



CITY OF SEASIDE PLANNING COMMISSION AGENDA

Tuesday, May 7, 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. **769-24-000022-PLNG:** A conditional use request by Escape to Edgewood LLC. and Seaside Vacation Homes for a four (4) bedroom Vacation Rental Dwelling with a maximum occupancy of nine (9) persons over the age of three, no more than ten (10) persons regardless of age at 1642 S. Edgewood St. Seaside, OR.

769-24-000024-PLNG: A conditional use request by David Denney and Seaside Vacation Homes for a four (4) bedroom Vacation Rental Dwelling with a maximum occupancy of ten (10) persons regardless of age at 240 13th Ave. Seaside, OR

769-24-000025-PLNG: A conditional use request by Travis Harrison for a four (4) bedroom Vacation Rental Dwelling with a maximum occupancy of nine (9) persons over the age of three, no more than ten (10) persons regardless of age at 416 17th Ave. Seaside, OR.

769-24-000026-PLNG: A conditional use request by Lindy Feneide to construct an approximate 750 sq. ft. Accessory Dwelling Unit (ADU) above a detached garage on their 5,000 sq. ft. lot. The property is located at 831 1st Ave. Seaside OR.
8. **ORDINANCE ADMINISTRATION**

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, April 16, 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	A

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
Erin Barker	
Barb Thompson	
Rick Staehle	
Joan Hoff	

III. [Approval of Minutes](#)

April 2, 2024 the minutes were adopted with amendments to remove the Public Comment line and change Vice Chair Kleczek’s statement under Planning Commission and Staff Comments from upcoming legislation to adopted legislation.

IV. Declaration of Potential Conflict of Interest

V. [Public Hearings](#)

769-24-000010-PLNG: Continuance: A Public Hearing to remove Vacation Rental Dwellings and Bed and Breakfasts from the Seaside Zoning Ordinance. Regulations regarding Short-Term Rentals will later be introduced under business licensing in the Seaside Code of Ordinances.

Chair Montero asked Mr. Flory to present his report.

Chair Montero asked if all the comments that came in are on the website. Mr. Sprague confirmed that the documents are on the website.

Chair Montero asked if there was anyone who wished to comment.

Barb Thompson, 4822 NE Holman, spoke on behalf of the Lanai regarding the ordinance.

Chair Montero asked if there was anyone else who would like to comment. There was no response.

Chair Montero closed the public hearing and opened it to the Planning Commission for discussion.

Motion:	Motion to recommend 769-23-000010-PLNG go to the City Council.			
Moved:	Kraft			
Seconded:	Neubecker			
Ayes:	Montero, Stahmer, Rose, Kraft, Neubecker	Nays: Kleczek	Absent: Johnson	Recused:

Passed:	5-1 with Commission Johnson absent
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VI. [Ordinance Administration](#)

VII. [Planning Commission and Staff Comments](#)

Vice Chair Kleczek explained her objection to the ordinance.

VIII. **Adjournment at 6:18 PM.**

Approved by Commission on: _____

Minutes prepared by: _____
Debbie Kenyon, Administrative Assistant

ROBIN MONTERO, Chairperson



APPLICATION(S):	769-24-00022-PLNG – Conditional Use
MEETING DATE:	May 7, 2024
PUBLIC HEARING:	Yes
Report Date:	April 17, 2023
Applicant:	Escape To Edgewood LLC
Owner:	Daniel & Kelsey Musselman
Location:	1642 S Edgewood St., Seaside, OR 97138
Major Street Access:	S Edgewood St.
Parcel Number(s) & Size:	T6-R10-21DC-07112 Approximately .12 Acres
Parcel Zoning:	Medium Density Residential (R-2)
Adjacent Zoning:	Medium Density Residential (R-2)
Current Use of Parcel:	Single-Family Residential
Adjacent Uses:	Single-Family Residential
Previous Meetings:	None
Previous Approvals:	None
Type of Action:	Quasi-Judicial
Land Use Authority:	Planning Commission
Future Routing:	None
Staff Representative:	Jordan Sprague, Code Compliance Official

A. Summary:

A conditional use request by Escape To Edgewood LLC for a four (4) bedroom Vacation Rental Dwelling with a maximum occupancy of nine (9) persons over the age of three, no more than ten (10) persons regardless of age.

Staff Recommendation:

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

B. Exhibits:

- 1. Applicant Submittals**
- 2. Site Plans**

Location: 1642 S Edgewood St, Seaside, OR 97138 (T6-R10-21DC-07112)



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 5,100 sq. ft. lot with sufficient space for three (3) parking spaces. The off-street parking spaces are located with one space in the garage and two parking spaces side by side in front of the garage.

D. Required Dates:

This application was accepted as complete on April 17, 2024. The 120-day decision timeframe is August 15, 2024.

E. Specific Request:

A conditional use request by Escape To Edgewood LLC for a four (4) bedroom Vacation Rental Dwelling with a maximum occupancy of nine (9) persons over the age of three, no more than 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 April 18, 2024. Additionally, a mailed notice was sent on April 17, 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 High-Density Residential land use designation as stated in section 3.1.2 of the Comprehensive Plan. The Comprehensive Plan states that high-density residential zones are the locations for apartment houses as well as some mix of single-family, duplex, and other uses consistent with high-density residential areas. The Comprehensive Plan states that dwelling units in this area should be for full-time residential use.

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 three off-street parking spaces. The applicant is proposing one parking space within the garage and two parking spaces in front of the garage.

- 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 nine (9) persons over the age of three, no more than ten (10) persons regardless of age. The occupancy is being limited by the number of parking spaces available.

