



CITY OF SEASIDE PLANNING COMMISSION AGENDA

Tuesday, March 5, 2024

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

PLANNING COMMISSION MEETING: 6:00 PM

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**
7. **769-23-000075-PLNG:** A conditional use request by Brandon Dole, Scott Edwards Architecture, for the property located at 1120 Broadway (T6-R10-22BB-TL:4700). The proposal is to turn the building, formerly known as the Broadway Middle School, into a public recreation facility with office spaces. The current zoning is Medium Density Residential (R-2) and General Commercial (C-3).
769-23-000084-PLNG: A conditional use request by Elements Environmental, to convert an existing garage into an approximate 743 sq. ft., 2-bedroom, Accessory Dwelling Unit (ADU). The property is located at 161 Hilltop Dr. (T6-R10-22AC-TL:2200). The current zoning is Low Density Residential (R-1).
769-24-000002-PLNG: A conditional use request by James Moreland for a four (4) bedroom Vacation Rental Dwelling at 1101 S Prom (T6-R10-21DB TL:15600) with a maximum occupancy of 10 persons regardless of age. The current zoning is Medium Density (R-2).
769-24-000007-PLNG: The applicant is requesting a modification to Condition 5 of their prior approval which, if approved, will allow them to remove the netting on the West side (first base line) of the soft ball field and not keep the nets up year-round. The property is located at 1140 Broadway (T6-R10-22BB TL:4700). The current zoning is Medium Density Residential (R-2) and General Commercial (C-3).

8. **ORDINANCE ADMINISTRATION**
 - a. Short-Term Rental ordinances.
9. **COMMENTS FROM CITY STAFF**
10. **COMMENTS FROM THE COMMISSION**
11. **ADJOURNMENT**

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

All meetings other than executive sessions are open to the public. When appropriate, the presiding officer may recognize any public member desiring to address the Commission. Remarks are limited to the question under discussion except during public comment. This meeting is handicapped accessible. Please let us know at 503-738-7100 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, February 6, 2024

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 |
| Jordan Sprague, Code Compliance Official | |

| Visitors in Chambers (attendance sheet) | Visitors on Zoom |
|---|------------------|
| Anne McBride | Judson Moore |
| Deborah Vail | |
| Pam & Vince Morrison | |
| Ron Crandall | |
| Mary & Pat Peters | |
| Michael Johnson | |
| Steven Squire | |

III. Approval of Minutes

January 2, 2024 minutes were adopted with the amendment Vice Chair Kleczek abstained from the election of vice chairperson vote.

IV. Declaration of Potential Conflict of Interest

There were no potential conflicts of interest.

V. Public Hearings

769-23-000083-PLNG: A zone change request by Roger Mitchell for the property located at 201 N. Holladay Dr. (6-10-21AA-10300). The proposal will rezone the approximate .23-acre property from Medium Density Residential (R-2) to General Commercial (C-3).

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

Chair Montero asked if there was a representative for this project who would like to tell the commission about the project.

Roger Miller, the applicant, spoke on behalf of the application.

Adam Kelly, the applicant, spoke on behalf of the application.

Chair Montero stated that the commission received 10 letters of endorsement and 1 letter of concern.

Chair Montero opened up the discussion to those in favor of the project.

Mike Morgan spoke in favor of the project.

Katie McCloud spoke in favor of the project.

Judson Moore the Architect, spoke in favor of the project.

Michael Johnson spoke in favor of the project.

Chair Montero opened the discussion to those in opposition.

Deborah Vail spoke in opposition to the project.

Roger Mitchell stated his rebuttal.

Steve Squire spoke in opposition to the project.

Roger Mitchell stated his rebuttal.

Vince Morrison spoke in opposition to the project.

Chair Montero closed the public comment and opened the discussion to the Commission.

Commissioner Rose requested clarification on how changing the zone for this project would affect the church that has an unconditional use in any zone with in the city.

Commissioner Johnson stated that he always thought the property was commercial and that he was a past master of the lodge.

Vice Chair Kleczek requested clarification regarding the commercial and residential uses and restrictions in the zones.

Chair Montero requested clarification regarding the construction of the building and the parking.

Vice Chair Kleczek requested clarification of the plumbing cost, the city's ability to handle the demand of an event center, and if a traffic study be done.

| | |
|------------------|--|
| Motion: | Motion to approve 769-23-000083-PLNG to recommend this project move forward to the city council. |
| Moved: | Johnson |
| Seconded: | Nuebecker |

| | | | | |
|----------------|--|--------------|----------------|-----------------|
| Ayes: | Kleczek, Montero, Stahmer, Rose, Johnson, Nuebecker | Nays: | Absent: | Recused: |
| Passed: | 6-0 with Commissioner Kraft recused | | | |

VI. Ordinance Administration

Vice Chair Kleczek wanted to let the commissioners know that there is a difference between being recused and abstaining.

VII. Public Comments

There were no public comments.

VIII. Planning Commission and Staff Comments

Commissioner Nuebecker gave the commissioners an update on his health.

Vice Chair Kleczek asked for an update on the comprehensive plan, ordinance changes, and deed restrictions. Mr. Flory provided an update.

Chair Montero spoke about the North 40's park.

Commissioner Stahmer asked if there was a place to direct people regarding the comprehensive plan. Mr. Flory stated it will be the Seaside2050.com website.

Vice Chair Kleczek asked about the Governor's housing bill.

IX. Adjournment at 7:03 PM.

Approved by Commission on: _____

Minutes prepared by: _____
Debbie Kenyon, Administrative Assistant

ROBIN MONTERO, Chairperson



| | |
|--------------------------|--|
| APPLICATION(S): | 769-23-000075-PLNG – Conditional Use |
| MEETING DATE: | March 5, 2024 |
| PUBLIC HEARING: | Yes |
| Report Date: | February 23, 2024 |
| Applicant: | Brandon Dole, Scott Edwards Architecture |
| Owner: | Sunset Empire Park and Recreation District |
| Location: | 1120 Broadway St., Seaside OR 97138 |
| Major Street Access: | Broadway St./HWY 101 |
| Parcel Number(s) & Size: | T6-R10-22BB04700 Approximately 5 Acres |
| Parcel Zoning: | Medium Density Residential (R-2), General Commercial (C-3) |
| Adjacent Zoning: | Medium Density Residential (R-2), General Commercial (C-3) |
| Current Use of Parcel: | Former Middle School |
| Adjacent Uses: | Single-Family Residential, Public Park |
| 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 Sunset Empire Park and Recreation District (SEPRD) for a chance of use of the building that is the former Broadway Middle School to a Public Recreation Facility.

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 Plans**

Location: 1120 Broadway St., Seaside OR 97138, (T6-R10-22BB04700)



Mary R. Flory, Planning & Development Director
jflory@cityofseaside.us
989 Broadway, Seaside, OR 97138
(503) 738-7100

C. Background:

This applicant’s approximate 5-acre property is located on Broadway at the intersection of Hwy 101 and contains the building formerly known as Broadway Middle School. SEPRD purchased the property in 2021 with the intention of turning it into the Sunset Recreation Center (SRC).

The SRC will be located adjacent to the public swimming pool, Broadway Park, and athletic fields used by the Seaside School District and other local sports teams.

D. Required Dates:

This application was accepted as complete on November 7, 2023. The 120-day decision timeframe is March 6, 2024 however, the applicant waived the 120-day decision timeframe in order to obtain more information on trips generated due to the change of use for ODOT.

E. Specific Request:

A conditional use request by Sunset Empire Park and Recreation District (SEPRD) for a chance of use of the building that is the former Broadway Middle School to a Public Recreation Facility.

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.

G. Community Review:

Notice of this public hearing was published in the Daily Astorian on February 15, 2024. Additionally, a mailed notice was sent on February 14, 2024, to all property owners within 100 feet of the subject property.

H. Written Comments:

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

I. Comprehensive Plan:

The applicant’s property is located within the medium-density residential and general commercial land use designation. The property borders residential neighborhoods and is located along Hwy 101 with some adjacent commercial uses.

Section 6.0 states “As the city grows and expands, it is necessary to expand community facilities to meet future needs. Most of these future needs can be met, or are being met, by expansion of the existing facilities at their present locations.” The proposed Sunset Recreation Center is adjacent to the swimming pool operated by the Parks District as well as a sports complex that is under city ownership but managed by SEPRD and the Seaside School District. The expansion of this park and athletic facility, as an entire complex, is in line with the policies of the Comprehensive Plan.

Additionally, Section 6.0 states “Family day care centers are an important aspect of community facilities from the standpoint of enabling people time and freedom to work at jobs which benefit the local economy and pursue other interests.” SEPRD intends to

operate, or make space available, for a child care/afterschool care program that is beneficial to our residents and local economy.

J. 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 approximate 5-acre facility will be an extension of the existing swimming pool and athletic facility already operated by SEPRD. The lot size will not change however its location adjacent to the swimming pool and other property maintained by SEPRD will create a campus-like facility with both indoor and outdoor recreational opportunities.*
- 2. Limiting the height of buildings.** *Finding: The applicant is not proposing any alterations to the height of the existing building.*
- 3. Controlling the location and number of vehicle access points.** *Finding: The existing access points will be maintained with a reconfiguration of the parking lot on the west side of the building to accommodate additional parking. Currently, the SRC has access to parking from Broadway St. to the south and Hwy 101 to the west. Additional parking is available as this proposal is incorporated into an SEPRD campus with additional parking lots nearby.*
- 4. Increasing the street width.** *Finding: No streets are proposed.*
- 5. Increasing the number of required off-street parking spaces.** *Finding: The applicant's parking analysis shows a total of 131 spaces required for their day-to-day operation. The mixed uses within the facility include business/office use, preschool, classrooms, and exercise space. The applicant's parking exhibits show the reconfiguration of the west and north lots of the SRC to include a total of 150 parking spaces. The proposal includes an analysis of a campus-wide development that would add additional parking spaces from Broadway Park, the Bob Chisholm Center, and the Mary Blake Playhouse as overflow parking for events and other uses that occur throughout the year. The reconfiguration of the parking lots will also provide overflow parking for high school football games and other events that take place at Broadway Field.*
- 6. Limiting the number, size, location, and lighting of signs.** *Finding: No signage is proposed.*
- 7. Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.** *Finding: The applicant's*

property already has fencing separating the SRC from adjacent properties. No new fencing or screening is proposed.

- 8. Designating sites for open space.** *Finding: The applicant's proposal incorporates the SRC into an already-developed sports campus with existing athletic fields, a skate park, a swimming pool, outdoor picnic areas, and outdoor playground equipment. No further open space is being proposed. However, the SRC will potentially house locker rooms and other indoor facilities necessary for the adjacent outdoor uses.*

K. Additional Findings and Justifications:

1. The applicant's submitted justification is adopted by reference and summarized below:

The applicant's proposal to incorporate an indoor recreation center into a campus-wide sports complex containing a football field, baseball and softball fields, open picnic areas, a kayak launch, a skate park, and playground equipment is complimentary to the existing outdoor uses. Adding an indoor recreation center will provide gym space, locker rooms, and other indoor opportunities that are needed within the community.

2. The existing school campus has a vegetated and landscaped buffer along Hwy 101 and Broadway St. The existing landscaping will remain unchanged with the redevelopment of the parking area.
3. SEPRD will commission a Traffic Impact Analysis (TIA) conducted by a traffic engineer to determine potential mitigation opportunities for pedestrian, bicycle, and vehicular traffic circulation surrounding the site. The engineer has recommended waiting until late spring or early summer for a more accurate study.

L. Conclusion:

The ordinance 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.

M. Recommended Conditions:

Condition 1: Minor modifications to the applicant's proposed plan must be reviewed and approved by the Community Development Director. These could be required to comply with other code issues applicable to the request or reduce impacts to the neighboring properties. Any major changes or conflicts over a proposed modification will be reviewed with the Planning Commission before any final approval.

Condition 2: The applicant's final development plans must show that all exterior lighting fixtures will be designed to eliminate glare in accordance with the City's outdoor lighting ordinance.

Condition 3: The applicant has not submitted a plan for future signage for the SRC. Future signage will be consistent with the City's adopted sign ordinance.

Condition 4: SEPRD will work with other partners in the SRC/Broadway Field site to implement the recommended mitigations that may be identified in the future Traffic Impact Analysis that will be conducted by the applicant's traffic engineer.

N. 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.

Alternative 1:

The Planning Commission may choose to continue this request to the regularly scheduled April 2, 2024, 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 recommendations of staff are not binding on the Planning Commission and may be altered or amended during the public hearing.

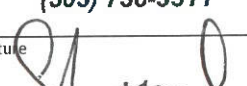



Community Development Land Use Application

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

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

| Applicant Information: | | | | | | |
|---|--------------|---|------------|--------------|-------------|----------|
| Name of Applicant | | Address | | | | Zip Code |
| Brandon Dole, Scott Edwards Architecture | | 2525 E Burnside St, Portland, OR 97214 | | | | |
| Street Address or Location of Property | | | | | | |
| 1120 Broadway St, Seaside, OR 97138 | | | | | | |
| Zone | Overlay Zone | Township | Range | Section | Tax Lots | |
| R2 /C3 | 4700 | 6N | 10W | 22 BB | 4700 | |

| Owner: | Applicant/Representative Other than Owner: |
|---|---|
| Name Sunset Empire Park & Recreation District | Name of Applicant/Representative Brandon Dole, Scott Edwards Architecture |
| Address 1140 Broadway St, Seaside, OR 97138 | Address 2525 E Burnside St, Portland, OR 97214 |
| Phone (503) 738-3311 | Phone (503) 226-3617 |
| Signature  | Signature  |

Proposed Use: *Public Recreation Facility*

Existing Use: *Junior (Middle) School*

Site Plan: *Site Plan and CUP Narrative are attached.*

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

| Specific of Request: | | | |
|---|---|--|--|
| <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"/> Appeal |
| <input type="checkbox"/> Minor Partition | <input type="checkbox"/> Setback Reduction | <input type="checkbox"/> Variance | <input type="checkbox"/> |

| For Office Use Only | |
|--|--|
| Application Received: 09/25/23 | File Number: 769-23-000075 |
| Application Deemed Complete: 11/07/23 | 120-Day Decision: 03/06/24 |
| Staff Decision (Type 1) <input type="checkbox"/> | PC Decision (Type 2) <input checked="" type="checkbox"/> |



Community Development

Conditional Use – Type 2

In certain districts, conditional uses may be permitted subject to the granting of a Conditional Use Permit. Because of their unusual characteristic, 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 Director 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 Director 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 Director will make a determination concerning a conditional use based on the applicant's justification of the following statements or questions. The applicant must provide sufficient information to the following statements or questions for this application to be accepted as complete.

1. What is the scope of your project?

The Sunset Empire Park and Recreation District (SEPRD) is requesting a change of occupancy to convert the former Broadway Middle School into a public recreation facility the Sunset Recreation Center.

In October of 2022, SEPRD submitted a commercial building permit application for the change of use. The application has been reviewed and approved by the Seaside Building Department and Fire Marshal's Office. The change of use application requires a Conditional Use Application under the City of Seaside municipal code section 6.032 that states "in the case of a use existing prior to the effective date of this Ordinance and classified in the Ordinance as a conditional use, any change in use or in lot area or an alteration of structure shall confirm with the requirements for conditional use.

2. What is the proposed use in the zone?

The proposed use is a Public Recreation Facility that will include offices, preschool, cafeteria and gymnasiums.

3. How will the development conform to the general development standards in the Seaside Zoning Ordinance and the specific standards in the zone?

Responses to the applicable development standards of the Seaside Zoning Ordinance are included in the attached SEPRD Code Analysis.

4. How will the development meet any of the applicable standards in [Article 6](#) of the Seaside Zoning Ordinance?

Responses to the applicable development standards in Article 6 of the Seaside Zoning Ordinance are included in the attached SEPRD Code Analysis.

5. 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.

SEPRD maintains and manages their facilities through an Inter-Government Agreement (IGA) with the City of Seaside and the Seaside School District. SEPRD is committed to working with it's IGA partners and neighbors in bringing recreation services to the Seaside community.

6. 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.) ***See attached application material.***

Attach Additional Sheets if Necessary

September 22, 2023

ATTN:
Planning Division
City of Seaside
1387 Avenue U
Seaside, OR 97138

RE: Conditional Use Permit Application: SEPRD Site

Dear, Jeff Flory

Following please see our submission for the Conditional Use Permit for parking at the SEPRD. As part of the application for the occupancy change, we have been notified that a Conditional Use Permit will be required. We are providing the following narrative for the change in occupancy.

We look forward to hearing from you. Please let us know if you require any additional information to begin processing the request.

Sincerely,



Brandon Dole
Project Manager
SCOTT | EDWARDS ARCHITECTURE, LLP.

SEPRD Code Analysis

Applicable Sections :

Article 3 Use Zones

3.080 C-3 Commercial, General

3.0.0 R-2 Residential Medium Density

Article 4 Supplemental Provisions

4.020 – 4.021 Access Requirements

4.023 Landscaping Requirements Adjacent to U.S. Highway 101

4.027 Sidewalk and Recreation Trails

4.050 Clear Vision Areas and Fences

Section 4.051 Fence Requirements

4.100 Off-Street Parking Requirements

4.160 Standards for Shoreland Development

Article 6 Conditional Uses

6.250 Similar Use

Article 3: USE ZONES

Section 3.030 R-2 Residential Medium Density

Section 3.080 C-3 Commercial General

The site is comprised by two lots with different zoning designations. The property under the school building is zoned R2 (Residential Medium Density). The property under the parking area is zoned C3 (Commercial, General) (See attached diagrams). Both R2 and C3 zones allow for schools. The description for C3 Zones allows for Conditional Uses that are Similar Uses (See section 3.083 Conditional Uses Permitted, note 13 for Similar Uses Section 6.250).

Article 4: SUPPLEMENTARY PROVISIONS

Section 4.020 – 4.021 Access Requirements

The Planning Commission will do a site review of all proposed developments on or adjacent to Highway 101 to consider impacts of the development on the traffic carrying capacity and safety of U.S. 101. The city and the State Highway Division shall cooperate to reduce traffic congestion along U.S. 101 through:

1. The requirements that new uses access onto side streets whenever possible; and
2. Widening or relocation of street rights-of-way, particularly in the south part of the city.

Applicant Response:

All access points are existing. No changes are proposed.

Section 4.023 Landscaping Requirements Adjacent to U.S. Highway 101

The Planning Commission will do a site review of all proposed developments on or adjacent to Highway 101 to assure that adequate landscaping is provided to buffer the development from the highway. As a minimum requirement, an average of a 10-foot strip of landscaping adjoining the highway right-of-way will

be provided. A landscape plan and time schedule for the implementation of the plan will be submitted as a part of the application to the Planning Commission

Applicant Response:

All landscaping is existing. No work is being done along this border.

Section 4.027 Sidewalk and Recreation Trails

Developers shall include and construct the portion of the proposed bike or hiking routes that run through or along the new development property as shown on the City's Comprehensive Plan Transportation Plan Maps. In land division and partitioning approval actions, the Planning Commission may waive the requirement for sidewalks where a bike and/or foot path system would be continued and would be more appropriate for pedestrians and bicycling transportation.

Applicant Response:

No proposed sidewalk modifications under the change of use permit.

Section 4.050 Clear Vision Areas and Fences

A clear vision area shall be maintained on the corners of all property at the intersection of two streets or a street and a railroad.

1. A clear vision area shall consist of a triangular area in all zones, two sides of which are street lot lines and the third side of which is a line across the corner of the lot connecting the ends of the other two sides. The length of the two sides of the clear vision area shall be twenty feet (20') from the intersection of the two street lot lines, or ten feet (10') at intersection which includes an alley.

Applicant Response:

This property is not at the intersection of two streets

Section 4.051 Fence Requirements

In all zones, fences shall be governed by the following requirements:

1. Maximum height of fences in residential zones within the required yard area shall be six feet (6') on the side and rear yards. Maximum height of fences within the required front yard setback area shall be three feet (3'). Open wire fences may have a maximum height of six feet (6').
2. In commercial zones, fence heights greater than six feet (6') may be allowed by the Planning Commission where it is shown that a valid need exists.
3. Barbed wire fences shall not be allowed except for special uses such as vandal proofing top sections in utility substations or storage yards, livestock fencing in an EFU zone, and similar uses as may be determined by the Planning Commission.
4. Fences shall be constructed of lumber, metal, or other standard fencing materials and shall be of conventional design unless it is determined by the Planning Commission that an alternative design is deemed acceptable.
5. Fence height shall be measured from ground level surrounding the fence, except in a clear vision area where the fence shall be measured from the adjoining average street grade. The foregoing provision on clear vision areas shall not apply in places where the contour of the ground is such that there can be no cross visibility at the intersection.

6. Plantings, hedges, and trees in the required yard area used as a fence or wind break may be higher than the allowed limits in the rear or side yard provided they do not block sunlight, encroach on adjoining property, obstruct the view or create a safety hazard to adjoining property.

A. When a complaint is filed with the City Code Enforcement Officer concerning the height of a planting screen, the Code Enforcement Officer shall inspect the property and submit a report to the Planning Commission which shall rule on the applicability of this Section.

Applicant Response:

The proposed change of use does not include any new fencing. Any future fencing will be handled under a separate permit. Approved fencing already exists on site. Anywhere fencing is removed or modified it will be replaced with equivalent fencing.

Section 4.100 Off-Street Parking Requirements

Per the following parking calculations we have shown the code required count would be beyond what can be plausibly sited on the property. Alongside the parking to be added by the School District to the north of the school building for the new Softball Field, we are proposing to rework the west parking area to provide the maximum number of spaces. Additionally, considering the Intergovernmental agreement between the entities, SEPRD and City, and School district, the entire site from Highway 101 east to the river and including the Mary Blake Playhouse and the Bob Christholm Community Center to the south, the SEPRD will function as a campus. This will provide further additional services and parking.

Section 4.102 Public and Semi-Public Buildings and Uses:

- Auditorium: One space per 60sf of floor area in the auditorium
- Preschool: One space per employee
- Gymnasium: One space per employee or one space per four seats, or eight feet of bench length in auditorium or assembly, whichever is greater.

Section 4.103 Commercial:

- Bank or Office: One space for every 400 sf of floor area, plus one space per employee

Section 4.104 Commercial Recreation:

- Dance Hall, skating rink or gymnasium:
- Exercise spaces: One space per 50s.f. of patron area, plus one space per employee.

SEPRD Staffing:

Staff: 2 full time, 20 part time

SRC Areas:

- Storage: Area not included in area calc for parking
- Other: Area not included in area calc for parking
- Circulation: Area not included in area calc for parking
- Restrooms / Locker: Area not included in area calc for parking
- Kitchen: Area not included in area calc for parking

Gymnasium 1&2: Areas not included in area calc for parking.
Occupancy load is included under Classroom areas.

Cafeteria: Area not included in area calc for parking

| | | | |
|--------------------|----------|--------------------|----------------------------|
| Business / Office: | 11,938sf | 11,938sf / 400sf = | 30 +5 staff = 35 spaces |
| Preschool: | 6,484sf | 10 Staff = | 10 spaces |
| Classrooms: | 8,228sf | 8,228sf / 400 = | 21.0 +10 staff = 31 spaces |
| Exercise: | 2,611sf | 2,611 / 50 = | 53 + 2 staff = 55 spaces |

TOTAL SPACES REQUIRED: 131 spaces

Total Existing Parking Count: (See Diagram)

West Lot: 78 spaces
Total Spaces: 78 spaces

Total Proposed Parking Count: (See Diagram)

North Lot: 38 spaces
West Lot: 112 spaces
Total Spaces: 150 spaces

Other Parking on SEPRD Campus:

Broadway Park: 56 spaces
 Mary Blake Playhouse: 2 spaces
 Bob Chrisholm Community Center:
 Parking 24 spaces
 Field Parking south of Bob Center 18 spaces

TOTAL ADDITIONAL SPACES: 100 spaces

TOTAL CAMPUS SPACES: 250 spaces

Section 4.129 Parking Lots of Ten or More Spaces.

For parking lots of 10 spaces or more, no more than 30-percent can be designed for compact cars without Planning Commission review. If more than 30-percent of the spaces are compact, the parking design is subject to Planning Commission review. In no case shall compact spaces exceed 60-percent of the total spaces required.

See proposed parking diagram. The Compact Car parking space count of 38 spaces is less than 30% of the total spaces.

Section 4.160 Standards for Shoreline Development

Section 4.161 Protection of Riparian Vegetation.

1. Riparian vegetation as mapped on the 1:400 photo contour maps entitled "Significant Wetland and Upland Biological Habitat" on file at the City of Seaside and hereby incorporated by reference, shall be maintained except where direct access for a water dependent use is required.
2. Riparian vegetation has been identified on the above mentioned maps as a zone twenty five feet (25') wide from the shoreline of coastal lakes, river, estuaries, and significant wetland habitat.

This site is not adjacent to a wetland or Biological Habitat. This is an existing building. No major modifications will impact Riparian Vegetation.

Article 6: CONDITIONAL USES

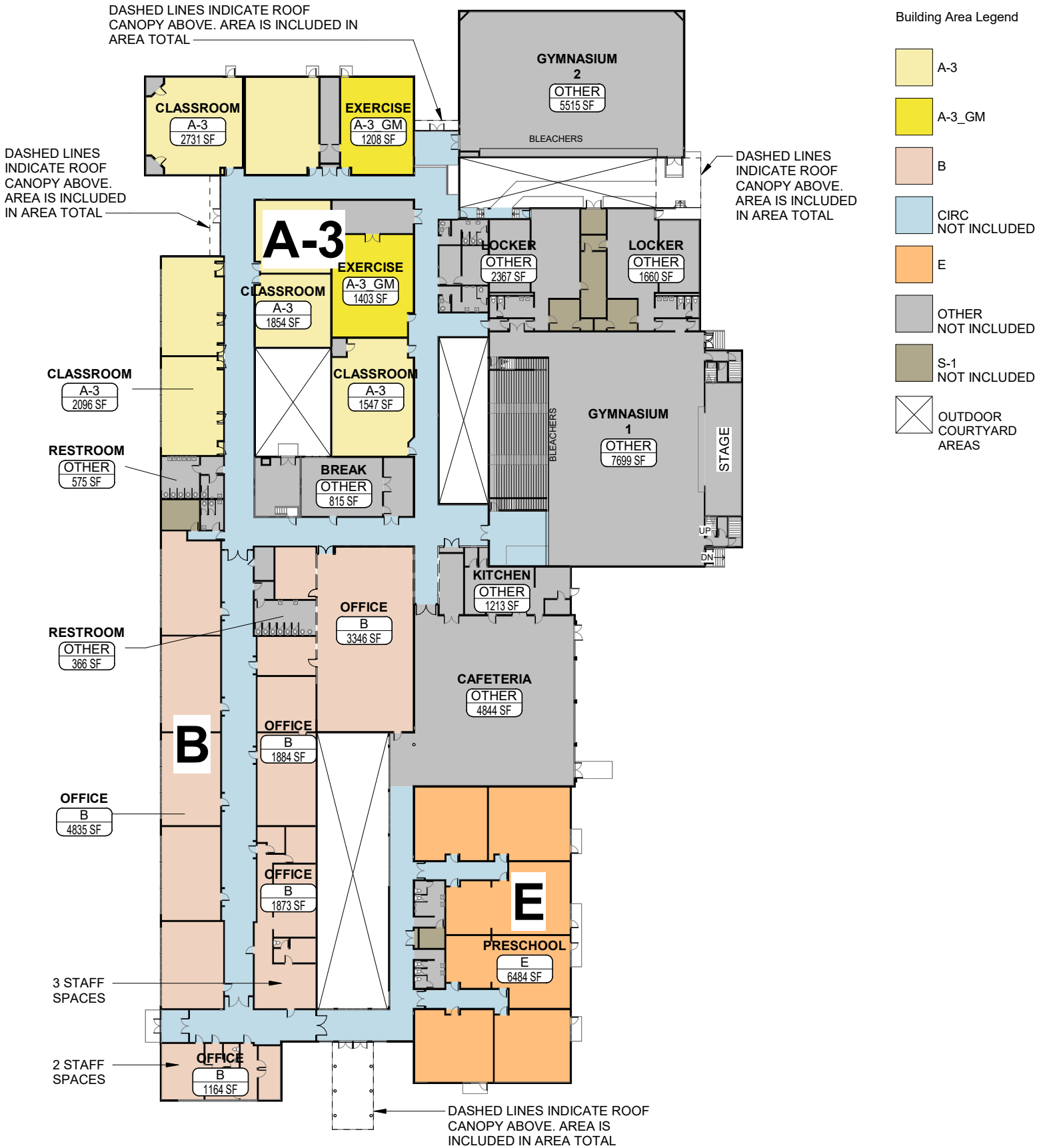
Section 6.250 Similar Use

The Similar Use process is intended to only allow those uses or activities that are similar to uses or activities specifically listed in the zone. This process is not intended as a means of bypassing the text amendment process when such process is appropriate nor is it intended to allow uses or activities that are not compatible with the Purpose of the zone. A similar use must comply with the following:

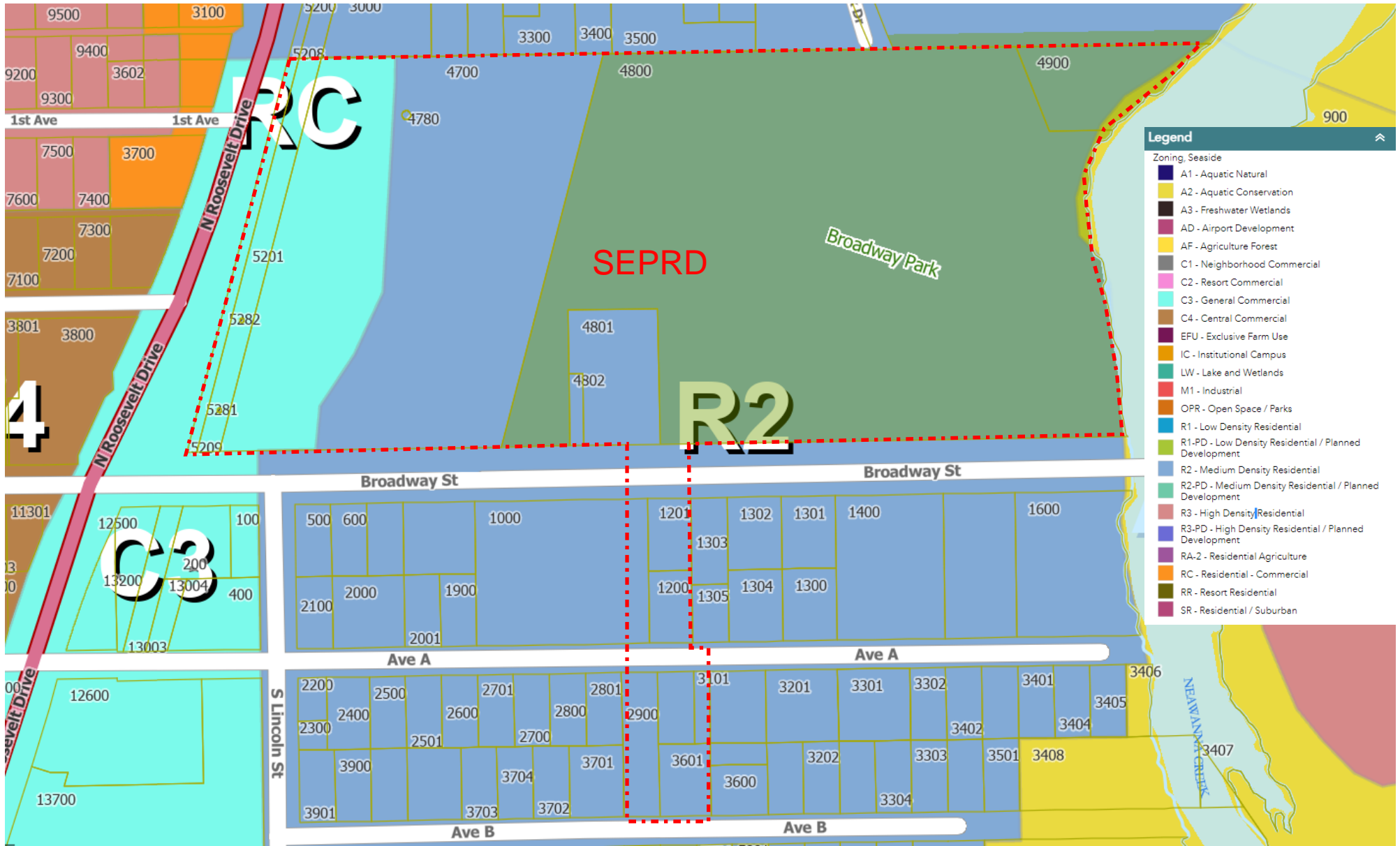
1. The proposed use or activity is similar in nature to a specific use or activity listed in the zone.
2. The impact of the proposed use or activity is not greater than what would likely be created by the specific use for which the proposed use or activity is similar.
3. The proposed use is consistent with the Purpose statement of the zone. The reviewing body may impose conditions deemed necessary to assure the use or activity complies with the purpose of the zone and is compatible with adjacent uses and activities.

