



CITY OF SEASIDE

PLANNING COMMISSION AGENDA

Tuesday, September 5, 2023 6:00 PM

To provide public comment for Planning Commission meetings, participants should register prior to the meeting. Please complete the form linked below to offer public comment at an upcoming Planning Commission 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 comment in person or via Zoom, please keep in mind your comments will be limited to three (3) minutes. If your comments will be 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.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES**
5. **DECLARATION OF POTENTIAL CONFLICT OF INTEREST**
6. **PUBLIC HEARING**
 - a) **769-23-000052-PLNG:** A conditional use request by Loren & Tammi Williams for a self-storage unit facility at 1221 S Jackson St. The applicant currently has 11 existing storage units on the property and is requesting to add an additional 16 exterior storage units and 28 interior mini-storage. In addition to adding additional storage units, the applicant is requesting to install a one-bedroom dwelling unit as a caretaker's quarters within the existing building.
 - b) **769-23-000053-PLNG:** A Conditional Use request by Eric Mueller located at 2416 S Edgewood for a two (2) bedroom Vacation Rental Dwelling with a maximum occupancy of six (6) persons over the age of three, no more than ten (10) regardless of age.
7. **ORDINANCE ADMINISTRATION:**
 - a) Deed restriction discussion
8. **PUBLIC COMMENTS** Members of the public may use this time to provide comment to the Planning Commission on items that are not scheduled on this agenda for a public hearing or public comment. Speaking time is limited to three minutes.
9. **PLANNING COMMISSION & STAFF COMMENTS:**
10. **ADJOURNMENT**

Complete copies of the Current Commission meeting Agenda, Packets, and Minutes can be viewed at: www.cityofseaside.us.

All meetings other than executive sessions are open to the public. When appropriate, any public member desiring to address the Commission 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 PLANNING COMMISSION

MEETING MINUTES

City Hall, 989 Broadway, Seaside, OR 97138

Tuesday, August 1, 2023

Planning Commission Meeting

I. Call to Order and Pledge of Allegiance

II. Roll Call

Council Members	P/A
Robin Montero, Chairperson	P
Kathy Kleczek, Vice Chairperson	P
Brandon Kraft	P
Lou Neubecker	P
Gretchen Stahmer	P
Chris Rose	P
Don Johnson	P

Staff Members	
Jeff Flory, Community Development Director	Debbie Kenyon, Community Development Administrative Assistant
Anne McBride, Code Compliance Official	

Visitors in Chambers (attendance sheet)	Visitors on Zoom
Ted Middlestaedt	Adam Dailey
Isaac Murray	Jennifer Danziger
Frank Buck	
Erin Barker	
Joyce Hunt	
Ryan Osburn	
Robert Leatherman	

III. Approval of Minutes

June 6, 2023 minutes were adopted as written

IV. Declaration of Potential Conflict of Interest

There were none

V. Public Hearings

769-23-000048-NVST: The Planning Commission will be conducting a compliance review of the Vacation Rental Dwelling (VRD) located at 461 14th Ave.

Community Development Director Flory presented the staff report, decision criteria findings, condition, and conclusions.

Ted Middlestaedt, owner, spoke on behalf of the VRD.

Chair Montero opened the discussion to those in favor.

Isaac Murray, Vacasa, spoke in favor of the vacation rental.

Chair Montero opened the discussion to those in opposition.

Frank Buck, 430 14th Ave., spoke in opposition of the VRD.

Joyce Hunt, 510 13th Ave., spoke in opposition of the VRD.

Chair Montero opened the discussion for rebuttal.

Mr. Middlestaedt provided rebuttal to those in opposition.

Chair Montero opened the discussion for additional comments.

Erin Barker, Beachhouse Vacation Rentals, provided miscellaneous comments regarding VRDs.

Chair Montero opened the discussion to the Commission.

Chair Montero asked for clarification of the approval conditions.

Commissioner Rose provided comments about the parking.

Commissioner Neubecker agreed with comments from Mrs. Barker.

Commissioner Kraft requested clarification of a proposed condition.

Mr. Flory provided a rundown of proposed changes to existing conditions and new proposed conditions.

Commissioner Kraft provided his approval for the recommended changes to the conditions.

Vice Chair Kleczek questioned the applicant about the original approval, communications with Vacasa and complaints being reported.

Commissioner Stahmer questioned Vacasa's check in policies.

Commissioner Neubecker questioned if Mr. Middlestaedt contacted the city about removing the tree in the front yard.

Chair Montero provided her statement about the applicant's continual defiance of the conditions.

Discussion was had regarding clarifications of timelines for the modifications.

Motion:	Motion to grant continue operation of the VRD with the modified conditions outlined in the staff report.			
Moved:	Kraft			
Seconded:	Johnson			
Ayes:	Neubecker, Rose, Kleczek, Montero, Kraft, Stahmer, Johnson	Nays: 0	Absent: 0	Recused: 0
Passed:	7-0			

769-23-000022-PLNG: The applicant, Robert Leatherman, is requesting a conditional use and a variance for a Vacation Rental Dwelling at 2175 S Prom.

Community Development Director Flory presented the staff report, decision criteria findings, condition, and conclusions.

Robert Leatherman, applicant, spoke on behalf of the application.

Chair Montero opened the discussion to those in favor. There were none.

Chair Montero opened the discussion to those in opposition. There were none.

Chair Montero opened the discussion to the Commission.

Commissioner Kraft requested clarification of the parking condition verbiage and potential safety concerns.

Vice Chair Kleczek agreed with Commissioner Kraft's safety concerns.

Chair Montero questioned the use of the garage.

Motion:	Motion to approve 769-23-000022-PLNG with the conditions provided in the staff report with a maximum of 4 vehicles allowed.			
Moved:	Johnson			
Seconded:	Kraft			
Ayes:	Rose, Neubecker, Kleczek, Montero, Kraft, Stahmer, Johnson	Nays: 0	Absent: 0	Recused: 0
Passed:	7-0			

769-23-000030-PLNG: The applicant, Cross Creek Land 1 LLC, is requesting a conditional use, highway overlay zone review, and subdivision request at 2315 N Roosevelt Dr.

Community Development Director Flory presented the staff report, decision criteria findings, condition, and conclusions.

Adam Dailey, A.M. Engineering, spoke on behalf of the application.

Chair Montero opened the discussion to those in favor. There were none.

Chair Montero opened the discussion to those in opposition. There were none.

Chair Montero opened the discussion to the Commission.

Chair Montero questioned if this was a completed application.

Commissioner Johnson stated his concerns regarding the increased traffic.

Commissioner Kraft requested clarification to approve a subdivision tentative plat and final plat.

Vice Chair Kleczek clarified a request from the original approval regarding a crosswalk and request Oregon Department of Transportation (ODOT) provide another review of the project.

Mr. Flory responded ODOT provided a statement regarding this project.

Vice Chair Kleczek stated concerns about ADA accessibility.

Mr. Dailey provided a description of ADA accessibility on the property.

Chair Montero questioned the type of housing these units will be, the ownership of the complex, and lighting at the highway intersection.

Motion:	Motion to approve 769-23-000030-PLNG with the conditions provided in the staff report.			
Moved:	Neubecker			
Seconded:	Kraft			
Ayes:	Rose, Neubecker, Kleczek, Montero, Kraft, Stahmer, Johnson	Nays: 0	Absent: 0	Recused: 0
Passed:	7-0			

VI. [Ordinance Administration](#)

Mr. Flory provided an update on the Comprehensive Plan update.

VII. Public Comments

There were none.

VIII. Planning Commission and Staff Comments

Commissioner Neubecker would not be able to attend the September meeting.

Vice Chair Kleczek requested a work session regarding deed restrictions.

IX. Adjournment at 8:39 PM.

Approved by Commission on: _____

Minutes prepared by: _____
Jordan Sprague, Administrative Assistant

ROBIN MONTERO, Chairperson



Planning Commission Staff Report

APPLICATION(S):	769-23-000052 - PLNG – Conditional Use
MEETING DATE:	September 5, 2023
PUBLIC HEARING:	Yes
Report Date:	August 23, 2023
Applicant:	Loren & Tammi Williams
Owner:	Loren & Tammi Williams
Location:	1221 S Jackson St. (6-10-21DA-TL008700, TL8800, TL8900, & TL 9000)
Major Street Access:	S. Jackson St.
Parcel Number(s) & Size:	6-10-21DA-TL008700, TL8800, TL8900, & TL 9000 / Approximately .92 Acres
Parcel Zoning:	General Commercial (C-3)
Adjacent Zoning:	General Commercial (C-3)
Current Use of Parcel:	Storage Units, Daycare Facility
Adjacent Uses:	Grocery Store, Residential
Previous Meetings:	None
Previous Approvals:	None
Type of Action:	Quasi-Judicial
Land Use Authority:	Planning Commission
Future Routing:	None
Planner:	Jeff Flory, Community Development Director

A. Summary:

The applicant is requesting a conditional use for a self-storage facility. The applicant currently has 11 existing storage units on the property and is requesting to add 16 exterior storage units and 38 interior mini-storage. In addition to adding additional storage units, the applicant is requesting to install a one-bedroom dwelling unit as a caretaker's quarters within the existing building.

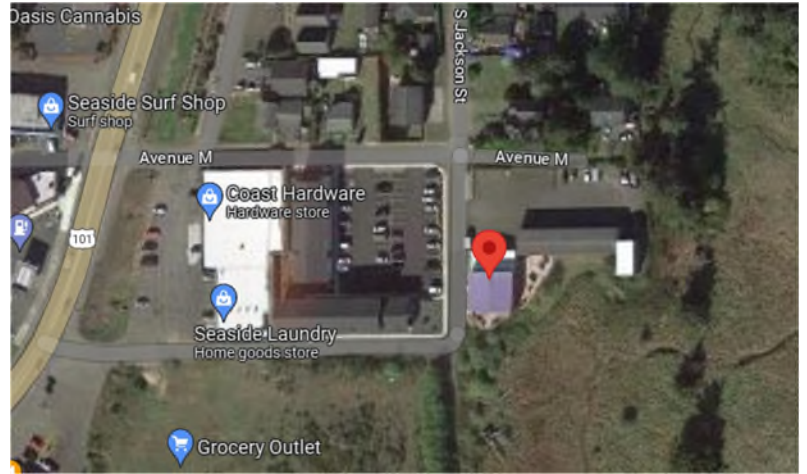
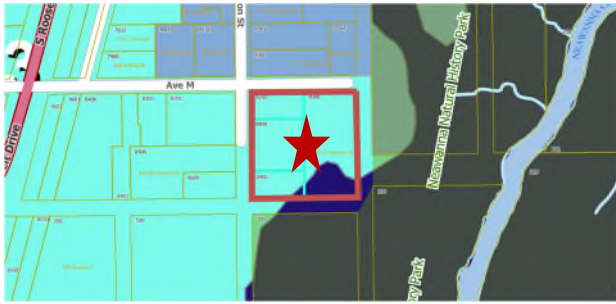
Staff Recommendation:

Staff recommends the Planning Commission conduct a public hearing on the application, take public comment, and review and discuss the request. Unless submitted comments or other clarifications or justifications are needed, staff recommends the Commission adopt the findings, justification statements, and conclusions in this report and approve the applicant's request subject to the listed conditions.

B. Exhibits:

1. Applicant Submittals
2. Site Plan

Location: 1221 S Jackson St. (6-10-21DA-TL008700, TL8800, TL8900, & TL 9000)



C. Background:

The property is currently being utilized as a storage facility that previously housed a daycare center. The property is fenced and the existing buildings are to remain.

D. Required Dates:

This application was submitted on July 25, 2023, and accepted as complete on August 9, 2023. The 120-day decision timeframe is December 7, 2023.

E. Specific Request:

The applicant is proposing an approximate 3,900 sq. ft., two-story, indoor storage within the existing building. Along with the indoor storage facility, the applicant is requesting to install a caretaker's quarters. The approximate 1200 sq. ft. caretaker quarters will be a one-bedroom apartment with an office, kitchen, and living room. The additional exterior storage will be developed utilizing 16 8ft x 20ft containers.

F. Process:

This request is being reviewed under Article 6, and Article 10 of the Seaside Zoning Ordinance. Article 6 establishes the criteria for conditional uses, and Article 10 establishes the process and procedures that are applicable to this request. The Highway Overlay Zone review will be conducted under Section 3.400, Appendix G of the Transportation Systems Plan.