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 a local property management company, Seaside Vacation Homes 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.**

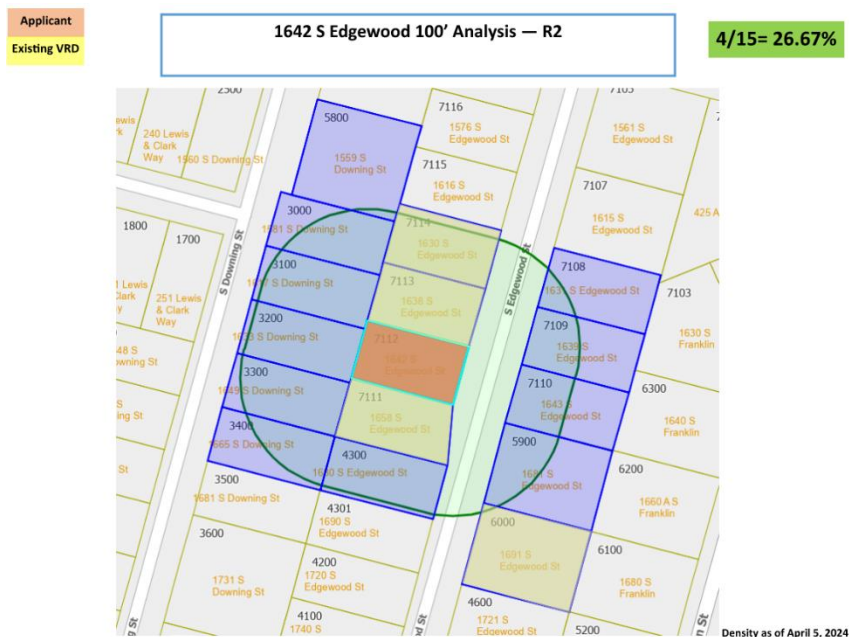
2. The VRD will not contribute to excessive parking congestion on site or along adjacent streets.

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 26.67%. 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 three (3) off-street parking spaces, one parking space will be located in the garage and two spaces will be located outside of the garage.
 - b. The four (4) bedroom single-family dwelling will have a limited occupancy of nine (9) persons over the age of three, three no more than (10) persons regardless of age.
 - c. The plot plan shows that parking (driveway) will not take up more than 50% of the required front yard area.
2. The proposed VRD is located within a developed residential neighborhood primarily consisting of single-family dwellings. Currently, 26.67% of the surrounding properties within 100ft of the subject property are licensed for VRD use and 16.67% are licensed within 200ft. All of the surrounding properties within 100 ft are zoned Medium-Density Residential (R-2).



Applicant
Existing VRD

1642 S Edgewood—200' Analysis — R2

6/36 = 16.67%



Density as of April 5, 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 100ft of the subject property were notified of the applicant’s request. At the time of this report, the Community Development Department did not receive any letters concerning this request.
- 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 not previously permitted as a VRD.
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.

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 (769-23-000022-PLNG) and reflected on the City of Seaside Business License. The license is not valid until the appropriate occupancy has been established by the approval of a final compliance inspection by the Community Development Department.

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

2. **PARKING SPACES:** Three (3) 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:** Nine (9) persons over the age of three, no more than ten (10) persons regardless of age. The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations. If the number of occupants is less than the original number requested, it may have been reduced for valid code reasons.
4. **APPLICABILITY OF RESTRICTIONS:** Properties licensed for VRD use will be expected to adhere to the VRD standards and rules throughout the entire year even when they are not being rented for profit. This will not apply to the dwellings when members of the owner's family are present.
5. **OPEN YARD AREAS:** Front, side, and rear yards must maintain a residential appearance by limiting off-street parking within yard areas. At least 50% of each yard area that is not occupied by buildings must be landscaped in some fashion so parking will not dominate the yard.
6. **LOCAL CONTACT:** The applicant has named Seaside Vacation Homes, a local property management company that can be reached at 503-738-0982 as the local contact. The local contact must be available 24 hours a day to address compliance issues while the property is rented. Upon any change in the local contact, the owner must provide formal notice of the updated contact information to the City and all of the

neighboring property owners within 100ft. Managers are required to notify the city any time they stop representing a VRD.

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

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

7. **COMPATABILITY:** A VRD will be compatible with the surrounding land uses and shall not contribute to excessive parking congestion on site or along adjacent streets.
8. **EXTERIOR OUTDOOR LIGHTING:** All exterior lighting must conform to the adopted Outdoor Lighting Ordinance even if any pre-existing outdoor lighting would normally be exempt under the provisions of the ordinance. This will basically require shielding of any exterior lighting fixtures such that glare will not be visible from the surrounding property for any fixture that exceeds 450 lumens, the equivalent of a 40-watt incandescent bulb.
9. **ORDINANCE COMPLIANCE & SOLID WASTE PICK-UP:** All vacation rentals must comply with City ordinances regarding noise, smoke, dust, litter, odor, and solid waste collection. Weekly solid waste pick-up is required during all months.
10. **REQUIRED MAINTENANCE:** It is the property owner's responsibility to 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.

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 June 4, 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 is 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@cityof-seaside.us
 Office: (503) 738-7100

Property Information:					
STREET ADDRESS OR LOCATION OF PROPERTY					
1642 S Edgewood Street Seaside, OR 97138					
ZONE	OVERLAY ZONE	TOWNSHIP	RANGE	SECTION	TAX LOT(S)
R2	-	6	10	21DC	07112

Owner:	Applicant/Representative Other than Owner:
NAME Escape To Edgewood LLC.	NAME OF APPLICANT / REPRESENTATIVE Seaside Vacation Homes
ADDRESS 19600 NW Phillips Road Hillsboro, OR 97124	ADDRESS 524 N Roosevelt Drive Seaside, OR 97138
PHONE 503-816-7940	PHONE 503-738-0982
EMAIL escapetoedgewood@gmail.com	EMAIL egm@seasidevacationhomes.com
SIGNATURE 	SIGNATURE <i>Laura Muddock</i> DBA Seaside Vacation Homes

Proposed Use: Short Term Rental

Existing Use: Family Vacation 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 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	

For Office Use Only	
Application Received: 02/27/2024	File Number: 769-24-000022-PLNG
Application Deemed Complete: 04/05/24	120-Day Decision: 08/03/24
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.

The primary use of our home is a vacation house for our family and friends. When we aren't using the home we would like to use it as a short term vacation rental.

