, effective immediately.

Best regards,

A handwritten signature in black ink, appearing to read "Steve Wright", with a long horizontal flourish extending to the right.

Steve Wright

Kimberley Jordan

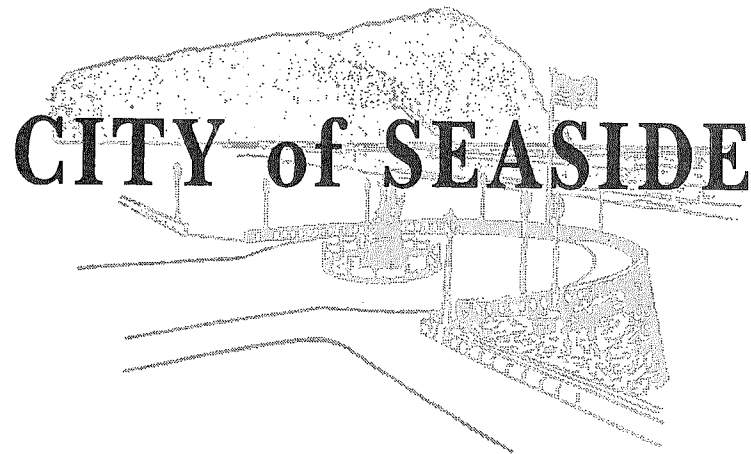
From: Judy Ann. Dugan <jdugan@cityofseaside.us>
Sent: Monday, March 13, 2017 8:23 AM
To: 'Kimberley Jordan'
Subject: FW: Budget committee

JudyAnn Dugan
Accounts Payable Clerk
City of Seaside
503-738-5511
503-738-5514 (fax)

From: Genesee Dennis [<mailto:geneseedennis@gmail.com>]
Sent: Sunday, March 12, 2017 7:22 PM
To: Judy Ann Dugan
Subject: Budget committee

Hi Judy Ann, I just wanted to tell you that I won't be able to be on the budget committee this year. Manging the pool in Astoria doesn't leave me with a lot of free time these days:)

Genesee



OREGON'S
FAMOUS
ALL-YEAR
RESORT

989 BROADWAY
SEASIDE, OREGON 97138
(503) 738-5511

BUDGET COMMITTEE

Term of Office: 3 years
Number of Members: 14 (Includes City Council)

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
JAMES SHIPLEY	284 ALPINE ST.	717-0392	12/31/2017
REBECCA BUCK	P O BOX 1152	738-3045	12/31/2017
NANCY MCCUNE	822 NECANICUM #101	503-260-8905	12/31/2017
VACANCY			12/31/2018
VACANCY			12/31/2018
LES MCNARY	1624 S. FRANKLIN	738-0759	12/31/2019
KATHLEEN PETERSON	1640 HUCKLEBERRY DR.	440-5543	12/31/2019

CITY OF SEASIDE MEMORANDUM

To: Mayor & City Council
From: Community Development Department
Date: April 24, 2017
Owners: James Folk, Sierra Partners, P.O. Box 2165; Gearhart, OR 97138
Applicant Jennifer Bunch, Wickiup Consulting, P.O. Box 1455, Astoria OR 97103
Location: 2145 N Wahanna Rd, T6-R10-15AB-TL201
Subject: 16-069ZC- Zone Change from Suburban Residential (SR) to High Density Residential (R-3)

Request Summary:

The applicant is requesting a zone map amendment that will change the upland Suburban Residential (SR) zoned portions of the above referenced property (approximately 2.05 acres) to High Density Residential (R-3).

The entire parcel is approximately 3.75 acres and all of the non-upland area to the east is zoned Freshwater Wetland (A-3). The applicant is interested in rezoning the upland area in order to allow urban density residential development in conjunction with annexation of the property.

The subject property is currently developed with a single family dwelling and an accessory structure. The property to the south exhibits similar development characteristics; whereas, North Coast Family Fellowship Church borders the property to the he north. All of the subject property is currently within the City of Seaside's urban growth boundary.

If the request is approved, future development of the upland property will be governed by the ordinance provisions and development standards applicable to the High Density Residential R-3 zone. In accordance Article 9 of the Seaside Zoning Ordinance, the City Council can make a final decision on a zone change after holding a public hearing and considering the recommendation by the Seaside Planning Commission.

Planning Commission Testimony Summary:

The Planning Commission heard testimony concerning the proposed zone change prior to making their recommendation. Testimony in favor of the proposed request was offered by the owner and the applicant's consultant.

A number of property owners in the area testified in opposition to the request in addition to submitting written testimony. Most of the testimony expressed concerns about how the rezone would change the area, increase traffic and potentially impact the surrounding environment. Some were very focused on the conceptual development plan that was submitted by the applicant. It was pointed out there is no specific development plan being proposed or reviewed at this time. The conceptual plan only indicated the type of development that might be possible if the rezone was approved.

Following public comment at their first public hearing on February 7th, the Commission continued the hearing to their next meeting on March 7th to provide additional time for consideration of the request. Although no new testimony was offered by the neighbors during this meeting, city staff did provide information concerning the sewer capacity issue that would need to be addressed prior to any new development that would connect to the city sewer. In summary, staff indicated the following: Although the initial thought was that sewer could be run to the Pine Cove Pump Station, where there is sufficient capacity to accommodate the additional flow; the downstream sewer improvements do not have sufficient capacity at this time to accommodate the additional flow from full development under an R-2 or R-3 zone designation.