G. Community Review:

Notice of this public hearing was published in the Daily Astorian on August 19, 2023. Additionally, a mailed notice was sent on August 16, 2023, to all property owners within 100ft of the subject property.

Written Comments:

At the time of this report, no written comments have been received.

H. Comprehensive Plan:

This property is located within the General Commercial land use designation. The general commercial designation is for uses that do not require prime areas and are located east of the Necanicum River. The proposed development is not tourism-related and the applicant's property is located east of the Necanicum River and east of Hwy 101, out of the prime commercial/resort areas of Seaside.

I. Zoning Ordinance Criteria for a Conditional Use:

Pursuant to Section 6.031 of the Seaside Zoning Ordinance, all conditional use requests must comply with the specific standards in the zone and other applicable supplementary provisions in Article 4. In permitting a new conditional use or alteration of an existing conditional use; the Planning Commission may impose additional conditions considered necessary to protect the best interests of the surrounding area of the city as a whole. These conditions may include (but are not limited to) the following:

- 1. Increasing the required lot size or yard dimension.** *Finding: The applicant's combined lots are approximately 40,000 sq. ft. The applicant's property is located adjacent to the Neawanna Cr. and directly east of an apartment complex and grocery store.*
- 2. Limiting the height of buildings.** *Finding: The C-3 zone restricts building heights to 45ft. The proposed development will not exceed this height and no new buildings are proposed.*
- 3. Controlling the location and number of vehicle access points.** *Finding: The site plan shows access to the property off of S. Jackson St. with ingress/egress from Avenue M and Avenue N*

4. **Increasing the street width.** *Finding: S. Jackson St. connects Avenue M to Avenue N There is limited to no development further south of the subject property. Traffic on this portion of S. Jackson St. is minimal.*
5. **Increasing the number of required off-street parking spaces.** *Finding: The applicant is required to provide four (4) parking spaces for the proposed use. The applicant's site plan shows eleven (11) parking spaces.*
6. **Limiting the number, size, location and lighting of signs.** *Finding: Signage will be subject to Chapter 155 of the Code of Ordinances and will be reviewed with the issuance of a building permit.*
7. **Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.** *Finding: The applicant's property is fenced on the north side providing a buffer from the neighboring residential use. The existing buildings provide limited access to the wetlands and Neawanna Cr. to the south and east.*
8. **Designating sites for open space.** *Finding: The applicant's proposed commercial development does not have specific open space requirements. The site plan shows there will be no further encroachment on the wetlands or Neawanna Cr.*

J. Additional Findings, Conclusions, and Justification Statements:

1. The applicant's submitted justification is adopted by reference and is summarized as follows:
 - a. The structures and development will meet the setback requirements from the A-1 zone on the east side of the property. No new structures are proposed.
 - b. There are no specific requirements in Article 6 that apply to mini-storage facilities.
 - c. The facility will have office space inside the caretaker dwelling unit.
2. Given the nature of the development, no significant pedestrian or vehicular traffic is anticipated. The applicant's property is located on a developed but lightly traveled street.
3. The site plan shows sufficient parking for the proposed use.
4. The applicant will be required to provide bicycle parking for the proposed use.
5. The applicant will need to provide trash service sufficient for the proposed uses. The trash storage area will need to be screened from public view and sufficient to accommodate the proposed dwelling unit.
6. The applicant's plan does not show a gated entrance however, if a gate is installed in the future a Knox gate system will be required by the Fire Department.
7. Mini-storage facilities are conditionally permitted within the C-3 zone. Residential uses are also conditionally permitted so long as they are in conjunction with a permitted use and when located within the same structure. The applicant's plan shows the residential caretaker's quarters within the same building as the indoor storage units.

Proposed Conditions:

The proposed mini-storage facility will meet the applicable development standards and be compatible with the surrounding area provided the following conditions are attached to the approval.

Condition 1: The applicant/owner will need to provide short and long-term bicycle parking for the proposed storage facility and dwelling unit.

Condition 2: If the applicant/owner chooses to install a gate at the storage entrance, the Fire Marshal will need to be consulted and an approved gate switch will be required to be installed.

Condition 3: Minor modifications to the applicant’s proposed plan must be reviewed and approved by the Planning Director. These could be required to comply with other code issues applicable to the request or reduce impacts to the neighboring property. Any major changes or conflicts over a proposed modification will be reviewed with the Planning Commission before any final approval.

K. Recommendation and Alternatives:

Staff Recommendation:

Staff recommends the Planning Commission conduct a public hearing on the application, take public comments, and review and discuss the request. Unless submitted comments or other clarifications or justifications are needed, staff recommends the Commission adopt the findings, justification statements, and conclusions in this report and approve the applicant’s request subject to the listed conditions.

Although they are not conditions of approval, the following is a reminder to the applicant.

- The conditional use will become void one (1) year from the date of the decision unless the permit is utilized or an extension of time is approved in the manner prescribed under the Seaside Zoning Ordinance.
- All necessary permits (such as structural, plumbing, mechanical, electrical, etc.) must be obtained prior to development.
- As with any permit, the applicant must meet all applicable standards in the Seaside Zoning Ordinance (e.g. erosion control, drainage, setbacks) and any other applicable City of Seaside Ordinances.

Alternative 1:

The Planning Commission may choose to continue this request to the regularly scheduled October 3, 2023, 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 deny 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.

Seaside Planning Department Land Use Application



Office: 503-738-7100

E-mail: CAdmin@CityofSeaside.us

Fax: 503-738-8765

Mailing Address: 989 Broadway Seaside, OR 97138

Physical Address: 1389 Avenue U Seaside, OR 97138

Name of Applicant: Loren & Tami Williams	Address: 1221 S. Jackson Street Seaside, OR	Zip Code: 97138
Street Address or Location of Property: 1221 S. Jackson Street Seaside, OR 97138		

Zone	Overlay Zones	Township 6	Range 10	Section 21DA	Tax Lot 08700, 08800, 08900, & 09000
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Proposed Use of Property and Purpose of Application:

Warehouse storage and mini storage units with an onsite caretakers apartment in front office

(Attach additional pages if necessary.)

Owner	Applicant/Representative (Other than Owner)
Print Name of Property Owner: Loren & Tami Williams	Print Name of Applicant/Representative:
Address: 1221 S. Jackson Street Seaside, OR 97138	Address:
Phone: Loren @ 503-440-7655, Tami @ 503-440-5167	Phone:
E-mail: Roadstone27@yahoo.com and or Tew27@yahoo.com	E-mail:
Signature of Property Owner: 	Signature of Duly Authorized Applicant/Representative:

FOR OFFICE USE ONLY—DO NOT WRITE BELOW THIS LINE.

- | | | | |
|---|---|--|---|
| <input checked="" type="checkbox"/> Conditional Use | <input type="checkbox"/> Non-Conforming | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Zoning Code Amendment |
| <input type="checkbox"/> Landscape/Access Review | <input type="checkbox"/> Planned Development | <input type="checkbox"/> Temporary Use | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> Major Partition | <input type="checkbox"/> Property Line Adjustment | <input type="checkbox"/> Vacation Rental | <input type="checkbox"/> PC <input type="checkbox"/> PD <input type="checkbox"/> Appeal |
| <input type="checkbox"/> Minor Partition | <input type="checkbox"/> Setback Reduction | <input type="checkbox"/> Variance | <input type="checkbox"/> |

Planning Department Use	
Date Accepted as Complete: 08/09/23	By: J. Flory
File Number: 769-23-000052	
Hearing Date: September 5, 2023	P.C. Action:

Office Use		
Fee:	Receipt:	
Date Filed:	Time Filed:	By:

CONDITIONAL USE - ARTICLE 6

TYPE 2 - PLANNING COMMISSION DECISION

FEE: \$ 675.00

In certain districts, conditional uses may be permitted subject to the granting of a Conditional Use Permit. Because of their unusual characteristics, or special characteristics of the area in which they are to be located, conditional uses require special considerations so they may be properly located with respect to the Comprehensive Plan and to the objectives of this Ordinance.

The Planning Commission shall have the authority to approve, approve with conditions, or disapprove Conditional Use Permits in accordance with the provisions in Article 6 of the Seaside Zoning Ordinance.

In addition to those standards and requirements expressly specified by the Ordinance, the Planning Commission may impose conditions, which are necessary to protect the best interests of the surrounding area or the city as a whole. These conditions may include the following:

1. Increasing the required lot size or yard dimension.
2. Limiting the height of buildings.
3. Controlling the location and number of vehicle access points.
4. Increasing the street width.
5. Increasing the number of required off-street parking spaces.
6. Limiting the number, size, location and lighting of signs.
7. Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
8. Designating sites for open space.

The Planning Commission will make a determination concerning a conditional use based on the applicant's justification of the following statements:

1. What is the proposed use in the zone?

Storage Property 11 Warehouse units currently on property being rented, we would like to add some mini storage units as well inside building and outside along North side of property by ave A

2. How will the development conform to the general development standards in Ordinance and the specific standards in the zone?

The property is currently zoned for storage and has eleven units on the property already so our plan is to add some smaller units and mini indoor storage units. Also in addition change conditional use of office space to

3. How will the development meet any of the applicable standards in Article 6?

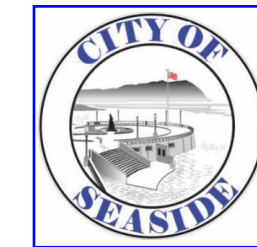
a care takers quarters one bedroom apartment, Since the property is already Zoned for Storage units I believe our plan to add mini units will conform very well for the property and other properties surrounding.

4. Describe any additional measures (if any) the applicant will take in order to protect the interests of the surrounding area or the city as a whole.

Since the Storage is located next store to apartment building I feel it will help the community for storing extra things properly and also add value to the community for convenient access to the location, our property will help the city of Seaside for convenient Storage.

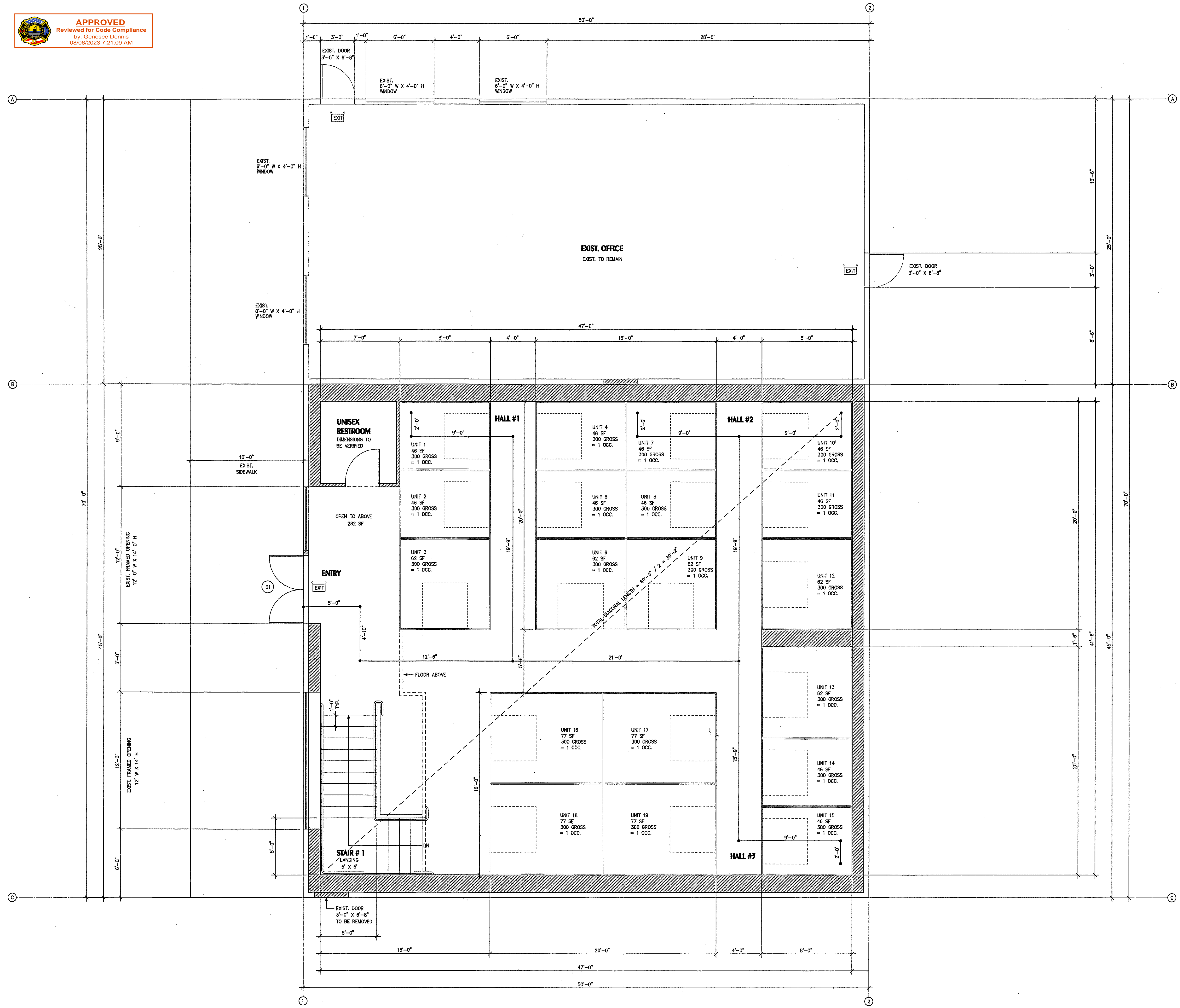
5. Provide a site plan, drawn to scale, which indicates the following: the actual shape and dimensions of the lot, the sizes and locations of buildings and other structures (existing & proposed), the existing and intended use of each building (include floor plans), and other information need to determine conformance with the development standards in the ordinance (e.g. setbacks, parking spaces, fences, accesses, landscaping, neighboring buildings, or uses, etc.)