2. Total number of bedrooms: 4

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

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: 9

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

SeasideVacationHome: 524 N Roosevelt Drive Seaside, OR

503-738-0982 x2

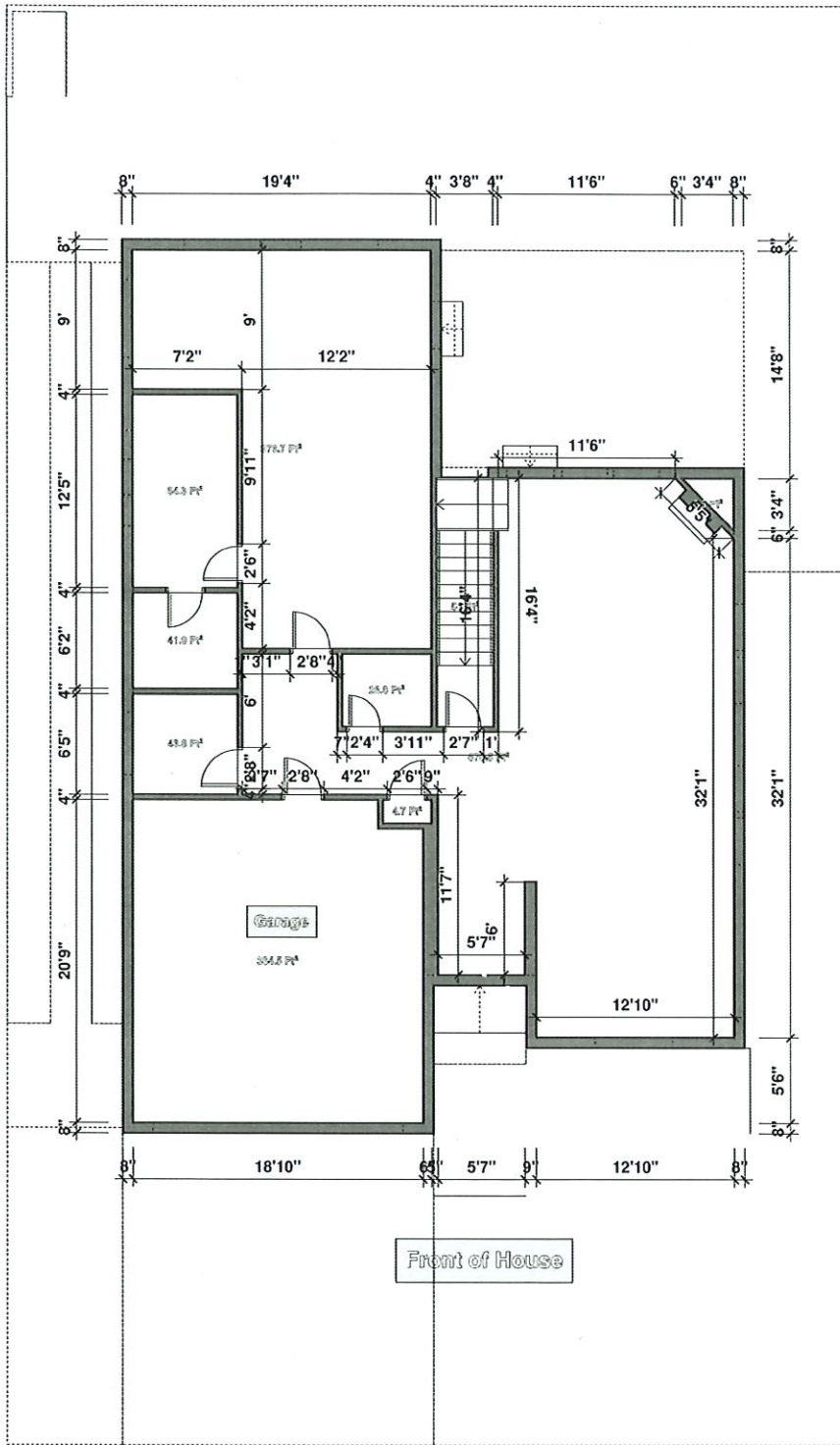
8. Attach scale drawings of your site plan, floor plan, and parking map.

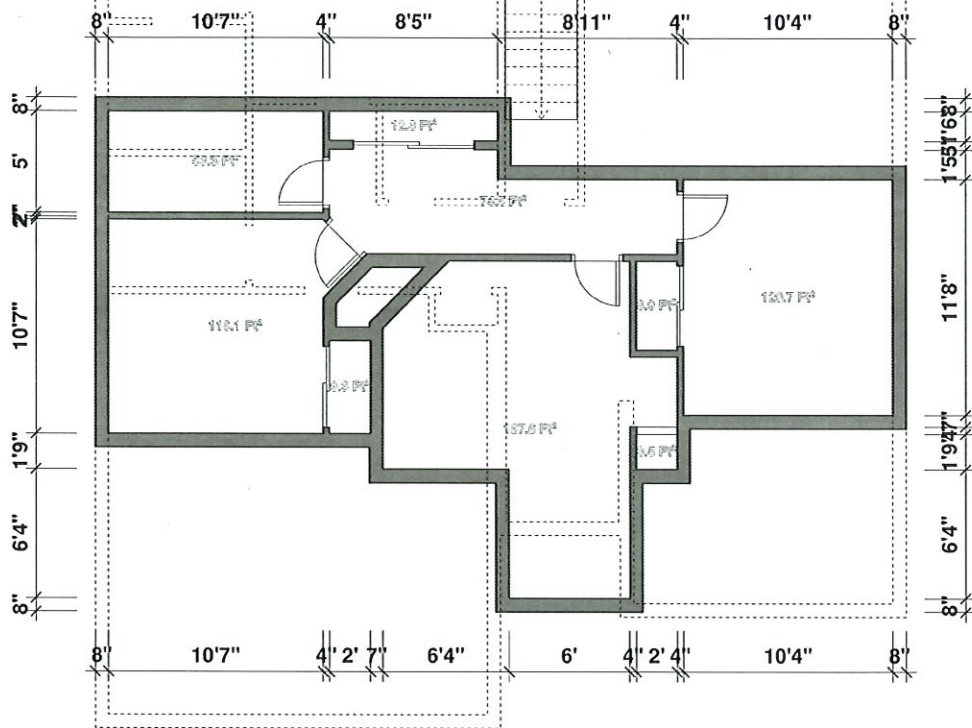
By signing this application, the applicant acknowledges that if the request requires review by the Planning Commission (Seaside Zoning Ordinance 6.137E), additional Planning Commission review fees may apply and the applicant or a duly authorized representative must attend the Public Hearing. The applicant 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: 1 [Signature]