Any change in zone permitting higher density development would be done with the owner's understanding that additional sewer infrastructure improvements will be needed before higher density development could occur.

Planning Commission Recommendation:

After considering the submitted evidence and testimony applicable to the request, the Commissioners recommended the City Council approve the request based on the information in their final recommendation (attached).

Final Recommended City Council Action:

Conduct a public hearing to take testimony on the proposed zone change. Following testimony, determine if any findings need to be added to the Planning Commission's recommendation (such as the previously stated information concerning the sewer capacity). Provided testimony during the public hearing does not lead to findings which indicate the proposed change will violate the Comprehensive Plan or undermine the integrity of the Plan's compliance with State wide Planning Goals, approve the zone change request based on the Commission's recommendation, and make a motion that Ordinance No. 2017-03 (attached) be read "by title only." This ordinance is the document that will formally recognize the Council's approval of the request and authorize the change on the City's Zoning Map.

Following the first reading, a motion for a second reading "by title only" will be needed. The third reading and final adoption would then take place during the next council meeting scheduled on May 8, 2017.

Annexation Ordinance Action: The same Council process; public hearing followed by a motion to read Annexation Ordinance No. 2017-04 “by title only” would follow any Council action to approve the zone change request.. This ordinance is the document that will bring the subject property into the city and allow city services to be made available to the property.

Attachments:

Ordinance No. 2017-03

Ordinance No 2017-04

Planning Commission’s Recommendation

Written Testimony Submitted Via Email

PLANNING COMMISSION RECOMMENDATION
Zone Change 16-069ZC SR to R-3

After considering public testimony, the Planning Commission recommended the following City Council action:

Recommended Decision: Approval Zone Change request 16-069ZC by Sierra Partners IV, James Folk at 2145 N Wahanna Rd. (T6 R10 15AB TL: 201). This would rezone the upland suburban residential (SR) zoned portions of the subject property (approximately 2.0 acres of the 3.75 acre parcel) to high density residential (R-3). This would allow urban density residential development in conjunction with annexation of the property that is within Seaside's current urban growth boundary.

This recommendation is supported by the applicant's submittal and the Commission's adopted findings, justification statements, and conclusions.

DECISION CRITERIA, JUSTIFICATION, FINDINGS, & CONCLUSIONS:

The following is a list of the decision criteria applicable to the request. Each of the criteria is followed by findings or justification statements adopted by the Planning Commission to support their conclusions. The adopted information is being forwarded to the City Council to support the Commission's final recommendation to the City Council.

Although the City of Seaside Zoning Ordinance does not identify specific standards or criteria which apply to all zone changes, at a minimum, the following criteria must be addressed:

DECISION CRITERIA #1 : Section 15.4 of the Comprehensive Plan states the following:

- 5. Changes to the Comprehensive Plan shall be based on adequate finding of public need and factual information.**
- 6. Findings of fact for requested Comprehensive Plan revisions shall, at a minimum:**
 - a. Explain which plan goals, objectives, or policies are being furthered by the change:**
 - b. Present the facts used in making the decision; and**
 - c. Explain how the change will serve the public need.**

Although not included in this Section of the Comprehensive Plan, all proposed amendment must be consistent with the Comprehensive Plan

and the amendment must maintain the Plan's compliance with the applicable State Wide Planning Goals.

FINDINGS & JUSTIFICATION STATEMENTS:

1. Published & Mailed Request Summary:

16-069ZC- A request by Sierra Partners IV – James Folk for a zone change at 2145 N Wahanna Rd. (T6 R10 15AB TL: 201). The proposal will rezone the upland suburban residential (SR) zoned portions of the subject property (approximately 2.5 acres of the 3.75 acre parcel) to high density residential (R-3). This would allow urban density residential development in conjunction with annexation of the property that is within Seaside's current urban growth boundary.

2. The applicant's submitted justification is adopted by reference and summarized as follows:

- The owner proposes a zoning map amendment from Suburban Residential (SR) to High Density Residential (R3) on approximately 2.5 acres of a 3.75 acre parcel.
- The area of interest on the property is located between N Wahanna Road and the Freshwater Wetland Zone along Stanley Lake. The property is also within the City of Seaside's Urban Growth Boundary.
- The proposal does not seek to amend the Freshwater Wetland zoning on the property nor amend the zoning on the west side of N Wahanna Road adjacent to Neawanna Creek.
- The owner has recently submitted a partition application to create two parcels, one west of N Wahanna Road and the other east of the road.
- Upon successful completion of the map amendment the property owner intends to construct an apartment complex consisting of five buildings with each containing eight units for a total of 40 units. An example site plan is included with the request.
- These units will have from one to three bedrooms and will rent for market rate.
- The subject property is currently improved with a single family dwelling and accessory structures
- The property is bounded to the north by the North Coast Family Fellowship and to the south by a single family dwelling.
- The estimated number of total trips per day is 264 at full development and that is less than the worst case scenario conditionally permitted in the SR zone.
- The number of trips will not cause a significant impact on the nearby

transportation facility as defined in Appendix G of the Seaside TSP.