ATTACH EXTRA SHEETS IF NEEDED



City of Seaside
Planning Approval
 By: Jeff Flory
 08/21/2023

Pirkin Building Design
 Deidrea C. Pirkin, Assoc. AIA
 541.390.3995
 deidrapirkin@gmail.com



CODE REFERENCE

2022 OSSC - OREGON STRUCTURAL SPECIALTY CODE
 2022 OREGON FIRE CODE

BUSINESS - B (OFFICE)

ONE STORY OFFICE SPACE TO REMAIN

TABLE 311.3 OCCUPANCY CLASSIFICATION
 B - BUSINESS

TABLE 1004.5 MAX. FLOOR AREA ALLOWED PER OCCUPANT
 BUSINESS AREA = 150 GROSS
 1182 SF GROSS / 150 = 8 OCCUPANTS MAX.
 BUSINESS 49 OCC. OR LESS = 75' MAX. EGRESS TRAVEL DIST.

TABLE 2902.1 PLUMBING FIXTURES
 LAVATORIES: 1 PER 40
 WATER CLOSETS: 1 PER 25

STORAGE S-2

PROPOSED TWO STORY STORAGE BUILDING

TABLE 601 TYPES OF CONSTRUCTION
 BUILDING PRIMARY STRUCTURAL FRAME: STEEL
 TYPE 11B - (VERIFY)

TABLE 311.3 OCCUPANCY CLASSIFICATION
 S-1 MODERATE HAZARD

TABLE 1004.5 MAX. FLOOR AREA ALLOWED PER OCCUPANT
 STORAGE AREA S-1 = 300 GROSS
 1ST FLOOR: 1950.5 SF GROSS AREA - XX SF RESTROOM = XX
 2ND FLOOR: 1950.5 SF - 282 SF OPEN TO ABOVE = 1767.5 SF GROSS AREA
 1ST FLOOR: 19 UNITS = 19 OCCUPANTS
 2ND FLOOR: 19 UNITS = 19 OCCUPANTS
 29 MAX. OCCUPANTS PER FLOOR MAX.

TABLE 1006.2.1 COMMON PATH EGRESS DIST. W/ OUT SPRINKLER
 OCCUPANT LESS THAN OR EQUAL TO 30 = 100' MAX.

TABLE 2902.1 PLUMBING FIXTURES
 LAVATORIES: 1 PER 100
 WATER CLOSETS: 1 PER 100
 DRINKING FOUNTAIN: 1 PER 1000

1017.2 EXITS
 2 EXITS NO LESS THAN 1/2 THE TOTAL DIAGONAL DISTANCE

1003.3.3 HORIZONTAL PROJECTIONS
 PROJECTIONS ALLOWED 4" MAX. INTO MEANS OF EGRESS ON EACH SIDE

315.3.1 CEILING CLEARANCES
 2' OR MORE BELOW THE CEILING IN NON-SPRINKLED SPACES

GENERAL NOTES

- (14) 20'-0" W X 8'-0" D X 8'-6" H STORAGE CONTAINERS
- (14) CONTAINERS DIVIDED INTO INDIVIDUAL UNITS (19 UNITS EACH FLOOR)
- 5,070 LBS / CONTAINER - DRY WEIGHT, SEE SPECS
- EXIST. CONCRETE FLOOR, SEE ORIGINAL DRAWINGS
- FIRE RATED WALL CONSTN WHERE REQUIRED
- EXTERIOR METAL DOORS TO INCLUDE STATIC BAR / SELF CLOSURE

LEGEND

- 01 3'-0" X 8'-0" DOORS, VERIFY
- 02 3'-0" X 6'-8"

[Hatched Box] = FURRED WALLS

[EXIT Symbol] ILLUMINATED EXIT SIGN ABOVE DOOR.
 COMBINATION EMERGENCY EXIT SIGN
 ABOVE DOOR W/ DUAL HEADLIGHTS &
 W/ 90 MIN. EMERGENCY BATTERY
 BACKUP Wired TO LOCAL CIRCUIT

PBD

JESSE JARAMILLO P.E.
 JIFE CONSULTING, LLC
 (831) 776-9046

PROPERTY ADDRESS:
 1221 S JACKSON STREET
 SEASIDE, OREGON 97138

**A REMODEL FOR...
 WILLIAMS STORAGE**

SHEET CONTENT:
 FIRST FLOOR PLAN

JOB FILE:
 0521FP12

DRAWN BY:
 DCP

DATE:
 02-22-23

SCALE:
 1/4" = 1'-0"

REVISIONS:

SHEET NO.:

A2

FIRST FLOOR PLAN

OF 03 SHEETS



City of Seaside
 Planning Approval
 By: Jeff Flory
 08/21/2023

Pitkin Building Design
 Doreen C. Pitkin, Assoc. AIA
 541.790.7997
 dd@pitkin.com

PBD

JESSE JARAMILLO P.E.
 JJPE CONSULTING, LLC
 (831) 776-8046

PROPERTY ADDRESS:
 1221 S JACKSON STREET
 SEASIDE, OREGON 97138

**A REMODEL FOR...
 WILLIAMS STORAGE**

SHEET CONTENT:
 SECOND FLOOR PLAN

JOB FILE:
 0521FP22

DRAWN BY:
 DCP

DATE:
 02-22-23

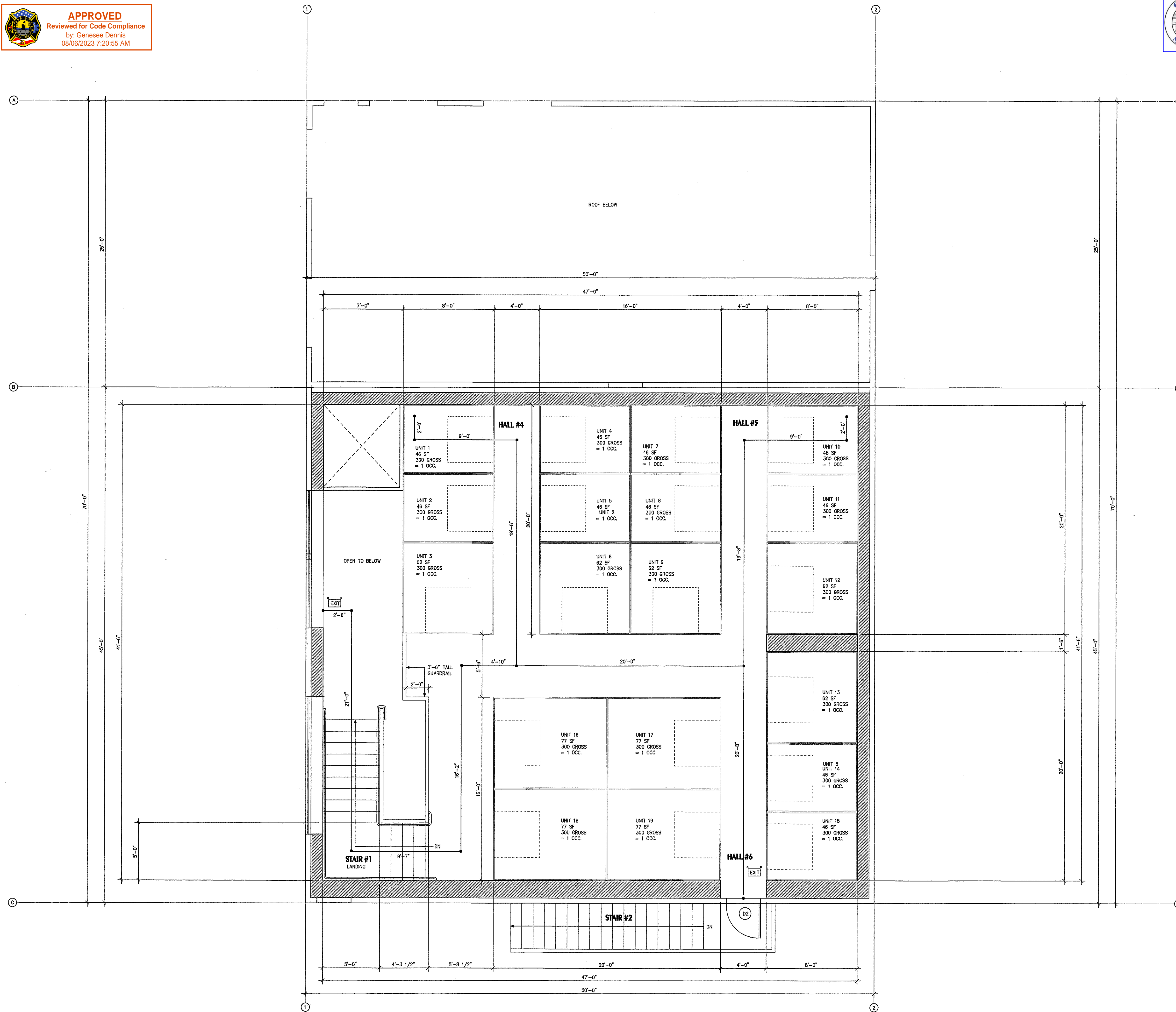
SCALE:
 1/4" = 1'-0"

REVISIONS:

SHEET NO.:

A3

OF 03 SHEETS



SECOND FLOOR PLAN



APPROVED
 Reviewed for Code Compliance
 by: Genesee Dennis
 08/06/2023 7:20:31 AM