Date: 2/27/2024

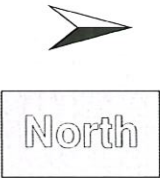
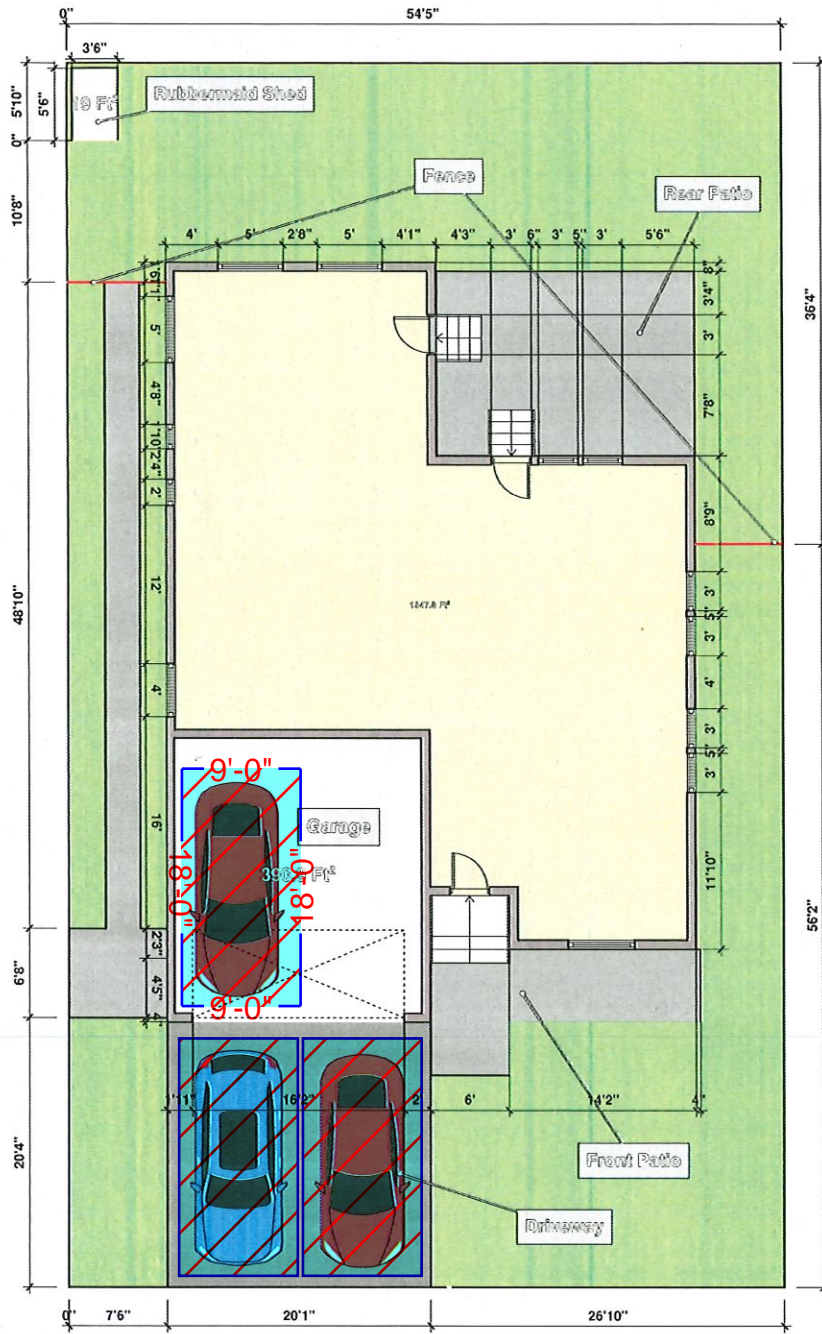
Printed Name: Escape To Edgewood LLC.





Front of House





S Edgewood St



APPLICATION(S):	769-24-00024-PLNG – Conditional Use
MEETING DATE:	May 7, 2024
PUBLIC HEARING:	Yes
Report Date:	April 25, 2023
Applicant:	David Denney Jr
Owner:	David Denney
Location:	240 13 th Ave., Seaside, OR 97138
Major Street Access:	13 th Ave.
Parcel Number(s) & Size:	T6-R10-16DA-08700 Approximately .11 Acres
Parcel Zoning:	Medium Density Residential (R-2)
Adjacent Zoning:	Medium Density Residential (R-2)
Current Use of Parcel:	Single-Family Residential
Adjacent Uses:	Single-Family Residential
Previous Meetings:	None
Previous Approvals:	None
Type of Action:	Quasi-Judicial
Land Use Authority:	Planning Commission
Future Routing:	None
Staff Representative:	Jordan Sprague, Code Compliance Official

A. Summary:

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

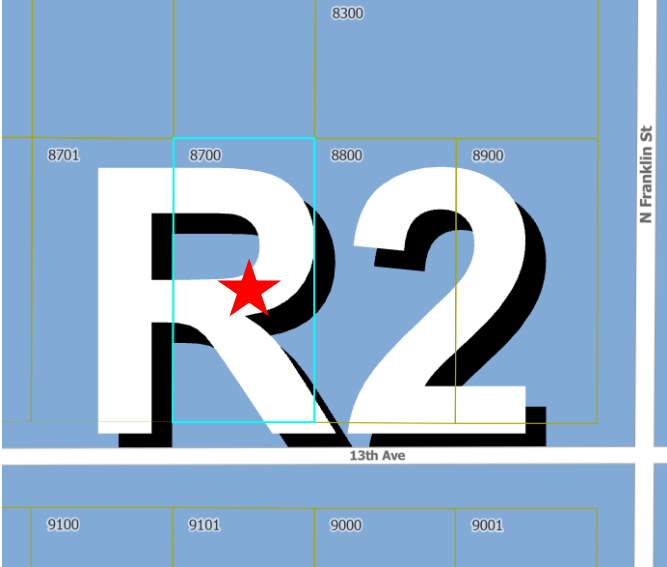
Staff Recommendation:

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: 240 13th Ave., Seaside, OR 97138 (T6-R10-16DA-08700)



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 sufficient space for four (4) parking spaces. The off-street parking spaces are located with two spaces in the garage and two parking spaces side by side in front of the garage.

D. Required Dates:

This application was accepted as complete on April 17, 2024. The 120-day decision timeframe is August 15, 2024.

E. Specific Request:

A conditional use request by David Denney Jr 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 April 18, 2024. Additionally, a mailed notice was sent on April 17, 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 High-Density Residential land use designation as stated in section 3.1.2 of the Comprehensive Plan. The Comprehensive Plan states that high-density residential zones are the locations for apartment houses as well as some mix of single-family, duplex, and other uses consistent with high-density residential areas. The Comprehensive Plan states that dwelling units in this area should be for full-time residential use.

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 parking spaces within the garage and two parking spaces in front of the garage.