The proposed Rec Center uses are arguably *similar* with the [Preschool, Cafeteria, Gymnasiums, Classrooms, and Offices](#) and as stated in the Land Use application, the proposed use will have a lower load of occupants than the previous school use.

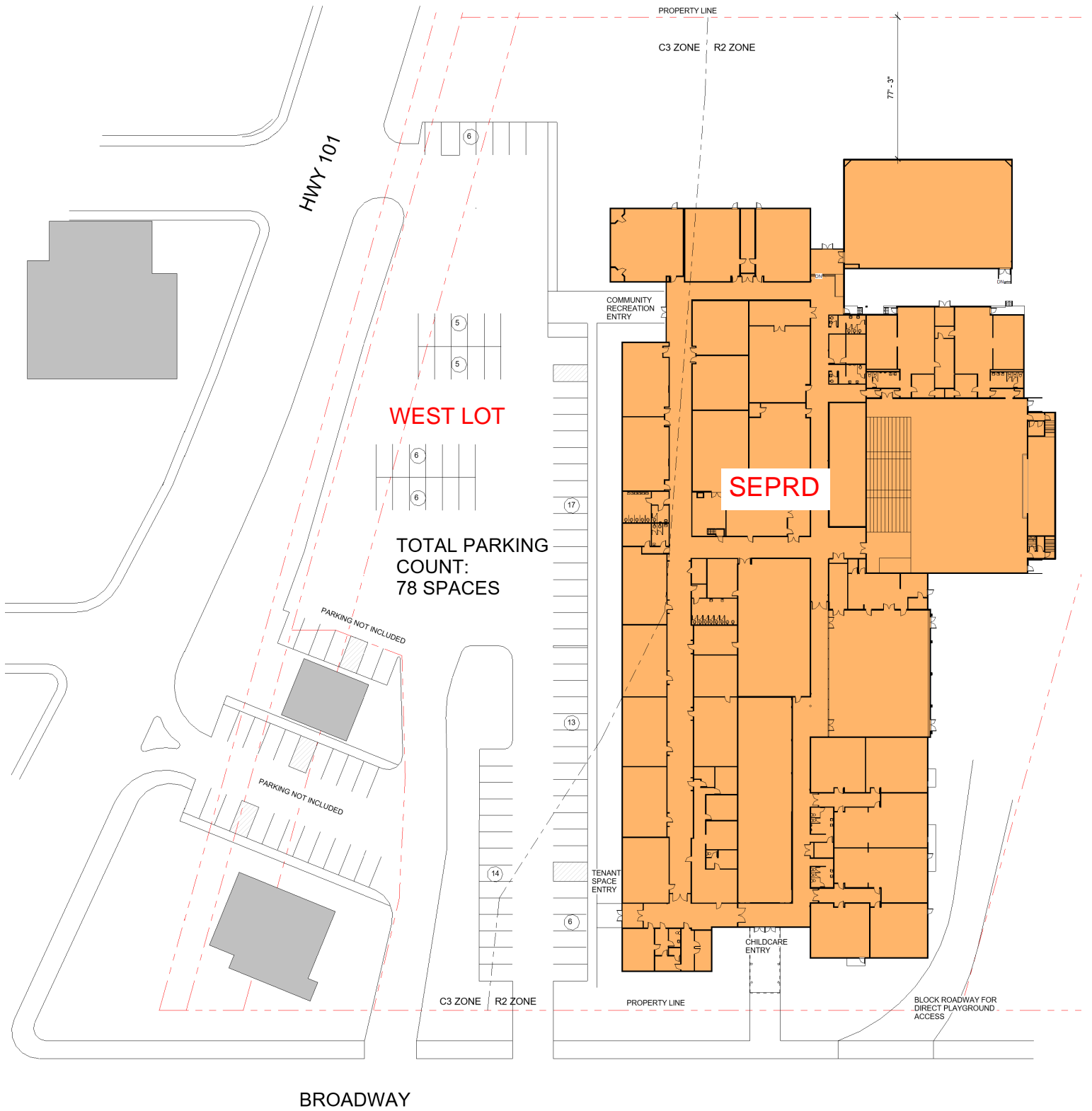
SEPRD / SRC OCCUPANCY - AREA DIAGRAM



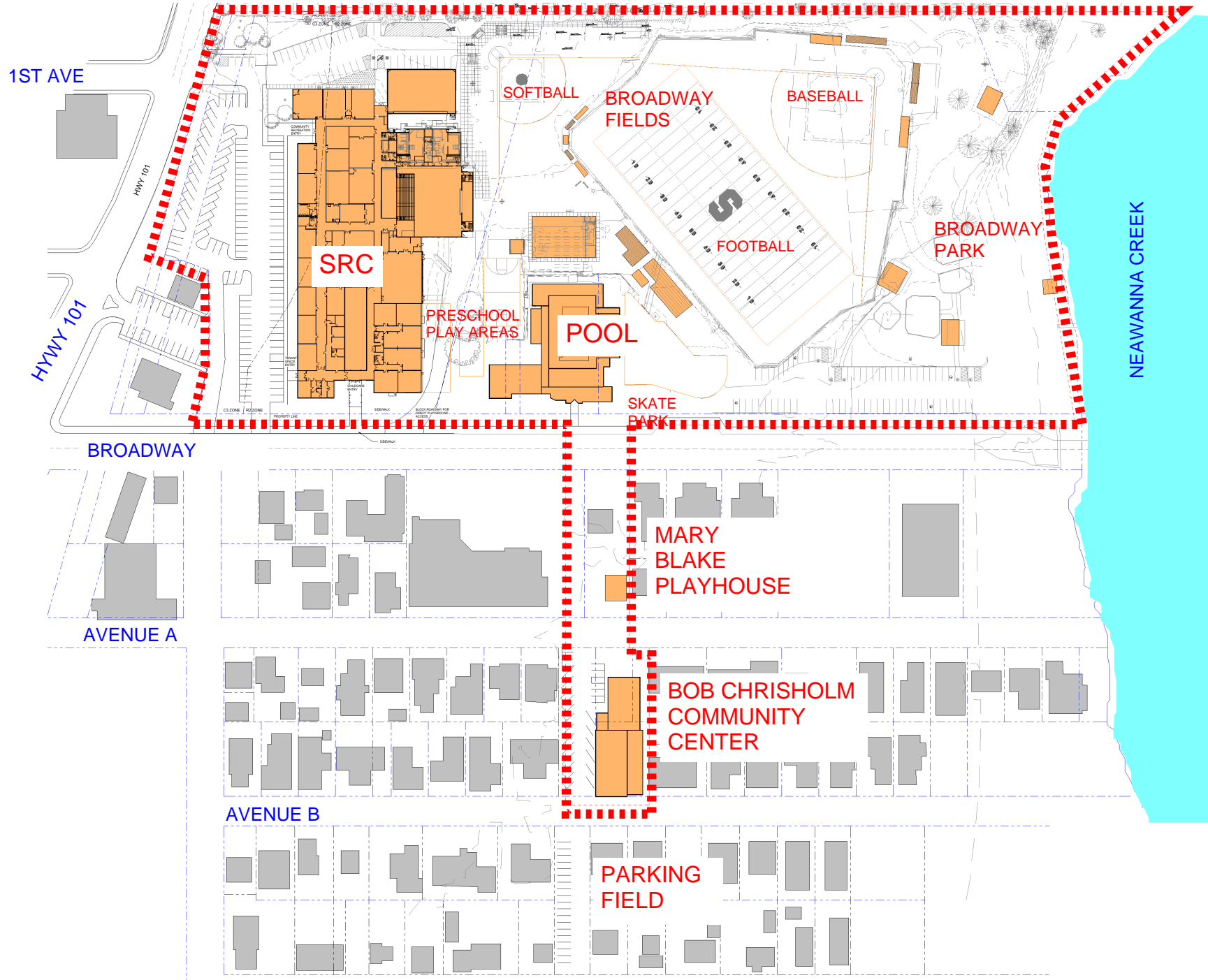
SEPRD AREA ZONING MAP



EXISTING SITE PLAN AND PARKING



SEPRD CAMPUS MAP





Digitally signed by Sid Scott
Date: 2023.03.21 17:15:02-0700'

SEPRD RECREATION FACILITY

Job Number: 21097

1120 BROADWAY ST
SEASIDE, OR 97138

| GENERAL PROJECT NOTES | PROJECT TEAM | PROJECT SUMMARY | SHEET INDEX | | | | | | | | | | | | | | | | | | | | |
|---|---|---|--|---------|------------|----------------|--|-------|-----------------------------|-------|--------------|-------|-------------------------|----------------------|--|-------|--|-------|------------|-------|-----------|-------|------------------|
| <p>REFER TO OWNER-CONTRACTOR AGREEMENT FOR GENERAL CONDITIONS. WHERE THERE IS A CONFLICT BETWEEN THE CONTRACT AND NOTES HEREIN, THE CONTRACT TAKES PRECEDENCE.</p> <ol style="list-style-type: none"> GENERAL CONTRACTOR IS RESPONSIBLE FOR THE FULL SET OF CONSTRUCTION DOCUMENTS, INCLUDING BUT NOT LIMITED TO DRAWINGS, SPECIFICATIONS, AND ADDENDA. THE CONTRACTOR SHALL FIELD VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO ANY WORK AND SHALL BE RESPONSIBLE FOR ALL WORK AND MATERIALS INCLUDING THOSE FURNISHED BY SUBCONTRACTORS. DIMENSIONS TAKE PRECEDENCE OVER DRAWINGS. DO NOT SCALE DRAWINGS TO DETERMINE ANY LOCATIONS. THE ARCHITECT SHALL BE NOTIFIED OF ANY DISCREPANCY PRIOR TO CONTINUING WITH WORK. GENERAL CONTRACTOR SHALL KEEP THE CONSTRUCTION SITE IN A BROOM CLEAN CONDITION AT ALL TIMES DURING THE PROJECT. THE CONTRACTOR SHALL REPORT TO THE ARCHITECT ANY ERRORS, INCONSISTENCIES OR OMISSIONS HE OR SHE MAY DISCOVER. BRING UNFORSEEN CONDITIONS TO ATTENTION OF ARCHITECT UPON DISCOVERY AT ANY POINT. THE MEANS OF CORRECTING ANY ERROR OR UNFORSEEN CONDITION SHALL FIRST BE APPROVED BY THE ARCHITECT. ALL REQUIRED CITY AND/OR COUNTY LICENSE SHALL BE ACQUIRED AND PAID FOR BY THE INDIVIDUAL TRADE. THE ARCHITECT WILL REVIEW SHOP DRAWINGS AND SAMPLES FOR CONFORMANCE WITH THE DESIGN CONCEPT OF THE PROJECT. THE ARCHITECT'S REVIEW OF A SEPARATE ITEM SHALL NOT INDICATE APPROVAL OF AN ASSEMBLY IN WHICH THE ITEM FUNCTIONS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES WHETHER SHOWN HEREIN OR NOT AND TO PROTECT THEM FROM DAMAGE. THE CONTRACTOR SHALL BEAR ALL EXPENSES OF REPAIR OR REPLACEMENT OF UTILITIES OR OTHER PROPERTY DAMAGED BY OPERATIONS IN CONJUNCTION WITH THE EXECUTION OF THE WORK. CITY APPROVED PLANS SHALL BE KEPT IN A SECURE PLACE AND SHALL NOT BE USED BY WORKERS. THE CONTRACTOR SHALL BE RESPONSIBLE THAT ALL SUBCONTRACTORS' CONSTRUCTION SETS REFLECT THE SAME INFORMATION. THE CONTRACTOR SHALL ALSO MAINTAIN, IN GOOD CONDITION, ONE COMPLETE SET OF STAMPED CITY APPROVED PLANS WITH ALL REVISIONS, ADDENDUMS, AND CHANGE ORDERS ON THE PREMISES AT ALL TIMES. THESE ARE TO BE UNDER THE CARE OF THE JOB SUPERINTENDENT AND MUST BE MADE AVAILABLE TO BUILDING AND FIRE INSPECTIONS FOR REFERENCE DURING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETE SECURITY OF THE SITE WHILE THE JOB IS IN PROGRESS AND UNTIL JOB COMPLETION. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO ENSURE THE SAFETY OF THE OCCUPANTS AND WORKERS AT ALL TIMES. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS AND METHODS AND SHALL MAINTAIN THE STRUCTURAL INTEGRITY OF ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR AND SHALL REPLACE OR REMEDY ANY FAULTY, IMPROPER, OR INFERIOR MATERIALS OR WORKMANSHIP WHICH SHALL APPEAR WITHIN ONE (1) YEAR AFTER THE COMPLETION AND ACCEPTANCE OF THE WORK UNDER THIS CONTRACT. CONTRACTOR TO PROVIDE BACKING OR BLOCKING AS REQUIRED FOR MOUNTING ALL WALL MOUNTED SHELVES, EQUIPMENT, ACCESSORIES, CABINETS, ETC. CONTRACTOR TO PROTECT ALL TREES AND ROOTS NOT SLATED FOR REMOVAL DURING CONSTRUCTION. GENERAL CONTRACTOR RESPONSIBLE FOR MAINTENANCE OF STAGING AREA AND TO ENSURE THAT MATERIALS DELIVERY AND STORAGE DOES NOT INTERFERE WITH DAILY OPERATION OF ADJACENT PROPERTIES OR PUBLIC RIGHT OF WAY. GENERAL CONTRACTOR RESPONSIBLE FOR CONSTRUCTION STAGING. A SEPARATELY PREPARED PERMIT COMMENT STUDY DOCUMENT ANALYZING THE EXISTING CONDITIONS FOR FIRE SUPPRESSION, FIRE ALARM, AND MECHANICAL SYSTEMS WITHIN THE BUILDING HAS BEEN GENERATED BY THE MECHANICAL ENGINEER. | <p>OWNER SUNSET EMPIRE PARK AND REC DISTRICT 1140 BROADWAY ST SEASIDE, OR 97138 TEL: 503.738.3311 FAX: 503.738.3284 CONTACT: SKYLER ARCHIBALD EMAIL: SARCHIBALD@SUNSETEMPIRE.COM</p> <p>ARCHITECT SCOTT EDWARDS ARCHITECTURE, LLP 2525 E. BURNSIDE STREET PORTLAND, OREGON 97214 TEL: 503.226.3617 FAX: 503.226.3715 CONTACT: BRANDON DOLE EMAIL: BDOLE@SEALLP.COM</p> <p>MECHANICAL ENGINEER INTERFACE ENGINEERING, INC 100 SW Main St #1600, Portland, OR 97204 TEL: 503.382.2266 CONTACT: JIM MCLELLAND</p> | <p>PROJECT DESCRIPTION: THE PROJECT REQUESTS A CHANGE IN OCCUPANCY, MINOR IMPROVEMENTS TO EXISTING WALLS AND DOORS. NO CHANGE IN BUILDING AREA OR HEIGHT. 74,485 SQ FT, 5 ACRE SITE</p> <p>PROJECT ADDRESS: 1120 BROADWAY ST, SEASIDE, OR 97138</p> <p>TAX MAP: # 61022B804700</p> <p>ZONING: R2 (MEDIUM DENSITY RESIDENTIAL)</p> | <table border="1"> <thead> <tr> <th>SHEET #</th> <th>SHEET NAME</th> </tr> </thead> <tbody> <tr> <td colspan="2">GENERAL</td> </tr> <tr> <td>G0.01</td> <td>GENERAL PROJECT INFORMATION</td> </tr> <tr> <td>G1.01</td> <td>CODE SUMMARY</td> </tr> <tr> <td>G2.11</td> <td>FIRST FLOOR EGRESS PLAN</td> </tr> <tr> <td colspan="2">ARCHITECTURAL</td> </tr> <tr> <td>A0.01</td> <td>ARCHITECTURAL GENERAL NOTES AND DIAGRAMS</td> </tr> <tr> <td>A0.20</td> <td>ASSEMBLIES</td> </tr> <tr> <td>A1.01</td> <td>SITE PLAN</td> </tr> <tr> <td>A2.11</td> <td>FIRST FLOOR PLAN</td> </tr> </tbody> </table> | SHEET # | SHEET NAME | GENERAL | | G0.01 | GENERAL PROJECT INFORMATION | G1.01 | CODE SUMMARY | G2.11 | FIRST FLOOR EGRESS PLAN | ARCHITECTURAL | | A0.01 | ARCHITECTURAL GENERAL NOTES AND DIAGRAMS | A0.20 | ASSEMBLIES | A1.01 | SITE PLAN | A2.11 | FIRST FLOOR PLAN |
| SHEET # | SHEET NAME | | | | | | | | | | | | | | | | | | | | | | |
| GENERAL | | | | | | | | | | | | | | | | | | | | | | | |
| G0.01 | GENERAL PROJECT INFORMATION | | | | | | | | | | | | | | | | | | | | | | |
| G1.01 | CODE SUMMARY | | | | | | | | | | | | | | | | | | | | | | |
| G2.11 | FIRST FLOOR EGRESS PLAN | | | | | | | | | | | | | | | | | | | | | | |
| ARCHITECTURAL | | | | | | | | | | | | | | | | | | | | | | | |
| A0.01 | ARCHITECTURAL GENERAL NOTES AND DIAGRAMS | | | | | | | | | | | | | | | | | | | | | | |
| A0.20 | ASSEMBLIES | | | | | | | | | | | | | | | | | | | | | | |
| A1.01 | SITE PLAN | | | | | | | | | | | | | | | | | | | | | | |
| A2.11 | FIRST FLOOR PLAN | | | | | | | | | | | | | | | | | | | | | | |
| | | <p>SEPARATE PERMITS AND DEFERRED SUBMITTAL BIDDER DESIGN ITEMS</p> <p>CONTRACTOR SHALL PROVIDE DESIGN, ENGINEERING, FURNISHING AND INSTALLATION OF A COMPLETE, FUNCTIONING SYSTEM(S) BASED ON THE SCHEMATIC LAYOUT SHOWN ON THE ARCHITECTURAL DRAWINGS, DESCRIBED HEREIN AND IN COMPLIANCE WITH PREVAILING CODE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FINAL ORDERING OF ALL DEVICES AND FIXTURES TO ENSURE PROPER OPTIONS, ACCESSORIES AND CONFIGURATIONS. CONTRACTOR SHALL PROVIDE COMPLETE DESIGN AND DOCUMENTATION AS REQUIRED FOR SUBMISSION TO, AND APPROVAL OF ARCHITECT, OWNER, AND GOVERNING BUILDING DEPARTMENT.</p> <p>UPON COMPLETION OF REVIEW BY THE ARCHITECT OR ENGINEER OF RECORD, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ROUTING DOCUMENTS TO PERMIT AGENCY FOR PLANS REVIEW AND PAYING ANY PLANS CHECK AND PERMIT FEES.</p> <p>DEFERRED SUBMITTALS:</p> <ol style="list-style-type: none"> MODIFICATIONS TO THE EXISTING FIRE SPRINKLER SYSTEM MODIFICATIONS TO THE EXISTING FIRE DETECTION AND ALARM SYSTEM MODIFICATIONS TO THE EXISTING MECHANICAL AND ELECTRICAL SYSTEMS | | | | | | | | | | | | | | | | | | | | | |
| | | <p>REQUIRED FIRE & LIFE SAFETY IMPROVEMENTS</p> <p>THE FOLLOWING IMPROVEMENTS ARE REQUIRED TO BRING THE EXISTING BUILDING INTO COMPLIANCE WITH BUILDING CODE REQUIREMENT.</p> <ol style="list-style-type: none"> INSTALL NEW EXIT SIGNAGE DEVICES AS SHOWN IN THE FIRE LIFE SAFETY PLAN PROPOSED CONDITIONS (2IG.11) AND THE FIRST FLOOR PLAN (1IA2.11). INSTALL NEW (2) EGRESS DOORS AND DOOR FRAME AT GYM ONE. NEW DOORS ARE REQUIRED TO MEET THE REQUIRED EGRESS WIDTH. INSTALL NEW (4) EGRESS DOORS AND DOOR FRAME AT CLASSROOM 7 AND 8. THE EXISTING DOORS ARE TO BE REMOVED AND INFILL OPENING IN WALL. NEW DOORS ARE REQUIRED TO PROVIDE TWO EXITS FROM THESE SPACES. PER SECTION 508.4, A ONE HOUR SEPARATION IS REQUIRED BETWEEN THE PROPOSED B OCCUPANCY AND A & E OCCUPANCIES. PROVIDE A ONE HOUR NON-BARRIER FIRE PARTITION AS SHOWN IN THE FIRE LIFE SAFETY PLAN PROPOSED CONDITIONS (2IS2.11) AND THE FIRST FLOOR PLAN (1IA2.11). ALL DOORS AND DOOR FRAMES LOCATED IN THE FIRE PARTITION WALL ARE TO BE REPLACED AS INDICATED. | | | | | | | | | | | | | | | | | | | | | |
| | <p>VICINITY MAP</p> | | | | | | | | | | | | | | | | | | | | | | |



APPROVED
Reviewed for Code Compliance
by: Genesee Dennis
04/03/2023 2:51:32 PM

APPROVED
Reviewed for Code Compliance
Jerry D. Wade
State Certified Plans Examiner
OIC 2409 - 1225CAX - 4537PEF - 6038PEA
03/29/2023 8:58:40 AM

Approved Paper Plans Must Be On Site At Time Of Inspection

| | |
|-------------------------------|------------|
| 1 PLAN CHECK | 03.20.23 |
| OCCUPANCY CHANGE PERMIT ISSUE | 10.03.2022 |
| DATE | |

Drawing:
GENERAL PROJECT INFORMATION



Digitally signed by Sid Scott
Date: 2023.03.21 17:15:07 -0700

SEPRD RECREATION FACILITY

Job Number: 21097

1120 BROADWAY ST SEASIDE, OR 97138

OCCUPANCY LEGEND

LINE OF SEPARATION BETWEEN OCCUPANCIES

EXISTING AREA IMPACTED BY CHANGE OF USE / CHARACTER

NOTE: SEE SHEET G2.11 FOR EXISTING AND PROPOSED SPACE FUNCTIONS

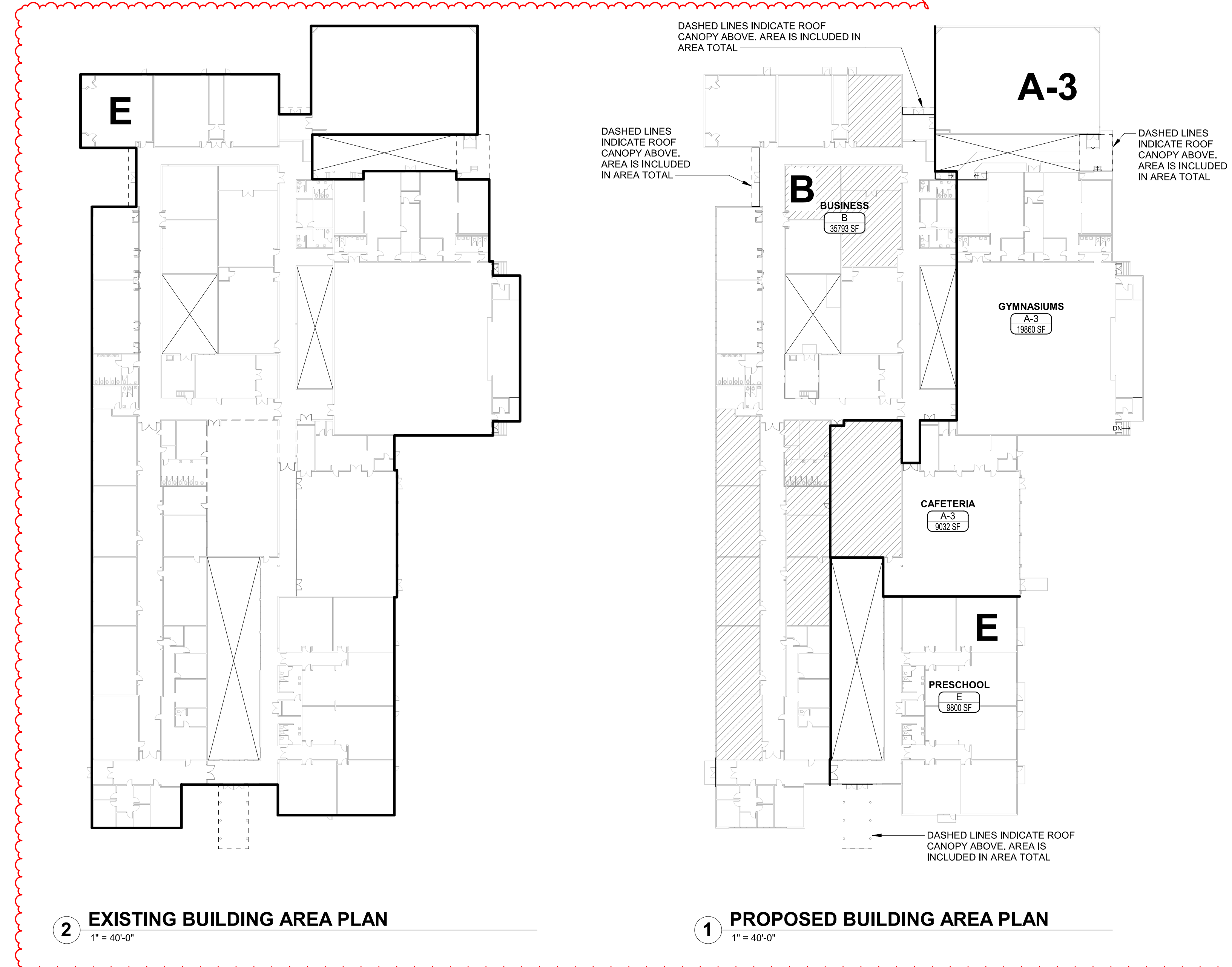
NAME (Occ, Gp, SF)

GROSS BUILDING AREA TABULATION

EXISTING OUTDOOR COURTYARD, EXCLUDED FROM GROSS AREA TABULATION

BUILDING CODE SUMMARY 2019 OREGON STRUCTURAL SPECIALTY CODE

| | | |
|--|---|--|
| OCCUPANCY | EXISTING: E (EDUCATION) PROPOSED: A-3 (ASSEMBLY), B (BUSINESS), E (EDUCATION), SEPARATED MIXED USE | |
| CONSTRUCTION TYPE | TYPE 3-B, SPRINKLERED SEPARATED | |
| CHAPTER 5: GENERAL BUILDING HEIGHTS AND AREAS | | |
| TABLE 504.3 TABLE 504.4 TABLE 506.2 | HEIGHT / STORIES / AREA FACTOR | B (BUSINESS): 75 FT / 4 STORY / 76000 SF A-3 (ASSEMBLY): 75 FT / 3 STORY / 38000 SF E (EDUCATION): 75 FT / 3 STORY / 58000 SF |
| MODIFICATIONS | | |
| SECTION 506.2.2 SECTION TITLE EQUATION 5-1 | BUILDING AREA B (BUSINESS) | Aa = Ai + (Ns x If) = 76000 SF + (19000 SF x 0.75) = 90250 SF |
| | A-3 (ASSEMBLY) | Aa = Ai + (Ns x If) = 38000 SF + (9500 SF x 0.75) = 45125 SF |
| | E (EDUCATION) | Aa = Ai + (Ns x If) = 58000 SF + (14500 SF x 0.75) = 68875 SF |
| SECTION 506.3 | FRONTAGE INCREASE | If = [F/P - 0.25] x W/30 If = [1670/1670 - 0.25] x 30/30 = 0.75 |
| | ACTUAL HEIGHT / STORIES | 37' - 0" / 1 Story |
| | ACTUAL BUILDING AREA | 74485 SF NO CHANGE TO BUILDING AREA OR HEIGHT |
| THE PREVIOUS BUILDING EXPANSION WAS COMPLETED UNDER THE 1991 UBC. AT THAT TIME THE ALLOWABLE BUILDING AREA FOR A SPRINKLERED, SEPARATED A-3, B, E OCCUPANCY BUILDING WAS 103,990 SF AND WOULD BE CONSIDERED CODE COMPLIANT | | |
| MIXED OCCUPANCY SECTION 508.2 | ACCESSORY SEPARATED | NOT APPLICABLE |
| SECTION 508.4 | | A-3, B, E A-3: 28,892 / 45,125 = .64 B: 35,793 / 90,250 = .40 E: 8,800 / 68,875 = .14 SUM OF RATIOS = 1.18 DOES NOT COMPLY |



LIFE SAFETY OCCUPANT LOAD SUMMARY

| OCCUPANCY | EXISTING | NEW |
|--------------|--------------|--------------|
| A-3 | 0 | 1357 |
| B | 0 | 624 |
| E | 2,767 | 160 |
| TOTAL | 2,767 | 2,141 |

THE PROPOSED CHANGE IN OCCUPANCY WOULD RESULT IN A REDUCTION IN OCCUPANTS BY A TOTAL OF 626 OCCUPANTS.