- The future apartment complex is projected to have 2.16 residents per dwelling unit for an estimated total of 104 at full development.
- The site is currently served by Clatsop County Sheriff's Department and Seaside Fire. Sewer will be extended from Lewis & Clark Road.
- The subject property is within the Sunset Empire Parks & Recreation District which provides recreation opportunities. City parks and the beach are within proximity to the site. It is not anticipated that the zoning map amendment and subsequent multi-family development will have a negative impact on existing park and recreation facilities.
- The proposed development may very well have a positive impact on economic activities in Seaside. According to the Goal 9 Economic Opportunity Analysis and Employment Needs Assessment (2013), approximately 75% of those working in the City of Seaside live outside its city limits. Additional multifamily housing will provide an opportunity for families to reside closer to employment opportunities and thus these families will spend money in the Seaside community.
- All setbacks from the A-3 zone will be observed.
- There are two special flood hazard designations on the property (100 year & 500 year) and the base flood elevation is 15 feet NAVD. Some of these lines will be modified if the new Flood Insurance rate maps are adopted in the fall of 2017. All future development will adhere to the required standards for Seaside.
- As demonstrated in the findings for Urban Growth Policies, a need for multi-family exists and is supported by the City of Seaside Housing and Residential Land Needs Assessment.
- The property is within the Urban Growth Boundary and is served by an existing transportation network. Sewer is nearby and will be extended to the property.
- The property owner will provide easements for an additional five feet on both the east and west sides of Wahanna Road consistent with City Policy.
- The property owner has had discussions with the city and adequate sewer service is available. The owner will work with the city to develop a plan to extend services in a timely and cost effective manner.
- Seaside's Goal 10 analysis indicates the growth rate was 11% from 2000 to 2012 and there is currently a need for rental units in Seaside and Clatsop County.
- As demonstrated in the City of Seaside Housing & Residential Needs

Assessment (October 2013), approximately 33.5 acres of land zoned R3 is needed to meet the 20 year demand for new housing units compared to 0.0 for SR. The study also states 22% of all need in multi-family is for structures of 5+ attached units.

- It is desirable to accommodate increased population growth within the existing UGB and city limits.
- Environmental, energy, economic, & social consequences have been considered by based on the zone change from SR to R3.
- The applicant believes the proposed amendment represents logical implementation of the plan and is also desirable and appropriate. It is no secret there is an immediate need for rental housing in Seaside and amending the UGB is difficult and time consuming. This proposal could provide an additional 40 housing units to address the need.

3. The Comprehensive Plan (Section 4.1.8) states that sufficient land shall be designated for higher density residential development where city services are available and access to community facilities is convenient and therefore close to the city center. The proposal will provide some additional high density residential land but it would be some distance (approximately 1.3 miles) from the city center and most community facilities; however, it would be relatively close (approximately 0.5 miles) from the food bank. The northwest corner of the property would also be located within reasonable walking distance (approximately 15 minutes) to the high range of the projected L tsunami inundation zone boundary.

4. Property outside the City Limits and inside the Urban Growth Boundary (UGB) must be annexed before it is connected to city sewer (Comprehensive Plan Section 7.2.1.1) and the purpose statement in the Suburban Residential Zone (SR) implies the zoning should be maintained until sewer is provided. The Zoning Ordinance states:

Section 3.191 Purpose. To allow existing development patterns to continue until municipal sewer facilities are provided. The raising of livestock will be allowed. Density shall not exceed four dwelling units per acre.

5. The R-3 zone allows a variety of residential uses under Section 3.040-3.045 in the zoning ordinance. The applicable ordinance sections state:

Section 3.040 R-3 RESIDENTIAL HIGH DENSITY

Section 3.041 Purpose. To provide for high density multi-family development with a maximum density of 20 dwelling units per net acre. These areas are predominantly single family, but multi-family units are the primary new development replacing many older units. Other uses, such as rooming and boarding houses, churches, schools, golf courses, parks, government buildings, utilities and condominiums are provided for in this zone. Under certain

conditions, certain commercial uses which are for the convenience of neighbors may be allowed.

Section 3.042 Outright Uses Permitted. In the R-3 Zone, the following uses and their accessory uses are permitted outright.

1. Single family dwelling.
2. Two family dwelling.
3. Multifamily dwelling
4. Agriculture uses such as gardens, orchards, vineyards, but excluding signs or structures for the purpose of sale of any product, commercial greenhouses, or farm buildings, or the keeping of non-domestic animals and poultry.
5. Dish antennas subject to provisions in Section 4.028.
6. Residential Homes
7. Family Day Care Provider
8. Maintenance, repair or minor modification to existing roads, sidewalks, bike paths and public utilities and services; New sidewalks and bike paths. Where new right-of way will be required that exceeds 25 percent of the existing right-of-way for the project area, the request shall be reviewed as a conditional use. These activities do not authorize the condemnation of property without due process.

Section 3.043 Conditional Uses Permitted. In the R-3 Zone the following conditional uses and their accessory uses are permitted subject to the provisions of Article 6:

1. Churches and other religious structures.
2. Primary, elementary, junior and senior high schools; or a higher education institution.
3. Kindergarten or day nursery.
4. Community meeting building.
5. Cemetery.
6. Golf course, except commercial driving ranges, or miniature golf courses.
7. Public park, playground, or other similar publicly owned recreational uses.
8. Temporary real estate office in a subdivision.
9. Utility substation.
10. Radio or television tower or transmitter.