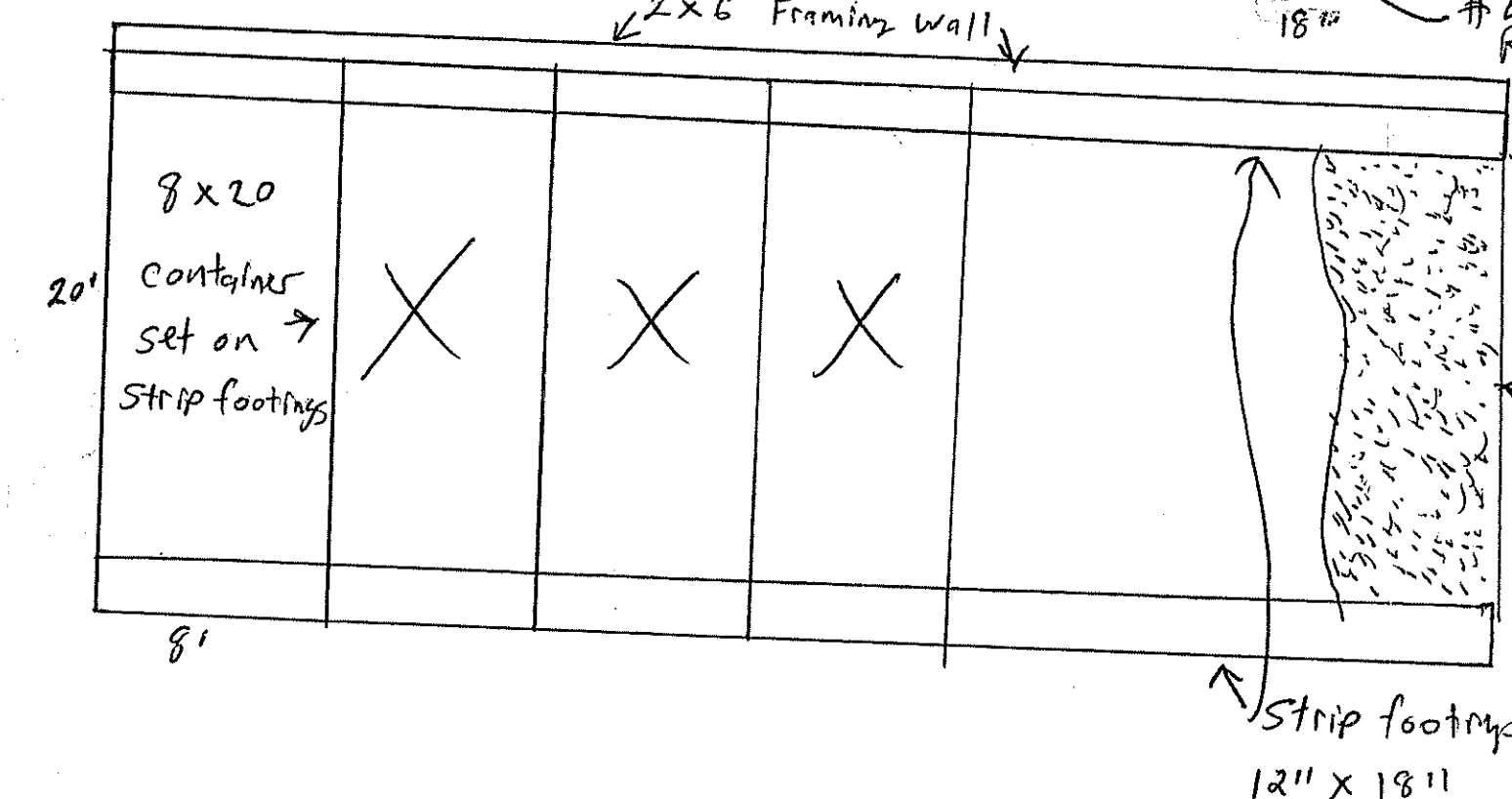
If gate is ever installed
 will need to add
 approved gate switch.

Will need to provide
 one Accessible Only
 space with access
 aisle.

Must provide one long term and two
 short term bicycle parking as close to
 the main entrance as the nearest
 parking space.

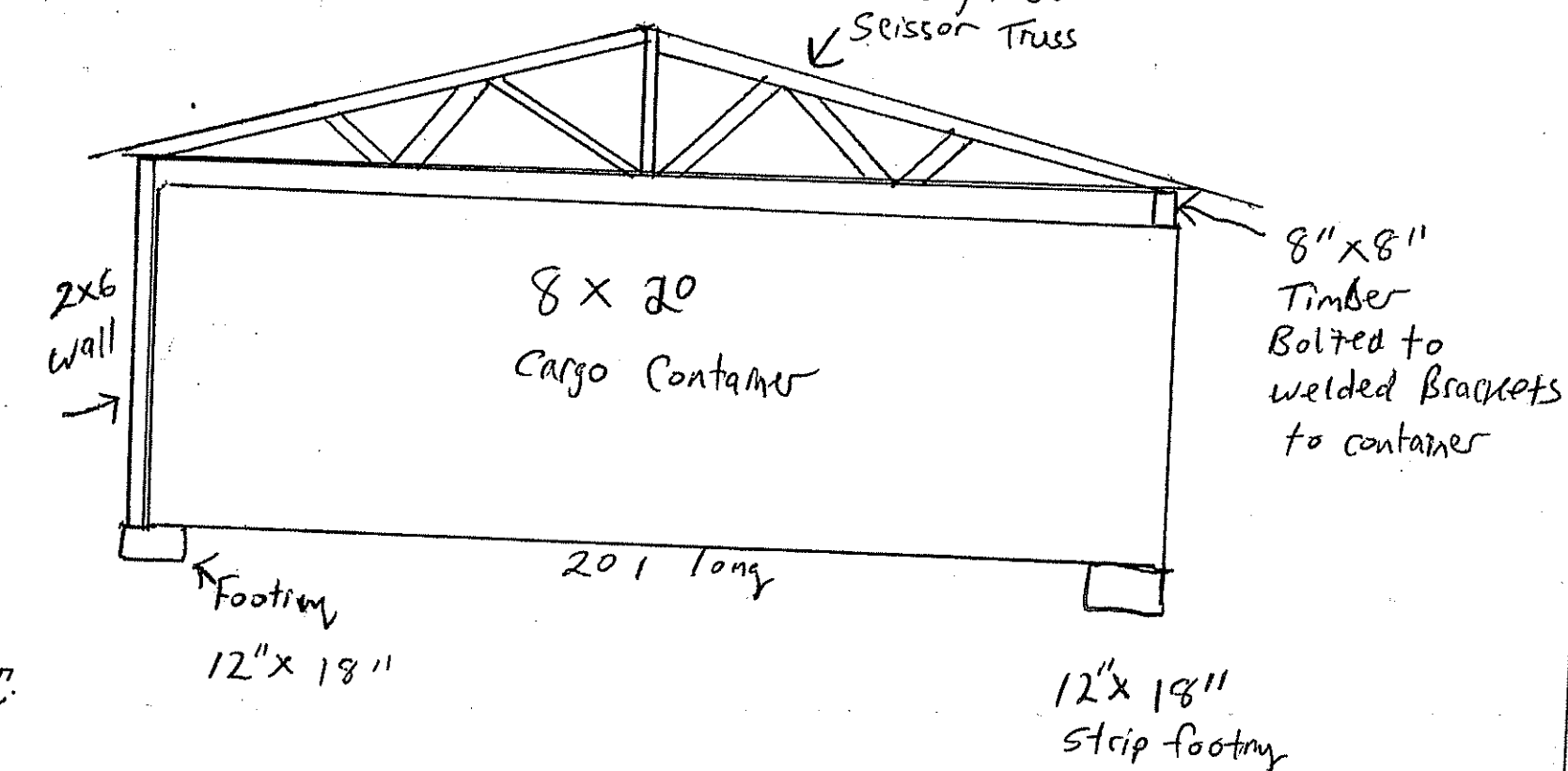
Detail 1-A

Proposed Storage Units North Side
 of Property



Compacted
 Gravel with
 Vapor barrier
 between footings

Pre engineered
 Scissor Truss

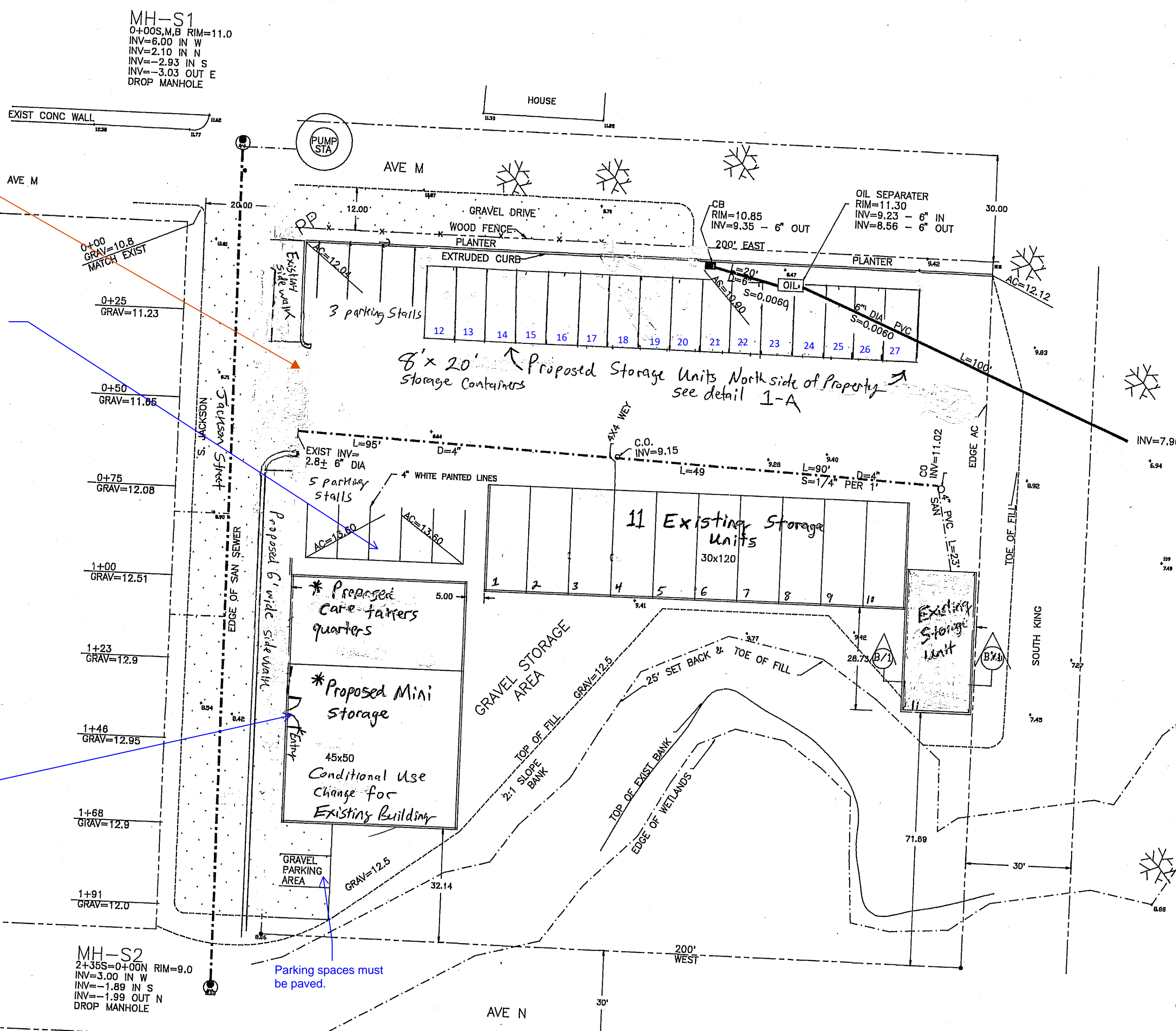


Storage Units	
Interior 1st Floor -	19
Interior 2nd Floor -	19
Exterior -	27
Total -	65

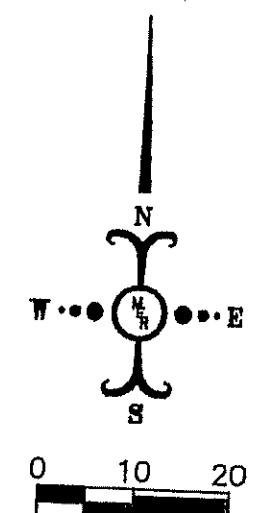
Parking Requirements	
1st Floor -	670 sq. ft.
2nd Floor -	487 sq. ft.
One space per employee plus one space per 700ft of patron serving area.	
Residential Caretaker Unit -	2 spaces
Total Parking Spaces Required -	4
Total Parking Spaces Provided -	11

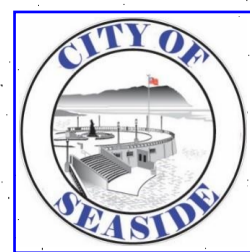
APPROVED
 Reviewed for Code Compliance

Jerry D. Wade
 State Certified Plans Examiner
 OIC 2409 - 1225CAX - 4537PEF - 6038PEA
 08/11/2023 10:41:27 AM