GROSS BUILDING AREA (NO CHANGE)

| LEVEL | OCCUPANCY | AREA |
|-------------|-----------|----------|
| FIRST FLOOR | A-3 | 19860 SF |
| FIRST FLOOR | A-3 | 9032 SF |
| FIRST FLOOR | B | 35793 SF |
| FIRST FLOOR | E | 9800 SF |
| | | 74485 SF |

EXIT DOOR SUMMARY

| EXIT # | OCCUPANT LOAD | REQUIRED CLEAR WIDTH | DOOR WIDTH | CLEAR WIDTH PROVIDED |
|--------|---------------|----------------------|------------|----------------------|
| A | 26 | 32" | 68 3/32" | 64" |
| B | 26 | 32" | 68 13/32" | 64 1/2" |
| C | 50 | 32" | 69 1/2" | 65 1/2" |
| D | 233 | 35" | 69 1/2" | 65 1/2" |
| E | 36 | 32" | 36" | 32" |
| F | 30 | 32" | 36" | 32" |
| G | 14 | 32" | 36" | 32" |
| H | 283 | 42 1/2" | 69 1/2" | 65 1/2" |
| J | 177 | 32" | 72" | 64" |
| K | 211 | 32" | 36" | 32" |
| K | 211 | 32" | 72" | 64" |
| L | 212 | 32" | 36" | 32" |
| L | 212 | 32" | 72" | 64" |
| M | 361 | 54" | 74 1/4" | 66 1/2" |
| N | 361 | 54" | 74 1/4" | 66 1/2" |

EXIT ACCESS TRAVEL DISTANCE

| EGRESS PATH NAME | EGRESS PATH LENGTH |
|------------------|--------------------|
| PATH A | 184' - 5" |
| PATH B | 170' - 7" |
| PATH C1 | 73' - 8" |
| PATH C2 | 241' - 5" |
| PATH D | 211' - 9" |
| PATH E | 66' - 8" |
| PATH F | 61' - 3" |
| PATH G | 62' - 4" |
| PATH H | 167' - 9" |
| PATH I1 | 107' - 5" |
| PATH I2 | 180' - 9" |
| PATH I3 | 161' - 6" |
| PATH J | 95' - 0" |
| PATH K | 87' - 5" |
| PATH K2 | 92' - 0" |
| PATH L | 84' - 11" |
| PATH M | 72' - 0" |
| PATH N | 77' - 4" |

CHAPTER 7: FIRE AND SMOKE PROTECTION FEATURES

| | | |
|----------------|---|--|
| TABLE 705.2 | MINIMUM DISTANCE OF PROJECTION | 40 INCHES |
| TABLE 705.8 | MAXIMUM AREA OF WALL OPENINGS BASED ON FSD AND OPENING PROTECTION | UNPROTECTED, SPRINKLERED (NFPA 13) NOT ALLOWED |
| | 0 TO LESS THAN 3' | 15% |
| | 3 TO LESS THAN 5' | 25% |
| | 5 TO LESS THAN 10' | 45% |
| | 10 TO LESS THAN 15' | 75% |
| | 15 TO LESS THAN 20' | NO LIMIT |
| | 20 TO LESS THAN 25' | NO LIMIT |
| | 25 TO LESS THAN 30' | NO LIMIT |
| | 30' OR GREATER | NOT REQUIRED |
| TABLE 706.4 | FIRE WALL FIRE RESISTANCE | 3 HOUR |
| TABLE 707.3.10 | FIRE BARRIER ASSEMBLIES AND HORIZONTAL ASSEMBLIES BTWN FIRE AREAS | 2 HOUR |
| SECTION 708 | FIRE PARTITIONS | 1 HOUR |
| SECTION 709 | SMOKE BARRIERS | 1 HOUR |
| SECTION 711 | FLOOR AND ROOF ASSEMBLIES SUPPORTING CONSTRUCTION PER 711.2.3 | |
| 711.2.4.1 | SEPARATING MIXED OCCUPANCIES | PER SECTION 508.4 |
| 711.2.4.2 | SEPARATING FIRE AREAS | PER SECTION 707.3.10 |
| 711.2.4.3 | SEPARATING SMOKE COMPARTMENTS | PER SECTION 708 |
| 711.2.4.5 | SEPARATING INCIDENTAL USES | PER SECTION 509 |
| 711.2.4.6 | OTHER SEPARATIONS | |
| SECTION 713 | SHAFT ENCLOSURES | NOT LESS THAN 1 HOUR CONNECTING LESS THAN 4 STORIES NOT LESS THAN 2 HOUR CONNECTING 4 STORIES OR MORE |

CHAPTER 8: INTERIOR FINISHES

| | | |
|--------------|---|---|
| TABLE 803.13 | INTERIOR WALL AND CEILING FINISH REQUIREMENTS (FLAME SPREAD RATING) | |
| | INTERIOR EXIT STAIRWAYS AND RAMPS AND EXIT PASSAGEWAYS | B |
| | CORRIDORS AND ENCLOSURES FOR EXIT ACCESS STAIRWAYS AND RAMPS | C |
| | ROOMS AND ENCLOSED SPACES | C |

CHAPTER 9: FIRE PROTECTION SYSTEMS

| | |
|--|-------------------------------|
| | FULLY SPRINKLERED PER NFPA 13 |
|--|-------------------------------|

CHAPTER 10: MEANS OF EGRESS

| | | |
|-------------------|--|--|
| SECTION 1004 | OCCUPANT LOAD (OL) | SEE OCCUPANT LOAD SCHEDULE |
| SECTION 1005.3.1 | STAIRWAY EGRESS CAPACITY FACTOR | .3 |
| SECTION 1005.3.2 | OTHER EGRESS CAPACITY FACTOR | .15 |
| TABLE 1006.2.1 | MAX OCCUPANT LOAD FOR ONE EXIT MAX COMMON PATH OF EGRESS TRAVEL | 49 Occupants 75 FT |
| TABLE 1006.3.2 | OCCUPANT LOAD PER STORY MIN NUMBER OF EXITS FOR STORY | 2139 4 |
| TABLE 1006.3.3(1) | STORIES WITH ONE EXIT FOR R-2 | NOT APPLICABLE |
| TABLE 1006.3.3(2) | STORIES WITH ONE EXIT FOR OTHER OCCUPANCIES FIRST STORY ABOVE/BELOW GRADE PLANE SECOND STORY ABOVE GRADE PLANE THIRD STORY AND HIGHER | 49 NOT APPLICABLE NOT APPLICABLE |

SECTION 1008 MEANS OF EGRESS ILLUMINATION

| | |
|--------------------------------|---|
| 1008.2.1 UNDER NORMAL POWER | NOT LESS THAN 1fc AVERAGE AT WALKING SURFACE |
| 1008.3.5 UNDER EMERGENCY POWER | NOT LESS THAN 1fc AVERAGE AT FLOOR LEVEL, MINIMUM 0.1fc |

| | | |
|----------------|---------------------------------|---|
| TABLE 1017.2 | EXIT ACCESS TRAVEL DISTANCE | 250 FT |
| TABLE 1020.1 | CORRIDOR FIRE-RESISTANCE RATING | 0 HR |
| TABLE 1020.2 | MINIMUM CORRIDOR WIDTH | 44 INCHES * EXCEPT AT GROUP E WITH A CORRIDOR HAVING AN OCCUPANT LOAD OF 100 OR MORE = 72 |
| SECTION 1020.4 | DEAD ENDS | 50 FEET *LENGTH IS NOT LIMITED WHERE LENGTH < 2.5x WIDTH |

CHAPTER 29: PLUMBING FIXTURES

| OCCUPANCY (CHAPTER 3) | TOTAL | WATER CLOSETS | | | | LAVATORIES | | DRINKING FOUNTAINS | SERVICE SINKS |
|-----------------------|-------|---------------|--------|--------|--------|------------|-------|--------------------|---------------|
| | | MALE | FEMALE | MALE | FEMALE | | | | |
| A-3 | 1355 | 678 | 5424 | 10431 | 3390 | 3390 | 0.248 | | |
| B | 624 | 312 | 312 | 7240 | 7240 | 4900 | | | |
| E | 160 | 80 | 80 | 1600 | 1600 | 1600 | | | |
| REQUIRED | | | | 15.00 | 20.00 | 10.00 | 10.00 | 1 | |
| PROVIDED | | | | 19.667 | 21 | 11 | 12 | 2 | |

1 PLAN CHECK 03.20.23

OCCUPANCY CHANGE PERMIT ISSUE DATE

Drawing: CODE SUMMARY

FILE PATH: C:\Revit_Locall\21097_Sumset\Empire HBU_Code Model_22_bldg\SCG4.rvt

THESE DRAWINGS ARE THE ORIGINAL UNPUBLISHED WORK OF THE ARCHITECT AND MAY NOT BE DUPLICATED OR USED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.



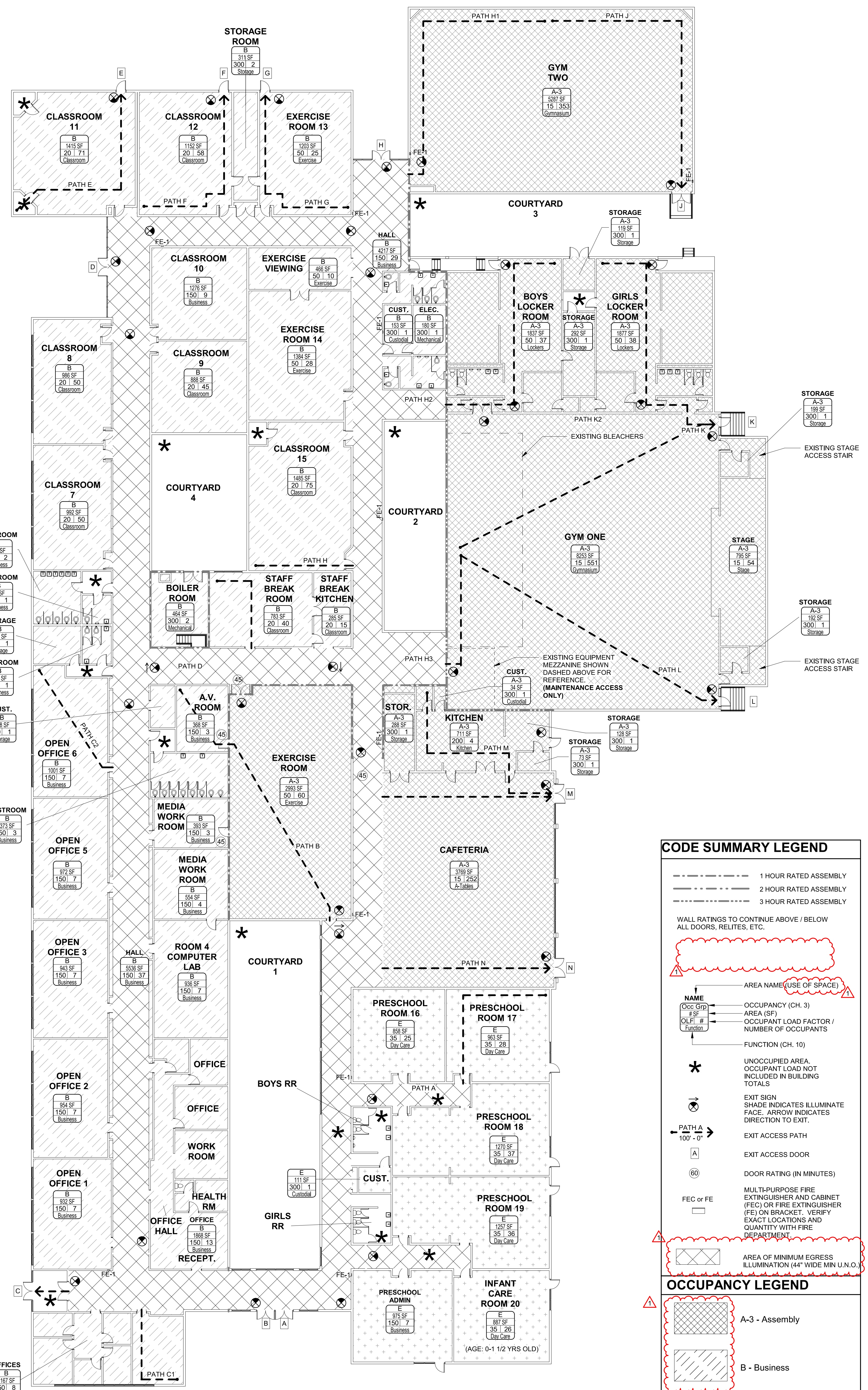
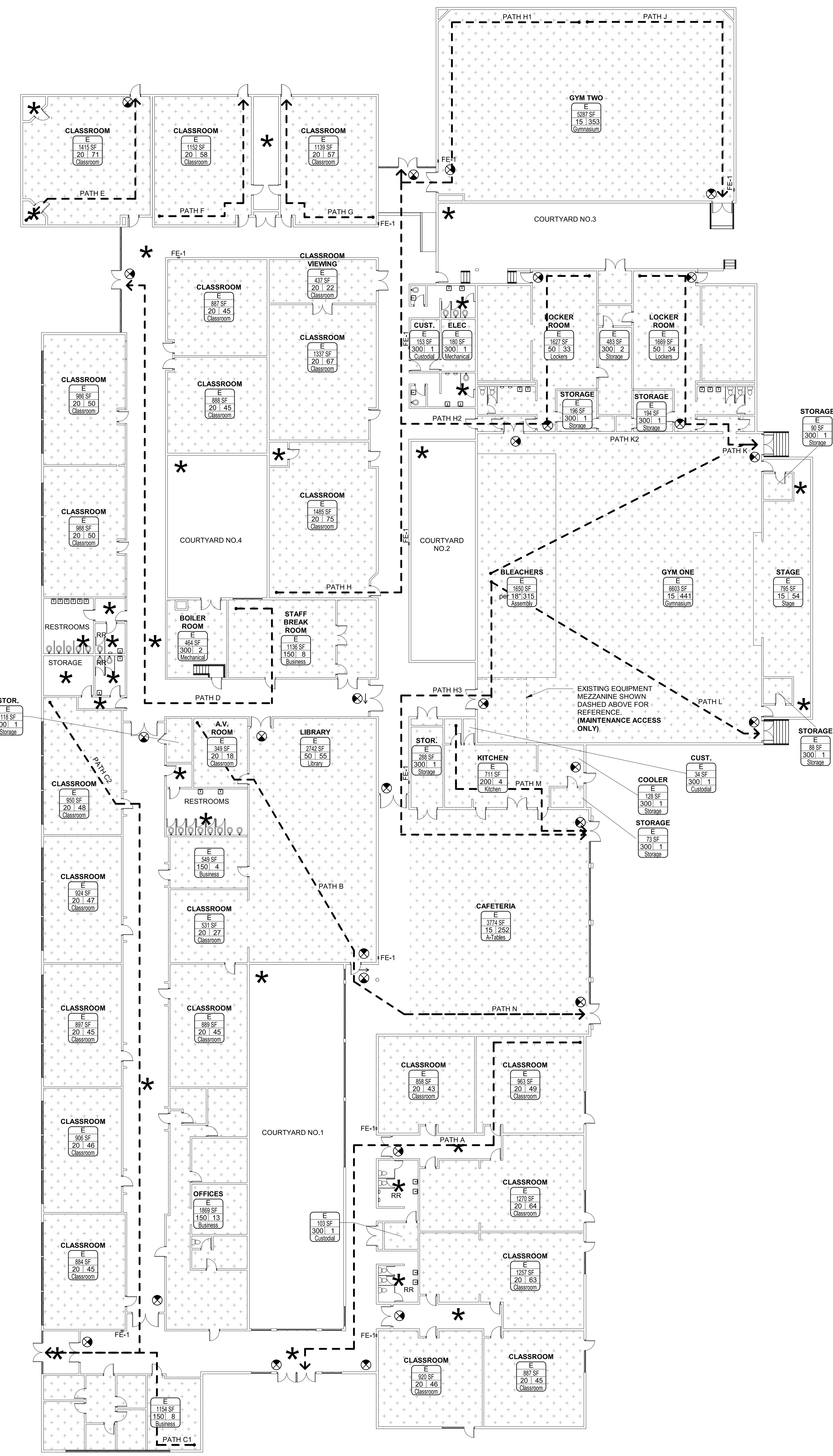
SEPRD RECREATION FACILITY

Job Number: 21097
1120 BROADWAY ST
SEASIDE, OR 97138

Digitally signed by Sid Scott
Date: 2023.03.21 17:15:11-0700

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CODE SUMMARY LEGEND

- 1 HOUR RATED ASSEMBLY
- 2 HOUR RATED ASSEMBLY
- 3 HOUR RATED ASSEMBLY

WALL RATINGS TO CONTINUE ABOVE / BELOW ALL DOORS, RELIEFS, ETC.

- AREA NAME (USE OF SPACE)
- NAME
- OC (CH. 3)
- AREA (SF)
- OC/F. #
- FUNCTION (CH. 10)
- UNOCCUPIED AREA
- OCCUPANT LOAD NOT INCLUDED IN BUILDING TOTALS
- EXIT SIGN
- SHADE INDICATES ILLUMINATE FACE, ARROW INDICATES DIRECTION TO EXIT.
- PATH A
- 100'-0"
- EXIT ACCESS PATH
- EXIT ACCESS DOOR
- DOOR RATING (IN MINUTES)
- MULTI-PURPOSE FIRE EXTINGUISHER AND CABINET (FEC) OR FIRE EXTINGUISHER (FE) ON BRACKET. VERIFY EXACT LOCATIONS AND QUANTITY WITH FIRE DEPARTMENT.
- FEC OR FE
- AREA OF MINIMUM EGRESS ILLUMINATION (4" WIDE MIN U.N.O.)

OCCUPANCY LEGEND

- A-3 - Assembly
- B - Business
- E - Education

1 PLAN CHECK 03.20.23

OCCUPANCY CHANGE PERMIT ISSUE 10.03.2022 DATE

Drawing:

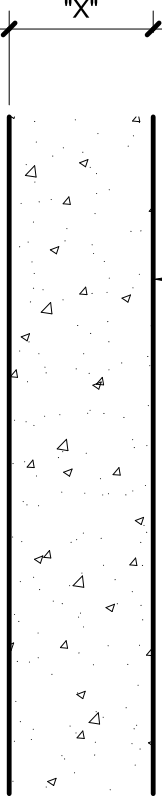
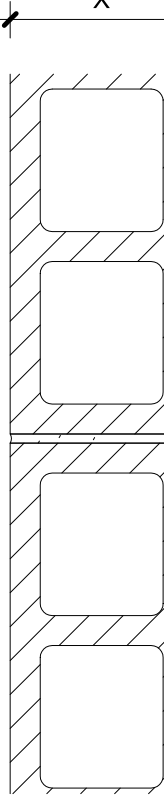
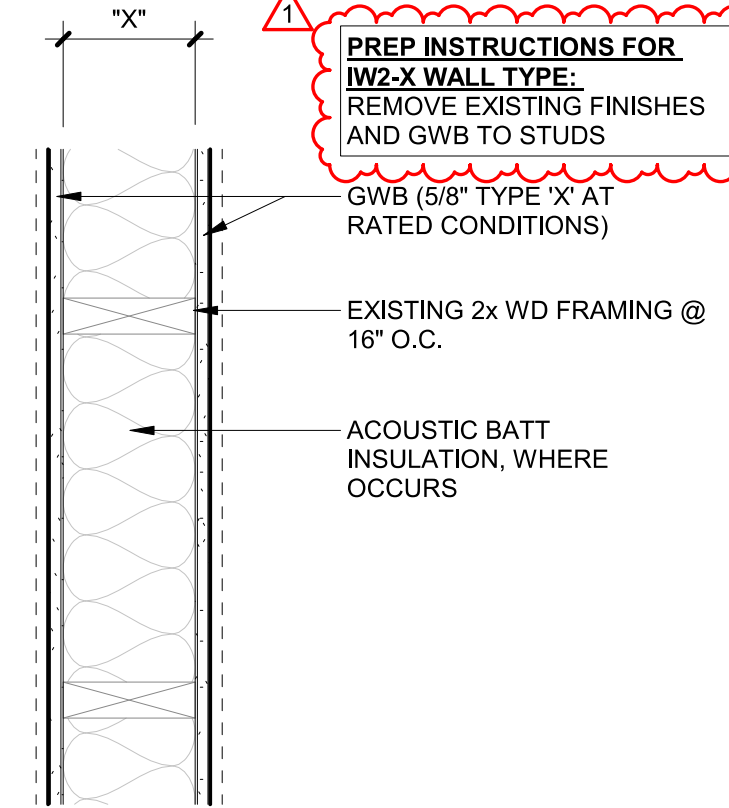
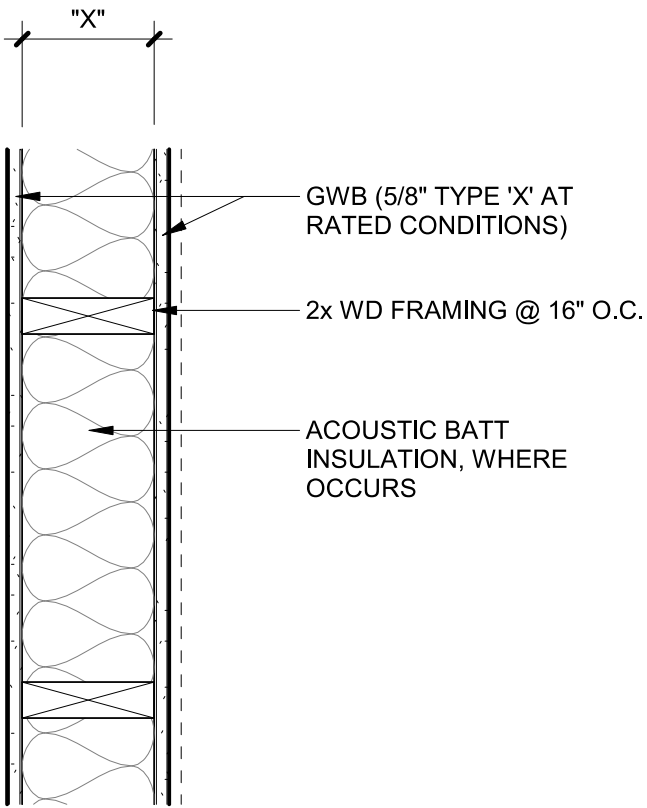
FIRST FLOOR EGRESS PLAN

Sheet No:

G2.11

1 FIRST FLOOR LIFE SAFETY PLAN - EXISTING CONDITIONS
1/16" = 1'-0"

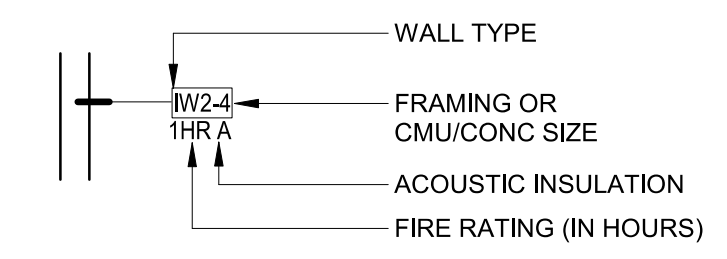
2 FIRST FLOOR LIFE SAFETY PLAN - PROPOSED CONDITIONS
1/16" = 1'-0"

| | | | | | | | | | | | | | | | | | |
|------|------|--|--|--|--|------|-----|--|-----|--|--|------|------|-----|--|-----|--|
| | | | |  <p>EXISTING CONC WALL</p> |  <p>EXISTING CMU WALL</p> | | | | | | | | | | | | |
| | | | | EW2-X 3 HR RATED WHERE NOTED <table border="1"> <tr><td>UL #</td><td></td></tr> <tr><td>STC</td><td></td></tr> <tr><td>ICC</td><td></td></tr> </table> | UL # | | STC | | ICC | | EW1-X 3 HR RATED WHERE NOTED <table border="1"> <tr><td>UL #</td><td>U904</td></tr> <tr><td>STC</td><td></td></tr> <tr><td>ICC</td><td></td></tr> </table> | UL # | U904 | STC | | ICC | |
| UL # | | | | | | | | | | | | | | | | | |
| STC | | | | | | | | | | | | | | | | | |
| ICC | | | | | | | | | | | | | | | | | |
| UL # | U904 | | | | | | | | | | | | | | | | |
| STC | | | | | | | | | | | | | | | | | |
| ICC | | | | | | | | | | | | | | | | | |
| | | | |  <p>PREP INSTRUCTIONS FOR EW2-X WALL TYPE: REMOVE EXISTING FINISHES AND GWB TO STUDS</p> <p>GWB (5/8" TYPE 'X' AT RATED CONDITIONS)</p> <p>EXISTING 2x WD FRAMING @ 16" O.C.</p> <p>ACOUSTIC BATT INSULATION, WHERE OCCURS</p> |  <p>GWB (5/8" TYPE 'X' AT RATED CONDITIONS)</p> <p>2x WD FRAMING @ 16" O.C.</p> <p>ACOUSTIC BATT INSULATION, WHERE OCCURS</p> | | | | | | | | | | | | |
| | | | | IW2-X 1 HR RATED WHERE NOTED <table border="1"> <tr><td>UL #</td><td>U305</td></tr> <tr><td>STC</td><td></td></tr> <tr><td>ICC</td><td></td></tr> </table> | UL # | U305 | STC | | ICC | | IW1-X 1 HR RATED WHERE NOTED <table border="1"> <tr><td>UL #</td><td>U305</td></tr> <tr><td>STC</td><td></td></tr> <tr><td>ICC</td><td></td></tr> </table> | UL # | U305 | STC | | ICC | |
| UL # | U305 | | | | | | | | | | | | | | | | |
| STC | | | | | | | | | | | | | | | | | |
| ICC | | | | | | | | | | | | | | | | | |
| UL # | U305 | | | | | | | | | | | | | | | | |
| STC | | | | | | | | | | | | | | | | | |
| ICC | | | | | | | | | | | | | | | | | |

GENERAL SHEET NOTES

- REFERENCE DETAILS FOR ASSEMBLIES NOT SHOWN HERE.
- SEE FINISH SCHEDULE, INTERIOR ELEVATIONS, AND DETAILS FOR SPECIAL CONDITIONS AND APPLIED WALL FINISHES.
- MAINTAIN FIRE RATING OF WALLS AROUND FIRE EXTINGUISHERS, CABINETS, AND OTHER RECESSED ITEMS.
- PROVIDE ACOUSTICAL SEALANT AT FLOOR / CEILING / WALL TRANSITIONS, RECESSED BOXES, AND PENETRATIONS OF SOUND RATED ASSEMBLIES AND OTHER CONSTRUCTION AS REQUIRED TO ACHIEVE NOTED STC RATINGS.
- PROVIDE MOISTURE RESISTANT GYPSUM BOARD TYPICAL AT ALL RESTROOMS, BATHROOMS, AND KITCHEN WALLS.
- ALL FRAMING AND FINISHES OF INTERIOR WALLS TO EXTEND TO THE UNDERSIDE OF STRUCTURE ABOVE UNLESS NOTED OTHERWISE.
- WHERE PARTITIONS ARE SOUND RATED OR FIRE RATED AND INCLUDE PROPRIETARY MANUFACTURERS, NO SUBSTITUTIONS ARE ALLOWED.
- ALL WOOD IN CONTACT WITH CONCRETE OR MASONRY TO BE PRESSURE TREATED.
- PROVIDE DEFLECTION HEADS OR CLIPS AT ALL NON-LOAD BEARING CONDITIONS.