- 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 a local property management company, Seaside Vacation Homes 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:**

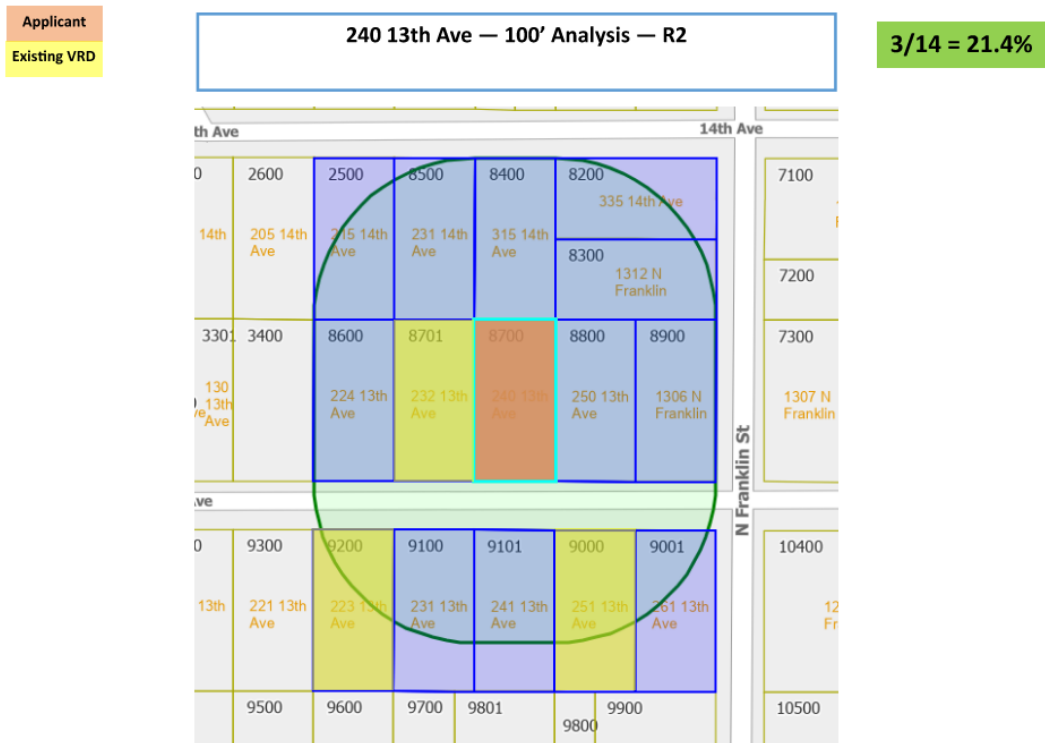
- 1. The use of the property as a VRD will be compatible with the surrounding land uses.**
- 2. The VRD will not contribute to excessive parking congestion on site or along adjacent streets.**

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.

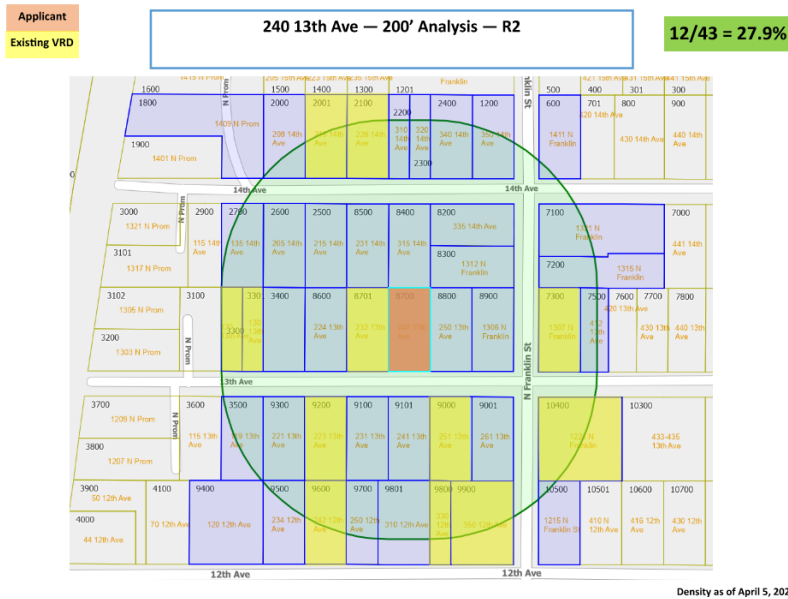
Finding: The density of surrounding VRDs within 100ft of the applicant's property is 21.43%. This application is being reviewed by the Planning Commission per the spatial distribution requirements. Should there be justification to add or modify conditions; the Planning Commission should discuss those 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, two parking spaces will be located in the garage and two spaces will be located outside of the garage.
 - 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, 21.43% of the surrounding properties within 100ft of the subject property are licensed for VRD use and 27.9% are licensed within 200ft. All of the surrounding properties within 100 ft are zoned Medium-Density Residential (R-2).



Density as of April 5, 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 100ft of the subject property were notified of the applicant’s request. At the time of this report, the Community Development Department did not receive any letters concerning this request.
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 not previously permitted as a VRD.

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.

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 (769-23-000024-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 Seaside Vacation Homes, a local property management company that can be reached at 503-738-0982 as the local contact. The local contact must be available 24 hours a day to address compliance issues while the property is rented. Upon any change in the local contact, the owner must provide formal notice of the updated contact information to the City and all of the neighboring property owners within 100ft. Managers are required to notify the city any time they stop representing a VRD.

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

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

7. **COMPATABILITY:** A VRD will be compatible with the surrounding land uses and shall not contribute to excessive parking congestion on site or along adjacent streets.
8. **EXTERIOR OUTDOOR LIGHTING:** All exterior lighting must conform to the adopted Outdoor Lighting Ordinance even if any pre-existing outdoor lighting would normally be exempt under the provisions of the ordinance. This will basically require shielding of any exterior lighting fixtures such that glare will not be visible from the surrounding property for any fixture that exceeds 450 lumens, the equivalent of a 40-watt incandescent bulb.
9. **ORDINANCE COMPLIANCE & SOLID WASTE PICK-UP:** All vacation rentals must comply with City ordinances regarding noise, smoke, dust, litter, odor, and solid waste collection. Weekly solid waste pick-up is required during all months.
10. **REQUIRED MAINTENANCE:** It is the property owner's responsibility to 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.