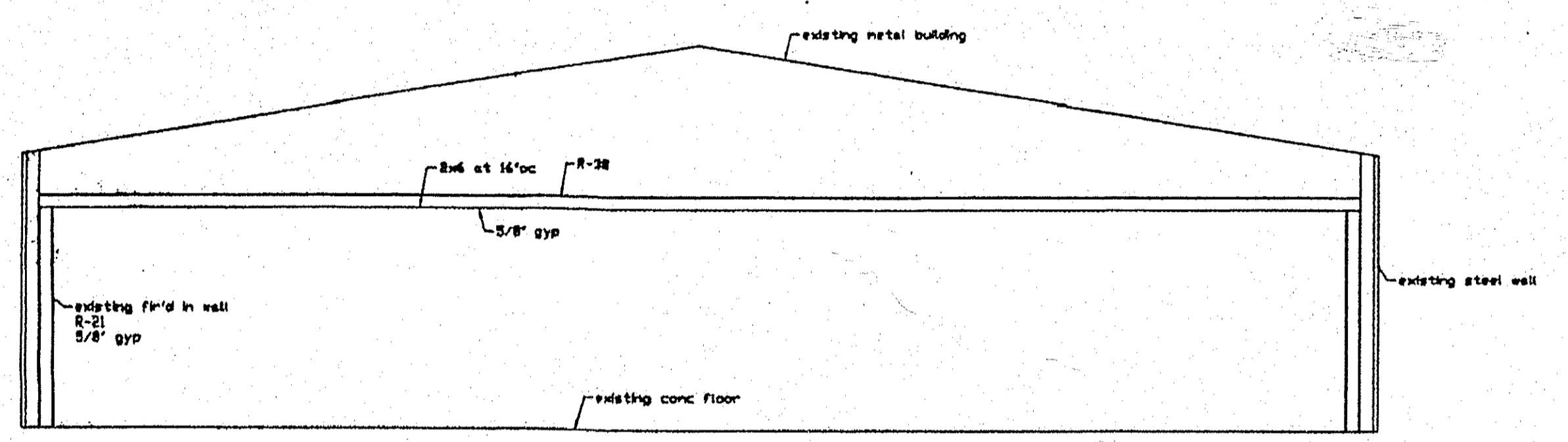
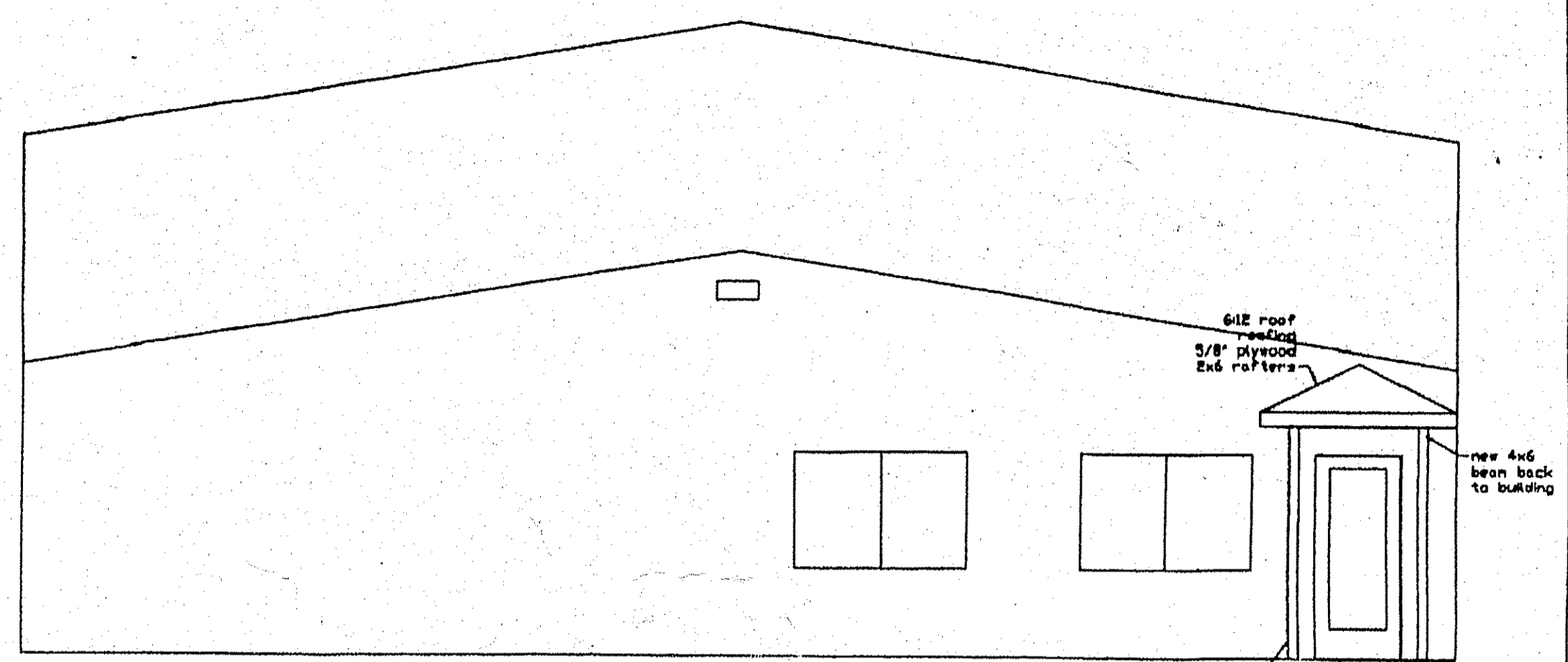
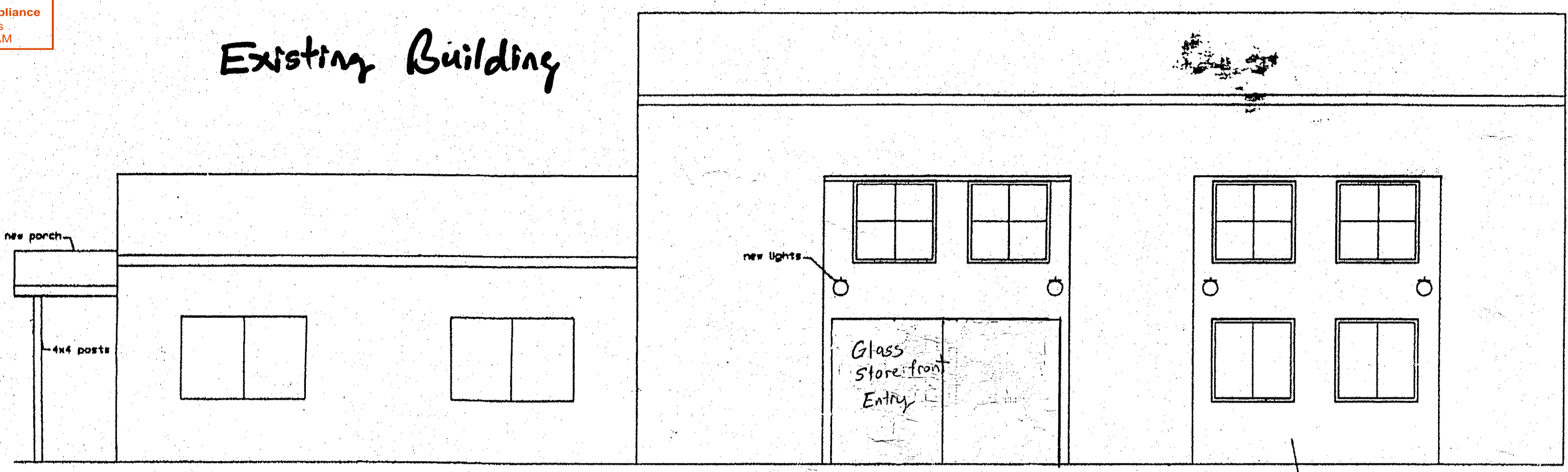


Condition Use Change Plan
 Existing and Proposed details
 for use of property
 1221 South Jackson Street
 Seaside OR 97138
 Loren Tami Williams
 Jackson Street Properties
 1221 South Jackson Street
 Seaside OR 97138