WALL TYPE SYMBOL

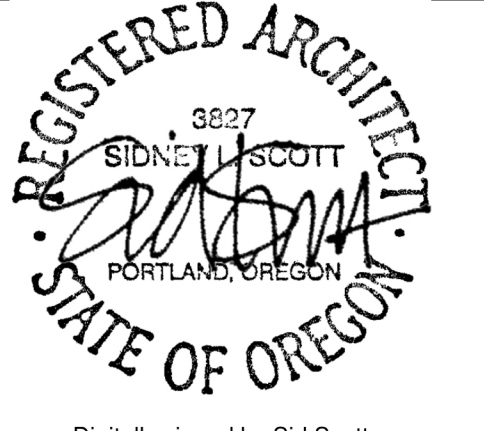


METAL FRAMING SIZES

- 0 = MTL FURRING, 7/8" OR AS INDICATED
- 1 = 1 5/8"
- 2 = 2 1/2"
- 3 = 3 1/2"
- 4 = 4"
- 6 = 6"
- 8 = 8"

WOOD FRAMING SIZES

- 0 = MTL FURRING, 7/8" OR AS INDICATED
- 4 = 2" x 4"
- 6 = 2" x 6"
- 8 = 2" x 8"



Digitally signed by Sid Scott
Date: 2023.03.21 17:15:16 -0700

SEPRD RECREATION FACILITY

Job Number: 21097
1120 BROADWAY ST
SEASIDE, OR 97138

1 PLAN CHECK 03.20.23

OCCUPANCY CHANGE PERMIT ISSUE 10.03.2022 DATE

Drawing: **ASSEMBLIES**



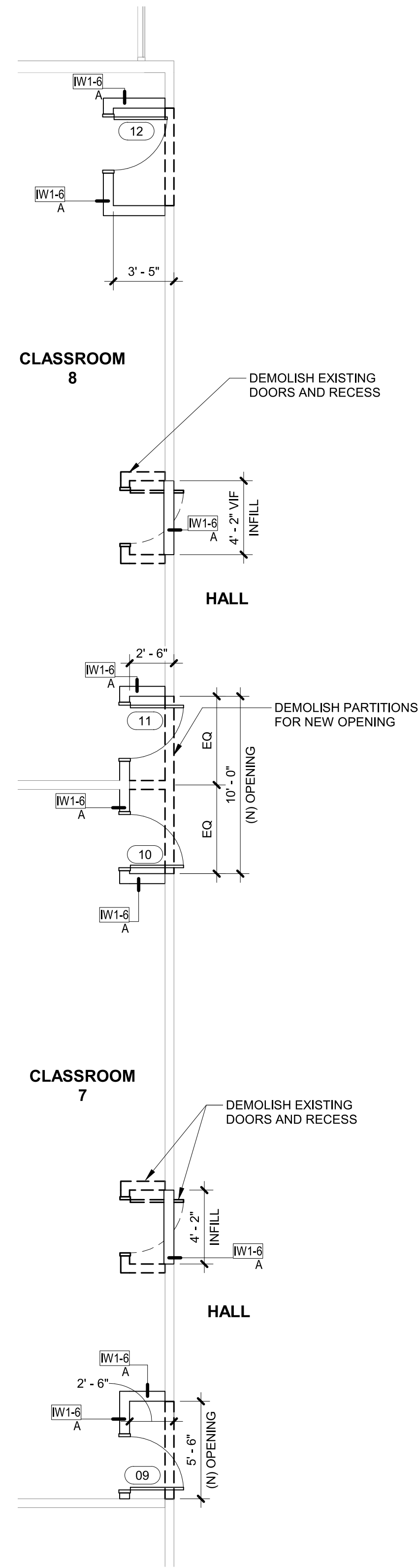
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SEPRD RECREATION FACILITY

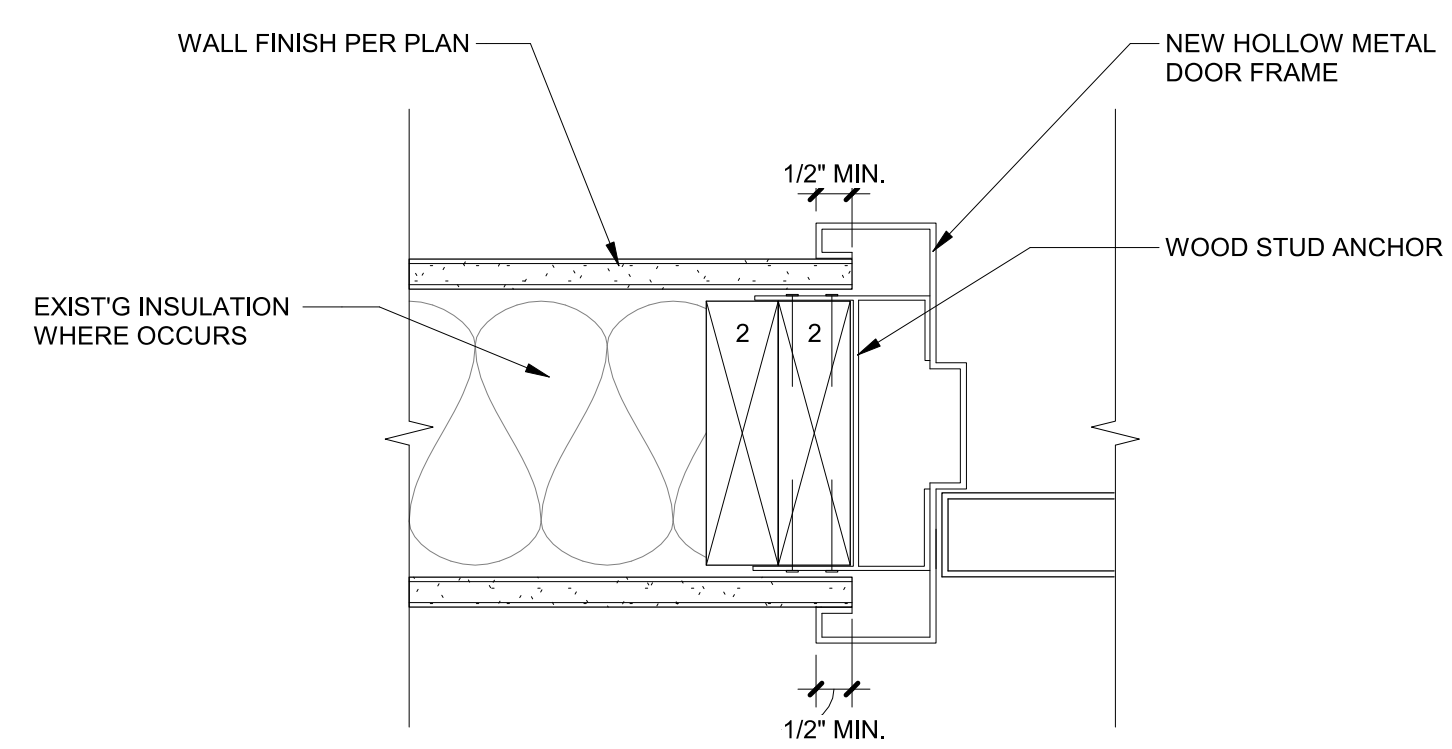
Job Number: 21097

1120 BROADWAY ST
SEASIDE, OR 97138

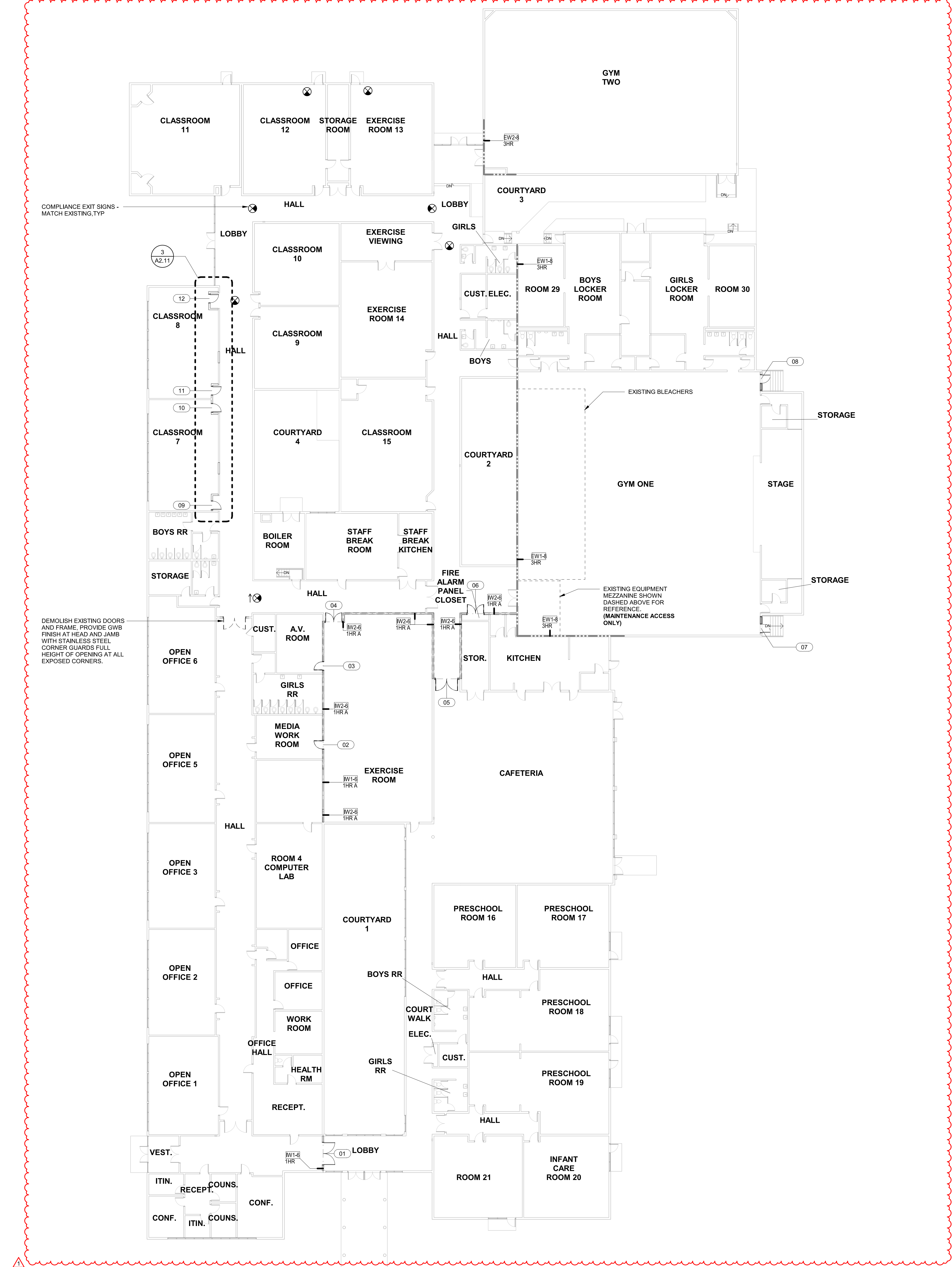
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3 ENLARGED PLAN
3/16" = 1'-0"



2 HM DOOR JAMB/HEAD TO WOOD STUD
3" = 1'-0"



1 FIRST FLOOR PLAN
1/16" = 1'-0"

| GENERAL SHEET NOTES | |
|--|-----------------------|
| A. INSTALL NEW ADA DOOR HARDWARE AT ALL NEW DOORS. MATCH EXISTING. | |
| LEGEND | |
| --- | 1 HOUR RATED ASSEMBLY |
| --- | 2 HOUR RATED ASSEMBLY |
| --- | 3 HOUR RATED ASSEMBLY |
| --- | EXISTING |
| --- | NEW CONSTRUCTION |

1 PLAN CHECK 03.20.23

OCCUPANCY CHANGE PERMIT ISSUE DATE 10.03.2022

Drawing: FIRST FLOOR PLAN

Sheet No: **A2.11**

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Date: 2023.03.21 17:15:25-0700

SEPRD RECREATION FACILITY

Job Number: 21097

1120 BROADWAY ST
SEASIDE, OR 97138

FILE PATH: C:\Revit_Local\21097_Sunset_Empire_HBU_Code Model_22.tbl\table\SGC4.rvt

| DOOR NUMBER | DOOR SCHEDULE | | | | | | | | | | | |
|----------------------------|---------------|-------|--------|------|--------------|--------|-------|--------------|--------|-------------|----------|-------------------|
| | DOOR | | | | | | FRAME | | | | | |
| | TYPE | WIDTH | HEIGHT | PAIR | CONSTRUCTION | FINISH | TYPE | CONSTRUCTION | FINISH | FIRE RATING | HARDWARE | NOTES |
| FIRST FLOOR | | | | | | | | | | | | |
| 01 LOBBY | B | 8'-0" | 7'-0" | PR | WD | CLR | 1 | HM | PAINT | 45 | 3 | PANIC HARDWARE |
| 02 MEDIA WORK ROOM | B | 3'-0" | 7'-0" | | WD | CLR | 1 | HM | PAINT | 45 | 2 | |
| 03 A.V. ROOM | B | 3'-0" | 7'-0" | | WD | CLR | 1 | HM | PAINT | 45 | 2 | |
| 04 EXERCISE ROOM | B | 6'-0" | 7'-0" | PR | WD | CLR | 1 | HM | PAINT | 45 | 3 | PANIC HARDWARE |
| 05 HALL | B | 8'-0" | 7'-0" | PR | WD | CLR | 1 | HM | PAINT | 45 | 3 | PANIC HARDWARE |
| 06 FIRE ALARM PANEL CLOSET | A | 6'-0" | 7'-0" | PR | HM | PAINT | 1 | HM | PAINT | 45 | 4 | |
| 07 GYM ONE | B | 3'-0" | 7'-0" | | HM | PAINT | 2 | HM | PAINT | | 5 | 1, PANIC HARDWARE |
| 08 GYM ONE | B | 3'-0" | 7'-0" | | HM | PAINT | 2 | HM | PAINT | | 5 | 1, PANIC HARDWARE |
| 09 CLASSROOM 7 | B | 3'-0" | 7'-0" | | WD | CLR | 1 | HM | PAINT | | 1 | |
| 10 CLASSROOM 7 | B | 3'-0" | 7'-0" | | WD | CLR | 1 | HM | PAINT | | 1 | |
| 11 CLASSROOM 8 | B | 3'-0" | 7'-0" | | WD | CLR | 1 | HM | PAINT | | 1 | |
| 12 CLASSROOM 8 | B | 3'-0" | 7'-0" | | WD | CLR | 1 | HM | PAINT | | 1 | |

DOOR SCHEDULE NOTES:
1. FIELD VERIFY NEW DOOR FRAME SIZE. FRAME TO FIT WITHIN EXISTING WALL OPENING.

GENERAL DOOR SCHEDULE NOTES

- PROVIDE SAFETY GLAZING PER CODE.
- SWINGING DOOR DIMENSIONS ARE ACTUAL DOOR PANEL SIZE. CONTRACTOR TO COORDINATE FRAME AND ROUGH OPENING DIMENSIONS.
- SEE FRAME TYPES FOR TYPICAL DETAILS UNLESS NOTED OTHERWISE.
- ALL HARDWARE FINISHES TO MATCH BUILDING STANDARD FINISHES.
- ALL NEW HARDWARE TO COMPLY WITH ADA ACCESSIBILITY STANDARDS.
- ALL WOOD DOOR SPECIES AND FINISH TO MATCH EXISTING.
- ALL METAL DOORS AND FRAMES ARE TO BE PAINTED TO MATCH EXISTING.

HARDWARE GROUPS

GROUP 1 (TENANT ROOMS)

- 3 BUTT HINGES
- 1 CLOSER
- 1 LEVER LOCKSET (ENTRY)
- 1 CYLINDER
- 1 KICKPLATE
- 1 SWEEP
- 1 THRESHOLD
- 1 SET DOOR SILENCERS
- 1 WALL STOP

GROUP 2 (A.V. AND MEDIA WORK ROOMS)

- 3 BUTT HINGES
- 1 CLOSER
- 1 LEVER LOCKSET (ENTRY)
- 1 CYLINDER
- 1 KICKPLATE
- 1 SWEEP
- 1 THRESHOLD
- 1 SET SMOKE GASKET
- 1 WALL STOP

GROUP 3

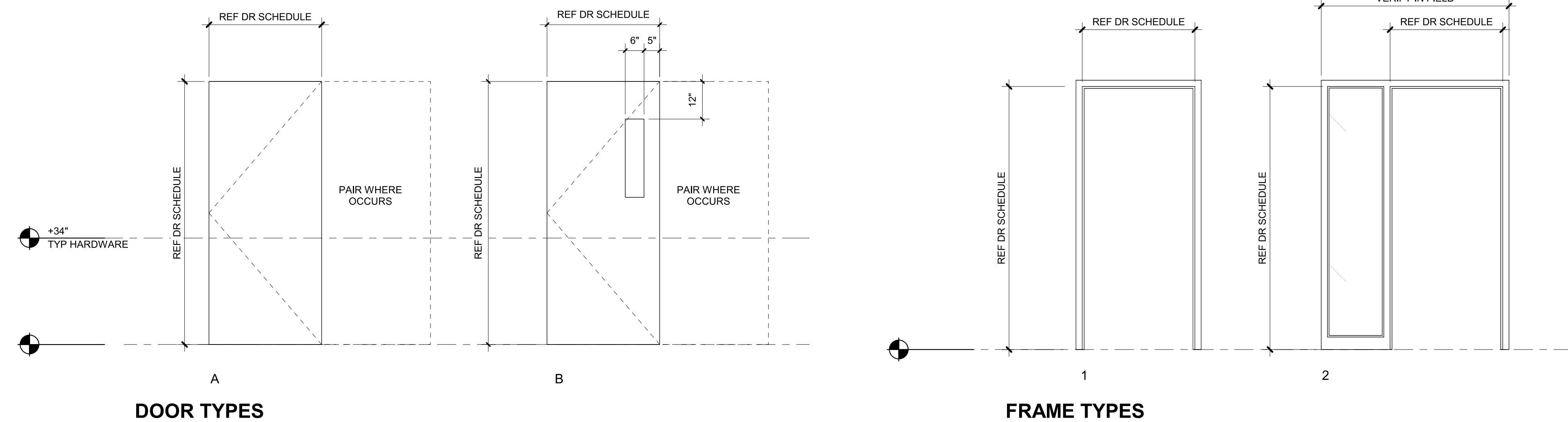
- 6 BUTT HINGES
- 2 CLOSER
- 2 LEVER LOCKSET
- 2 PANIC HARDWARE
- 1 CYLINDER
- 2 KICKPLATE
- 2 SWEEP
- 1 ASTRAGAL
- 1 THRESHOLD
- 1 SET SMOKE GASKET
- 2 WALL STOP

GROUP 4 (FIRE ALARM PANEL CLOSET)

- 6 BUTT HINGES
- 1 LEVER LOCKSET
- 1 CYLINDER
- 2 SWEEP
- 1 ASTRAGAL
- 1 THRESHOLD
- 1 SET SMOKE GASKET
- 2 WALL STOP

GROUP 5

- 3 BUTT HINGES
- 1 CLOSER
- 1 LEVER LOCKSET (EXTERIOR)
- 1 PANIC HARDWARE
- 1 KICKPLATE
- 1 SWEEP
- 1 THRESHOLD
- 1 SET WEATHER SEAL
- 1 WALL STOP



1 PLAN CHECK 03.20.23

OCCUPANCY CHANGE PERMIT ISSUE 10.03.2022 DATE

Drawing:

DOOR SCHEDULE AND DOOR TYPES

Sheet No:

A10.01



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Brandon Dole, Associate Principal

(503) 539-45954, bdole@seallp.com

Scott Edwards Architecture, LLP ▪ 2525 E Burnside St, Portland, OR 97214

Date: 02/02/2024

Jeff Flory, Community Development Director

(503) 738-7100, jflory@cityofseaside.us

City of Seaside ▪ Seaside, OR

Dear Jeff,

We've been informed that the SEPRD Conditional Use Application for the change of occupancy will require a Traffic Impact Analysis (TIA). The TIA is being required due to an ODOT overlay on the property. The following is a summary of the proposed Traffic Impact Analysis to be completed. The proposed steps have been coordinated with ODOT for their approval.

Summary of Analysis:

TASK 1: Data Collection & Trip Generation/Distribution

Initial coordination with ODOT staff suggested the following intersections for evaluation under existing traffic conditions:

1. Highway 101/Broadway Street
2. Broadway Street/Lincoln Street
3. All site driveways (one access on Highway 101 and one access on Broadway Street)

SEPRD traffic engineer will collect turning movement counts at the intersections listed above. Weekday a.m. peak hour (7 am – 9am) and p.m. peak hour (4 pm - 6 pm) turning movement counts will include vehicles, pedestrians, bicyclists, and heavy vehicles.

Peak hour and daily trip generation estimates will be performed for the existing land use and proposed land use using the rates provided in the 11th Edition of the Institute of Transportation Engineers (ITE) Trip Generation manual. The transportation impact analysis will be based on the number of net new trips that would be generated from the proposed change of use. Trips will be distributed from the site based on existing traffic patterns in the City's TSP.

TASK 2: Impact Analysis

Vehicle intersection operations analysis will be performed at the study intersections listed previously based on 6th Edition Highway Capacity Manual methodology¹. Intersection analysis will include the following analysis scenarios for the a.m. and p.m. peak hours:

- Existing Conditions (2024)
- Future Background Conditions (Estimated Year of Occupancy)
- Future Build Conditions (Estimated Year of Occupancy)

The existing conditions will include volume adjustments (e.g., seasonal adjustment factor) consistent with the ODOT Analysis Procedures Manual (APM).

The Future Background Conditions will include background growth that is represented by an average annual growth rate based on ODOT's Future Highway Volumes Table.

For each of these analysis scenarios, the traffic engineer will show unmitigated impacts for the study area intersections. Where the ODOT mobility target cannot be met, improvements will be identified to mitigate operating conditions. Additional analysis will then be performed with any recommended improvements in place to determine the resulting vehicle operations.

Queuing analysis will be conducted at the study intersections to determine whether estimated vehicle queues with the proposed project will cause vehicle spillback beyond existing storage.

The collision history at the study intersections will also be reviewed, along with ODOT's Safety Priority Index System (SPIS) to determine if any safety-related concerns have been identified in the project study area.

TASK 3: Site Plan Evaluation

SEPRD traffic engineer will review the site plan and will assess pedestrian and bicycle needs, vehicular access and circulation, intersection sight distance, and parking requirements. The transportation review will include a detailed discussion of any site plan issues as well as recommended mitigations if necessary.

The above tasks will be summarized in a final report of findings and recommendations. SEPRD's traffic engineer is suggesting that the analysis be conducted during the months of April and May to ensure average daily traffic counts are considered. Please, let us know if you have any questions or concerns.

Sincerely,



Brandon Dole
Associate Principal



Scott Edwards Architecture LLP
503.226.3617 • seallp.com



| | |
|--------------------------|---|
| APPLICATION(S): | 769-23-000084-PLNG – Conditional Use |
| MEETING DATE: | March 5, 2024 |
| PUBLIC HEARING: | Yes |
| Report Date: | February 23, 2024 |
| Applicant: | Rey Gonzalez – Elements Environmental |
| Owner: | Padraic Ansbro |
| Location: | 161 Hilltop Dr., Seaside OR 97138 |
| Major Street Access: | Hilltop Dr. |
| Parcel Number(s) & Size: | T6-R10-22AC-2200 Approximately .30 Acres |
| Parcel Zoning: | Low Density Residential (R-1) |
| Adjacent Zoning: | Low Density Residential (R-1) |
| Current Use of Parcel: | Single-Family Dwelling with Detached Garage |
| 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 Rey Gonzalez of Elements Environmental to convert an existing garage into an approximate 743 sq. ft., two-bedroom, Accessory Dwelling Unit (ADU).

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

Location: 161 Hilltop Dr., Seaside OR 97138, (T6-R10-22AC-2200)



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



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

C. Background:

This applicant's approximate .30-acre property is a corner lot located on Hilltop Dr. at the intersection of Cedar St. The property contains a single-family dwelling with a detached garage. The single-family dwelling has an attached garage and driveway that is accessed off of Hilltop Dr. while the detached garage is accessed off of Cedar St.

D. Required Dates:

This application was accepted as complete on February 8, 2024. The 120-day decision timeframe is June 7, 2024.

E. Specific Request:

A conditional use request by Rey Gonzalez of Elements Environmental to convert an existing garage into an approximate 743 sq. ft., 2-bedroom, Accessory Dwelling Unit (ADU).

F. Process:

This request is being reviewed under Article 4, Article 6, and Article 10 of the Seaside Zoning Ordinance. Article 4 lists the specific requirements for ADUs, Article 6 establishes the criteria for conditional uses, and Article 10 establishes the process and procedures that are applicable to this request.

G. Community Review:

Notice of this public hearing was published in the Daily Astorian on February 15, 2024. Additionally, a mailed notice was sent on February 14, 2024, to all property owners within 100 feet of the subject property.

H. Written Comments:

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

I. Comprehensive Plan:

The applicant's property is located within the low-density residential land use category. These areas are characterized by suburban residential qualities such as single-family units on individual lots.

ORS 197.312 – 5(a) requires cities with populations greater than 2,500 to allow one ADU per detached single-family dwelling unit in all zones that allow the development of single-family dwellings.

J. 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 ADU will be developed utilizing an existing detached garage. No expansion of the garage's footprint is planned and the ADU will not take up any further yard areas.*

2. **Limiting the height of buildings.** *Finding: The applicant is not proposing any alterations to the height of the existing building.*
3. **Controlling the location and number of vehicle access points.** *Finding: The existing access points will be maintained. The access to the single-family dwelling is off Hilltop Dr., while the access to the ADU will be from Cedar St.*
4. **Increasing the street width.** *Finding: No streets are proposed.*
5. **Increasing the number of required off-street parking spaces.** *Finding: The applicant has sufficient existing parking to accommodate the required two spaces for the single-family dwelling and one additional space for the ADU. The applicant is proposing an alternate parking space for the ADU accessed off of and parallel to Cedar St.*
6. **Limiting the number, size, location, and lighting of signs.** *Finding: No signage is proposed.*
7. **Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.** *Finding: The applicant has not proposed additional screening or fencing. The existing landscaping will remain intact except for the area to be developed for an alternate parking space for the ADU.*
8. **Designating sites for open space.** *Finding: The applicant's proposal keeps the existing open space intact. No expansion of the footprint of the ADU or single-family dwelling is proposed.*

Zoning Ordinance Criteria for ADUs:

Section 4.018 Accessory Dwelling Units (ADUs)

An interior or attached ADU will be considered part of the primary dwelling and it will not be subtracted from the total square footage allowed for accessory structures, but the total floor area for any ADU shall not exceed 525 square feet without approval of a conditional use by the Planning Commission, but in no case shall the total square footage exceed 800 square feet. ADUs must also conform to the following additional limitations.

1. **Detached ADUs cannot exceed one story unless they are incorporated into the second story of a detached garage.** *Finding: The applicant's proposal is to convert an existing, one-story, garage into an ADU. The ADU will not exceed one-story.*
2. **One additional off-street parking space must be provided in addition to the two spaces provided for the single-family dwelling the ADU is accessory to and the additional space must be accessible without moving vehicles in the other two spaces.** *Finding: The applicant's site plan shows sufficient space for the additional parking space. The applicant has proposed a parallel parking space accessed off of Cedar St.*
3. **ADUs are not subject to the limitations in Section 4.080; however, a detached ADU must be set back a minimum of five feet from the**

primary dwelling. *Finding: The existing garage meets the setback requirements.*

4. **ADUs are not subject to the dwelling unit density in residential zones but they are only allowed on lots that meet the minimum lot size in the zone.** *Finding: The applicant's lot is approximately 13,410 sq. ft. and exceeds the minimum lot size (10,000 sq. ft.) for the R-1 zone.*
5. **ADUs, and the single-family dwelling it is accessory to, cannot be used for transient rental such as a vacation rental dwelling (VRD). (Updated per Ord. 2018-09)** *Finding: VRDs are not an allowed use within the R-1 zone. Any applicant for a VRD will be denied.*

K. Additional Findings, Conclusions, and Justification Statements:

1. The applicant's submitted justification is adopted by reference and summarized below:

The applicant's proposal to convert an existing garage into an ADU will add another potential rental housing unit to a market that desperately needs rental housing. Converting the garage will not add any additional buildings to the applicant's oversized lot. The ADU will have sufficient access from Cedar St. with an additional parallel parking space.

2. ADUs under 525 sq. ft. are outright permitted in all residential zones. The applicant is requesting an ADU that is approximately 743 sq. ft. which requires Planning Commission approval. In no case can an ADU exceed 800 sq. ft.

L. Conclusion:

The ordinance 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.

M. Recommended Conditions:

Condition 1: 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.

Condition 2: The proposed parallel ADU parking space is required to have curbing to separate it from the public right of way and potential future sidewalks.

N. 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.

Alternative 1:

The Planning Commission may choose to continue this request to the regularly scheduled April 2, 2024, 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.