11. Government or municipal structure or use.
12. Convenience establishments.
13. Boarding, lodging or rooming house.
14. Group care homes, homes for the aged, nursing homes, and hospitals.
15. Professional offices when the lot adjoins a state highway or major arterial, or is contiguous to, or across the street from a commercial industrial zone.
16. Private sports complex.
17. Manufactured Home Subdivision.
18. Bed & Breakfast establishments subject to provisions in Sections 6.135 and 6.136.
19. Vacation Rental Dwellings subject to provisions Section 6.137.
20. Manufactured home on an individual lot when placed upon a permanent foundation and subject to Section 4.135. This section does not apply to land designated as a historic district or land adjacent to a historic landmark.
21. Home occupations subject to Sections 4.130 through 4.134.
22. Major modification of existing roads and public facilities and services; New roads that are not part of a partition or subdivision. These activities do not authorize the condemnation of property without due process.
23. Public facilities such as Fire Stations, Police Stations, or Ambulance Substations. (ORD. No. 99-11)

Section 3.044 Prohibited Uses. All uses not permitted outright or as conditional uses under Sections 3.042 and 3.043.

Section 3.045 Standards. In the R-3 Zone, the following standards shall apply:

1. Lot Size: Lot area shall be a minimum of 5,000 square feet. Attached dwelling units in a zero lot line setback development may have a minimum lot area of 3,000 square feet.
2. Density: The overall density on any parcel shall not exceed 20 dwelling units per net acre.
3. Front Yard: A front yard shall be at least 15 feet.
4. Side Yard: A side yard shall be at least five feet, except on corner lots a side yard abutting the side street shall be at least 10 feet. Also see exceptions in Section 5.070 for zero lot line setbacks.
5. Rear Yard: A rear yard shall be at least 15 feet, except accessory buildings may extend to within five feet of a rear property line.

6. Height Restriction: Maximum height of a structure shall be 45 feet.
7. Lot Coverage: Maximum area that may be covered by a permitted structure and accessory building shall not exceed 55 percent of the total area of the lot.
8. Off-Street Parking: As specified by Section 4.100.
9. All uses shall comply with other applicable supplementary provisions in Article 4.

6. The Comprehensive plan does not provide clear guidance concerning the appropriate future zoning anticipated for this area. A Medium Density Residential (R2) designation could be considered; however, it would result in a much lower number of potential dwelling units (10 units per net acre). Multi-family housing would only be possible in the R-2 zone by means of a planned development request and even with the potential density credits applicable to some planned developments; there would still be a significant reduction in the potential number of dwelling units. This would also impact the realized cost per unit.

7. None of the other residential zones listed in Seaside's Comprehensive Plan (Low Density Residential R1, Resort Residential RR or Residential Commercial RC) would seem appropriate options for this area at the north end of Wahanna road given the level of development north of the site and the expressed need for land suitable for the development of higher density rental housing.

8. The need for additional work force rental housing is apparent in our community and the constraint on housing is being reflected in the percentage of household income that is dedicated to rent. The U.S. Census Bureau's most recent American Communities Survey indicates the following for Seaside:

GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME (GRAPI) - Occupied units paying rent (excluding units where GRAPI cannot be computed)

Less than 15.0 percent	--8.40%
15.0 to 19.9 percent	--1.50%
20.0 to 24.9 percent	--8.60%
25.0 to 29.9 percent	--13.60%
30.0 to 34.9 percent	--5.40%
35.0 percent or more	--62.50%

These figures indicate that over 65% of our rental households are spending 30% or more of their household income on rent and they would be classified as "burdened" based on that rule of thumb threshold established in 1981.

9. The surrounding zones are currently Suburban Residential (SR) or an aquatic zone designation. Individually spot zoning one parcel of land is generally thought to be an inappropriate zoning action; however, the size of the property does lend itself to potential consideration for a higher density zone.

10. There are currently other examples of small areas (some are below 2 acres) in Seaside that have been zoned for specific types of development. These are generally Neighborhood Commercial (C1), General Commercial (C3), Resort Residential (RR); however, there is one example of a similar sized area being zoned High Density Residential (R3).

11. The North Coast Family Fellowship property is already developed at a level more intense than what would normally be expected in the SR zone. If the upland portion of that property (approximately 6+ acres) were also zoned R3, it would be difficult to consider the applicants' proposal any type of spot zoning. It would likely be looked upon as a designation consistent with a defined geographic area.

CONCLUSION TO CRITERIA #1:

There is sufficient justification and demonstrated need to change the property from Suburban Residential (SR) to High Density Residential (R-3). Having no other similarly zoned adjacent property or an underlying comprehensive plan designation that supports a High Density Residential designation; there remains concern this could be looked upon as spot zoning even though the property to the north exhibits urban development characteristics.

Attachments: Applicant's Request & Submitted Justification

Submitted Written Testimony

Please Note: All public testimony and comments considered by the Commission during their public hearings on February 7th and March 7th are available on line and copies can be provided upon request.

ORDINANCE NO. 2017-03

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE ZONING MAP REFERENCED IN CODE OF SEASIDE ORDINANCE CHAPTER 151 CHANGING THE ZONING AT 2145 N WAHANNA ROAD FROM SR TO R-3.

WHEREAS, the Planning Commission conducted a public hearing regarding a proposed zone map amendment at 2145 North Wahanna Road (T6 R10 15AB TL: 201) that would re-designate the Suburban Residential (SR) zoned portions of the subject property High Density Residential (R-3) in order to permit urban density residential development of the upland portion of the property, and

WHEREAS, the Commission heard lengthy public testimony during public hearing February 7, 2017; and following that testimony they continued the hearing to their meeting on March 7th to provide additional time to consider the rezone request, and

WHEREAS, following the close of public comment and consideration of the proposed request during their meeting on March 7, 2017, the Planning Commission recommended the City Council approve zone change request 16-069ZC 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 their own public hearing and reviewed the Commission's recommendation on zone change 16-069ZC during their meeting on April 24, 2017, and determined the request is consistent with the provisions in the City's Comprehensive Plan and it will not undermine the Plan's compliance with the Statewide Planning Goals.