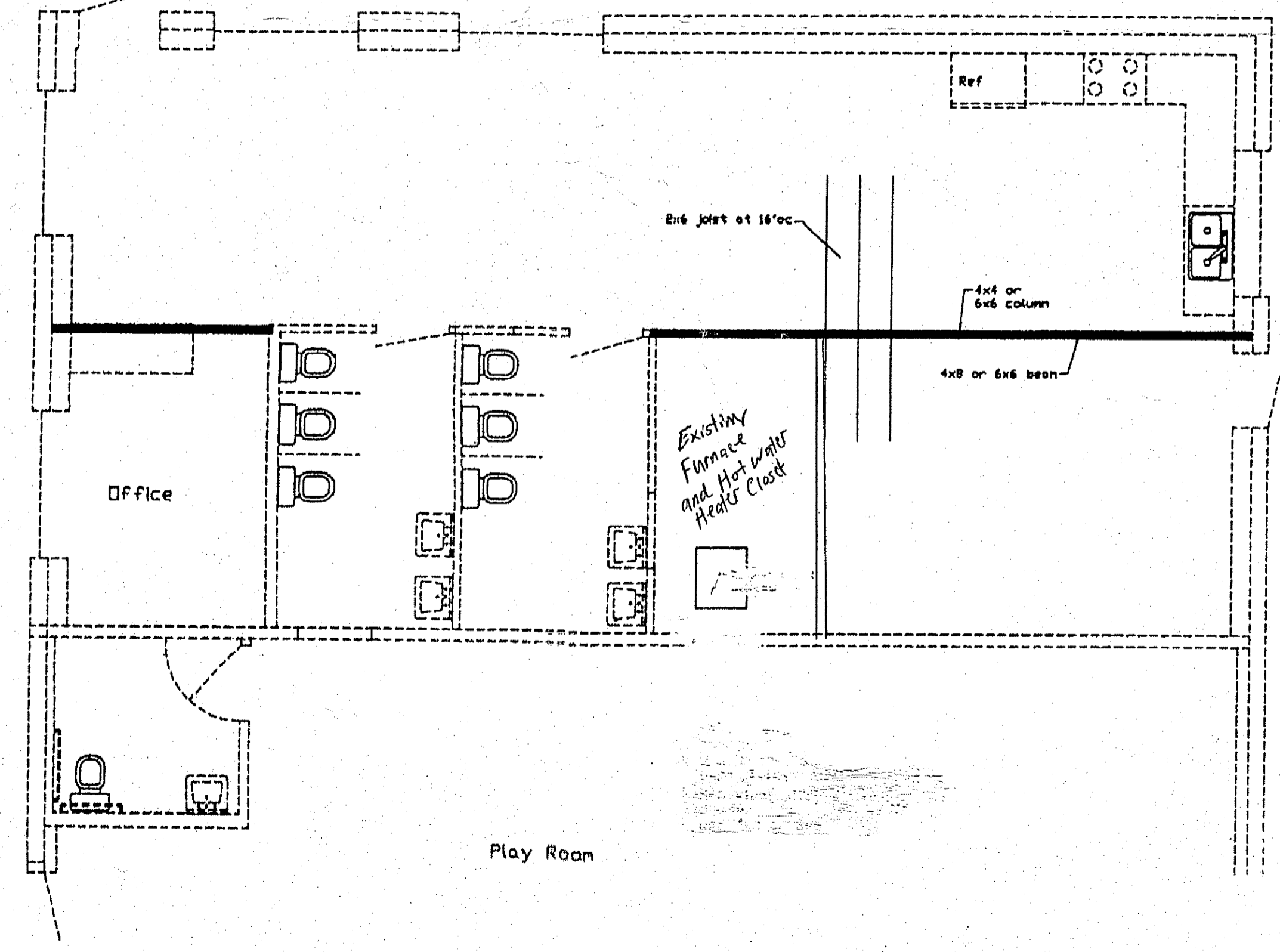




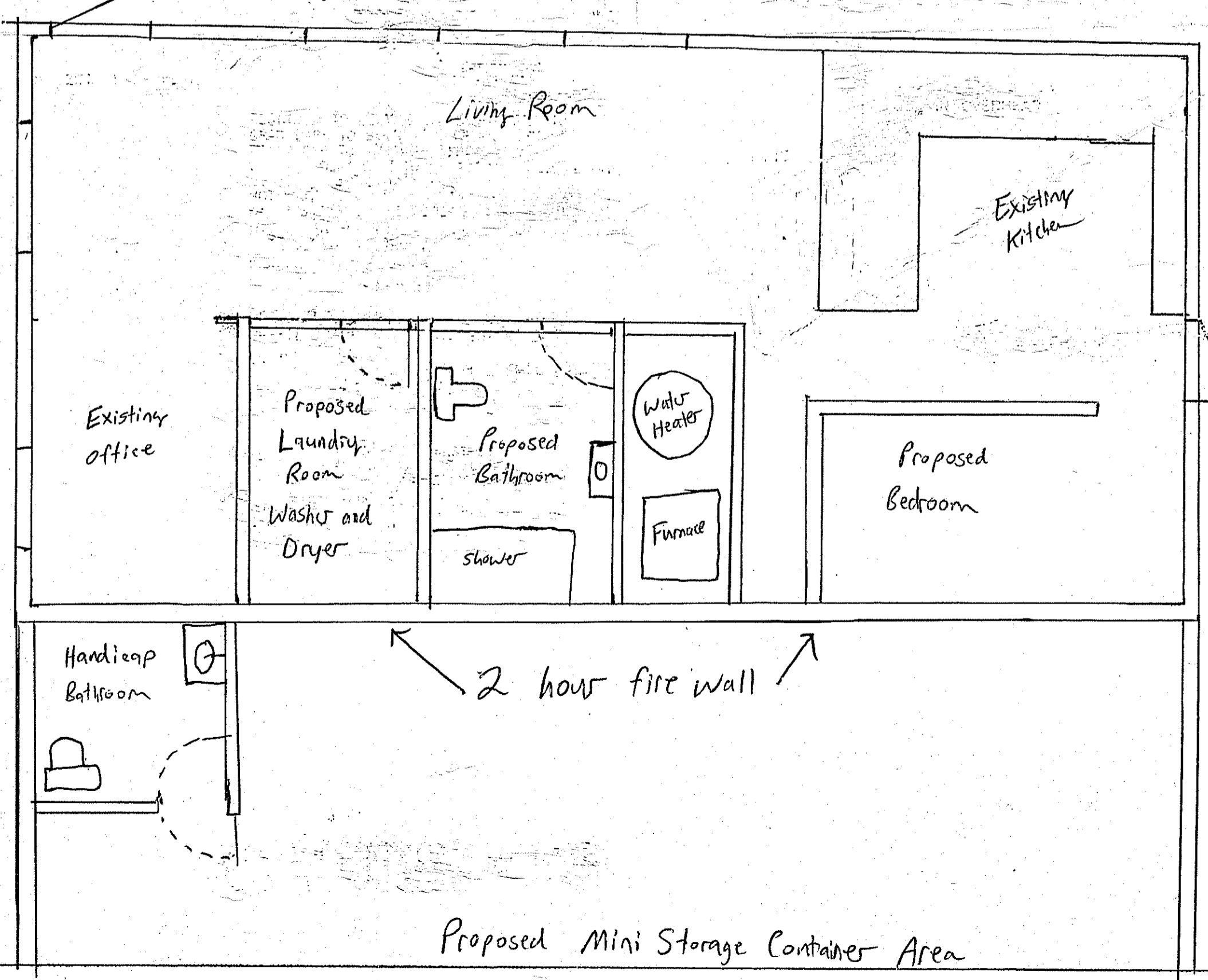
Existing Building



Existing OFFICE space



Proposed Care Takers Quarters



Loren + Tami Williams
 Jackson Street Properties
 1221 South Jackson Street
 Seaside OR
 97158



Planning Commission Staff Report

APPLICATION(S):	769-23-000053-PLNG – Conditional Use
MEETING DATE:	September 5, 2023
PUBLIC HEARING:	Yes
Report Date:	August 23, 2023
Applicant:	Eric and Shannon Mueller Family Trust
Owner:	Eric and Shannon Mueller Family
Location:	2416 S Edgewood St., Seaside, OR 97138
Major Street Access:	S. Edgewood St.
Parcel Number(s) & Size:	T6-R10-28BD-00800 Approximately .11 Acres
Parcel Zoning:	Medium Density Residential (R-2)
Adjacent Zoning:	Medium Density Residential (R-2)
Current Use of Parcel:	Single-Family Residential
Adjacent Uses:	Single-Family Residential
Previous Meetings:	None
Previous Approvals:	None
Type of Action:	Quasi-Judicial
Land Use Authority:	Planning Commission
Future Routing:	None
Planner:	Jeff Flory, Community Development Director

A. Summary:

A conditional use request by Eric and Shannon Mueller for a two (2) bedroom Vacation Rental Dwelling with a maximum occupancy of six (6) persons over the age of three, no more than ten (10) persons regardless of age.

Staff Recommendation:

Staff recommends the Planning Commission conduct a public hearing on the application, take public comments, and review and discuss the request. Unless submitted comments or other clarifications or justifications are needed, staff recommends the Commission adopt the findings, justification statements, and conclusions in this report and approve the applicant's request subject to the listed conditions.

B. Exhibits:

- 1. Applicant Submittals**
- 2. Site Plan**
- 3. Density Analysis**

C. Location: 2416 S Edgewood Street, Seaside, OR 97138 (T6-R10-28BD-00800)



D. Background:

The applicant's property is a standard 5,000 sq. ft. lot with sufficient space for three (3) stacked parking spaces. The applicant is requesting an occupancy of six (6) persons over the age of three, no more than ten (10) persons regardless of age for their two (2) bedroom dwelling.

E. Required Dates:

This application was accepted as complete on August 9, 2023. The 120-day decision timeframe is December 7, 2023.

F. Specific Request:

The applicants, Eric and Shannon Mueller, are requesting a Conditional Use for a two (2) bedroom Vacation Rental Dwelling with a maximum occupancy of six (6) persons over the age of three, no more than ten (10) persons regardless of age.

G. Process:

This request is being reviewed under Article 6 and Article 10 of the Seaside Zoning Ordinance. Article 6 establishes the criteria for conditional uses and Article 10 establishes the process and procedures that are applicable to this request. The specific review criterion for Vacation Rental Dwellings is included in Section 6.137 of the Ordinance.

H. Community Review:

Notice of this public hearing was published in the Daily Astorian on August 19, 2023. Additionally, a mailed notice was sent on August 16, 2023, to all property owners within 100ft of the subject property.

I. Written Comments:

At the time of this report, no comments have been submitted to the Community Development Department.

J. Comprehensive Plan:

This property is located in the Medium Density Residential land use designation as stated in section 3.1.2 of the Comprehensive Plan. The Comprehensive Plan states that medium-density residential zones are the locations for "manufactured homes, manufactured home parks, and vacation rental dwellings.

Section 4.1 of the Comprehensive Plan states: "Since the City of Seaside is a recreational community and major tourist attraction on the Oregon Coast, it is recognized that there is a need for recreational types of housing, including beach homes, vacation rentals, motels, recreational vehicle parks, and campgrounds."

K. Zoning Ordinance Criteria for a Conditional Use:

Pursuant to Section 6.137, Vacation Rental Dwellings (VRDs) within the R-2 and R-3 zones shall be reviewed by the Planning Commission whenever the surrounding VRD density is 20% or greater. A permit shall be issued as an accessory use provided the applicant can demonstrate by written application that all of the following standards are met:

- a. **Parking. One 9' x 18' off-street space will be provided for each bedroom in the unit, but in no event shall fewer than two spaces be provided.**

Finding: The applicant's site plan shows sufficient parking area to accommodate three off-street parking spaces. The parking spaces are stacked in the applicant's driveway.

- b. **Number of Occupants. The maximum number of occupants cannot exceed three persons (over the age of three) per bedroom. The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations.**

The number of overnight renters or the maximum number of occupants may be reduced by the Code Enforcement Officer or Fire Marshal at the time of inspection for valid code reasons.

Finding: The applicant's home is a two-bedroom single-family dwelling that allows an occupancy of six (6) persons over the age of three, no more than ten (10) persons regardless of age.

The good neighbor rules, occupancy, and tsunami evacuation map are required to be posted in a conspicuous place within the VRD and are verified during the VRD inspection. This VRD will also be subject to annual inspections where these items are checked for compliance.

- c. **Residential yard areas. Front, side, and rear yards must maintain a residential appearance by limiting off street parking within yard areas. At least 50% of each yard area which is not occupied by buildings must be landscaped in some fashion so that parking will not dominate the yard.**

Finding: The applicant's site plan shows the driveway and parking area do not take up more than 50% of the required front yard landscaping.

- d. **Local responsible party. A local responsible party that permanently resides within the County must be identified by the owner. The responsible party will serve as an initial contact person if there are questions regarding the operation of the VRD. The owner shall provide the telephone number of the local contact person to the City and to the immediate neighbors within the notification area (within 100' of the subject property).**

Finding: The applicant has listed the property management company Vacasa as the local contact.

- e. **Spatial distribution requirements. Within the medium density residential (R-2) zones and high density residential (R-3) zones, not more than 20% of the properties within 100' of the subject property can be currently licensed for VRD use without Planning Commission review based on the following additional criteria:**

1. **The use of the property as a VRD will be compatible with the surrounding land uses.**
2. **The VRD will not contribute to excessive parking congestion on site or along adjacent streets.**

A decision by the Commission to approve a VRD request may include conditions that would restrict the number of renters or total occupants in the VRD.

Finding: The density of surrounding VRDs within 100ft of the applicant's property is 25%. This application is being reviewed by the Planning Commission per the spatial distribution requirements. Should there be justification to add or modify conditions; the Planning Commission should discuss those justifications and determine what additional conditions or modifications to conditions could be placed on the property to alleviate any negative impact on the surrounding neighbors.

L. Additional Findings, Conclusions, and Justification Statements:

Mailed Notice Request Summary: A conditional use request by Eric and Shannon Mueller for a two (2) bedroom Vacation Rental Dwelling with a maximum occupancy of six (6) persons over the age of three, no more than ten (10) persons regardless of age.

1. The applicant's submitted justification is adopted by reference and summarized below:
 - a. The applicant's plot plan indicates there will be at least three (3) off-street parking spaces, the spaces are stacked in the applicant's driveway.
 - b. The two (2) bedroom single-family dwelling will have a limited occupancy of six (6) persons over the age of three, three no more than (10) persons regardless of age.
 - c. The plot plan shows that parking (driveway) will not take up more than 50% of the required front, rear, or side yards.

2. The proposed VRD is located within a developed residential neighborhood primarily consisting of single-family dwellings. Currently, 25%% of the surrounding properties within 100ft of the subject property are licensed for VRD use and 39.13% are licensed within 200ft. All of the surrounding properties within 100 ft are zoned Medium Density Residential (R2)
3. The City of Seaside Planning Commission has established a policy concerning the maximum density of VRDs within neighborhoods that are not zoned Resort Residential (RR). Depending on the location, the Commission will only support VRDs where the surrounding density of VRD licensed properties, within 100ft; is equal to or less than 30% or 50% depending on their proximity to the beachfront areas of Seaside. This property is within the area the Planning Commission has determined that 30% of the properties will be supported for VRD use.
4. The property has undergone a preliminary compliance inspection. Any corrections noted during the inspection must be completed and approved by the Community Development Department prior to any transient rental of the property unless an alternative time period is identified for specific items.
5. The City of Seaside Planning Commission adopted a list of policies and a uniform list of conditions they believed should be incorporated into the vacation rental dwelling review process. These are intended to be consistent with the provision in Section 6.031 which in part states: "the Planning Commission may impose, in addition to those standards and requirements expressly specified by this Ordinance, additional conditions which the Planning Commission considers necessary to protect the best interest of the surrounding area of the city as a whole."

In recognition of the Planning Commission's efforts and in keeping with the purpose statement for conditional uses, these conditions are incorporated into any decision to approve a VRD in an effort to promote compatibility of the proposed VRD with surrounding uses.

6. All property owners within 100ft of the subject property were notified of the applicant's request. At the time of this report, the Community Development Department did not receive any letters concerning this request.
7. The proposed use is located within the tsunami inundation zone identified by the State of Oregon.
8. Negative impacts to a neighborhood cannot be predicted based solely on a change from full-time occupancy, part-time occupancy, long-term rental, or short-term rental. Short-term vacation rental dwellings (VRDs) are a regulated use subject to review. It is true that VRDs exhibit short-term stays by nonresidents; however, negative impacts can be caused by other permitted uses of longer duration. VRDs do have an identified local contact, restrictions that exceed those applied to the other uses of single-family dwellings, and a complaint resolution process that exceeds the "normal" restrictions applied to non-VRDs.
9. The property was previously permitted as a VRD.
10. The glare from outdoor lighting can have an impact on adjacent properties. All exterior lighting should conform to the newly adopted Outdoor Lighting Ordinance even if any pre-existing outdoor lighting would normally be exempt under the provisions of the ordinance. This would basically require shielding of any exterior lighting fixtures such that glare will not be visible from the surrounding property for any lighting element that exceeds 450 lumens, the equivalent of a 40-watt incandescent bulb. This does not apply to any existing outdoor security lighting that is timed for short durations and activated by motion detectors.
11. The Commissioners have indicated their expectation for a local contact's response to complaints should be made very clear to the applicant and the local contact. In light of this, they have recognized a need for the local contact to sign and return a Local Contact Acknowledgment Form in an effort to clarify their role as it relates to the VRD's conditions of approval.