Community Development Land Use Application

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

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

| Applicant Information: | | | | | |
|--|--------------|--------------------------------|-------|---------|----------|
| Name of Applicant | | Address | | | Zip Code |
| Elements Environmental | | 161 Hilltop Drive, Seaside, OR | | | 97138 |
| Street Address or Location of Property | | | | | |
| Sunset Hills LT 12 BLK 4 | | | | | |
| Zone | Overlay Zone | Township | Range | Section | Tax Lots |
| R1 | | T6N | R10 | 22 AC | 2200 |

| Owner: | Applicant/Representative Other than Owner: |
|--|--|
| Name Padraic Ansbro | Name Rey Gonzalez |
| Address 2118 Forest Drive, Seaside, OR 97138 | Address P.O. Box 1097, Astoria, OR 97103 |
| Phone 503-349-4864 | Phone 503-741-1530 |
| Signature <i>Padraic Ansbro</i> <small>DocuSigned by: F20F79B68905473...</small> | Signature <i>Rey Gonzalez</i> |

Proposed Use: ADU

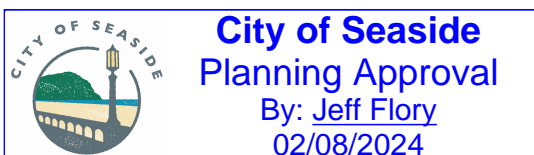
Existing Use: TWO CAR GARAGE

Site Plan:

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

| Specific of Request: | | | |
|---|---|--|--|
| <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 Amendmen |
| <input type="checkbox"/> Major Partition | <input type="checkbox"/> Property Line Adjustment | <input type="checkbox"/> Vacation Rental | <input type="checkbox"/> |
| <input type="checkbox"/> Minor Partition | <input type="checkbox"/> Setback Reduction | <input type="checkbox"/> Variance | <input type="checkbox"/> |

| For Office Use Only | |
|--|--|
| Application Received: 02/02/24 | File Number: 769-23-000084-PLNG |
| Application Deemed Complete: 02/08/24 | 120-Day Decision: 06/07/24 |
| Staff Decision (Type 1) <input type="checkbox"/> | PC Decision (Type 2) <input checked="" type="checkbox"/> |





Community Development

Conditional Use – Type 2

In certain districts, conditional uses may be permitted subject to the granting of a Conditional Use Permit. Because of their unusual characteristic, 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 Director 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 Director 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 Director will make a determination concerning a conditional use based on the applicant's justification of the following statements or questions. The applicant must provide sufficient information to the following statements or questions for this application to be accepted as complete.

1. What is the scope of your project?

The scope is to remodel the existing detached two car garage to create an ADU not to exceed a total of 800sqft. Creating a two-bedroom, one full bath, a kitchen and living space. Each bedroom will have an egress window to code. There will be heating for the ADU. There will be a parking space to code.

2. What is the proposed use in the zone?

The proposed use is to develop an ADU by converting and remodeling the detached two car garage to an ADU following all guidelines.

3. How will the development conform to the general development standards in the Seaside Zoning Ordinance and the specific standards in the zone?

The development will conform to Zone R1 standards Section 3.020 Residential Low Density. Accessory Dwelling Unit standards Article 4 Section 4.018. ***Please see Addendum Section 1 attached.***

4. How will the development meet any of the applicable standards in [Article 6](#) of the Seaside Zoning Ordinance?

We are in Compliance Section 3.025.

Please See Addendum Section 2 Attached.

5. Describe any additional measures (if any) the applicant will take in order to protect

Labeled on Site Plan there is a parking space for the ADU and at least two parking spaces for the house. ***Please see Site Plan attached.***

6. 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 additional sheets if necessary.

161 HILLTOP DRIVE / ADDENDUM

Addendum Section 1 (Answers for Section 3)

Section 3:

Section 4.018 Accessory Dwelling Units (ADUs) The proposed ADU will meet the use parameters of Section 4.018

Meets This Standard: 1. Detached ADUs cannot exceed one story unless they are incorporated into the second story of a detached garage.

- Garage conversion will be one story.

Meets This Standard: 2. One additional off-street parking space must be provided in addition to the two spaces provided for the single family dwelling the ADU is accessory to and the additional space must be accessible without moving vehicles in the other two spaces.

- One additional off-street parking as demonstrated on the Site Plan.

Meets This Standard: 3. ADUs are not subject to the limitations in Section 4.080; however, a detached ADU must be set back a minimum of five feet from the primary dwelling.

- ADU set back is a minimum of five feet from the primary dwelling as demonstrated on the Site Plan.

Meets This Standard: 4. ADUs are not subject to the dwelling unit density in residential zones but they are only allowed on lots that meet the minimum lot size in the zone.

- This lot meets the minimum lot size in the zone.

Meets This Standard: 5. ADUs, and the single family dwelling it is accessory to, cannot be used for transient rental such as a vacation rental dwelling (VRD). (Updated per Ord. 2018-09)

- This ADU meets this standard.

Addendum Section 2 (Answers for Section 4)

Section 4:

In compliance with Section 3.025

Section 3.025 Standards. In the R-1 Zone the following standards shall apply:

In Compliance: 1. Lot Size: Lot area shall be a minimum of 10,000 square feet. Average lot width shall be at least 70 feet at the building line.

In Compliance: 2. Density: The overall density on any parcel shall not exceed five dwelling units per net acre.

In Compliance: 3. Front Yard: A front yard shall be 20 feet.

In Compliance: 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.

In Compliance: 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.

In Compliance: 6. Height Restriction: Maximum height of a structure shall not exceed 35 feet.

In Compliance: 7. Lot Coverage: Maximum area that may be covered by a permitted structure and accessory buildings shall not exceed 35 percent of the total area of the lot.

In Compliance: 8. Off-Street Parking: As specified in Section 4.100.

In Compliance: 9. All uses shall comply with other applicable supplementary provisions in Article 4.

Supplementary Provisions Section 4.018

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- This ADU meets this standard.

Building Division Review

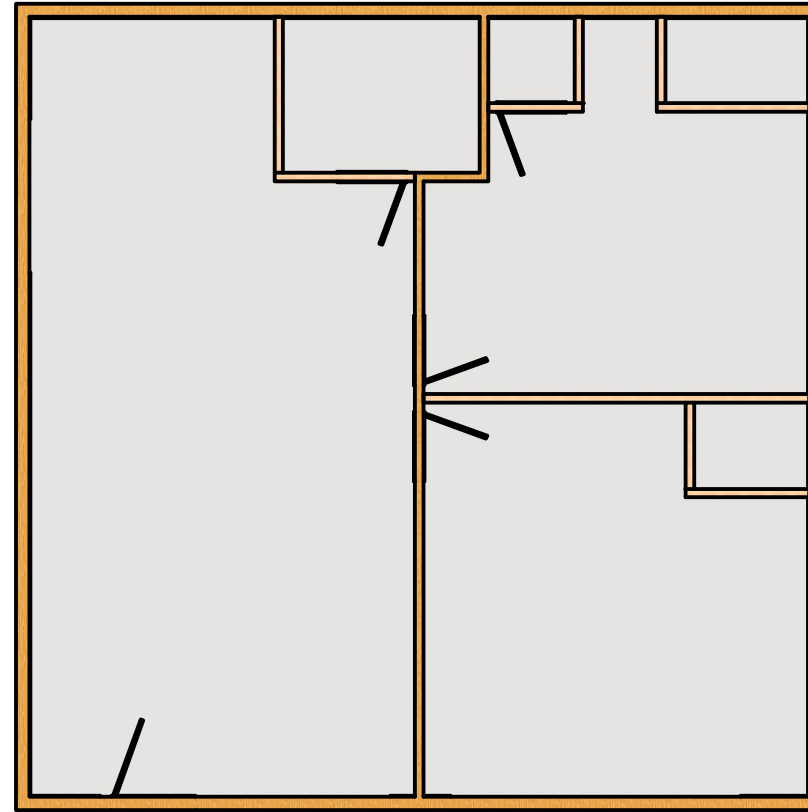
| Comments | Sheet | Rev |
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Notes:

- No Crawl Space, Slab Floor Construction
- CS202T Installed in Living Room
- Existing Sheetrock Removed as Needed for Electrical and Plumbing
- Slab Trenching as Needed for Plumbing
- Electrical and Plumbing Plans Submitted Separately
- Curb Approach Will Be Adjusted as Needed For ADU Parking

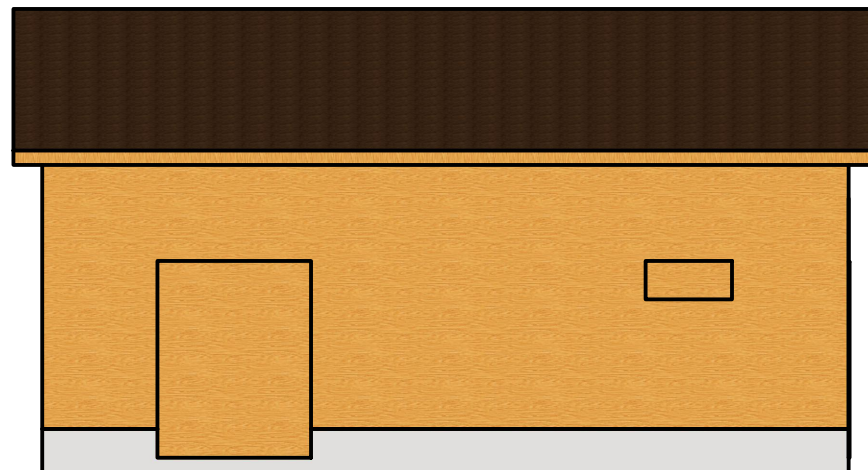
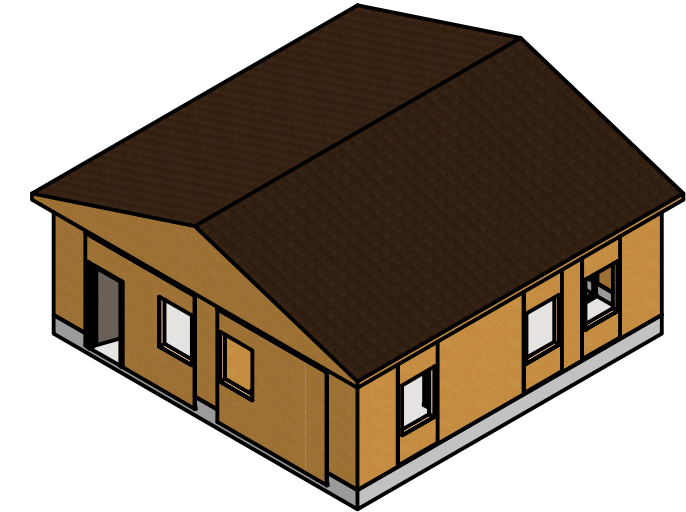
Symbols: 

- F Fans
- V Vent
- C Smoke/Carbon Monoxide Alarm
- A Attic Access
- H Heating

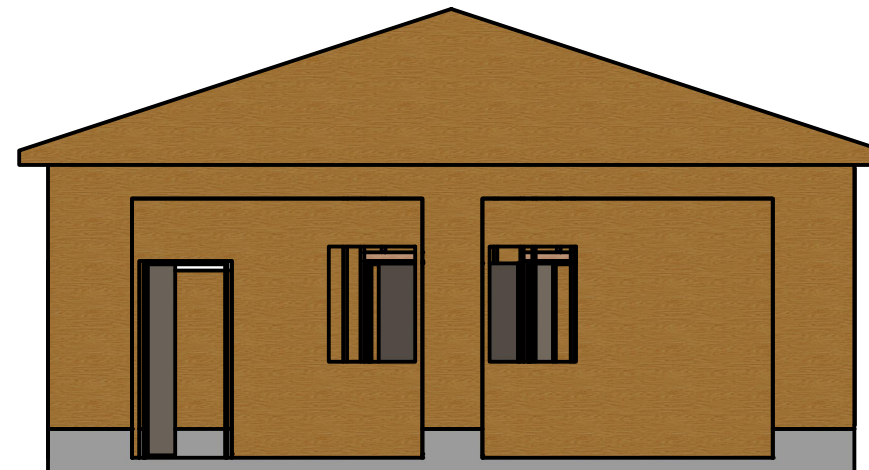


Plan View

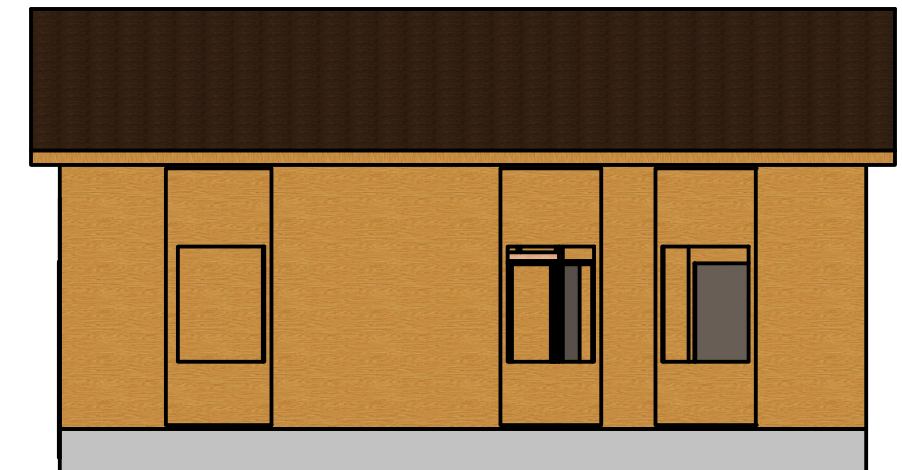
| Table of Contents | |
|-------------------|--------------------|
| Sheet #: | Sheet Description: |
| 1 | Cover Page |
| 2 | Overview |
| 3 | Lot Setbacks |
| 4 | Foundation |
| 5 | Elevations |
| 6 | Floor Plan |
| 7 | Wall Construction |



West Wall



South Wall



East Wall

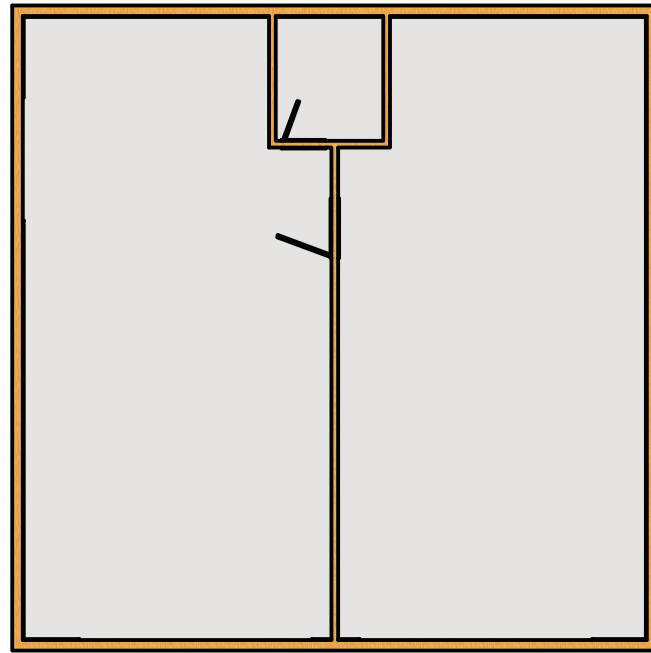
Cover Page



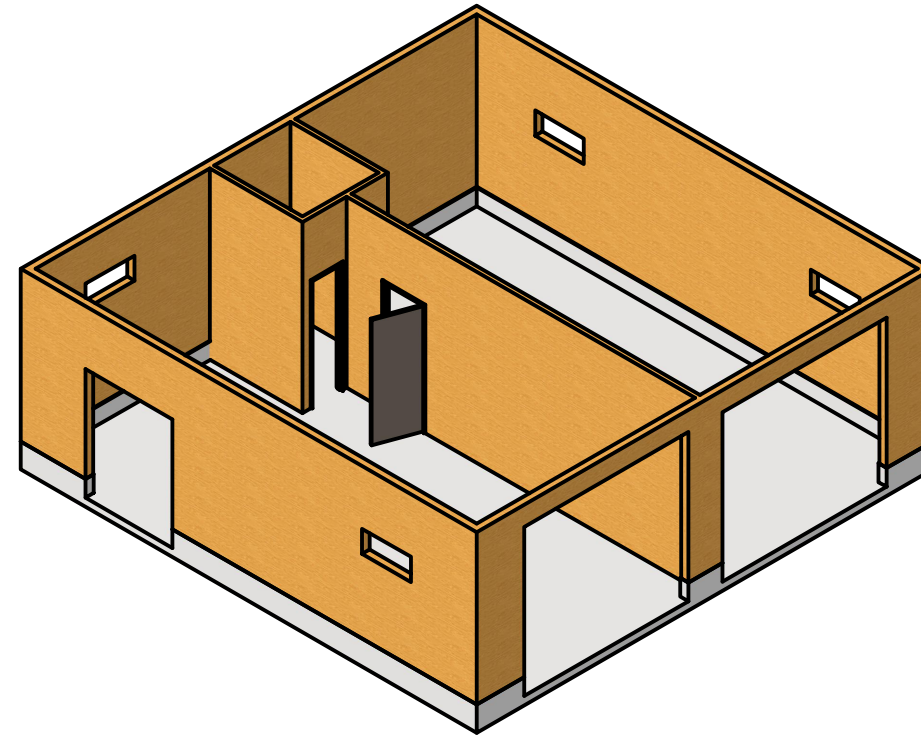
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ADU

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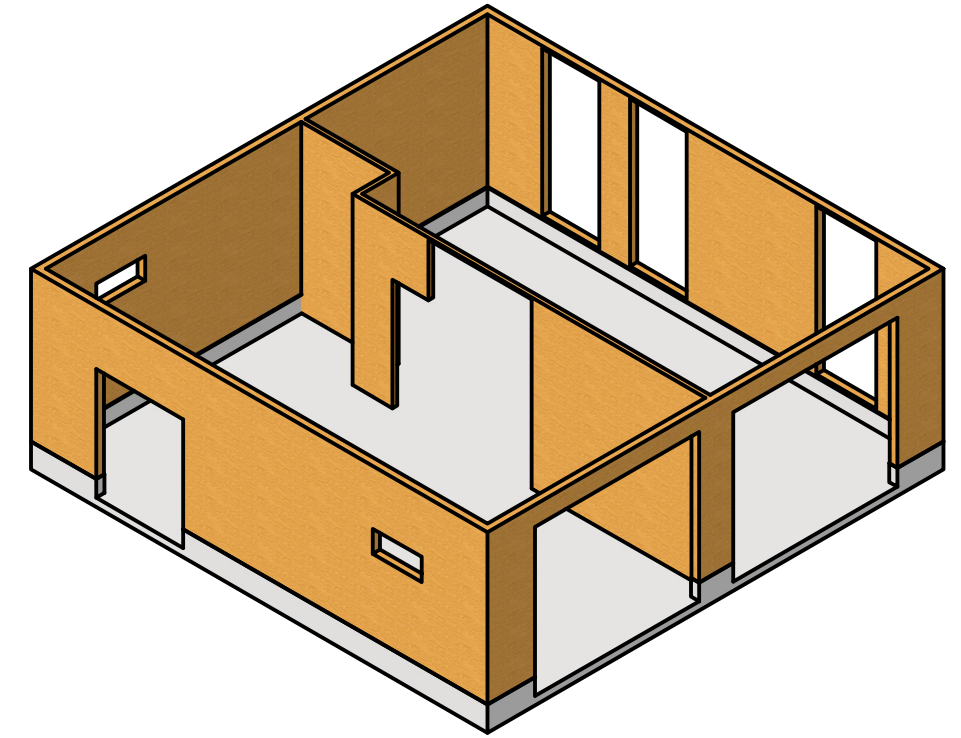
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| 1/7 | EL10034 | E |



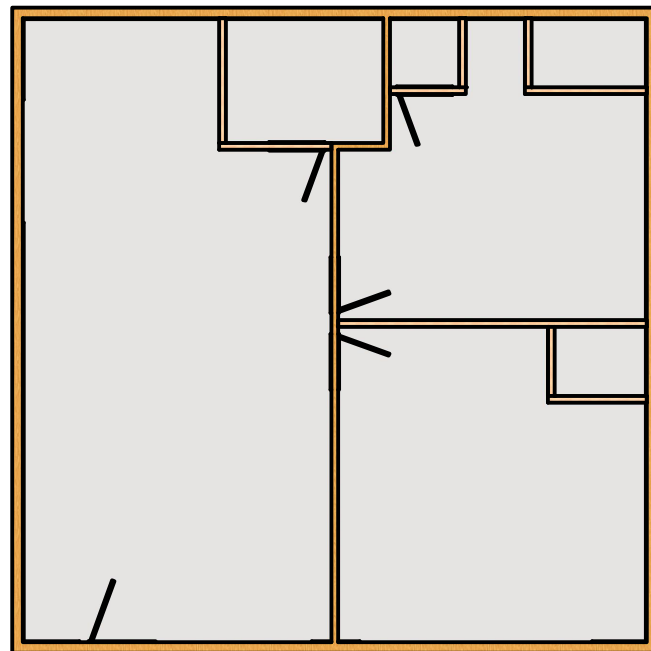
Original Plan



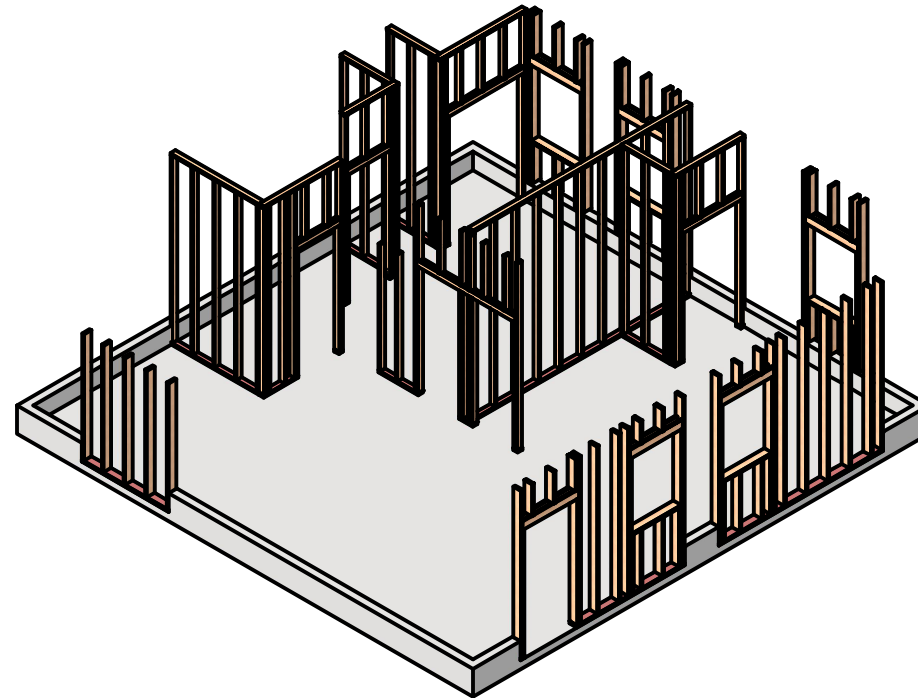
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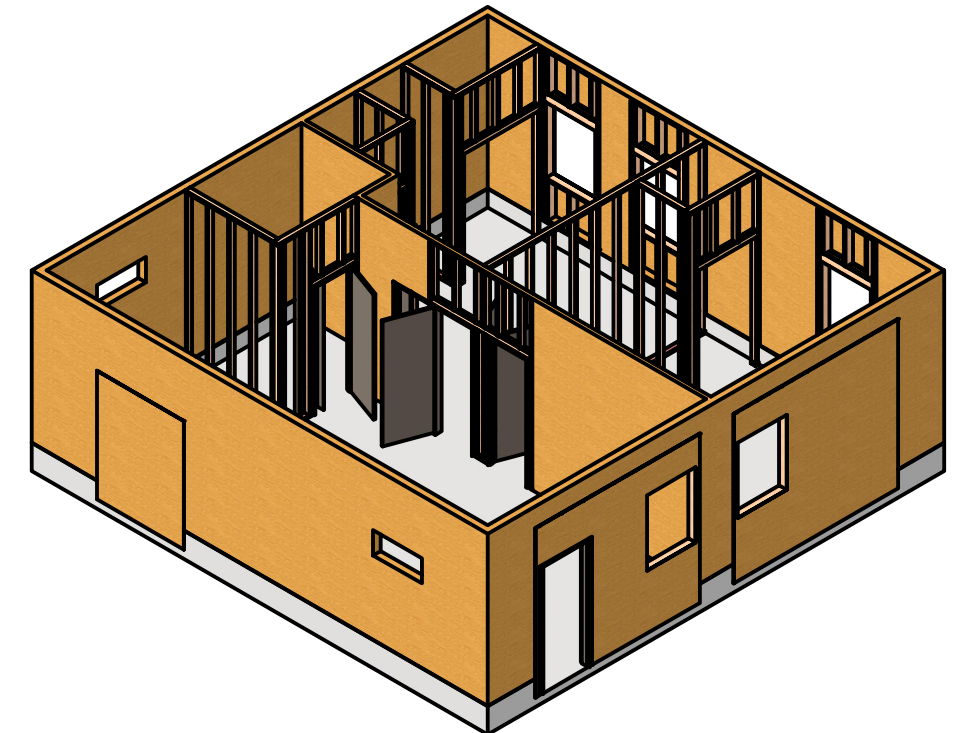
Original Tearout



New Plan



New Construction



New Final

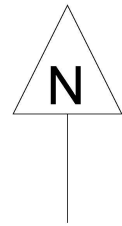
Overview



Title:
161 Hilltop Drive
ADU

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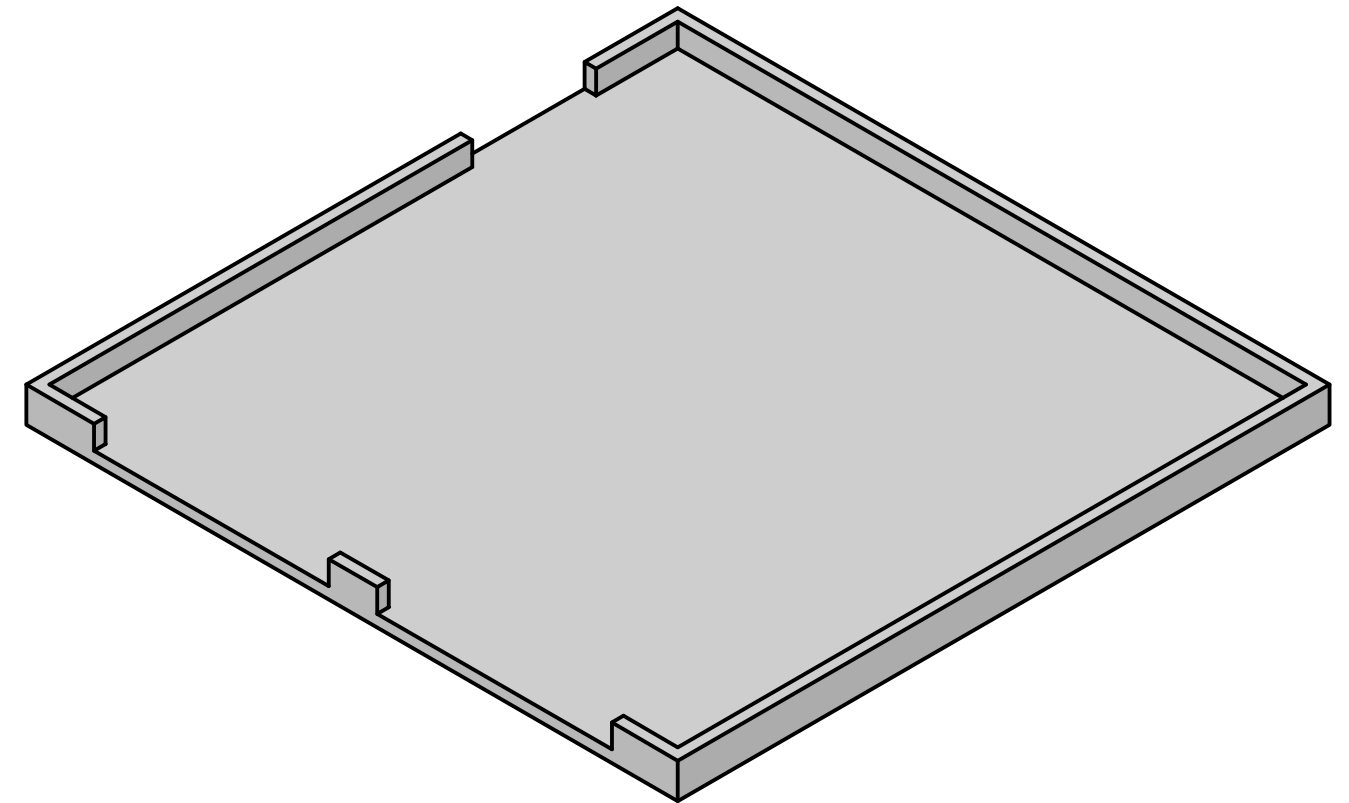
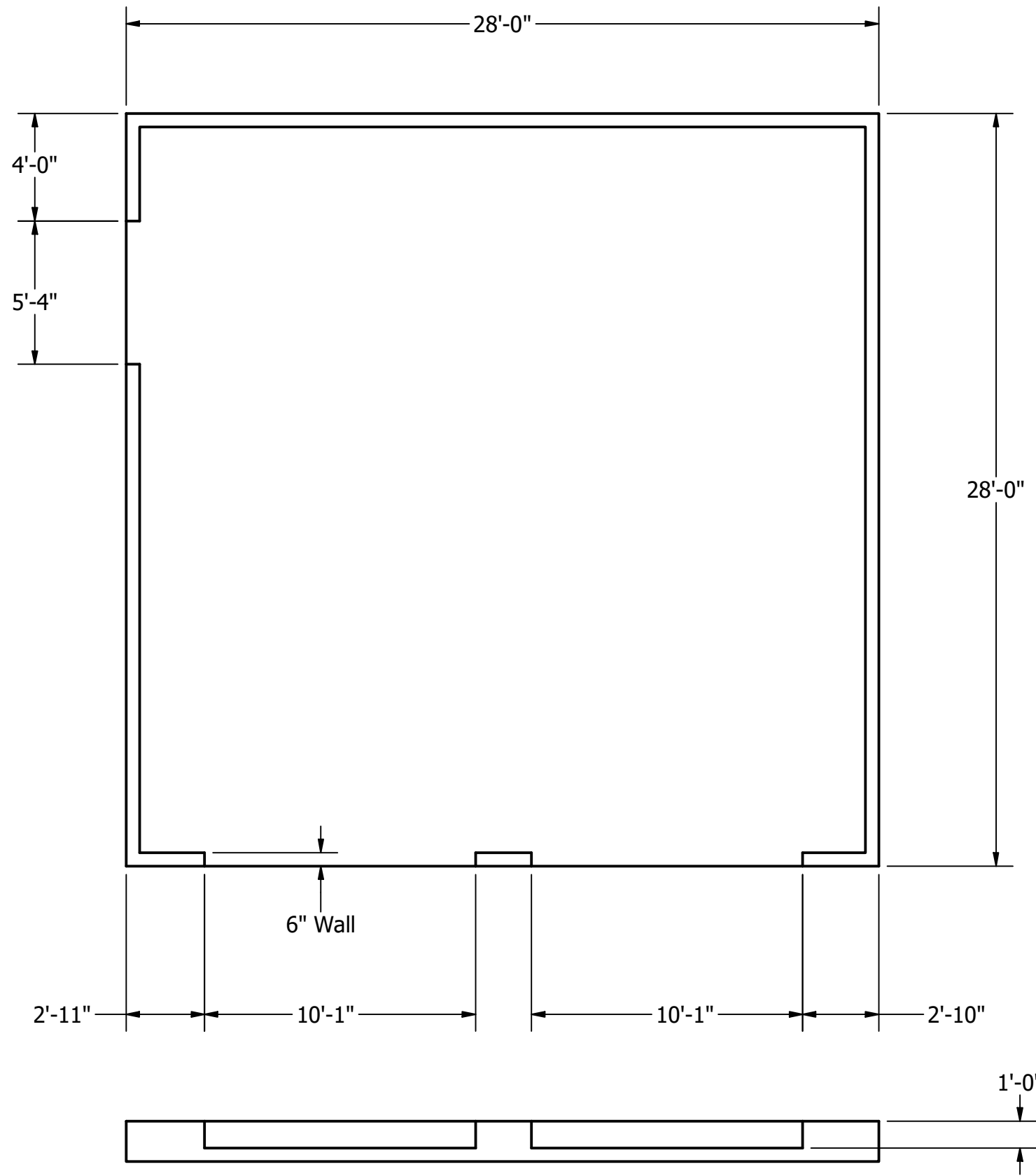
Lot Setbacks