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 June 4, 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 is 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

Property Information:					
STREET ADDRESS OR LOCATION OF PROPERTY (Limes Grove Lot 6 Block 2)					
240 13th Ave Seaside OR 97138					
ZONE	OVERLAY ZONE	TOWNSHIP	RANGE	SECTION	TAX LOT(S)
		06	10	16DA	08700

Owner:		Applicant/Representative Other than Owner:	
NAME	David L Denney JR	NAME OF APPLICANT / REPRESENTATIVE	Seaside Vacation Homes
ADDRESS	5834 SE Oethin Rd Milwaukie OR 97267	ADDRESS	524 N. Roosevelt, Seaside, OR 97138
PHONE	503-975-0142	PHONE	503-738-0982
EMAIL	daviddennyjr@gmail.com	EMAIL	egm@seasidevacationhomes.com
SIGNATURE	<i>David L Denney Jr</i>	SIGNATURE	<i>Leah Murdoch Dba Seaside Vacation Homes</i>

Proposed Use: Vacation Rental

Existing Use: Family & Friends Vacation 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 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	

For Office Use Only	
Application Received: 03/20/2024	File Number: 769-24-000024-PLNG
Application Deemed Complete: 04/08/24	120-Day Decision: 08/06/24
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. *The Primary use of our home is; a vacation house for our family and friends. when we aren't using it we would like to use it as a short term vacation rental.*

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 *Seaside Vacation Homes* Address *524 North Roosevelt Seaside OR 97138* 24-hr Phone *503-739-0976*

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.

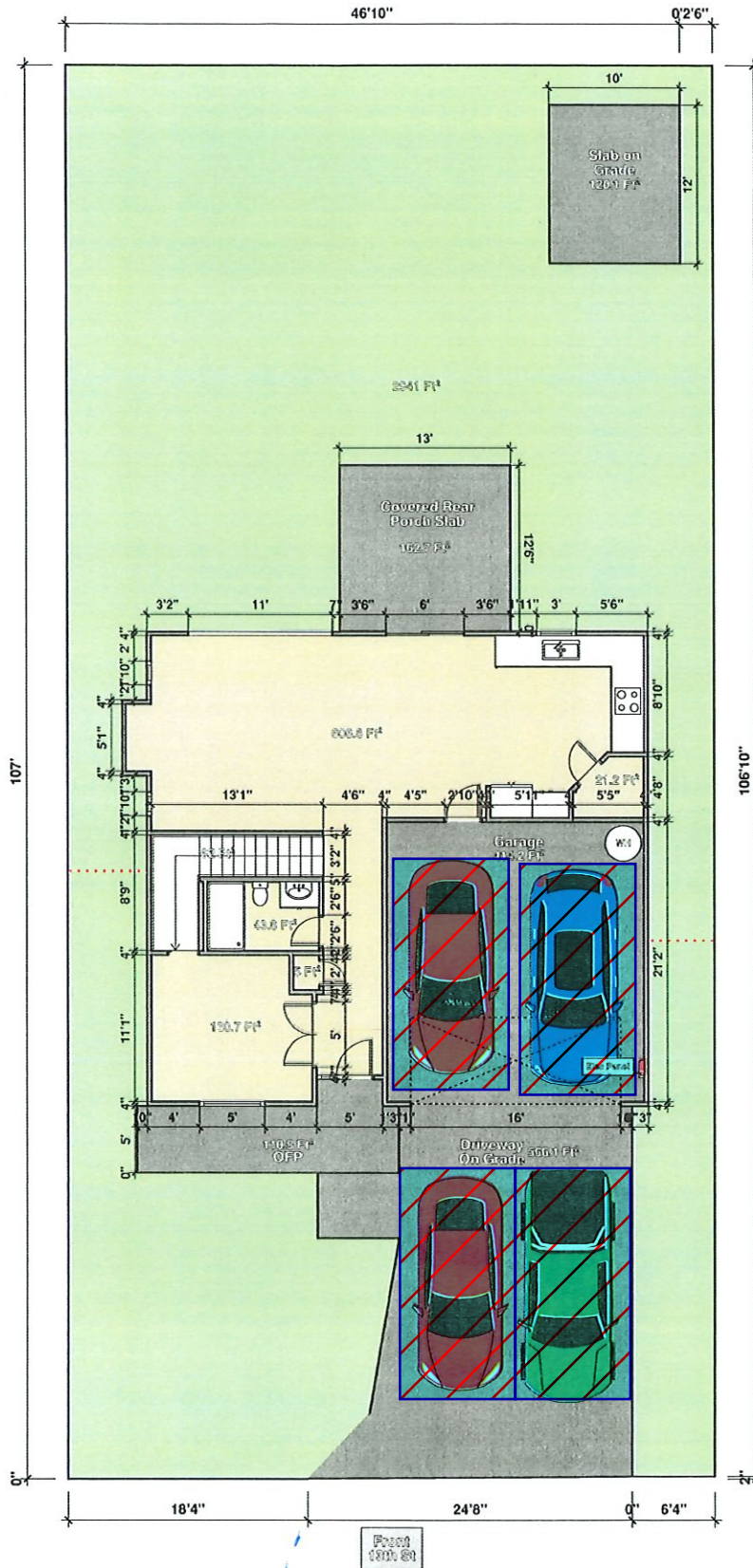
Applicant Signature: *David L. Denney Jr.*

Date: *3/25/2024*

Printed Name: *David L. Denney JR.*

**ON-STREET PARKING CANNOT
BE USED BY RENTERS**

(Please use the off-street spaces provided)





APPLICATION(S):	769-24-00025-PLNG – Conditional Use
MEETING DATE:	May 7, 2024
PUBLIC HEARING:	Yes
Report Date:	April 25, 2023
Applicant:	Jerry and Gloria Reid
Owner:	Jerry and Gloria Reid
Location:	416 17 th Ave., Seaside, OR 97138
Major Street Access:	17 th Ave.
Parcel Number(s) & Size:	T6-R10-16AD-03701 Approximately .11 Acres
Parcel Zoning:	Medium Density Residential (R-2)
Adjacent Zoning:	Medium Density Residential (R-2)
Current Use of Parcel:	Single-Family Residential
Adjacent Uses:	Single-Family Residential
Previous Meetings:	None
Previous Approvals:	None
Type of Action:	Quasi-Judicial
Land Use Authority:	Planning Commission
Future Routing:	None
Staff Representative:	Jordan Sprague, Code Compliance Official

A. Summary:

A conditional use request by Jerry and Gloria Reid for a four (4) bedroom Vacation Rental Dwelling with a maximum occupancy of nine (9) persons over the age of three, no more than ten (10) persons regardless of age.