12. Pet-friendly rentals can create problems for neighboring property owners if the pets are allowed to run at large, trespass onto neighboring property, or cause a disturbance due to excessive barking when left unattended.
13. Repeatedly violating the conditions of approval could render the use incompatible with the surrounding uses and undermine the basis for approving the request. The conditions of approval could include provisions that would allow the permit to be suspended and/or revoked by the Planning Director or his designee in the event the conditions are repeatedly violated. Such action would be subject to review by the Planning Commission at the applicant/owner's expense.
14. Outdoor fire rings, fireplaces, hot tubs, & spas can lead to late-night disruption in neighborhoods where sound seems to carry even more at night and people talk loudly. Smoke from outdoor fires can also be annoying to the occupants of neighboring properties. Staff routinely requires owners and managers to establish hours of use for these types of outdoor facilities to avoid late-night use and suggest limiting their use between the hours of 10:00 p.m. & 7:00 a.m.
15. There is a formal process to bring VRDs back before the Planning Commission for reconsideration based on noncompliance with VRD standards & conditions. The City encourages reporting problems with VRDs to the local responsible party and/or owner so problems can be resolved before any City action is required. If there are problems with a VRD that are not being resolved, staff can take actions intended to resolve the issues and can ultimately bring the matter before the Planning Commission if they are not resolved. Prior to review by the Commission, staff works with the owner and/or manager to try and address any noncompliance issues in an effort to address neighboring property owners' concerns. Past action by the Commission reiterated that additional conditions should be applied conservatively. They believe staff and the Commission can address additional conditions after a VRD is approved if and when an issue arises, instead of attempting to address every potential concern that may never actually come to fruition.
16. This area was not identified by the City Council or the Planning Commission as a residential area where VRDs should be discouraged due to the destabilizing impacts caused by repetitive property flipping within neighborhoods where the majority of homes are owned by local residents or distinct factors applicable to a defined neighborhood that would conflict with the intent of the Comprehensive Plan & Zoning Ordinance.
17. The Seaside Planning Commission has established a waiting period for new applicants applying for a VRD permit on properties that were not previously licensed and newly constructed properties. This property was previously licensed for VRD use so the applicant is not subject to application waiting periods.

CONCLUSION:

The Vacation Rental Dwelling requirements have been adequately addressed by the applicant and the request can be approved subject to the following list of special and standard recommended conditions of approval

RECOMMENDED CONDITIONS:

1. **COMPLIANCE INSPECTION:** The proposed vacation rental dwelling (VRD) must pass a compliance inspection conducted by the Community Development Department prior to any transient rental. This inspection will verify compliance with all VRD standards and conditions of approval and the applicant is hereby advised that failure to meet certain standards can result in a reduction in the maximum occupancy. The final occupancy will be noted in the land use file (769-23-000053-PLNG) and reflected on the City of Seaside Business License. The license is not valid until the appropriate occupancy has been established by the approval of a final compliance inspection by the Community Development Department.

Please be advised the VRD has undergone a preliminary compliance inspection. Any corrections noted during the inspection must be completed and verified prior to transient rental unless an alternative time period for completion is identified for specific items.

2. **PARKING SPACES:** Two (2) off-street parking spaces (9ft X 18ft per space) are required on site. These spaces shall be permanently maintained and available on-site for use by the vacation rental occupants. Vacation Rental Dwelling (VRD) tenants are required to park in the spaces provided on-site for the VRD. No on-street parking associated with this VRD is allowed at this location. Vehicles parked at VRDs may not project over the sidewalk and block pedestrian traffic. A parking map shall be posted inside the dwelling for the VRD tenants. The map must clearly indicate:

ON-STREET PARKING CANNOT BE USED BY RENTERS. PLEASE USE THE SPACES PROVIDED ON-SITE.

3. **MAXIMUM NUMBER OF OCCUPANTS:** Six (6) persons over the age of three, no more than ten (10) persons regardless of age. The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations. If the number of occupants is less than the original number requested, it may have been reduced for valid code reasons.
4. **APPLICABILITY OF RESTRICTIONS:** Properties licensed for VRD use will be expected to adhere to the VRD standards and rules throughout the entire year even when they are not being rented for profit. This will not apply to the dwellings when members of the owner's family are present.
5. **OPEN YARD AREAS:** Front, side, and rear yards must maintain a residential appearance by limiting off-street parking within yard areas. At least 50% of each yard area that is not occupied by buildings must be landscaped in some fashion so parking will not dominate the yard.
6. **LOCAL CONTACT:** The applicant has named property management company Vacasa as the local contact and they can be reached at 971-233-6166. The local contact must be available 24 hours a day to address compliance issues while the property is rented. Upon any change in the local contact, the owner must provide formal notice of the updated contact information to the City and all of the neighboring property owners within 100ft. Managers are required to notify the city any time they stop representing a VRD.

Local contact information is available at the Community Development Department (503) 738-7100, City Hall (503) 738-5511, or after business hours at the Seaside Police Department (503) 738-6311.

The local contact must sign a Local Contact Acknowledgement Form that indicates they are aware of the Planning Commission's expectations concerning response to complaints by neighboring residents and maintain a complaint response log that would be made available to the city upon request. The signed form must be returned to the Community Development Department so it can be included in the land use file. An updated form must be submitted by the owner any time a new contact person is established.

7. **COMPATABILITY:** A VRD will be compatible with the surrounding land uses and shall not contribute to excessive parking congestion on site or along adjacent streets.
8. **EXTERIOR OUTDOOR LIGHTING:** All exterior lighting must conform to the adopted Outdoor Lighting Ordinance even if any pre-existing outdoor lighting would normally be exempt under the provisions of the ordinance. This will basically require shielding of any exterior lighting fixtures such that glare will not be visible from the surrounding property for any fixture that exceeds 450 lumens, the equivalent of a 40-watt incandescent bulb.
9. **ORDINANCE COMPLIANCE & SOLID WASTE PICK-UP:** All vacation rentals must comply with City ordinances regarding noise, smoke, dust, litter, odor, and solid waste collection. Weekly solid waste pick-up is required during all months.
10. **REQUIRED MAINTENANCE:** It is the property owner's responsibility to assure that the vacation rental dwelling remains in substantial compliance with Oregon State requirements for the following: Health, Safety, Building, and Fire Codes, Traveler's Accommodation Statutes, and with the Uniform Housing Code. Owners are hereby advised that Carbon Monoxide detectors must be installed and maintained in all transient rental occupancies.
11. **PERMIT NON-TRANSFERABILITY:** Vacation rental dwelling permits are personal in nature and accordingly are not transferable. Upon transfer of the property, the new owner, if he or she so desires, may apply for a new permit in accordance with City Ordinance.

- 12. BUSINESS LICENSE, ROOM TAX REQUIREMENTS & REVOCATION FOR NON-PAYMENT:** A City Business License is required and all transient room tax provisions apply to VRDs. The business license must be obtained prior to any rental of the property. Renewals must be made in January of the permit year. If the business license fee or the transient room tax payments are thirty (30) days past due, the VRD Permit will be revoked unless a written extension is granted by the Finance Director.

Some web-based booking platforms (Airbnb, VRBO, etc.) collect and remit transient room tax directly to the city on behalf of VRD owners/applicants. It is the responsibility of the owners/applicants that utilize these platforms to report this revenue on their quarterly returns.

- 13. CONFLICTS & POTENTIAL DENIAL FOR NON-COMPLIANCE:** Upon receipt of two written complaints from two or more occupants of different residences who claim to be adversely affected by the use of the property as a vacation rental dwelling, or by notice from the City Code Compliance Officer that requirements or conditions of approval are not being met, the Planning Department will work with the parties involved to settle any conflicts. If the problems are not resolved, the permit will be reviewed by the Planning Commission as provided in Zoning Ordinance Section 6.137, Subsection 5 at the applicant's expense. Failure on the applicant's part to meet the standards or conditions will result in modification or denial of the permit.
- 14. COMPLAINTS:** Applicants are hereby advised the City Code Compliance Officer routinely follows up on individual complaints if there is a valid code issue that needs to be addressed by the owner and/or manager of a VRD. Staff does not wait until the occupants of two different residences submit written complaints before they take action to achieve compliance. The VRD complaint procedures are outlined in an attachment to the notice of decision and an electronic complaint form can also be accessed on the City of Seaside's website:

www.cityofseaside.us/VRDComplaint

This form should be used to report alleged violations that are not being addressed by the local contact or property manager.

- 15. TIME PERIOD FOR APPROVAL, REQUIRED RE-INSPECTION:** This VRD will be subject to an annual compliance inspection (subject to an applicable fee) during the second year of operation to ensure it maintains compliance with the VRD policies, conditions of approval, and ordinances applicable at the time of re-inspection. Re-inspection notices will be provided annually to the owner and the local contact. Failure to schedule an inspection or failure to correct any deficiencies identified during the inspection will result in the expiration of the conditional use permit and a new application must be approved prior to obtaining a business license to allow the use. Any new application will be subject to the VRD policies, conditions of approval, and ordinances applicable as of the date the new application is accepted.
- 16. TSUNAMI INFORMATION & WEATHER RADIO:** The owner shall post or otherwise provide a tsunami evacuation map in a conspicuous location within the VRD that clearly indicates "You Are Here". In addition, a NOAA weather radio, with automatic alert capabilities, must be provided in a central part of the VRD along with an informational sheet that summarizes the warning capabilities of the radio in the event of a distant tsunami.
- 17. GRACE PERIOD:** If a currently licensed VRD sells to another party, staff is allowed to grant a temporary grace period of not more than 90 days in which current bookings can be cleared without being recognized as a violation. The manager or owner must provide staff with a list of the bookings during the grace period and no additional bookings can be taken during that time.
- 18. PET-FRIENDLY RENTAL:** If the rental allows pets and they generate complaints related to running at large, trespassing onto neighboring property, or causing a disturbance due to excessive barking; additional restrictions or containment measures will be required by the Planning Director. The additional restriction can include prohibiting pets at this VRD.
- 19. REPEATED VIOLATION OF CONDITIONS:** As a conditionally permitted use, owners must understand their use is expected to comply with their conditions of approval and they, their local contacts, and/or property managers will be held accountable for addressing compliance issues. Repeated violations will be subject to citations; and if the violations constitute a pattern of disregard or neglect resulting in adverse impacts to the neighboring property

owner(s), their permit can be suspended and/or revoked by the Planning Director or his designee. Any such action would be subject to review by the Planning Commission to determine if the use can be reauthorized in the same manner as the original request, but subject to revised conditions. Review by the Commission would be at the applicant's expense based on the review fee applicable to the request at the time of review.

- 20. OUTDOOR FIRE RINGS, FIREPLACES, HOT TUBS, & SPA FACILITIES:** If these outdoor facilities are provided, their use will only be allowed between the hours of 7:00 a.m. & 10:00 p.m. These hours must be posted along with any other established rules governing the use of the amenity. It is recommended the rules include a reminder there should be NO EXCESSIVE NOISE AT ANY TIME and renters should be considerate of the residents that live around the rental dwelling they are staying at.

If these hours prove to be insufficient to protect the neighboring property owners from unwanted noise or smoke, they will be further restricted by staff. The additional restriction can include prohibiting the use of the outdoor facility entirely by VRD tenants.

M. Recommendation and Alternatives:

Staff Recommendation:

Staff recommends the Planning Commission conduct a public hearing on the application, take public comments, and review and discuss the request. Unless submitted comments or other clarifications or justifications are needed, staff recommends the Commission adopt the findings, justification statements, and conclusions in this report and approve the applicant's request subject to the listed conditions.

Although they are not conditions of approval, the following is a reminder to the applicant.

- The conditional use will become void one (1) year from the date of the decision unless the permit is utilized or an extension of time is approved in the manner prescribed under the Seaside Zoning Ordinance.
- All necessary permits (such as structural, plumbing, mechanical, electrical, etc.) must be obtained prior to development.
- As with any permit, the applicant must meet all applicable standards in the Seaside Zoning Ordinance (e.g. erosion control, drainage, setbacks) and any other applicable City of Seaside Ordinances.

Alternative 1:

The Planning Commission may choose to continue this request to the regularly scheduled October 3, 2023, 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 deny this application.