Title:
161 Hilltop Drive
ADU

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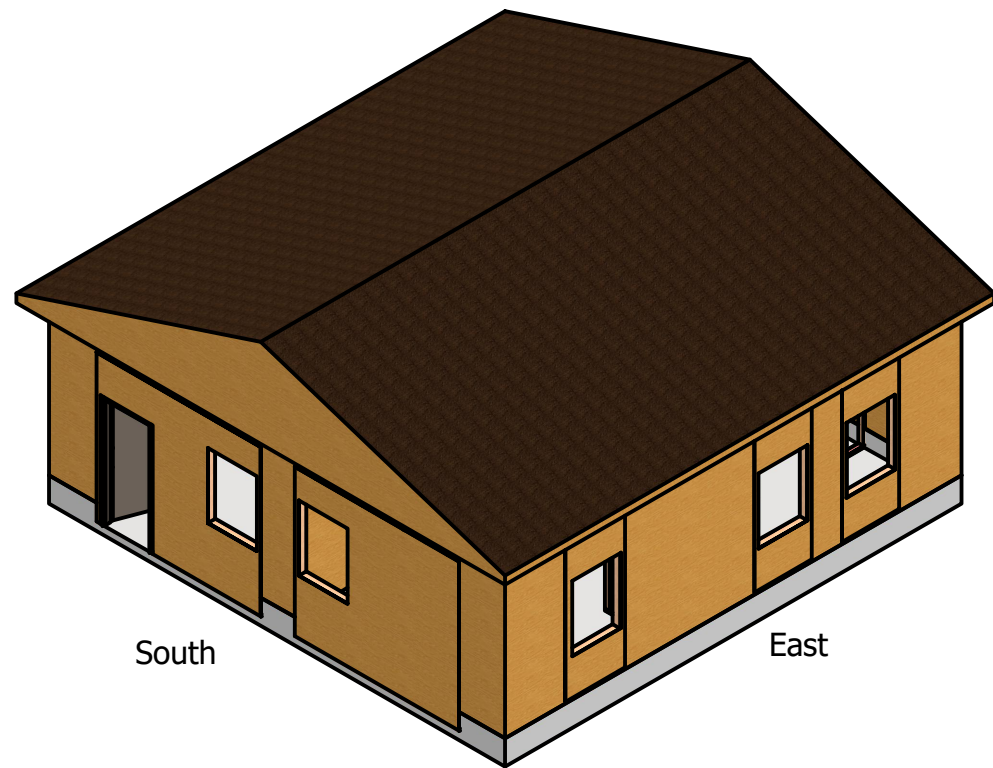
Foundation



Title:
161 Hilltop Drive
ADU

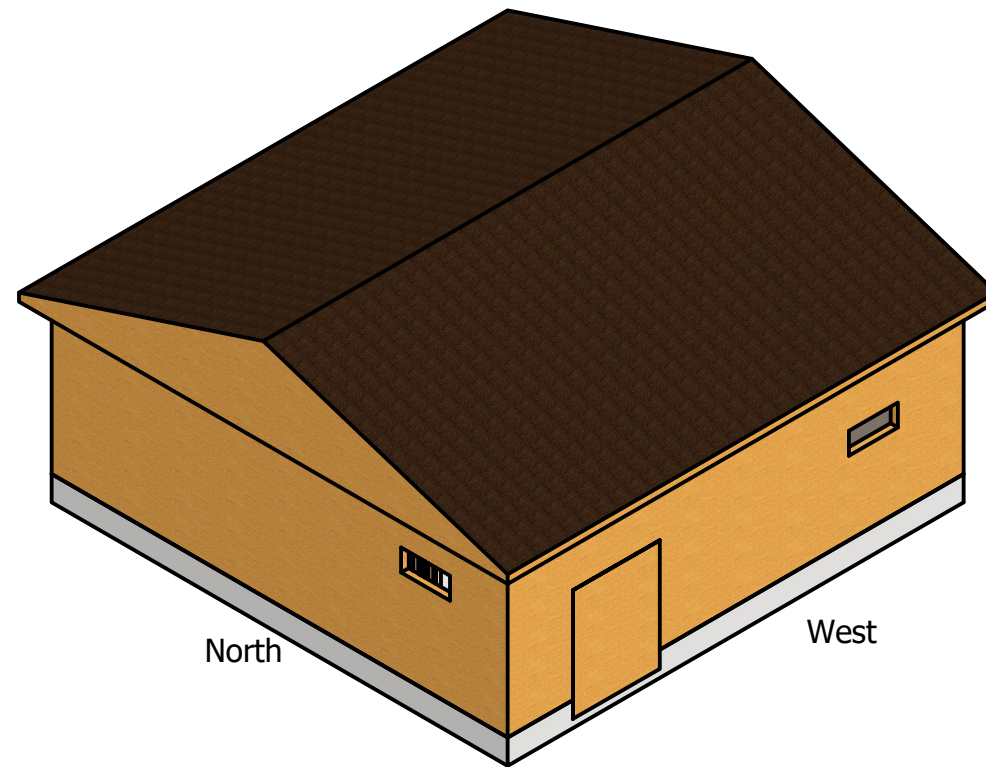
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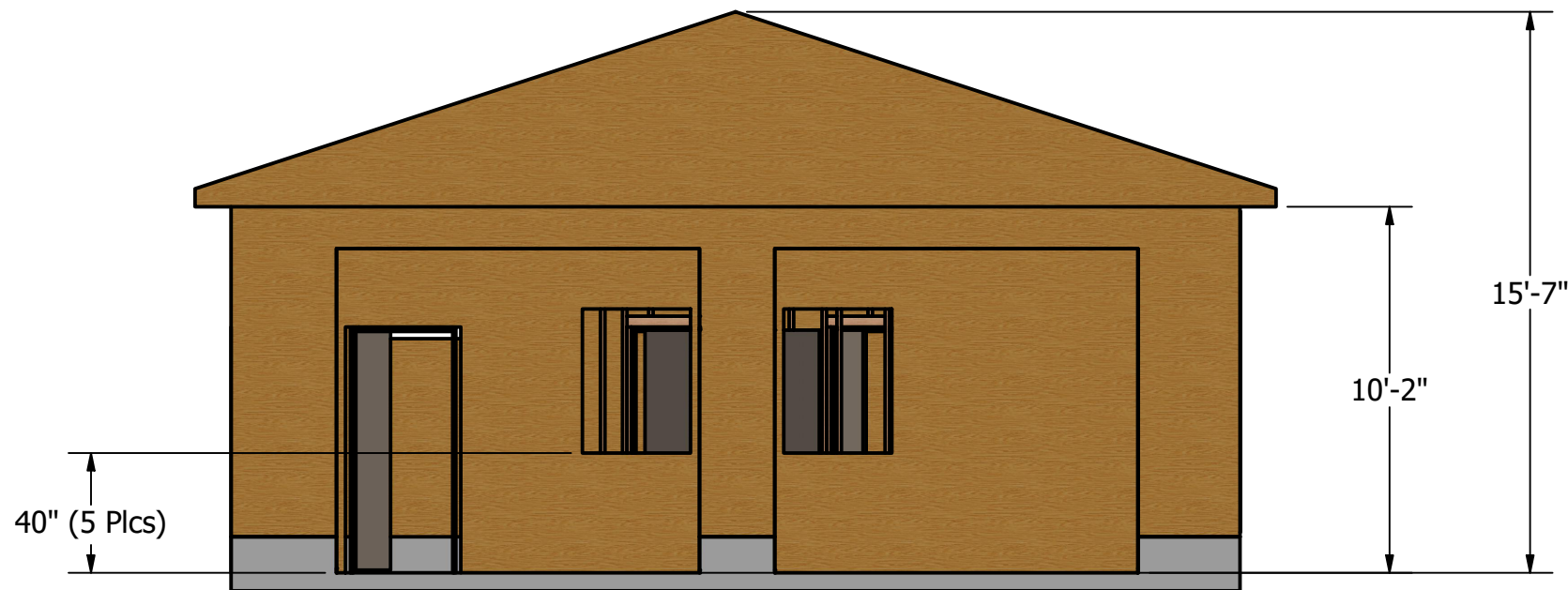
South

East



North

West

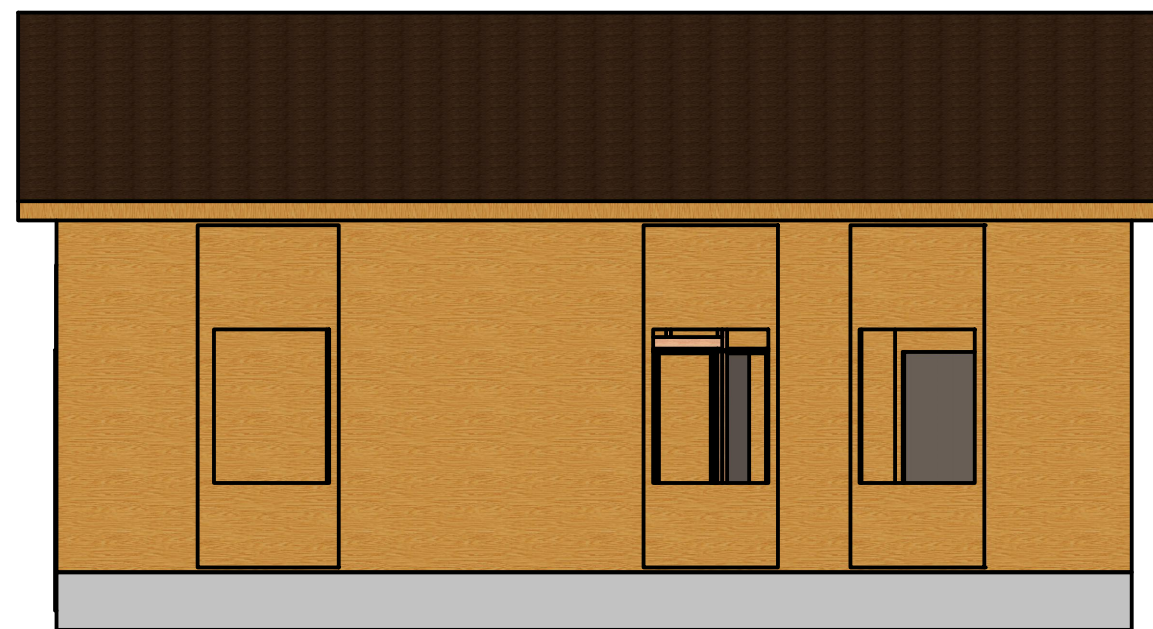


40" (5 Plcs)

10'-2"

15'-7"

South Wall



East Wall

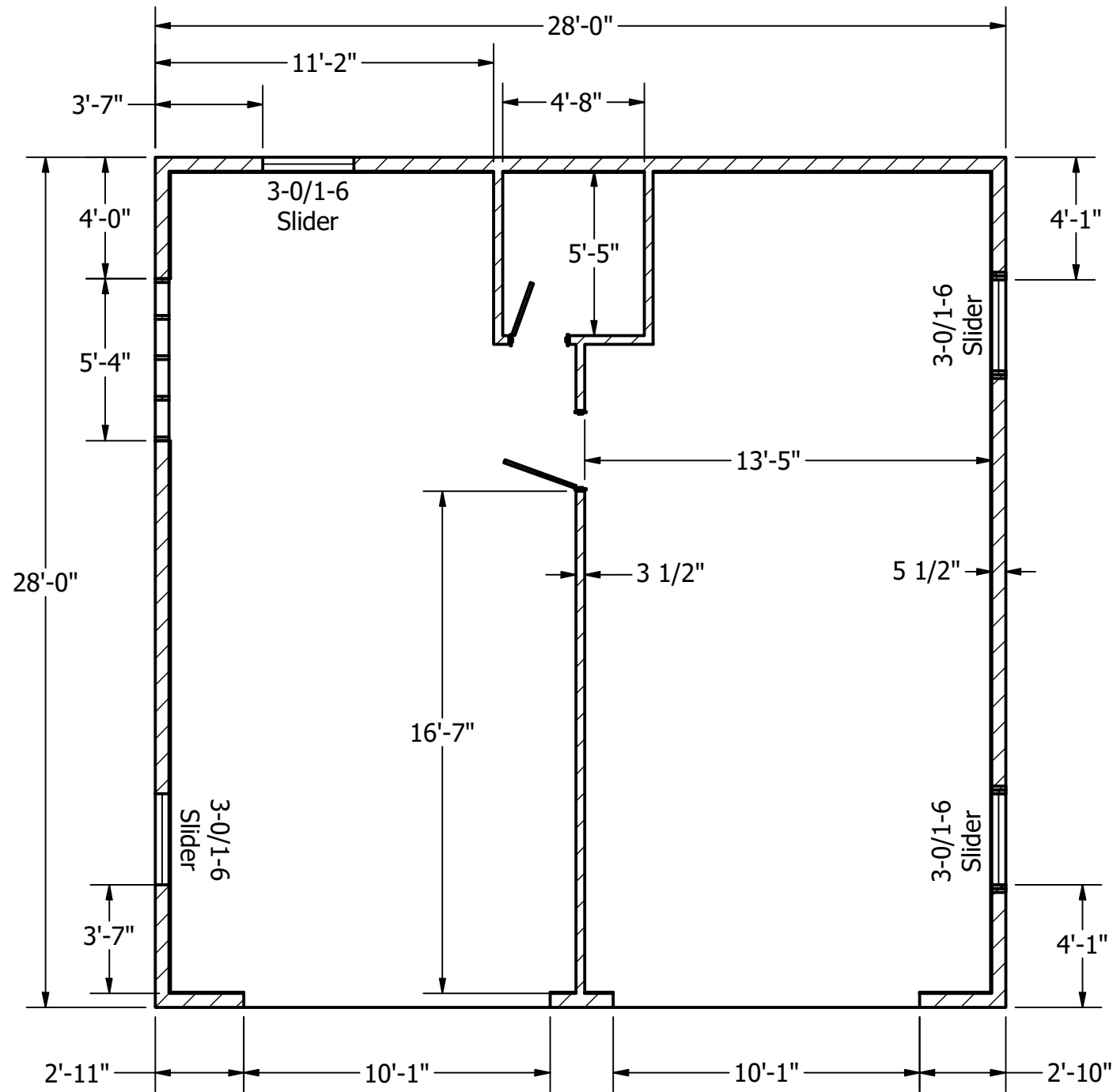
Elevations



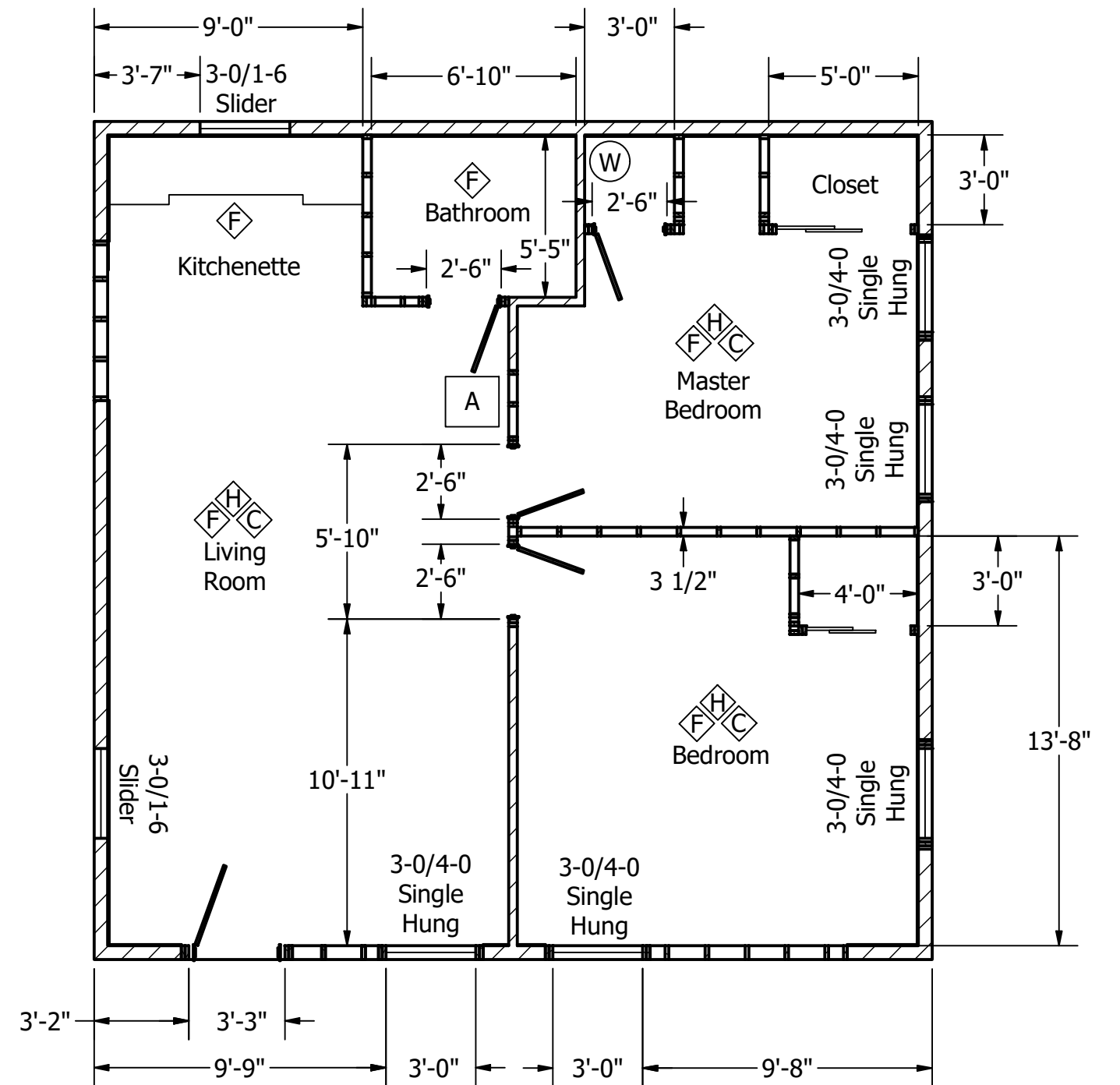
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ADU

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| Sheet: 5/7 | Drawing #: EL10034 | Rev. E |
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Original Floor Plan



New Floor Plan

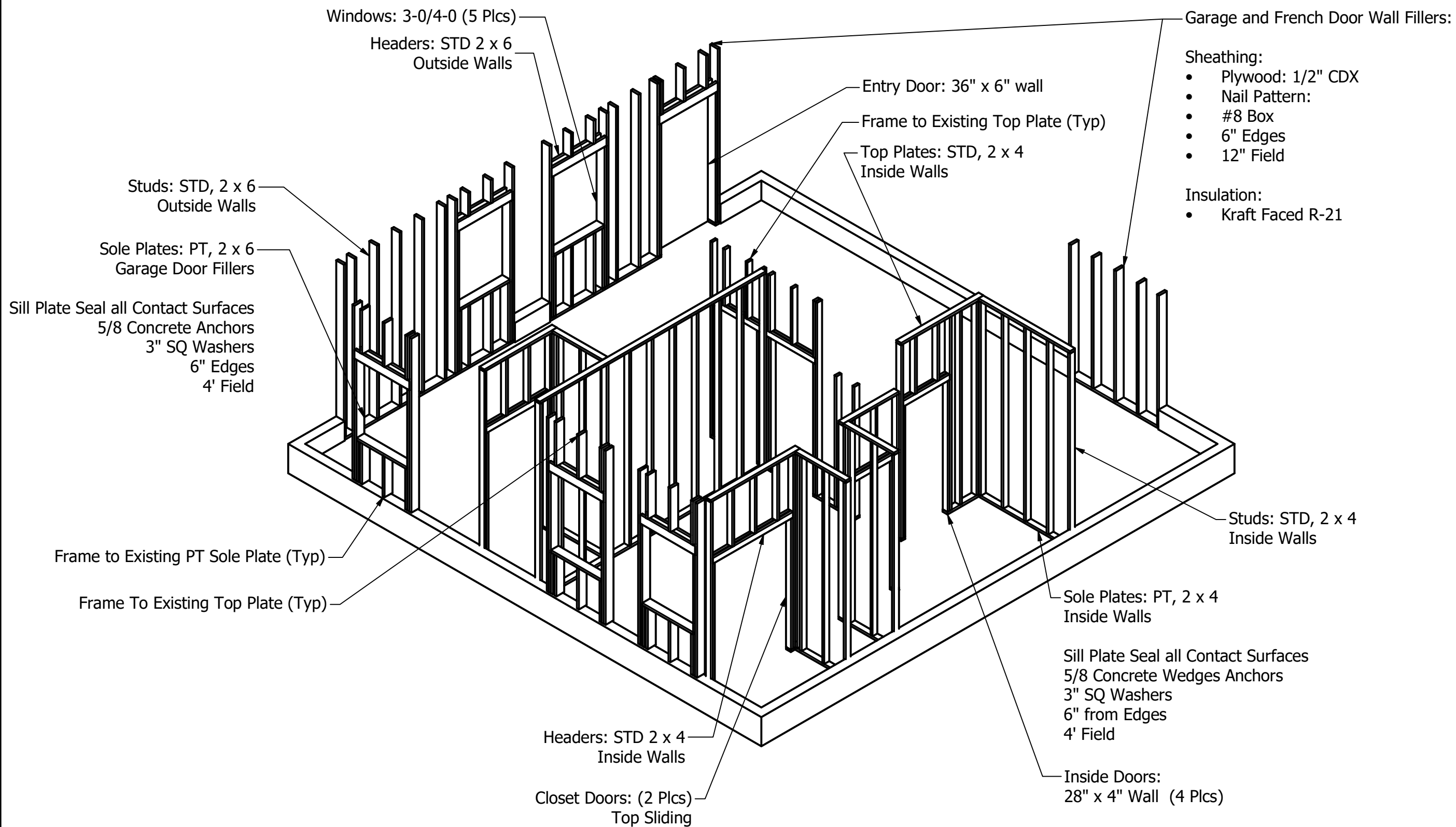
Floor Plan



Title:
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Wall Construction



Title:
 161 Hilltop Drive
 ADU

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| Sheet: 7/7 | Drawing #: EL10034 | Rev. E |
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| | |
|--------------------------|--|
| APPLICATION(S): | 769-24-000002-PLNG |
| MEETING DATE: | March 5, 2024 |
| PUBLIC HEARING: | Yes |
| Report Date: | February 21, 2024 |
| Applicant: | James Moreland |
| Owner: | James Moreland |
| Location: | 1101 S Prom, Seaside, OR 97138 |
| Major Street Access: | Avenue K |
| Parcel Number(s) & Size: | T6-R10-21DB15600 .11 ac |
| Zoning: | Medium Density Residential (R-2) |
| Adjacent Zoning: | Medium Density Residential (R-2), High-Density Residential (R-3), Open Space, Parks and Recreation (OPR) |
| 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: | Jordan Sprague, VRD Compliance |

A. Summary:

A conditional use request by James Moreland for a four (4) bedroom Vacation Rental Dwelling with a maximum occupancy of ten (10) persons regardless of age.

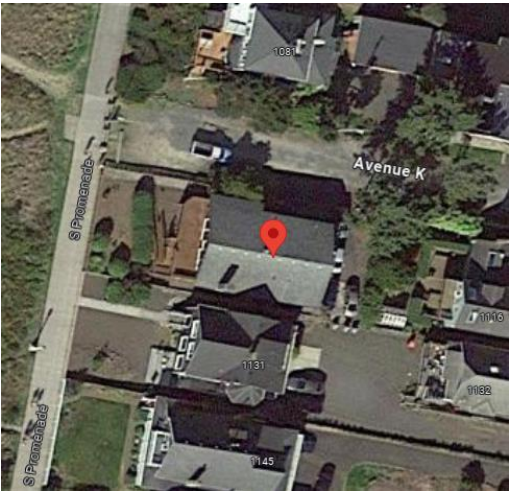
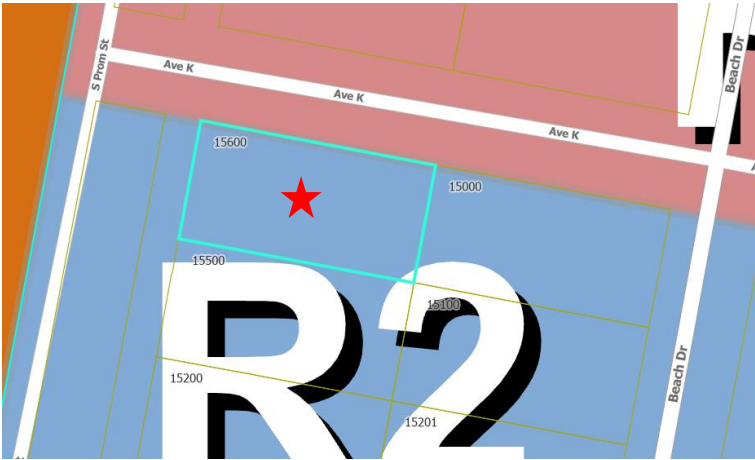
Staff Recommendation:

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 Plans**

Location: 1101 S Prom, Seaside, OR 97138



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

C. Background:

The applicant’s property is an approximate 5,000 sq. ft. lot with a single-family dwelling. The parking area has sufficient space for four (4) parking spaces. The off-street parking spaces are double-stacked and located on the parking pad in the eastern yard area.

D. Required Dates:

This application was accepted as complete on February 14, 2024. The 120-day decision timeframe is June 13, 2024.

E. Specific Request:

A conditional use request by James Moreland for a four (4) bedroom Vacation Rental Dwelling with a maximum occupancy of ten (10) persons regardless of age.

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 specific review criterion for Vacation Rental Dwellings is included in Section 6.137 of the Ordinance.

G. Community Review:

Notice of this public hearing was published in the Daily Astorian on February 15, 2024. Additionally, a mailed notice was sent on February 14, 2024, to all property owners within 100 feet of the subject property.

H. Written Comments:

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

I. 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.”

J. 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 four off-street parking spaces. The applicant is proposing two double-stacked parking spaces on the parking pad in the eastern yard area.