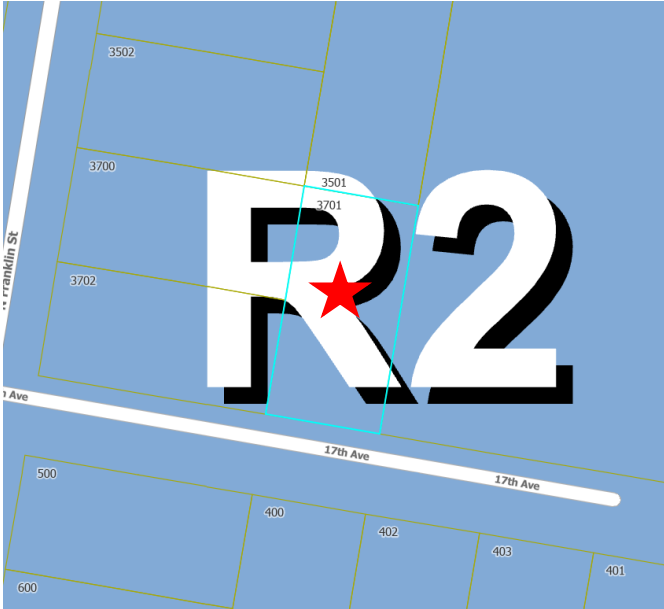
Staff Recommendation:

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

B. Exhibits:

- 1. Applicant Submittals**
- 2. Site Plans**

Location: 416 17th Ave., Seaside, OR 97138 (T6-R10-16AD-03701)



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 sufficient space for three (3) parking spaces. The off-street parking spaces are located with one parking space in the garage and two parking spaces side by side in front of the garage.

D. Required Dates:

This application was accepted as complete on April 17, 2024. The 120-day decision timeframe is August 15, 2024.

E. Specific Request:

A conditional use request by Jerry and Gloria Reid for a four (4) bedroom Vacation Rental Dwelling with a maximum occupancy of nine (9) persons over the age of three, no more than 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 April 18, 2024. Additionally, a mailed notice was sent on April 17, 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 High-Density Residential land use designation as stated in section 3.1.2 of the Comprehensive Plan. The Comprehensive Plan states that high-density residential zones are the locations for apartment houses as well as some mix of single-family, duplex, and other uses consistent with high-density residential areas. The Comprehensive Plan states that dwelling units in this area should be for full-time residential use.

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 three off-street parking spaces. The applicant is proposing one parking space within the garage and two parking spaces in front of the garage.

- 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 nine (9) persons over the age of three, no more than ten (10) persons regardless of age.

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

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

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

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

Finding: The applicant has listed a local property management company, Seaside Vacation Homes 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:

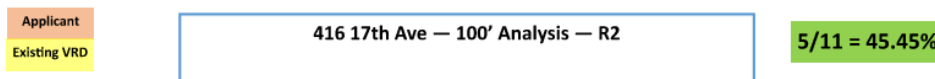
1. The use of the property as a VRD will be compatible with the surrounding land uses.
2. The VRD will not contribute to excessive parking congestion on site or along adjacent streets.

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 45.45%. 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 three (3) off-street parking spaces, one parking space will be located in the garage and two spaces will be located outside of the garage.
 - b. The four (4) bedroom single-family dwelling will have a limited occupancy of nine (9) persons over the age of three, no more than 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, 45.45% of the surrounding properties within 100ft of the subject property are licensed for VRD use and 27.6% are licensed within 200ft. All of the surrounding properties within 100 ft are zoned Medium-Density Residential (R-2).

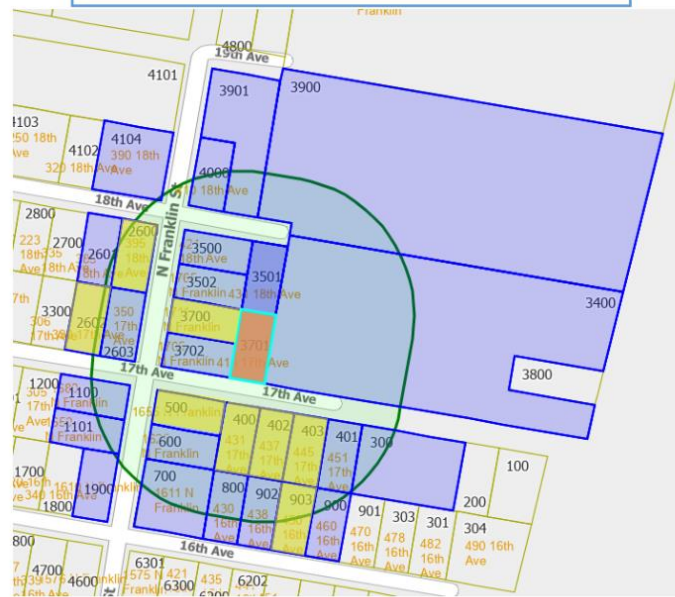


Density as of April 5, 2024

Applicant
Existing VRD

416 17th Ave — 200' Analysis — R2

8/29 = 27.6%



Density as of April 5, 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 100ft of the subject property were notified of the applicant’s request. At the time of this report, the Community Development Department did not receive any letters concerning this request.
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 not previously permitted as a VRD.
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 (769-23-000025-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:** Three (3) 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:** Nine (9) persons over the age of three, no more than ten (10) persons regardless of age. The maximum occupancy, along with good neighbor rules, shall remain posted inside the front door in a conspicuous place. It is the owner's responsibility to ensure the renters are aware of these limitations. If the number of occupants is less than the original number requested, it may have been reduced for valid code reasons.
4. **APPLICABILITY OF RESTRICTIONS:** Properties licensed for VRD use will be expected to adhere to the VRD standards and rules throughout the entire year even when they are not being rented for profit. This will not apply to the dwellings when members of the owner's family are present.
5. **OPEN YARD AREAS:** Front, side, and rear yards must maintain a residential appearance by limiting off-street parking within yard areas. At least 50% of each yard area that is not

occupied by buildings must be landscaped in some fashion so parking will not dominate the yard.

6. **LOCAL CONTACT:** The applicant has named Seaside Vacation Homes, a local property management company that can be reached at 503-738-0982 as the local contact. The local contact must be available 24 hours a day to address compliance issues while the property is rented. Upon any change in the local contact, the owner must provide formal notice of the updated contact information to the City and all of the neighboring property owners within 100ft. Managers are required to notify the city any time they stop representing a VRD.