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



Seaside Planning Department Land Use Application



Office: 503-738-7100 E-mail: CDAAdmin@CityofSeaside.us Fax: 503-738-8765
Mailing Address: 989 Broadway Seaside, OR 97138 Physical Address: 1389 Avenue U Seaside, OR 97138

Name of Applicant: Eric and Shannon Mueller Family Trust Address: 9304 SW 53rd Ave Portland, Oregon Zip Code: 97219

Street Address or Location of Property: 2416 S Edgewood Street Seaside, Oregon 97138

Zone R2	Overlay Zones OR SB379 Tsunami Regulatory Line	Township 06	Range 10	Section 28	Tax Lot 61028BD00800
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Proposed Use of Property and Purpose of Application:

We just purchased this adorable beach cottage located at 2416 S Edgewood Street. The previous owners had this set-up as vacation rental. We live in Portland with our two young boys, Van (4y) and August (1y). We love the Oregon coast and all it offers. With Seaside being a short drive for our family, we are really excited. We would love to use this home as a place to spend time with our friends and family, building many memories over the years, as well as a short term vacation rental to help cover some of our costs. We are proud to own this home and look forward to getting know our neighbors and the surrounding community. We want this to be a good experience for our family, neighbors, and guests. We will do this by staying compliant and ensuring our property management company treats the home & neighborhood with respect and care. We appreciate your consideration.

(Attach additional pages if necessary.)

Owner	Applicant/Representative (Other than Owner)
Print Name of Property Owner: Eric and Shannon Mueller Family Trust	Print Name of Applicant/Representative:
Address: 9304 SW 53rd Ave Portland, OR 97219	Address:
Phone: 847-404-7489 / 503-577-8546	Phone:
E-mail: emueller@farmersagent.com / shannonbrookemueller@gmail.com	E-mail:
Signature of Property Owner: <i>Eric Mueller shannon mueller</i>	Signature of Duly Authorized Applicant/Representative:

FOR OFFICE USE ONLY—DO NOT WRITE BELOW THIS LINE.

- Conditional Use
- Non-Conforming
- Subdivision
- Zoning Code Amendment
- Landscape/Access Review
- Planned Development
- Temporary Use
- Zoning Map Amendment
- Major Partition
- Property Line Adjustment
- Vacation Rental PC PD Appeal
- Minor Partition
- Setback Reduction
- Variance
-

Planning Department Use	
Date Accepted as Complete: 08/09/23	By: J. Flory
File Number: 769-23-000053-PLNG	
Hearing Date: September 5, 2023	P.C. Action:

City of Seaside
Planning Approval
 By: Jeff Flory
 08/09/2023



Vacation Rental Dwelling Property Information



VRD Address: 2416 S Edgewood Street Seaside, OR 97138

- 1. TOTAL NUMBER OF BEDROOMS: 2
- 2. TOTAL NUMBER OF OFF-STREET PARKING SPACES: 3
 - a. VRDs are required to have a minimum of two parking spaces (each space must be 9'x18') plus one additional space for each bedroom in the dwelling over two bedrooms.
- 3. OCCUPANCY REQUESTED (OVER THE AGE OF THREE) : 6
 - a. To calculate your maximum occupancy, multiply the number of bedrooms by 3. If the number of parking spaces is less than the number of bedrooms, calculate your occupancy by multiplying the number of parking spaces by 3.
- 4. DO THE REQUIRED OFF-STREET PARKING SPACES TAKE UP MORE THAN 50% OF THE VRD'S REQUIRED YARD AREAS?
Yes No
- 5. DO YOU HAVE ANY OWNERSHIP IN ANY ADDITIONAL PROPERTIES IN THE CITY OF SEASIDE?
Yes No
If yes what are the property addresses? _____
- 6. DO YOU HAVE OWNERSHIP IN ANY OTHER SHORT-TERM RENTALS? Yes No
If yes, what City/County/State are they located in?

- 7. WHO WILL BE THE LOCAL CONTACT FOR YOUR VRD?
(Your local contact must reside within Clatsop County.)
Name Lisa Payne Address 1803 S Roosevelt Dr. Unit D Seaside, OR 97138 24-hr Phone 1-800-544-0300
- 8. ATTACH SCALE DRAWINGS OF YOUR SITE PLAN, FLOOR PLAN, AND PARKING MAP.

By signing this application, the applicant acknowledges that if the request requires review by the Planning Commission (Seaside Zoning Ordinance 6.137E), additional Planning Commission review fees may apply and the applicant or a duly authorized representative must attend the Public Hearing. The applicant has answered these questions truthfully and to the best of their knowledge and the applicant understands that omitting information on this application could be grounds for denial of their request for VRD Conditional Use Permit.

Applicant Signature: Eric Mueller shannon mueller Date: 7/26/2023

Printed Name: Eric Mueller | Shannon Mueller

RECEIVED

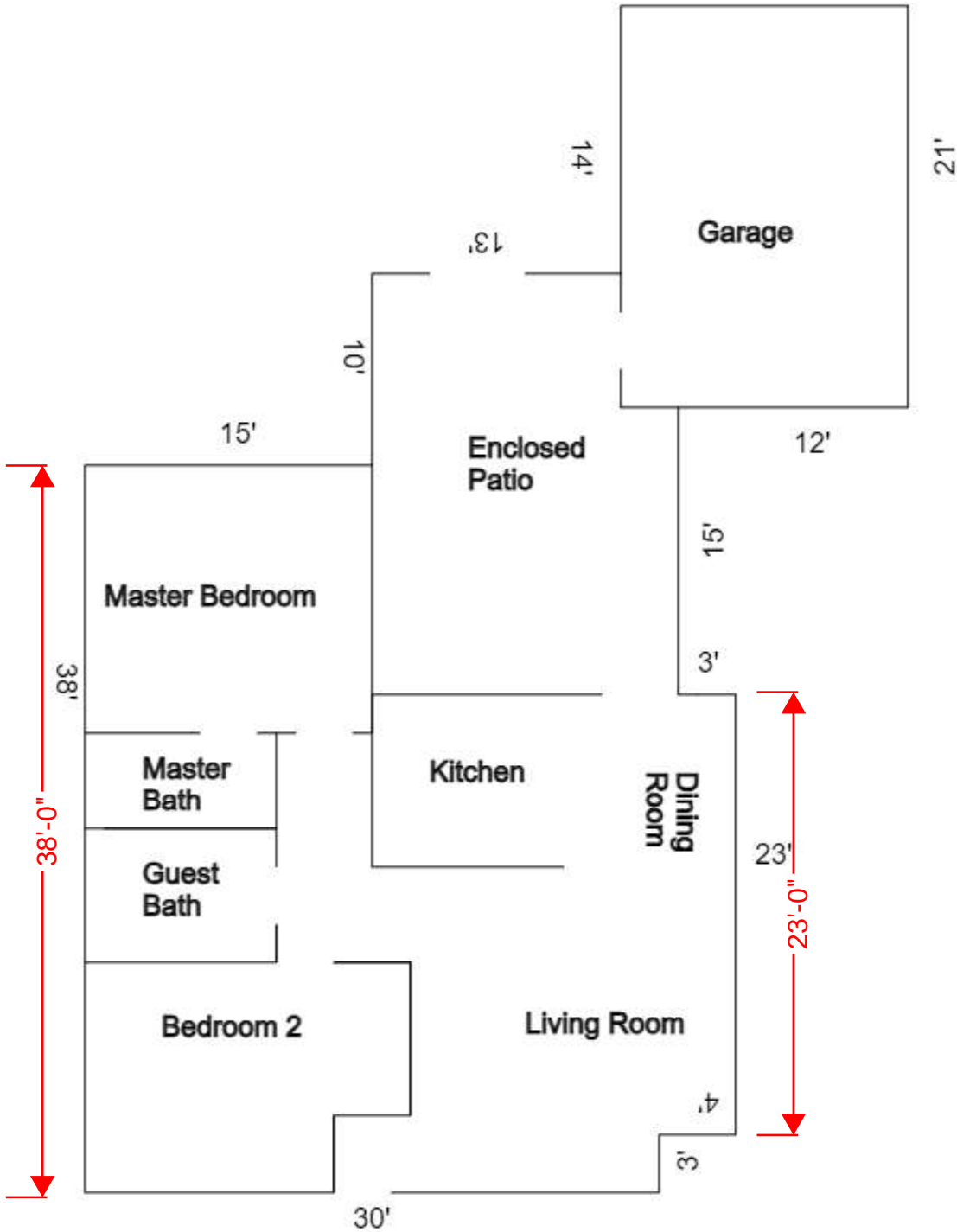
City of Seaside Planning Department
By: Anne McBride
08/04/2023

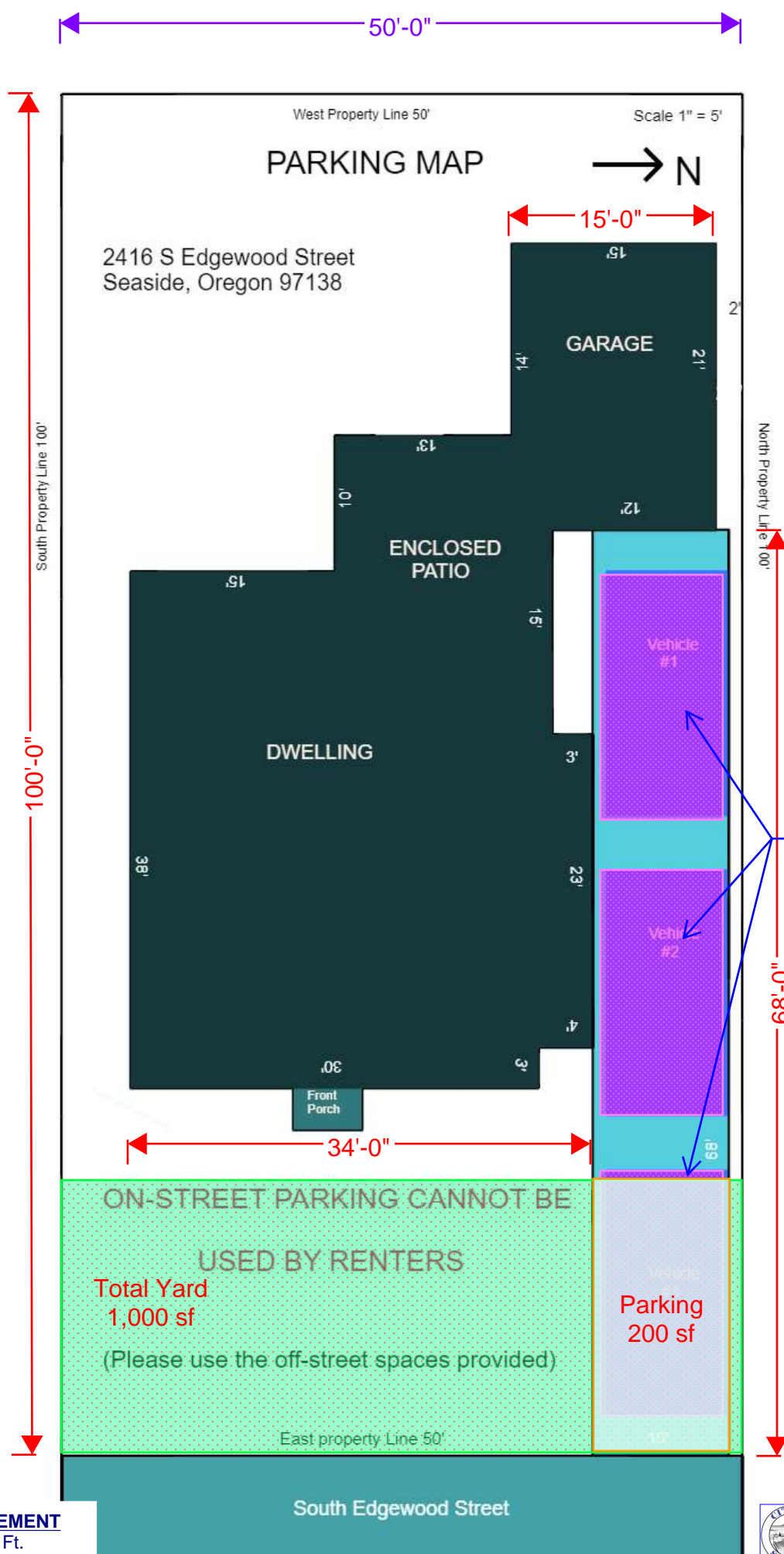
Floor Plan

2416 S Edgewood Street
Seaside, Oregon 97138

15'-0"
15'

Scale: 1" = 5'





50% YARD REQUIREMENT
 Parking: 200 Sq. Ft.
 Total Yard: 1000 Sq. Ft.
 Parking/Landscaping: 20% Parking

City of Seaside
 Planning Approval
 By: Anne McBride
 08/04/2023