- 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 four-bedroom single-family dwelling that will allow an occupancy of 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 Erin Barker with Beachhouse Vacation Rentals 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:**

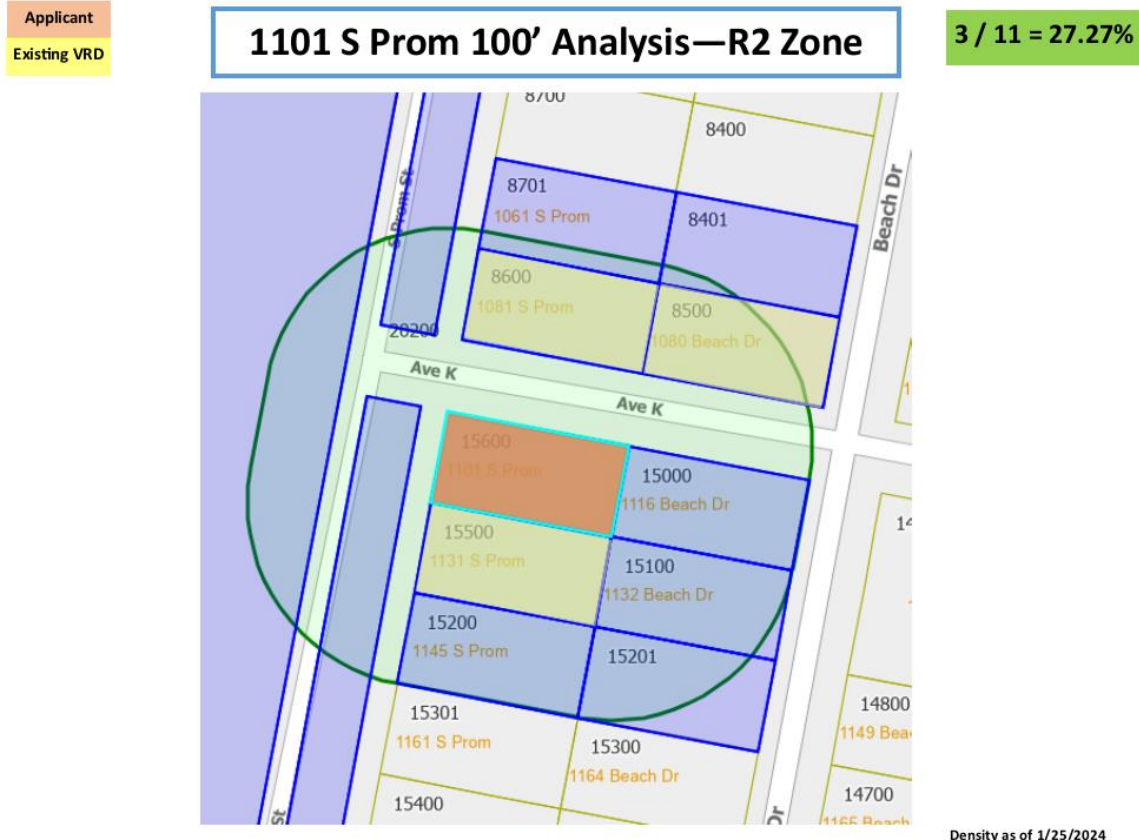
- 1. The use of the property as a VRD will be compatible with the surrounding land uses.**
- 2. The VRD will not contribute to excessive parking congestion on site or along adjacent streets.**

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 27.27%. 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.

K. Additional Findings, Conclusions, and Justification Statements:

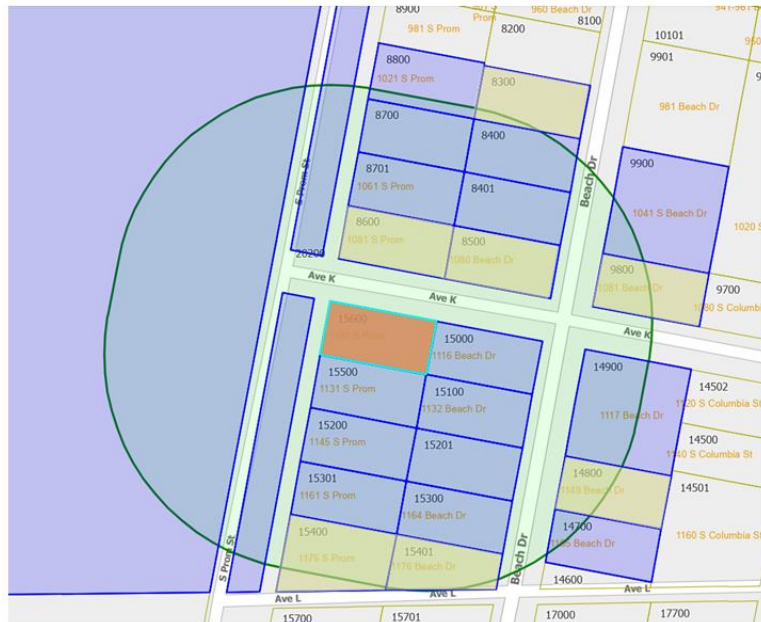
1. The applicant's submitted justification is adopted by reference and summarized below:
 - a. The applicant's plot plan indicates there will be at least four (4) off-street parking spaces.
 - b. The four (4) bedroom single-family dwelling will have a limited occupancy of ten (10) persons regardless of age.
 - c. The plot plan shows that parking (driveway) will not take up more than 50% of the required front yard area.
2. The proposed VRD is located within a developed residential neighborhood primarily consisting of single-family dwellings. Currently, 27.27% of the surrounding properties within 100ft of the subject property are licensed for VRD use and 29.17% are licensed within 200ft. The properties to the West are zoned OPR, the properties on the north side of Avenue K are zoned R-3, and the properties to the East and South are zoned R-2.



Applicant
Existing VRD

1101 S Prom 200' Analysis—R2 Zone

7 / 24 = 29.17%



Density as of 2/6/2024

3. The property is required to complete a VRD 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.
4. The City of Seaside Planning Commission adopted 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.

5. All property owners within 100 feet 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.
6. The proposed use is located within the tsunami inundation zone identified by the State of Oregon.
7. Negative impacts on 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.

8. The property was permitted as a VRD in 1996, however, the property has sold multiple times since that original approval. The property was not immediately operated as a VRD when the applicant purchased it.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.

15. 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.

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.

L. 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 (769-24-000002-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 not 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:** Four (4) 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:** 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 Beachhouse Vacation Rentals as the local contact and they can be reached at 503-440-1168. 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. COMPATIBILITY:** 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 ensure 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 who 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.
- 21. DEED RESTRICTION:** A deed restriction must be recorded regarding the fenced area and the deck to the west of the house extending into the public right-of-way. The applicant's deed restriction will acknowledge they have no ownership over this right of way and the City can request removal of any improvements and encroachments at any time.

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.

Alternative 1:

The Planning Commission may choose to continue this request to the regularly scheduled April 2, 2024, 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 leads to findings that show the applicant's property does not meet the requirements in the ordinance, the Planning Commission could move to deny the request.

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.



City of Seaside
 Planning Approval
 By: Jordan Sprague
 01/25/2024

RECEIVED
 City of Seaside Planning Department
 By: Jordan Sprague
 01/25/2024

Community Development Land Use Application

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

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

| Property Information: | | | | | |
|--|--------------|----------|-------|---------|------------|
| STREET ADDRESS OR LOCATION OF PROPERTY | | | | | |
| 1101 S Prom Seaside, Or 97138 | | | | | |
| ZONE | OVERLAY ZONE | TOWNSHIP | RANGE | SECTION | TAX LOT(S) |
| R2 | | 6 | 10 | 21DB | 15600 |

| Owner: | | Applicant/Representative Other than Owner: | |
|-----------|---|--|--|
| NAME | James Moreland | NAME OF APPLICANT / REPRESENTATIVE | |
| ADDRESS | 15515 SE River Forest Dr Milw, Or 97267 | ADDRESS | |
| PHONE | 503-740-5386 | PHONE | |
| EMAIL | jim@starmetro.com | EMAIL | |
| SIGNATURE | <i>James Moreland</i> 1-23-2024 | SIGNATURE | |

Proposed Use: Private 2nd home with part time vacation rental

Existing Use: Private 2nd home

Site Plan:

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

| Specific of Request: | | | |
|--|---|---|--|
| <input 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 checked="" type="checkbox"/> Vacation Rental | <input type="checkbox"/> Appeal |
| <input type="checkbox"/> Minor Partition | <input type="checkbox"/> Setback Reduction | <input type="checkbox"/> Variance | |

| For Office Use Only | |
|--|--|
| Application Received: 01/11/2024 | File Number: 769-24-00002-PLNG |
| Application Deemed Complete: 02/14/24 | 120-Day Decision: 06/13/24 |
| Staff Decision (Type 1) <input type="checkbox"/> | PC Decision (Type 2) <input checked="" type="checkbox"/> |



Community Development Vacation Rental Dwelling

1. Please describe, in detail, your specific request.

I would like a license to do vacation rental of my private second home when I am not personally using it.

2. Total number of bedrooms: 4

3. Total number of off-street parking spaces: 4

a. VRDs are required to have a minimum of two parking spaces (each space must be 9ft x 18ft) plus one additional space for each bedroom in the dwelling.

4. Occupancy Requested: 10

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 three.

5. Do the required off-street parking spaces take up more than 50% of the VRD's required yard areas? Yes No

6. Do any owners of the subject property have ownership in any other short-term rentals? Yes No

If yes, what city/state are they located in?

7. Who will be the local contact for this VRD?

| Name | Address | 24-hr Phone |
|----------------------------|------------------|-----------------------------|
| Beachhouse vacation rental | 318 N Holiday st | 1-800-995-2796/503-440-1168 |

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 a VRD conditional use permit.

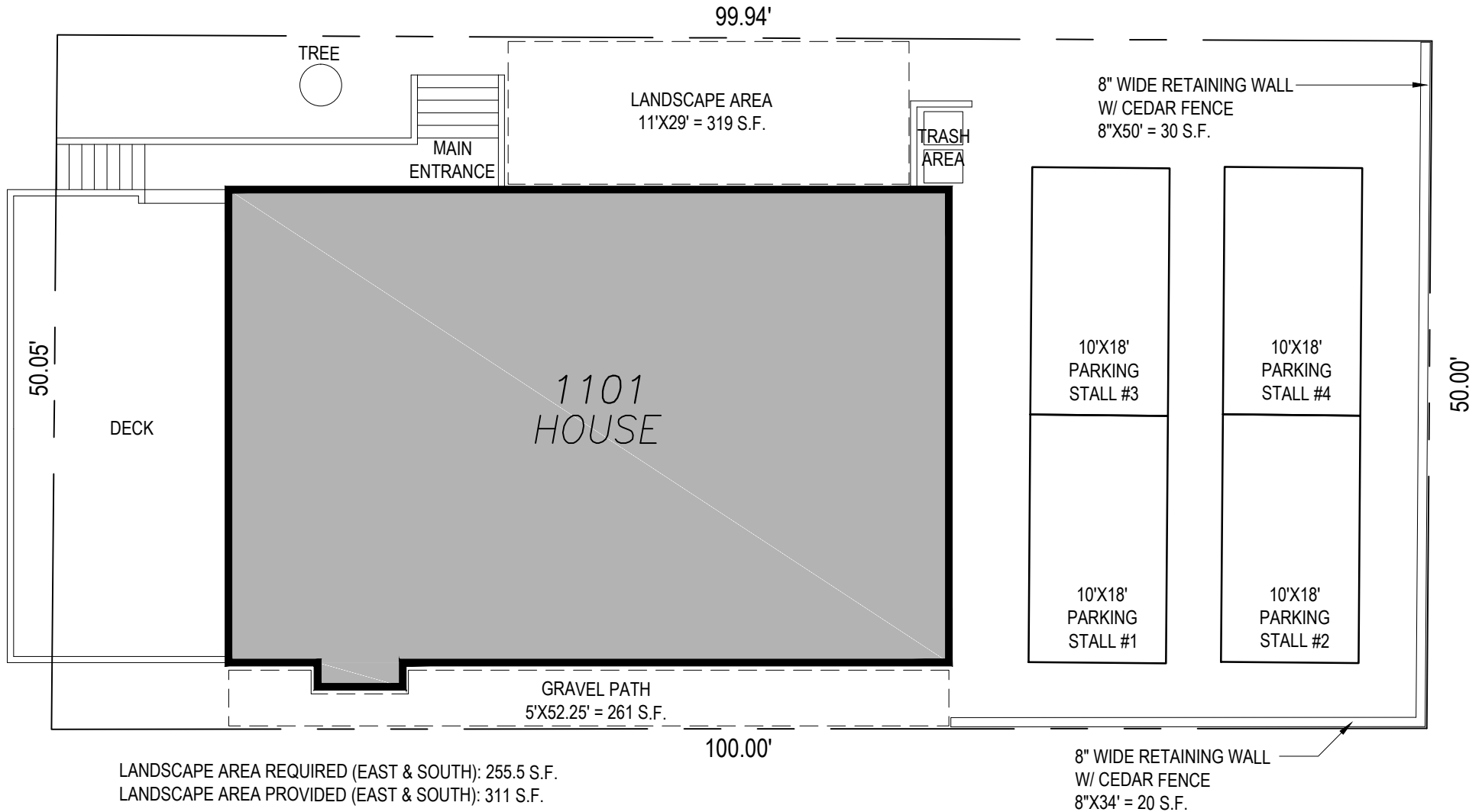
Applicant Signature: 

Date: 1-23-2024

Printed Name: James Moreland

ON-STREET PARKING CANNOT BE USED BY RENTERS

(Please use the off-street spaces provided)



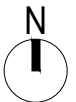
City of Seaside
Planning Approval
By: Jordan Sprague
01/25/2024

1101 S. PROMENADE

RECEIVED
City of Seaside Planning Department
By: Jordan Sprague
01/25/2024

SITE PLAN

3/32"=1'-0"

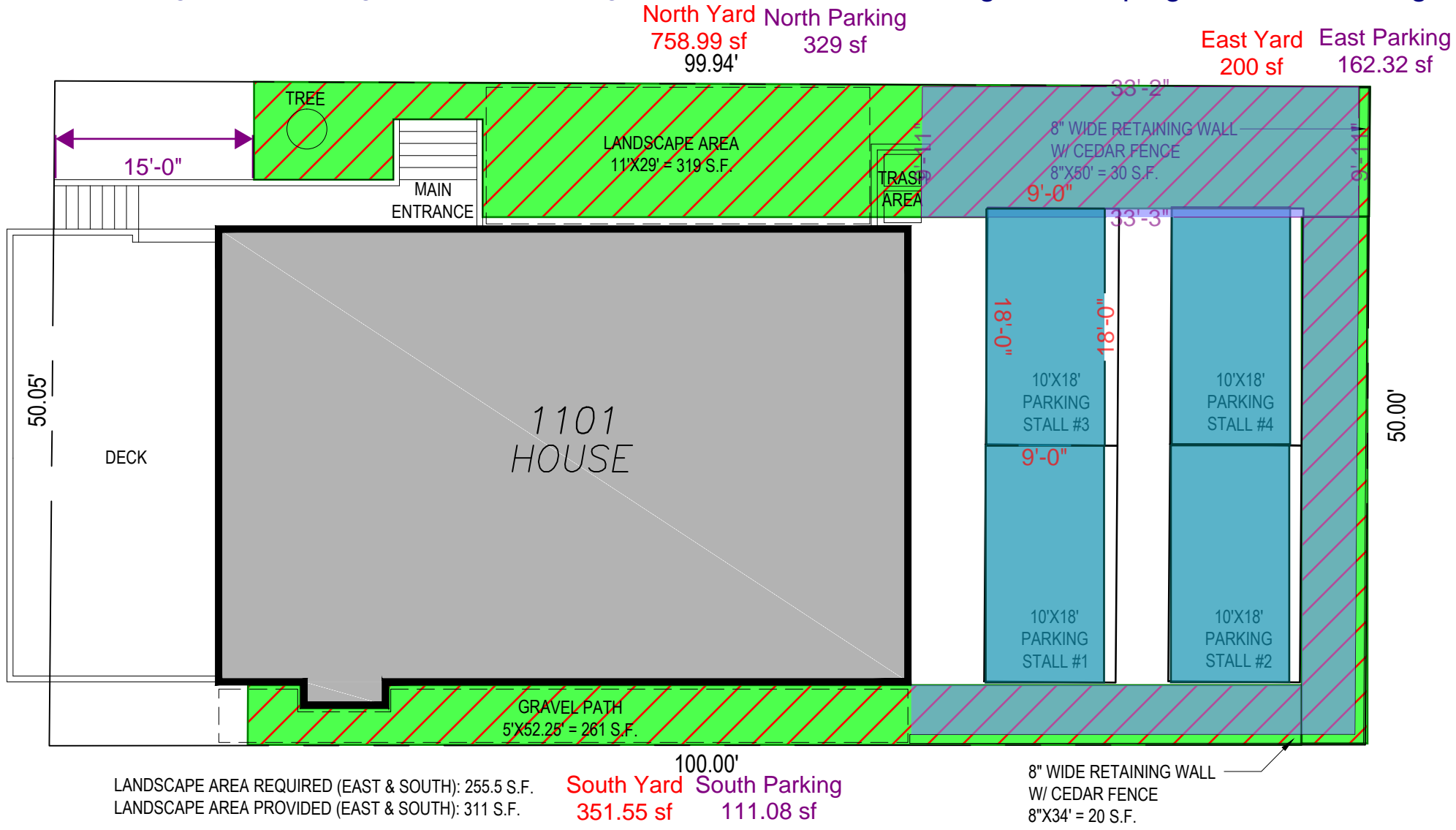


50% FRONT YARD REQUIREMENT

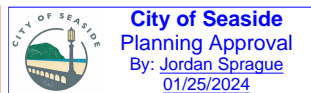
Parking: 329 Sq. Ft.
 Landscaping: 758.99 Sq. Ft.
 Parking/Landscaping: 43.35% Parking

50% SIDE YARD REQUIREMENT

Parking: 273.4 Sq. Ft.
 Landscaping: 551.55 Sq. Ft.
 Parking/Landscaping: 49.57% Parking



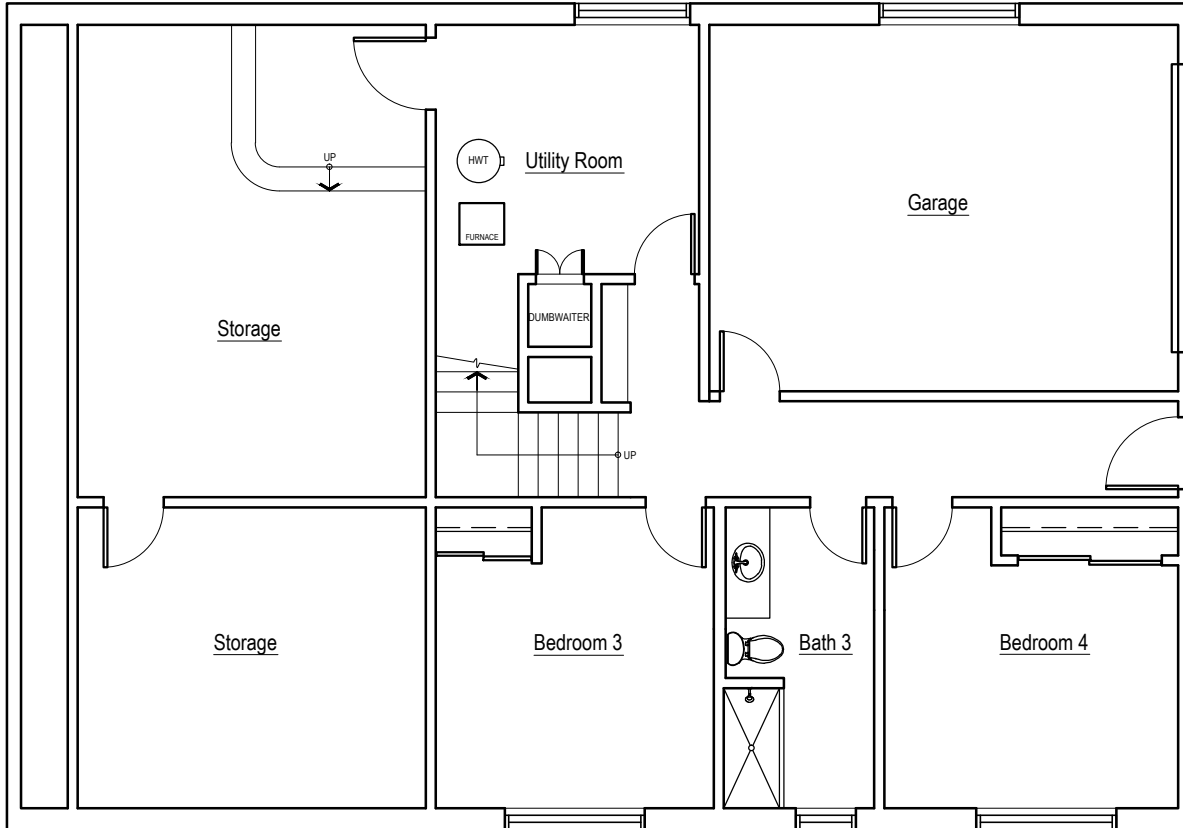
1101 S. PROMENADE



SITE PLAN

3/32"=1'-0"





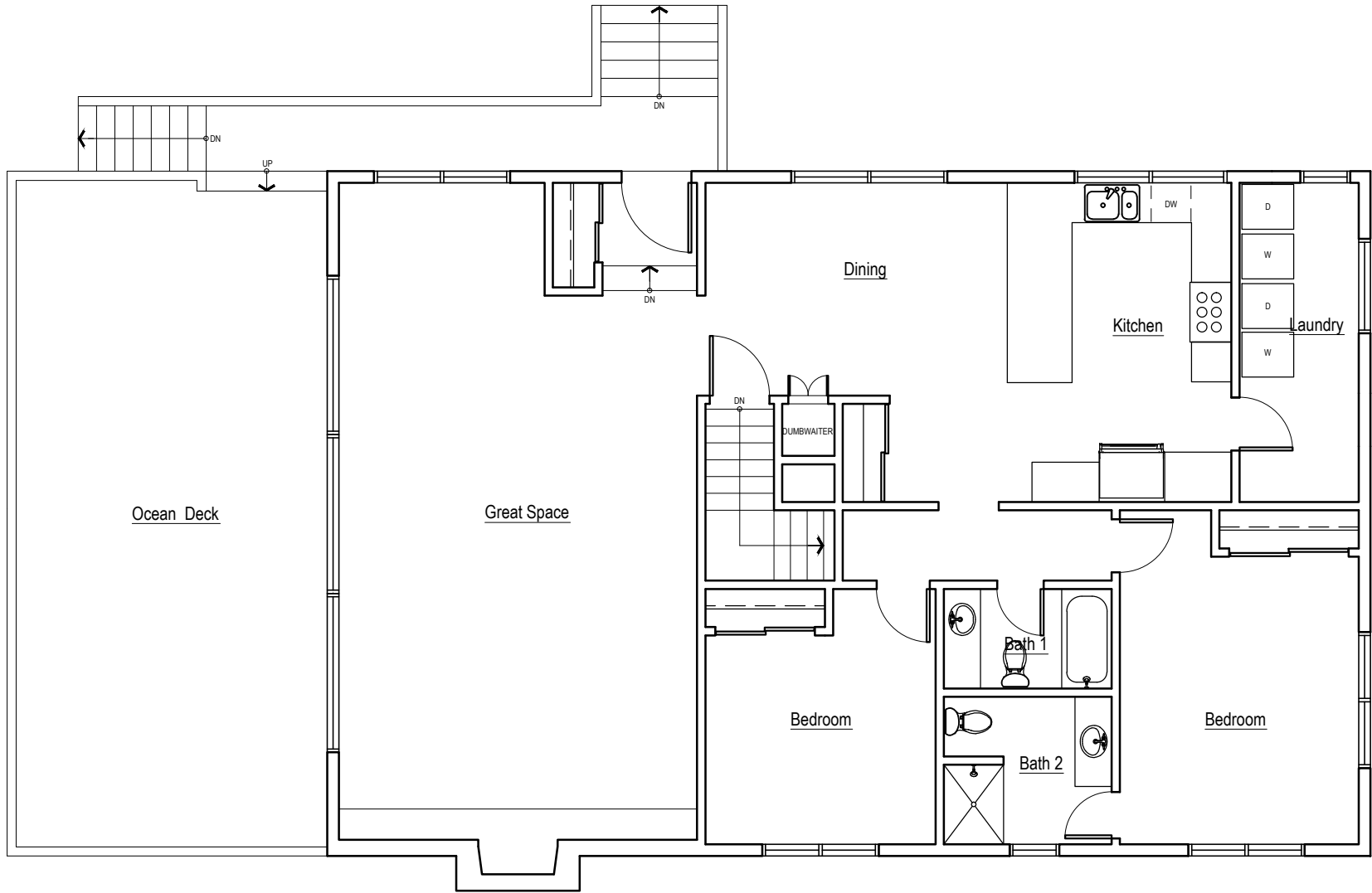

City of Seaside
 Planning Approval
 By: [Jordan Sprague](#)
 01/25/2024

1101 S. PROMENADE

RECEIVED
 City of Seaside Planning Department
 By: [Jordan Sprague](#)
 01/25/2024

LOWER LEVEL PLAN

1/8"=1'-0"





| | |
|--------------------------|---|
| APPLICATION(S): | 769-24-000007-PLNG – Modification of a Conditional Use |
| MEETING DATE: | March 6, 2024 |
| PUBLIC HEARING: | Yes |
| Report Date: | February 23, 2024 |
| Applicant: | Josh Modin, ZCS Engineering & Architecture Susan Penrod, Seaside School District |
| Owner: | Sunset Empire Park and Recreation District |
| Location: | 1140/1120 Broadway St., Seaside OR 97138 |
| Major Street Access: | Broadway St. |
| Parcel Number(s) & Size: | T6-R10-22BB04700 & 4800 Approximately 5 Acres |
| Parcel Zoning: | Medium Density Residential (R-2), General Commercial (C-3) |
| Adjacent Zoning: | Medium Density Residential (R-2), General Commercial (C-3) |
| Current Use of Parcel: | Former Middle School |
| Adjacent Uses: | Single-Family Residential, Public Park |
| 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 Seaside School District (SSD) to modify Condition 5 of their prior approval which, if approved, will allow them to remove the netting on the west side (first base line) of the softball field and not keep the nets up year-round.

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. Photos of the Site**
- 2. Applicant Submittals**

Location: 1120/1140 Broadway St., Seaside OR 97138, (T6-R10-22BB04700 &4800)



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

C. Background:

This applicant was granted Planning Commission approval for a conditional use to install a softball field at the Broadway complex on April 5, 2023. The Planning Commission imposed five (5) conditions on the approval that would need to be met in order to construct the field. The applicant is requesting an amendment to Condition 5 which states:

“Additional safety netting will need to be provided on the west side of the softball field to protect pedestrians and the SEPRD building from foul balls or other objects leaving the field. The safety netting along the north property line as well as the safety netting on the west side of the softball field will need to remain in place 365 days a year to protect neighboring properties and buildings from balls or objects leaving the fields of play.”

D. Required Dates:

This application was accepted as complete on February 12, 2024. The 120-day decision timeframe is June 11, 2024.

E. Specific Request:

A conditional use request by Seaside School District (SSD) to modify Condition 5 of their prior approval which, if approved, will allow them to remove the netting on the west side (first base line) of the softball field and not keep the other netting up year-round.

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.

G. Community Review:

Notice of this public hearing was published in the Daily Astorian on February 15, 2024. Additionally, a mailed notice was sent on February 14, 2024, to all property owners within 100 feet of the subject property.

H. Written Comments:

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

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.**
- 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.**

J. 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.

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.



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



Community Development Land Use Application

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

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

| Property Information: | | | | | |
|---|--------------|----------|-------|---------|------------|
| STREET ADDRESS OR LOCATION OF PROPERTY | | | | | |
| 1120 Broadway Street, Seaside, OR 97138 | | | | | |
| ZONE | OVERLAY ZONE | TOWNSHIP | RANGE | SECTION | TAX LOT(S) |
| C3 & R-2 | None | 6N | 10W | 22 | 4700 |

| Owner: | Applicant/Representative Other than Owner: |
|---|---|
| NAME Sunset Empire Parks & Recreation District | NAME OF APPLICANT / REPRESENTATIVE Seaside School District |
| ADDRESS 1140 Broadway Street, Seaside, OR 97138 | ADDRESS 2600 Spruce Drive, Suite 100, Seaside, OR 97138 |
| PHONE 503-738-3311 | PHONE 503-738-5591 |
| EMAIL sarchibald@sunsetempire.com | EMAIL spenrod@seasidek12.org |
| SIGNATURE | SIGNATURE |

Proposed Use: Expansion of the public sports complex known as Broadway Field

Existing Use: Broadway Field Sports Complex

Site Plan: See attached memo to review and discuss Condition #5 within 23-013 CU. Site plan included.

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

| Specific of Request: | | | |
|---|---|--|--|
| <input checked="" type="checkbox"/> Conditional Use (23-013 CU) | <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"/> Appeal |
| <input type="checkbox"/> Minor Partition | <input type="checkbox"/> Setback Reduction | <input type="checkbox"/> Variance | |

| For Office Use Only | |
|--|--|
| Application Received: 02/09/24 | File Number: 769-24-000007-PLNG |
| Application Deemed Complete: 02/12/24 | 120-Day Decision: 06/11/24 |
| Staff Decision (Type 1) <input type="checkbox"/> | PC Decision (Type 2) <input checked="" type="checkbox"/> |

Memo

To: Jeff Flory – City of Seaside Community Development Director
City of Seaside Planning Commission Members

From: Josh Modin – ZCS
Susan Penrod – SSD
Jeff Roberts – SHS
Skyler Archibald – SEPRD

CC:

Date: February 8, 2024

Re: 23-013 CU: Conditional Use
Modification / Clarification Request to Condition #5

Members of the City of Seaside Planning Commission –

Our team is writing to you with a special request to modify / clarify condition #5 within the 23-013 CU: Conditional Use Planning Commission Notice of Final Decision. This revolves around the Broadway Field Renovation project and screening on the west side (first base line) of the new softball facility. We would love an open dialogue with you to review this in detail and determine a solution that meets your original intent, while meeting the needs of this facility, use, and project budget. Within the 23-013 CU: Conditional Use Planning Commission Notice of Final Decision, condition #5 specifically states:

“Condition 5: *Additional safety netting will need to be provided on the west side of the softball field to protect pedestrians and the SEPRD building from foul balls or other objects leaving the field. The safety netting along the north property line as well as the safety netting on the west side of the softball field will need to remain in place 365-days a year to protect neighboring properties and buildings from balls or objects leaving the fields of play.”*

Our first special request related to this matter revolves around the first sentence, which states that additional safety netting will need to be provided on the west side of the softball field to protect pedestrians and the SEPRD building from foul balls or other objects leaving the field. We feel that this, as written in the Notice of Final Decision, is open for interpretation and we would like to present our case for what is currently planned for within our Construction Documents for the Broadway Field Renovation project. This will alleviate any confusion and ensure that all parties’ expectations are aligned.