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 Suburban Residential (SR) zoned upland portion of the subject property at 2145 N Wahanna Road to High Density Residential (R-3). Said portion of the subject property to be rezoned is identified on the attached map.

SECTION 2. The Seaside City Council did hold a public hearing on April 24, 2017, 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 #16-069ZC) based on the adopted information in the Planning Commission's recommendation and the testimony and information obtained during the Council's public hearing held on April 24, 2017.

ADOPTED by the City Council of the City of Seaside on this ____ day of _____, 2017, by the following roll call vote:

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

SUBMITTED to and **APPROVED** by the Mayor on this ____ day of _____, 2017.

ATTEST:

JAY BARBER, MAYOR

Mark J. Winstanley, City Manager

ORDINANCE NO. 2017-04

**AN ORDINANCE OF THE CITY OF SEASIDE, OREGON,
ANNEXING CERTAIN TERRITORY EAST OF THE CITY
(Property located at 2145 North Wahanna Road)**

WHEREAS, there has been submitted to the City of Seaside, a written proposal for annexation to the City by the owner's consent, who also owns all of the land in the contiguous territory, described below which real property therein represents all of the assessed value of all real property in the contiguous territory to be annexed:

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

SECTION 1. ANNEXATION AREA:

ALL THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION FOR PROPERTY, CLATSOP COUNTY DEED RECORDS, UNDER RECORDING INSTRUMENT # 201507850 LOCATED EAST OF NORTH WAHANNA ROAD.

Clatsop County Tax ID 10055 Map #6 10 15 AB Tax Lot 00201
Situs Address: 2145 North Wahanna Road

SECTION 2. ZONE – The upland portion of the subject property is zone High Density Residential (R-3) and the wetland area is zoned Freshwater Wetland (A-3) in accordance with the zones established under the City of Seaside Comprehensive Plan & The Zoning Ordinance of Seaside, Oregon.

SECTION 3. RECORD – The City Auditor shall submit to the Secretary of the State of Oregon: (1) A copy of this Ordinance, and (2) a copy of the Statement of Consent of the landowner in the territory annexed. The City Auditor shall also send a description by metes and bounds or legal subdivisions of the new boundaries of the City of Seaside within ten (10) days of the effective date of annexation to the Clatsop County Assessor, the Clatsop County Clerk, and the Clatsop County Planning Department.

SECTION 4. FIRE PROTECTION – The subject property is hereby withdrawn from the Seaside Rural Fire Protection District and included in the City of Seaside for fire protection purposes.

SECTION 5. ROAD DISTRICT - The subject property is hereby withdrawn from the Clatsop County Road District No. 1 and included in the City of Seaside Road District.

SECTION 6. POLICE PROTECTION – The subject property is hereby withdrawn from the Clatsop County Law Enforcement District and included in the City of Seaside for police protection purposes.

SECTION 7. WATER PROVISION – The subject property is hereby withdrawn from the Stanley Acres Water District and included in the City of Seaside for the purpose of providing water.

SECTION 8. FINDINGS – The City Council makes the following findings pertinent to the annexation:

- A. The City of Seaside has an acknowledged Comprehensive Plan.
- B. The subject property is within the City's adopted Urban Growth Boundary.
- C. The properties are contiguous to the City Limits.
- D. There is unanimous consent of the property owners.

SECTION 9. EFFECTIVE DATE – The effective date of this Ordinance is _____, 2017, in accordance with ORS 222.040 and 222.180.

ADOPTED by the City Council of the City of Seaside on this ___ day of _____, 2017, by the following roll call vote:

YEAS:
NAYS:
ABSTAIN:
ABSENT:

SUBMITTED to and APPROVED by the Mayor on this ___ day of _____, 2017.

JAY BARBER, MAYOR

ATTEST:

Mark J. Winstanley, City Manager

LIQUOR LICENSE APPLICATION

Joshua Bokish
Osprey Cafe'
2281 Beach Drive
Seaside

This business has applied for a Full On-premises Sales Liquor License. This would be for a greater privilege. (The business currently has a Limited On-Premises Sales License).

Full On-Premises Sales License – allows the sale of distilled spirits, malt beverages, wine, and cider for consumption at the licensed business. This license also allows private catering if the applicant receives pre-approval from OLCC.

The Police Department has reviewed the business and applicants applying for the liquor license and the information received is attached.

Criteria for consideration

The City Council, after consideration, may determine to make a favorable, unfavorable, conditionally favorable or no recommendation 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:

1. 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, child care 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.

Seaside Police Department

April 7, 2017

MEMORANDUM

TO: Mayor and City Council
FROM: Guy Knight, Detective Sergeant
SUBJECT: Osprey Cafe

The Seaside Police Department has reviewed the liquor application for Osprey Café located at 2281 Beach Drive. This is a request for greater privilege application as they currently have a limited on-premises sale license and are requesting a full on-premises sales license.