At the time of CUP submittal, we feel that our site plan documents were mute on this stretch of fencing as it specifically related to our planned fence height and protection measures. We have attached the conditions and two site plans for your review/use:

1. 23-013 CU: Conditional Use Planning Commission Notice of Final Decision
2. Original CUP Site Plan submitted April 2023
3. Updated Construction Document Site Plan of what we would like to install

This is a facility type that ZCS has designed countless times across the State of Oregon. Additionally, these are the types of sports complexes that our partners, Seaside School District, Seaside High School, and Sunset Empire Parks + Recreation District are consistently visiting and using. Your verbiage is to provide a “net”. You further go-on to reference the netting along the northern property line, which is a barrier net that is 40-feet in height and a rather significant piece of infrastructure. Yet, there is no specific mention of height for protection within condition #5 for the west line and thus, we have not been successful in request for clarification with Mr. Jeff Flory for net versus fence and height.

The entire western line as currently designed within the *Updated Construction Document Site Plan* is very well protected, consistent with all similar types of facilities – including both baselines of the baseball field at this location. We have a 30-foot backstop behind home plate. Then, our dugouts immediately abut the backstops, at which the tallest portion of the dugout facade is 10’-5”. After the dugout and down the entire line to the outfield corner, we are proposing to provide a 6’-0” tall fence. The fence provides perfect protection for spectators and keeps visibility and campus feel where we’d prefer. Taller fences/nets tend to make the space feel confined and combined with narrow walkways, you feel like you are in a cattle-shoot. Additionally, we are trying to keep the 1st baseline viewing for softball equal to the view and feel of the softball 3rd baseline, as well as the 1st and 3rd baselines of the baseball field. Thus, ensuring the facility has an equal experience for all sports genders.

There is less concern about the SEPRD building, which is constructed from concrete and this particular area has no windows. Its construction type and quality will handle miscellaneous balls hitting the façade without structural damage. Additionally, in softball, we do not see high speed errant foul balls that leave the field of play as often as we do in baseball. We are not currently experiencing damage to the Herche Family Training Facility, which is roughly the same proximity to the existing softball field location, because of the 6’-0’ fence distance from the batter’s box.

We are also trying to be mindful of taxpayer’s dollars and our project budget. Based on the information obtained in our construction bid, there is a substantial cost difference between a netting system and a standard 6’-0” fence. Our bid numbers indicate that a netting system costs approximately \$1,200 per lineal foot, while the 6’-0” fencing is roughly \$175 per lineal foot. By allowing us to proceed with the current design, we would avoid spending over an additional \$200,000 on this length of 210-feet. We want to be good stewards of the public’s funds.

We are also open to providing some signage at the park entrances that would serve as a notice to non-athlete of the potential hazard around sports complexes. We think it’s always important to be vigilant of what you’re doing and aware of your surroundings. Stating such could help mitigate possible concerns.

With the information above, we are specifically requesting that the City omit the requirement for netting and accept the design as-is based on the currently approved/permitted construction documents for the first base line / west side of the softball field. These new improvements considerably increase the overall safety of visitors to Broadway Field as compared to the current conditions.

Lastly, we would also like to request the Planning Commission Members reconsider the time duration of the netting being in-place on the structural frame. As noted above, the northern property line netting is to remain in place 365-days a year to protect neighboring properties and buildings from balls or objects leaving the fields of play. With wind and UV wear and tear on the netting itself, it would be ideal to only be required to have the netting up from March 1st through August 31st, yearly.

As evidenced by our recent winter storm and ice event, netting at a height of 40-feet tall can become a hazard and we would like the flexibility for Seaside School District and Sunset Empire Parks + Recreation District to be able to lower the netting as warnings are received.

This would save on replacement costs of the net and allow the District to stretch use over more years than if it were up the entire time.

Our final note for having periods of time when the netting is taken down is bird movement and migration. Being left up yearly, the net could become a bird catcher and we would like to be considerate of the wildlife in the area.

Thank you so much for your consideration. We appreciate your cooperation and assistance on this community-oriented project. This document has been generated and reviewed/approved by the following individuals:

Josh Modin
Senior Associate
ZCS Engineering & Architecture

Skylar Archibald
Executive Director
Sunset Empire Parks + Recreation District

Susan Penrod
Superintendent
Seaside School District

Jeff Roberts
Principal
Seaside High School

*Submitted via electronic mail to:

- Jeff Flory
Community Development Director
City of Seaside, Oregon
jflory@cityofseaside.us
989 Broadway
Seaside, OR 97138



Planning Commission Notice of Final Decision

| | |
|------------------------|--|
| APPLICATION(S): | 23-013 CU: Conditional Use |
| MEETING DATE: | April 4, 2023 |
| MAILED DATE: | April 5, 2023 |
| Applicant: | Seaside School District |
| Owner: | Sunset Empire Parks and Recreation District (SEPRD), City of Seaside |
| Location: | 1120 Broadway St. (6-10-22BB-TL 4700 & TL 4800) |
| Staff Contact: | Jeff Flory, Community Development Director |

Request Summary:

The applicant is requesting a Conditional Use to develop a softball field that will include an additional parking area north of the SEPRD building, additional seating for spectators, fencing and backstop, as well as adding an announcer booth.

Planning Commission Decision:

On April 4, 2023 the Seaside Planning Commission approved the above referenced request in accordance with the provisions in the City of Seaside Zoning Ordinance and the Comprehensive Plan.

The Planning Commission's Final decision was supported by the applicant's submitted justification, the adopted information in the staff report, and any substantive testimony or evidence that was provided during the public hearing process. This information was used to establish the findings, justification statements, and conclusions adopted by the commission.

Appeal Provisions:

The Planning Commission's decision may be appealed in accordance with Section 10.068 of the Seaside Zoning Ordinance which states:

Any action or ruling of the Planning Commission pursuant to this Ordinance may be appealed to the City Council within fifteen (15) days after Notice of Decision is provided pursuant to Section 10.066. Written notice of the appeal shall be filed with the City Auditor. If the appeal is not filed (or postmarked) within the fifteen (15) day period, the decision of the Planning Commission shall be final. If the appeal is filed, the City Council shall receive a report and recommendation on it from the Planning Commission and shall hold a public hearing on the appeal.

The appeal must be filed at the Planning Department (located at 1387 Ave. U) or mailed to 989 Broadway, Seaside, OR 97138. The appeal must include the applicable fee of \$625.00.

If you have any questions regarding this decision or the appeal process, please contact the Community Development Department at (503)738-7100. The Notice of Decision date and appeal deadline are listed below. Appeals must be submitted or postmarked by this deadline.

Date of Notice of Final Decision: **Wednesday, April 5, 2023.**
Last Day to Appeal: **Thursday, April 20, 2023**

Planning Commission Decision:

On April 4, 2023 the Seaside Planning Commission approved the above referenced request in accordance with the provisions in the City of Seaside Zoning Ordinance and the Comprehensive Plan.

The Planning Commission's Final decision was supported by the applicant's submitted justification, the adopted information in the staff report, and any substantive testimony or evidence that was provided during the public hearing process. This information was used to establish the findings, justification statements, and conclusions adopted by the commission. This approval will allow the applicant to develop a softball field within the sports complex located at Broadway Park.

In addition to the findings, justifications, statements, and conclusions adopted by the Commission; the request was approved subject to the applicant satisfying the following condition(s):

Condition 1: The fire access that leads to the north parking lot will need additional signage and striping in the SEPRD parking lot to prevent the access gate from being blocked. The signage and striping must be approved by the Fire Marshal.

The fire access on the south side of the BMS building accessed off of Broadway St. is to remain clear of vehicles and storage items. A Knox lock with an SEPRD lock daisy chained together will be used to lock the access gate.

The fire access lane is required to be striped, similar to what is shown on the approved site plan, and must extend to the gate in the outfield fencing of the softball field. All striping and signage must be approved by the Fire Marshal. Vehicles may use the fire lane for access to the Herche Training Facility, building maintenance, access to empty the trash receptacles, and access to make deliveries so long as they do not stop or park in the striped fire lane. The access gate is to remain locked outside of the times it is being used for the limited, above-mentioned activities.

Condition 2: The Intergovernmental Agreement (IGA) that establishes the requirements and responsibilities of SEPRD, Seaside School District, and the City of Seaside for the sports complex that spans the SEPRD property and Broadway Park shall be approved by each entity prior to construction.

Condition 3: Minor modifications to the applicant's proposed plan must be reviewed and approved by the Planning Director. These could be required in order 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 prior to any final approval.

Condition 4: The chain link fence near the northern property line separating the athletic fields from the backyards of private property owners has fallen into disrepair, is leaning, and appears to be broken in at least one section. The applicant is required to repair and maintain the chain link fence to discourage users of the facility from climbing over the fence and trespassing onto private property.

Condition 5: Additional safety netting will need to be provided on the west side of the softball field to protect pedestrians and the SEPRD building from foul balls or other objects leaving the field. The safety netting along the north property line as well as the safety netting on the west side of the softball field will need to remain in place 365-days a year to protect neighboring properties and buildings from balls or objects leaving the fields of play.

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

- 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, flood plain) that were not waived by this conditional use and meet any other applicable City of Seaside Ordinances.
- The conditional use will become void one (1) year from the date of decision unless the permit is utilized or an extension of time is approved in the manner prescribed under the Seaside Zoning Ordinance.

FINAL DECISION JUSTIFICATION SUMMARY:

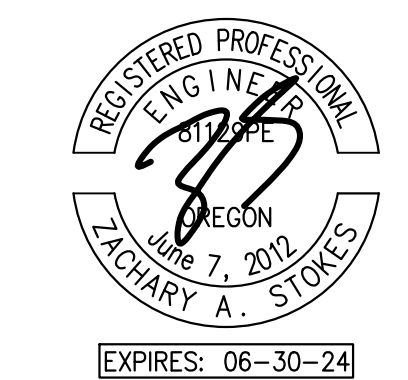
The Planning Commission’s final decision was supported by the Applicant’s submitted justification, the adopted information in the staff report, and any substantive testimony or evidence that was provided during the public hearing process. The staff report provided findings, justifications, conclusions and conditions to support the Commission’s final decision, subject to any modifications. If any information in the report was modified by the Commission prior to adoption by deleting, adding, or amending the findings, conditions, or conclusions; they are noted below.

FINAL PLANNING COMMISSION DECISION MODIFICATION

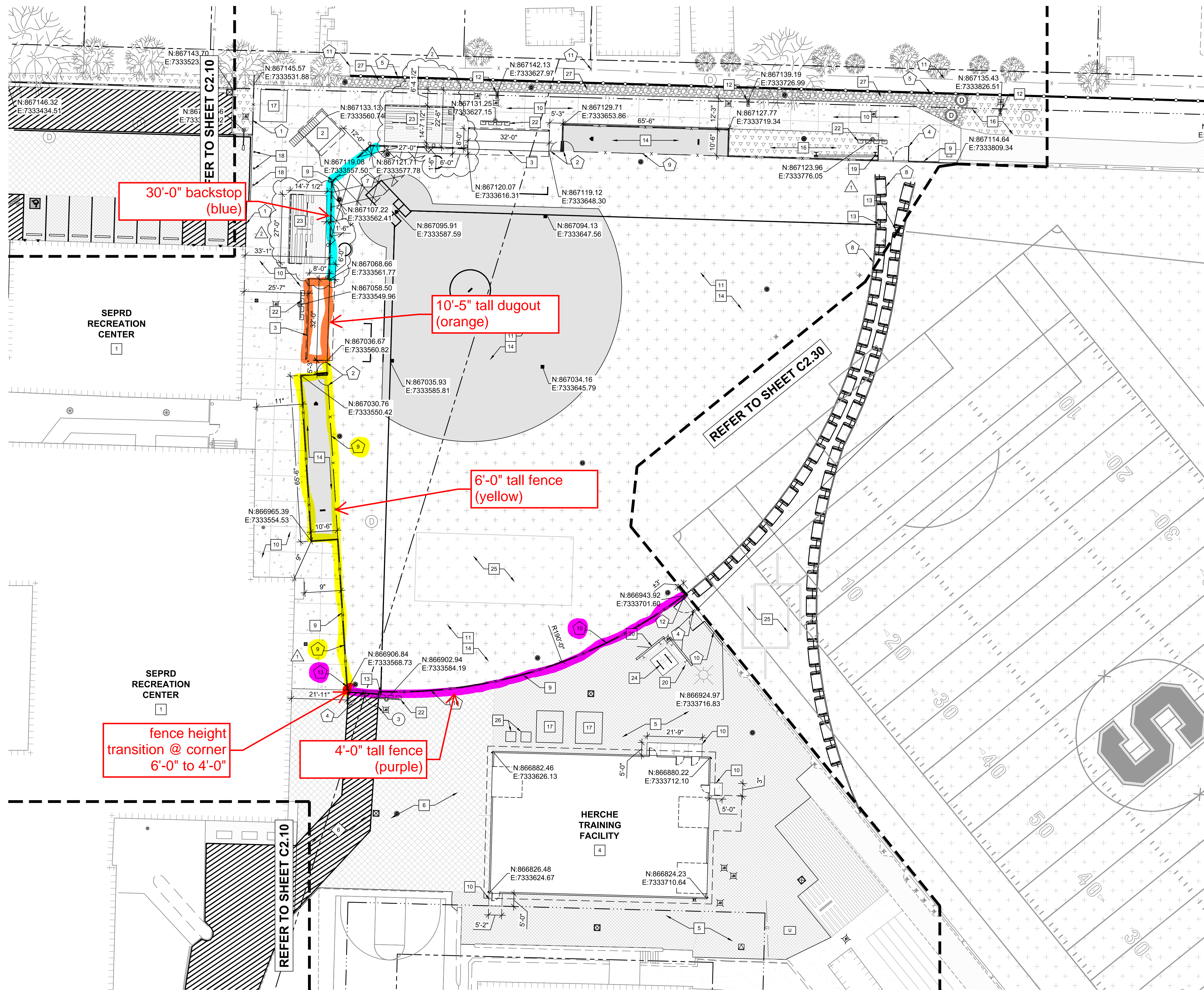
In addition to the original staff report’s findings, justification statements, and conclusions adopted by the Commission; the request was approved subject to the following amendments to the information included in the staff report:

Pursuant to the written public comment received and additional in person testimony regarding the disrepair of the chain link fence near the northern property boundary, Condition 4 was drafted by staff for review by the Commission. The Commission discussed the issue and adopted Condition 4 as written.

Vice-Chair Kleczek and Chair Montero expressed concerns for protection of the SEPRD building and the neighboring property owners and requested additional safety netting along the western portion of the softball field. In response to those concerns, the Commission added Condition 5 which requires the additional netting and requires that all netting remain in place 365-days a year.



| REVISION ID: | DATE: |
|--------------|-----------------------|
| 1 | CMGC BID SET 08-01-23 |
| 2 | CMGC REVS 12-15-23 |
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| | |
| PROJECT NO: | P-2821-22 |
| DRAWN: | LRS |
| CHECKED: | BJD |
| DATE: | 05-19-2023 |



CIVIL SITE AND FENCING NOTES:
REFER TO C0.01 FOR GENERAL CIVIL SITE AND FENCING NOTES.

SITE NOTES:

REFER TO C3.00 SERIES FOR CONSTRUCTION DETAILS UNLESS NOTED OTHERWISE.

- EXISTING BUILDING, NO WORK IN THIS AREA.
- NEW 2-STORY CROWS NEST BUILDING. REFER TO ARCHITECTURAL PLANS FOR ALL INFORMATION.
- NEW DUGOUT BUILDING. REFER TO ARCHITECTURAL PLANS FOR ALL INFORMATION.**
- EXISTING SINGLE STORY TRAINING FACILITY TO BE RELOCATED. REFER TO HERCHE BUILDING RELOCATION PLANS UNDER SEPARATE COVER FOR INFORMATION.
- NEW STANDARD DUTY ASPHALT PAVEMENT.
- NEW HEAVY DUTY ASPHALT PAVEMENT.
- NEW FIELD PERIMETER CONCRETE CURB.
- NEW CONCRETE SIDEWALK.
- NEW STORMWATER DETENTION RESERVOIR AND SYNTHETIC TURF SUB-BASE.
- NEW SITE LIGHTING REFER TO C4.00 SERIES FOR ADDITIONAL INFORMATION.
- NEW FOUL POLE.
- APPROXIMATE LIMITS OF LANDSCAPE REPAIR.
- NEW FOFO NON-PERMANENT SHED BUILDING. REFER TO ARCHITECTURAL PLANS FOR ALL INFORMATION.
- NEW REMOVABLE CONCRETE BOLLARD.
- NEW LOCATION OF EXISTING 'DAKTRONICS' 'FB-2023' FOOTBALL SCOREBOARD.
- NEW 'DAKTRONICS' 'BA-2618' SOFTBALL AND BASEBALL SCOREBOARD WITH RED BACKGROUND (OR APPROVED EQUAL). INSTALL ON NEW FOUNDATION, SEE STRUCTURAL FOR DETAILS.
- NEW FIELD LIGHTING REFER TO C4.00 SERIES FOR ADDITIONAL INFORMATION.
- NEW REINFORCED CONCRETE SLAB WITH TURNDOWN EDGE BY CONTRACTOR FOR INSTALLATION OF 5-ROW 27-FOOT 'BELSON OUTDOORS' ALUMINUM BLEACHERS, MODEL 'BD-U0527C', SOFTBALL BLEACHERS TO BE OWNER FURNISHED, OWNER ASSEMBLED, CONTRACTOR INSTALLED. BASEBALL BLEACHERS TO BE OWNER FURNISHED, CONTRACTOR ASSEMBLED, CONTRACTOR INSTALLED. INSTALL ON REINFORCED CONCRETE PER MANUFACTURER RECOMMENDATIONS.**
- NEW BIKE RACKS (2) INSTALLED ON NEW CONCRETE PAD, 'HUNTCO' 'THE STAPLE' OR APPROVED EQUAL. INSTALL PER MANUFACTURER RECOMMENDATIONS.
- STORAGE AREA FOR PORTABLE FENCING AND FIELD GOAL POSTS WHEN NOT IN USE.
- NEW FOFO NON-PERMANENT ACCESSIBLE PORTABLE/TEMPORARY RESTROOM.
- NEW 6'-8" ROUND ROCK LAYER (OR APPROVED EQUAL) OVER DETENTION SYSTEM.

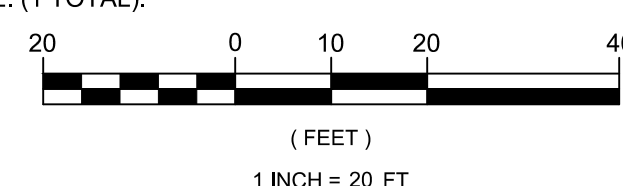
FENCING CONSTRUCTION NOTES:

- FURNISH CHAIN LINK FENCE TO ALIGNMENT SHOWN ON PLAN. FENCE SHALL BE 4' TALL GALVANIZED TO MATCH EXISTING FENCING.
- FURNISH 4' WIDE MAN GATE AT LOCATION SHOWN. GATE SHALL BE BE EQUIPPED WITH A FLIP-STYLE CATCH.
- FURNISH 12' WIDE 'AMETCO' 'GUARDIAN' (OR APPROVED EQUAL) VEHICLE GATE AT LOCATION SHOWN.
- FURNISH 'SPORTSFIELD' 40' TALL POLE TO POLE TENSION NETTING SYSTEM (OR APPROVED EQUAL). FOUNDATION DESIGN BY OTHERS AND A DEFERRED SUBMITTAL BY CONTRACTOR.
- FURNISH 'SPORTSFIELD' ENCLOSED BACKSTOP WITH INTEGRATED WALL PADDING (OR APPROVED EQUAL). FOUNDATION DESIGN BY OTHERS AND A DEFERRED SUBMITTAL BY CONTRACTOR.**
- NEW FOFO PORTABLE FENCING SYSTEM.
- FURNISH CHAIN LINK FENCE TO ALIGNMENT SHOWN ON PLAN. FENCE SHALL BE 6' TALL BLACK PVC COATED TO MATCH EXISTING FIELD FENCING. PROVIDE AND INSTALL 'SPORTSFIELD SPECIALTIES' 'POLY' CAP FENCE GUARD' FENCE CAP OR SIMILAR TO MATCH FENCE CAP ON PORTABLE FENCING.**
- FURNISH CHAIN LINK FENCE TO ALIGNMENT SHOWN ON PLAN. FENCE SHALL BE 4' TALL BLACK PVC COATED TO MATCH EXISTING FIELD FENCING. PROVIDE AND INSTALL 'SPORTSFIELD SPECIALTIES' 'POLY' CAP FENCE GUARD' FENCE CAP OR SIMILAR TO MATCH FENCE CAP ON PORTABLE FENCING. FENCE CAP TO BE YELLOW IN OUTFIELD FAIR TERRITORY AND BLACK IN FOUL TERRITORY.**
- EXISTING 4' TALL GALVANIZED CHAIN LINK FENCE TO BE REPAIRED AND MAINTAINED. CONTRACTOR TO PRICE REPLACEMENT OF (10) 6-FOOT WIDE PANELS AND (10) POST AS A FENCING REPAIR ALLOWANCE. EXACT PANELS TO BE REPLACED TO BE IDENTIFIED AT TIME OF CONSTRUCTIONS.
- FOFO TRANSITION FROM PORTABLE FENCING SYSTEM TO PERMANENT FENCING. RECOMMEND PIN-STYLE CONNECTION SYSTEM SIMILAR TO PORTABLE FENCING.
- TRANSITION FROM 6' TALL TO 4' TALL BLACK PVC COATED CHAIN LINK FENCE ACROSS (1) FENCING PANEL AT LOCATION SHOWN.**

STRIPING AND SIGNAGE NOTES:

REFER TO C0.01 FOR GENERAL STRIPING AND SIGNAGE NOTES.

- STRIPING NOTES:**
- PAINT 4" SOLID RED STRIPING AT 24" SPACING ON CENTER TO APPROXIMATE CONFIGURATION AND LIMITS SHOWN. COORDINATE EXACT LIMITS WITH SEASIDE FIRE MARSHAL AT TIME OF CONSTRUCTION.
- SIGNAGE NOTES:**
- FURNISH 'NO PARKING' SIGN (MUTCD 'R8-3') TO BE MOUNTED ON EXTERIOR OF GATE. (1 TOTAL).



1 AREA 'B' CIVIL SITE AND FENCING PLAN
C2.20

1"=20'

ONE INCH EQUALS FULL SCALE

Memo



To: Seaside Planning Commission

From: Jeff Flory – Community Development Director

Date: February 15, 2024

Re: Short-Term Rentals (STRs)

Please accept this memo as a request for the Planning Commission to propose an amendment to the Seaside Zoning Ordinance (SZO) to remove all short-term rentals from the zoning code. Seaside has been regulating the short-term rental (rentals for less than 30 days) of residential dwellings since 1992. The current Zoning Ordinance allows for Vacation Rental Dwellings (VRDs) and Bed and Breakfasts (B&Bs) as conditionally permitted uses in the Residential/Commercial (RC), Resort Residential (RR), High-Density Residential (R3), and Medium Density Residential (R2) zones. With the Planning Commission's recommendation, the City Council can review the attached ordinance to remove all short-term rentals from the zoning code.

The current Comprehensive Plan recognizes a need for tourist accommodations and recreational housing such as “beach homes, vacation rentals, motels, recreational vehicle parks, and campgrounds.” Being a tourist-driven community, these types of accommodations are important to support our economy. Recognizing this important policy, the City Council will be presented with a new Short-Term Rental Ordinance that will be housed under business licensing instead of land use. The orderly regulation of STRs within business licensing will fulfill the policies and requirements in the Comprehensive Plan as well as help protect much needed long-term rental housing in our community.

Attached is a draft ordinance to initiate this process. This ordinance removes STRs from the SZO. A second ordinance is currently being drafted to insert STR regulations within the business licensing codes. The regulatory ordinance is based on the previous work done by this Commission and the City Council to regulate STRs. The Planning Commission will not be conducting a public hearing on the new STR Ordinance however, hearings will be scheduled for upcoming City Council meetings.

Article 9 authorizes the Planning Commission to initiate an amendment to the Zoning Map or the text of the SZO. Should the Planning Commission choose to propose this text amendment, public notice will be provided to affected property owners and a public hearing will be held at the regularly scheduled Planning Commission meeting on April 2, 2024.

ORDINANCE NO. 2024-03

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, REPEALING SECTION 6.135 AND SECTION 6.137 FROM THE SEASIDE ZONING ORDINANCE.

WHEREAS, the City of Seaside has issued business licenses for Vacation Rental Dwellings since 1992, and

WHEREAS, Vacation Rental Dwellings and Bed & Breakfasts have been conditionally permitted uses regulated through the Seaside Zoning Ordinance in some residential zones, and

WHEREAS, it appears to the City of Seaside that these activities are more appropriately regulated through a business regulation process rather than a land use process and that it is, therefore necessary to remove Vacation Rental Dwellings from the Seaside Zoning Ordinance.

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

Section 1.030, Section 3.033, Section 3.043, Section 3.049, Section 3.055, and Section 6.025 of the Seaside Zoning Ordinance are hereby amended to as follows:

Section 1.030 DEFINITIONS

~~**Vacation Rental Dwelling.** A single family dwelling, duplex or triplex which is rented or hired out for a period of less than 30 days. The dwelling may consist of individual units or be in a contiguous form to be considered a vacation rental dwelling. However, each individual unit is to be considered separately for licensing and regulation purposes.~~

Section 3.033 Conditional Uses Permitted. In the R-2 Zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6:

1. Church and other religious structures.
2. Primary, elementary, junior or senior high school; kindergarten, or day nursery; or a higher education institution.
3. Community meeting buildings.
4. Cemetery.
5. Golf course, except commercial driving ranges or miniature golf course.
6. Public park, playground, or other similar publicly owned recreational use.
7. Temporary real estate office in a subdivision.
8. Utility substation.
9. Radio or television transmitter or tower.
10. Government or municipal structure or use.
11. Manufactured Dwelling Park
12. Nursing homes and hospitals.
13. Professional offices when the lot adjoins a State Highway or major arterial and when the lot is contiguous to, or across the street from a commercial or industrial zone.
14. Private sports complex.
15. Manufactured Dwelling Subdivision.
16. ~~Bed & Breakfast establishments subject to provisions in Sections 6.135 and 6.136.~~

~~17. Vacation Rental Dwellings subject to provisions in Section 6.137.~~

~~18.~~17. 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.

~~19.~~18. Home Occupation subject to Sections 4.130 through 4.134.

~~20.~~19. 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.

~~21.~~20. Public facilities such as Fire Stations, Police Stations, or Ambulance Substations. (ORD. No. 99-11)

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.~~18. 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.~~19. Home occupations subject to Sections 4.130 through 4.134.

~~22.~~20. 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.~~21. Public facilities such as Fire Stations, Police Stations, or Ambulance Substations. (ORD. No. 99-11)

Section 3.049 Conditional Uses Permitted. In the R-R Zone, the following Conditional Uses and their accessory uses are permitted subject to the provisions of Article 6:

1. Church and other religious structures.

2. Condominiums and Time Share Units.

3. Community meeting building.
4. Golf course, except commercial driving ranges or miniature golf courses.
5. Public park, playground, or other similar publicly owned recreational use.
6. Utility substation.
7. Professional offices, when the lot adjoins a state highway or major arterial, or when the lot is contiguous to, or across the street from a commercial or industrial zone.
8. Gift shop, or other uses appropriate to a motel or hotel, but only when a part of a hotel or motel.
9. Aquariums.
10. Restaurant and cocktail lounge, when in conjunction with a motel.
11. Group care homes, homes for the aged, and nursing homes.
- ~~12. Vacation Rental Dwellings subject to provisions in Section 6.137.~~
- ~~13.~~12. Manufactured home on an individual lot when placed upon a permanent foundation and subject to Section 4.135.
- ~~14.~~13. 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.
- ~~15.~~14. Public facilities such as Fire Stations, Police Stations, or Ambulance Substations. (ORD. No. 99-11)

Section 3.055 Conditional Uses Permitted. In the R-C Zone, the following conditional uses and their accessory uses are permitted subject to the provisions of Article 6.

1. Church and other religious structures.
2. Wedding chapel.
3. Group care homes, homes for the aged, nursing homes and residential homes.
4. Primary, elementary, junior or senior high schools; kindergarten or day nursery; or a higher education institution.
5. Public park, playground, or other similar publicly owned recreational use.
6. Government or municipal structures or use.
7. Utility substation.
- ~~8. Bed and Breakfast establishments subject to provisions in Section 6.135 and 6.136.~~
- ~~9.~~8. Grocery stores
- ~~10.~~9. Restaurants
- ~~11. Vacation Rental Dwellings subject to provisions in Section 6.137.~~
- ~~12.~~10. 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.
- ~~13.~~11. 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.
- ~~14.~~12. Public facilities such as Fire Stations, Police Stations, or Ambulance Substations. (ORD. No. 99-11)

Section 6.025 ADMINISTRATIVE CONDITIONAL USE PERMITS

The Community Development Director, Planning Director, or their designee shall have the authority to approve the following conditional uses provided they comply with their respective criteria:

1. Manufactured homes on individual lots subject to Section 4.135.
- ~~2. Bed & Breakfast establishments subject to Sections 6.135 and 6.136.~~
- ~~3. Vacation Rental Dwellings subject to Section 6.137.~~
- 4.2. Home Occupations subject to Sections 4.130, 4.131, 4.132, 4.133, and 4.134.

Following the above criteria will take the place of Sections 6.020 through 6.043.

Section 6.135 Bed & Breakfast Establishments, 6.136 Variance Procedure for Bed & Breakfast Establishments, and Section 6.137 Vacation Rental Dwelling (VRD) of the Seaside Zoning Ordinance are hereby repealed in their entirety.

ADOPTED by the City Council of the City of Seaside on this ___ day of _____, _____ 2023, by the following roll call vote:

YEAS:
NAYS:
ABSTAIN:
ABSENT:

SUBMITTED to and **APPROVED** by the Mayor on this ___ day of _____, 2023.

STEVE WRIGHT, MAYOR

ATTEST:

Spencer Kyle, City Manager