The previous inspection did not find reason to deny application and there have been no new incidents since the previous inspection to disqualify the application. There is a concern with the outside seating area not being separated from the sidewalk by some barrier. However, this area has been used for alcohol consumption in the past under their current license and there have been no concerns raised.

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

Working Together We Can Make A Difference



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

989 BROADWAY
SEASIDE, OREGON 97138
(503) 738-5511

April 19, 2017

Joshua Bokish
2281 Beach Drive
Seaside, OR 97138

Dear Mr. Bokish:

This letter is to confirm that the Oregon Liquor License application that was submitted to the City of Seaside is scheduled to appear on the agenda for the City Council meeting Monday, April 24, 2017 at 7:00 PM. City Council requests all applicants be at the Council meeting as they will be discussing your information as stated on your liquor license application and may have questions. Attached with this letter is the Seaside Police Department memorandum that is submitted to City Council for review.

Sincerely,



Kim Jordan
Administrative Assistant

LIQUOR LICENSE APPLICATION

Rebecca Filan
Tom's Fish & Chips
1 North Holladay
Seaside, OR 97138

The application is for an Off-Premises Sales License. This would be for an additional privilege. (Business currently has a Limited On-Premises Sales License)

Off-Premises Sales License – allows the sale of malt beverages, wine and cider to go in sealed containers.

The Police Department has reviewed the applicant and business applying for the liquor license and the information is attached.

Criteria for consideration

The City Council, after consideration, may determine to make a favorable, unfavorable, conditionally favorable or no recommendation 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:

1. 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, child care 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.

Seaside Police Department

MEMORANDUM

TO: Mayor and City Council
FROM: Bill Barnes, Seaside Police Detective
SUBJECT: Tom's Fish & Chips
DATE: 04/19/17

The Seaside Police Department has previously reviewed the liquor application for Tom's Fish & Chips at 1 N. Holladay Dr, Seaside, OR on 12/14/16. There were no disqualifiers in that background. There was a simple mistake on the original OLCC application where the box was not checked to allow off premise sales for growlers. These will be filled by staff behind the bar. This does not change our recommendation of the original application.

Our background check did not find anything that would disqualify the owner from obtaining a liquor license.

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



CITY of SEASIDE

OREGON'S
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RESORT

989 BROADWAY
SEASIDE, OREGON 97138
(503) 738-5511

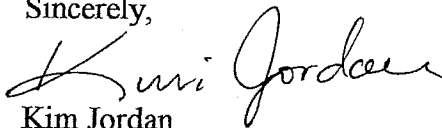
April 19, 2017

Rebecca Filan
Tom's Fish and Chips
PO Box 1037
Cannon Beach, OR 97110

Dear Rebecca:

This letter is to confirm that the Oregon Liquor License application that was submitted to the City of Seaside is scheduled to appear on the agenda for the City Council meeting Monday, April 24, 2017 at 7:00 PM. City Council requests all applicants be at the Council meeting as they will be discussing your information as stated on your liquor license application and may have questions. Attached with this letter is the Seaside Police Department memorandum that is submitted to City Council for review.

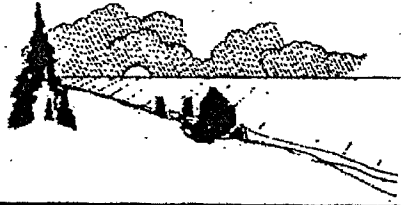
Sincerely,



Kim Jordan
Administrative Assistant

Borland Coastal Electric, Inc.

P.O. BOX 2697 • Gearhart, OR 97138
(503) 738-8391
CCB# 3226



March 21, 2017

Seaside City Council
City of Seaside
989 Broadway

Re: Seaside Golf Course Elk Problems

As per our verbal conversation and the documents I have provided from City Planner Kevin Couples, and State of Oregon Dept. of Fish and Wildlife Biologist Herman Biederbeck, I am requesting permission from the City Council as per article 131.09 C to haze and or have a special hunt on our Golf Course property as a damage control hunt. This has been allowed in years past but not since 2007, since previous owner passed away.

We own 112 acres and it is across from the land purchased by North Coast Land Conservancy. Since they have now purchased major portion of the North and west part of Tillamook head near Bone ridge the elk herd now has no hunting, there is no hunting to help control the elk population or to scare them away. The elk herd that is now calling the Seaside Golf Course home for the winter is well over 75 elk. At any given day this winter and spring the elk come down to graze and stay on the course. The land Conservancy also has planted over 20,000 trees on the meadow next to the highway and as the trees grow over the next few years, the grass will die off and the only place the elk will have to eat is on my golf course. The elk have already aggressively attacked several golfers dogs and aggressively approached the people and scared them. They have now for the first time even made it to the 8th green next to the assisted Living Home and on to the #2 fairway. This season I have been herding them around like cattle with my John Deere tractor, but that now does not deter them. They are causing major damage to my greens and the cost this year to repair them is an unbearable cost of operation. If I allow them to roam free, the south side of Seaside will become the next Gearhart with the elk roaming the streets and beaches. The difference with us over Gearhart their course is surrounded by homes. We are rural and to hunt and haze them on the 4,5,6 greens and fairways which are next to swamp and timberland, homes are not in any danger. Fish and Wildlife recommend using bow and arrow, or shotgun with slugs that only go 50 yards. We will not be using centerfire rifles which are long range

bullets. There are no homes and no homes can ever be built in these areas due to wetlands, floodways, and swamps. The river that runs thru the area is our property boundary so there is no public traffic or walkers that are in danger. We are willing to post signs where ever needed to warn trespassers that it is a danger area to whatever you may require. We have recently posted no dogs and walkers allowed signs because of the recent elk issues. In the past we have allowed evening walkers to enjoy our property but now we can't. A recent example is Joe Schulte of Gearhart had his dog killed by an elk in Gearhart while walking. Do we really want elk on our beaches and streets by the cove where tourist and local go? This is not a request for a free for all type hunt. It is only 1 or 2 guys only a few days a year to help control the numbers but the hazing is an issue that only I will do and I have discussed it with The Seaside Police as a noise issue and they have agreed it is not an issue with them and I would notify them ahead of time so if someone heard a shot they would know it was us, and not come investigate it. I will bring an aerial map to the city Council meeting to show the areas that we are suggesting.

In closing, we are the only buffer zone between the elk and south Seaside. Many people believe the golf Course makes big money. In 10 months we have realize it was only a dream. I bought this property because my wife and I are life long residents and to preserve it from being torn down and developed. We have had 3 offers to buy the place and they all want to tear down the home, pro shop and restaurant and develop it to commercial and residential. That alone pays for everything and the golf course will go away. The course will be left to grow wild and elk will then be in south Seaside and the Cove beach area forever.

Thank you,

Philip R Warmbrodt



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Northwest Region

4907 3rd St

Tillamook, OR 97141-2944

(503) 842-2741

Fax (503) 842-8385

www.odfw.com

March 21, 2017

Philip Warmbrodt
451 Avenue U
Seaside, OR 97138



Dear Philip

I am writing to inform you and the City of Seaside of the history of elk depredation on the Seaside Golf Course (SGC) and adjacent areas in recent years.

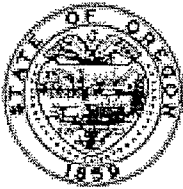
I have been the District Wildlife Biologist for the north coast area of Oregon for over 22 years, and I have been aware of elk depredation issues on the SGC during that entire time. When Russ Earl owned the adjacent Circle Creek farm we also dealt with frequent elk depredation issues there as well. Now that the Circle Creek property is owned by the North Coast Land Conservancy, I see that elk still reside there on a regular basis. Prior to you purchasing the SGC, we worked with Wayne Fulmar on an annual basis to address the elk issues at the SGC, which usually involved issuing haze permits for elk.

I have little doubt that the elk residing in the general area will continue to try to utilize the SGC and cause depredation issues, and believe that using Landowner Preference and Elk Damage tags would be valuable tools to assist you with limiting the elk depredation issues.

Sincerely,

Herman Biederbeck
District Wildlife Biologist
North Coast Watershed District





Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Tillamook

4907 Third Street

TILLAMOOK OR 97141

PHONE: 503-842-2741

FAX: 503-842-8385

Landowner Information

Warmbrodt Phil
451 Avenue U
SEASIDE OR 97138

Bus/Agency: Seaside Golf Course
E-mail:
Primary Phone:
Secondary Phone:

Agent Information

Phone:

Location (if different from address)

General Information

Date: 02/13/2017 Permit Effective Date: 02/13/2017
Received By: Dave Nuzum Permit Expiration Date: 12/31/2017
Complaint Number: 2017-704-S-11747 Wildlife Destination:

Permit Information

The landowner may:

Haze
And/Or
 Live Trap
 Transport
 Trap
 Euthanize
 Kill Permit
 Other
Valid for: All Individuals

Kill Tag

Permit Comments

May haze day or night using agricultural pyrotechnics, blanks or shotgun w/#8 or smaller shot at >40yds.

Authorized By:

§ 131.08 CARRYING CONCEALED WEAPONS.

No person other than an authorized peace officer or person licensed pursuant to current Oregon Revised Statutes, as hereafter modified or amended, shall carry concealed on or about his person in any manner any revolver, pistol, other firearm, knife, other than an ordinary pocket knife with a blade less than three and one-half inches long, dirk, dagger, stiletto, metal knuckles, or weapon the use of which could inflict injury upon a person or property.
(Ord. 71-54, passed 12-13-71; Am. Ord. 99-17, passed 11-8-99) Penalty, see § 130.99

§ 131.09 DISCHARGING WEAPONS.

(A) No person other than an authorized peace officer shall fire or discharge a gun, including spring or air-actuated pellet guns, air guns, or BB guns, bow and arrow, slingshot, paint-ball gun, or any other weapon which propels a projectile by use of gunpowder or other explosive, jet or rocket propulsion.

(B) The provisions of this section shall not be construed to prohibit the firing or discharging of a weapon by a person in the defense or protection of his property, person or family.

(C) Upon receipt of satisfactory evidence from the Department of Fish and Wildlife, demonstrating the necessity to hold a special hunt for the purpose of reducing the elk population, Council, by its own motion, may waive the provisions of division (A) and allow the discharge of firearms within the city limits.
(Ord. 71-54, passed 12-13-71; Am. Ord. 77-23, passed 5-23-77; Am. Ord. 95-02, passed 1-23-95) Penalty, see § 130.99

§ 131.10 SHOOTING GALLERY REGULATIONS.

It shall be unlawful for any shooting gallery, club, or individual to use for target practice in any

shooting gallery, club room, or otherwise within the city any rifle, gun, or pistol of greater calibre than what is known as a .22 calibre shooting a rim-fire cartridge.

(Ord. 71-54, passed 12-13-71) Penalty, see § 130.99

§ 131.11 FIREWORKS.

(A) The following sections of the current Oregon Fireworks Law, as hereafter modified or amended, together with all acts and amendments applicable to cities which are now or hereafter enacted, are adopted by reference and made a part of this title:

(B) The following activities are prohibited within the ocean shore recreation area:

Possession, discharging, or causing to be discharged, any firecracker, explosives, torpedoes, rockets, fireworks or other similar devices without the written permission of the park manager of the beach area in which the permittee wishes to discharge such devices. Fireworks are defined in OAR 837-12-72, § 19.

(Ord. 71-54, passed 12-13-71; Am. Ord. 95-02, passed 1-23-95; Am. Ord. 99-17, passed 11-8-99) Penalty, see § 130.99

§ 131.12 FALSE ALARMS; CONDUCT AS TO FIRE CONTROL.

(A) No person shall:

(1) Intentionally give a false alarm of fire or aid or abet in the commission of such an act.

(2) Drive a vehicle over or upon any fire hose, or otherwise disturb or injure in any manner any hose, engine, appliance, or apparatus belonging to or used by the Fire Department.

(3) Conduct himself in a disorderly manner or refuse to obey promptly an order of a member of the Fire Department; or resist, obstruct, or hinder a member of the Fire Department.

OREGON'S
FAMOUS
ALL-YEAR
RESORT



CITY of SEASIDE

PUBLIC WORKS DEPARTMENT
LOCATION: 1387 AVE U
MAIL: 989 BROADWAY
SEASIDE, OREGON 97138
(503) 738-5112

April 12, 2017

To: Honorable Mayor Barber and Members of the Seaside City Council

From: Dale McDowell – Public Works Director

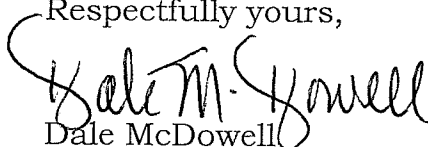
RE: Public Works Department – Donation of a previously used 1,000 gallon Polymer Tank to Jewell School District #8

Dear Mayor Barber and Members of the Seaside City Council,

Last year I made some design changes to our Water Treatment Facility by reducing the size of our Polymer Tank. With these design changes, we now have a surplus 1,000 gallon Polymer Tank that Jewell School District #8 has expressed interest in. They would like this tank for their Water Treatment Facility.

I hereby request the City of Seaside donate this tank at no cost to Jewell School District #8 for their Water Treatment Facility.

Respectfully yours,


Dale McDowell
Public Works Director

SEASIDE PARKS ADVISORY COMMITTEE

The purpose of the Seaside Parks Advisory Committee is to act as an advisory body to the City Council, the City Manager, and the Public Works Director regarding issues concerning the Seaside Parks.

The committee shall consist of seven members who are not officials or employees of the City and who will be appointed by the City Council. A minimum of six members shall reside within the city limits, and a maximum of one member may reside within the Urban Growth Boundary. No more than two members shall be engaged in the same kind of occupation, business, trade or profession. The Mayor shall appoint one member of the City Council as Council liaison, and the City Manager or his designee, shall be the Staff liaison to the Committee.

The members shall serve without salary or compensation of any nature.

All members shall be appointed by the City Council and shall serve for a term of three years. The initial terms will be: two members shall be appointed for a term of one year, two members for two years, and three members for three years. As those terms expire, all vacancies will be filled for three year terms.

Each year, at the first Committee meeting in January, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson. One of the Committee members will serve as Secretary. Minutes of all meetings will be filed with the City Council.

The Committee shall hold a regular meeting at least once each month of the calendar year. The meetings shall be open to the public. Any person appointed by the City Council to serve on this committee who misses three or more regularly scheduled meetings during a 12 month period shall be notified by letter that the position must be vacated. The individual may appeal the decision to the City Council. (A 12 month period is defined as beginning in January of each calendar year.)

COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** April 24, 2017

Name: Jason Boyd
Mary Blake
Norman Brown

Commission/Committee: Parks Advisory Committee

Resignation Date: Term Expirations

Term Expiration Date: March 31, 2017

Wants to be considered again: Boyd - has not confirmed
Blake - Yes
Brown - Yes
2. **Applicants:**
Mary Blake
Norman Brown
3. **Nominations:**
4. **Appointment:**



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

989 BROADWAY
SEASIDE, OREGON 97138
(503) 738-5511

PARKS ADVISORY COMMITTEE

Term of Office: 3 years
Number of Members: 7

Chairperson*
Vice Chairperson**
Secretary***

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXP.</u>
JASON BOYD*	1940 Huckleberry	738-4363	3/31/2017
MARY BLAKE	1668 Whispering Pines	717-3810	3/31/2017
NORMAN BROWN***	3041 Evergreen Dr.	738-5132	3/31/2017
MICHAEL HINTON	1015 S. IRVINE PL.	738-5748	3/31/2018
NANCY HOLMES**	1520 COOPER ST.	717-1614	3/31/2018
STEVEN PHILLIPS	PO BOX 1099	738-5402	3/31/2019
CHRIS QUACKENBUSH	950 Avenue 'K'	440-2827	3/31/2019
TOM HORNING	808 26TH AVENUE	738-5770	horning@pacifier.com
DALE MCDOWELL	1387 AVENUE 'U'	738-5112	dmcdowell@cityofseaside.us