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

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

7. **COMPATABILITY:** A VRD will be compatible with the surrounding land uses and shall not contribute to excessive parking congestion on site or along adjacent streets.
8. **EXTERIOR OUTDOOR LIGHTING:** All exterior lighting must conform to the adopted Outdoor Lighting Ordinance even if any pre-existing outdoor lighting would normally be exempt under the provisions of the ordinance. This will basically require shielding of any exterior lighting fixtures such that glare will not be visible from the surrounding property for any fixture that exceeds 450 lumens, the equivalent of a 40-watt incandescent bulb.
9. **ORDINANCE COMPLIANCE & SOLID WASTE PICK-UP:** All vacation rentals must comply with City ordinances regarding noise, smoke, dust, litter, odor, and solid waste collection. Weekly solid waste pick-up is required during all months.
10. **REQUIRED MAINTENANCE:** It is the property owner's responsibility to 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.

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 June 4, 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 is 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

Property Information:					
STREET ADDRESS OR LOCATION OF PROPERTY					
416 17th Ave. Seaside					
ZONE	OVERLAY ZONE	TOWNSHIP	RANGE	SECTION	TAX LOT(S)
R2		6	10	16AD	3701

Owner:		Applicant/Representative Other than Owner:	
NAME	Jerry & Gloria Reid	NAME OF APPLICANT / REPRESENTATIVE	Travis Harrison
ADDRESS	POBox 353, Craigmont, Idaho 83523	ADDRESS	7302 LongHollow Rd, Colfax, WA 99111
PHONE	208-791-7509 208-924-5334	PHONE	509-592-7259
EMAIL	jerryreid50@msn.com	EMAIL	traviseh@hotmail.com
SIGNATURE		SIGNATURE	

Proposed Use: Vacation home with VRD. Eventually our primary home

Existing Use: Vacation 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: 03/21/2024	File Number: 769-24-00025-PLNG
Application Deemed Complete: 04/09/24	120-Day Decision: 08/07/24
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.

We would like to have short term rental on our vacation home here in Seaside to help offset some of the expenses involved with home ownership. Eventually we plan to retire to Seaside and live in our house.

2. Total number of bedrooms: 4

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

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: 9

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? Condo at 900 N. Prom #102, Seaside, OR

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

Name	Address	24-hr Phone
SeasideVacationHome	524 N. Roosevelt Dr,	503-738-0982

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: Jerry L Reid

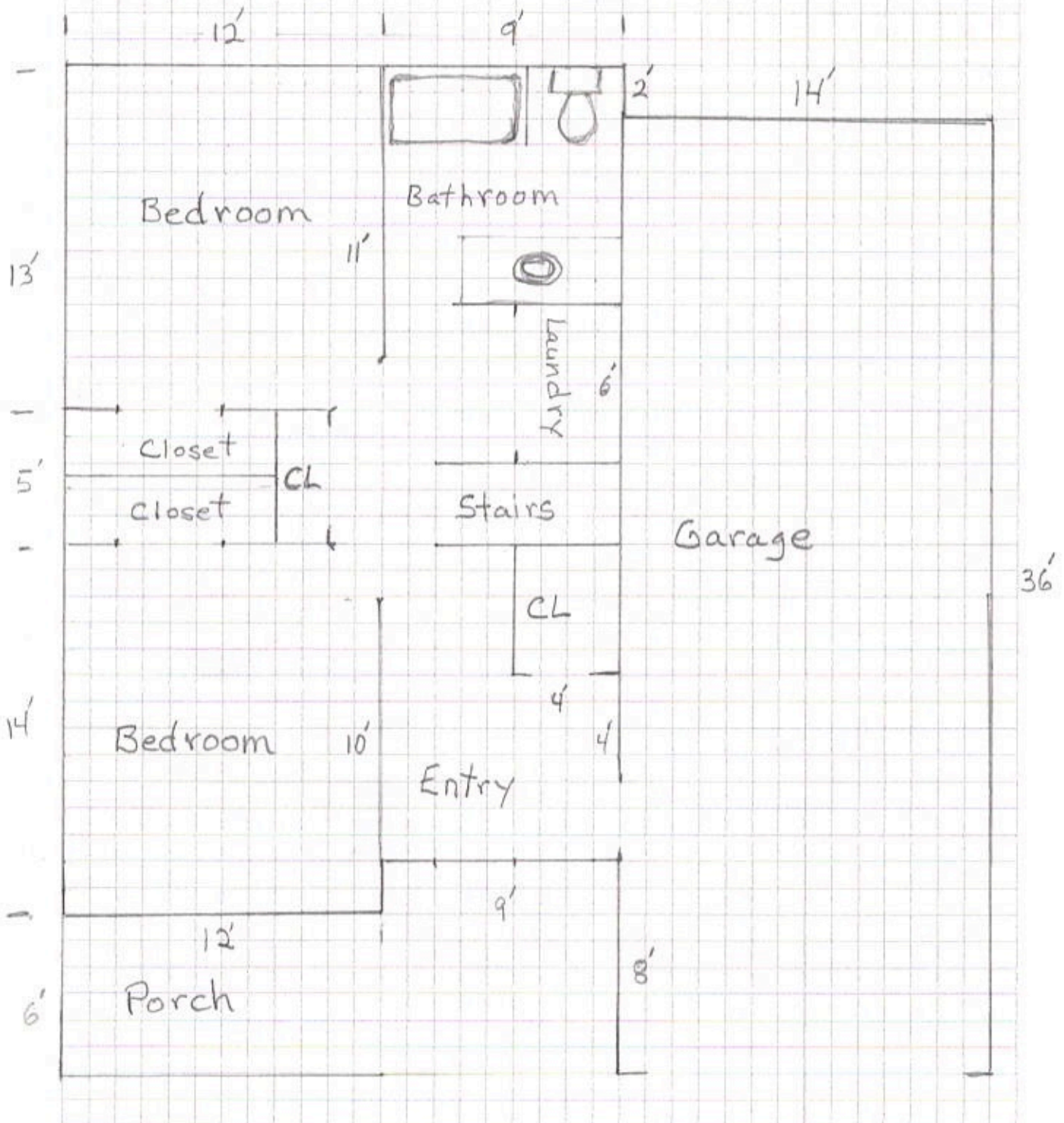
Date: 3-11-2024

Printed Name: Jerry L. Reid

416 17th Ave.



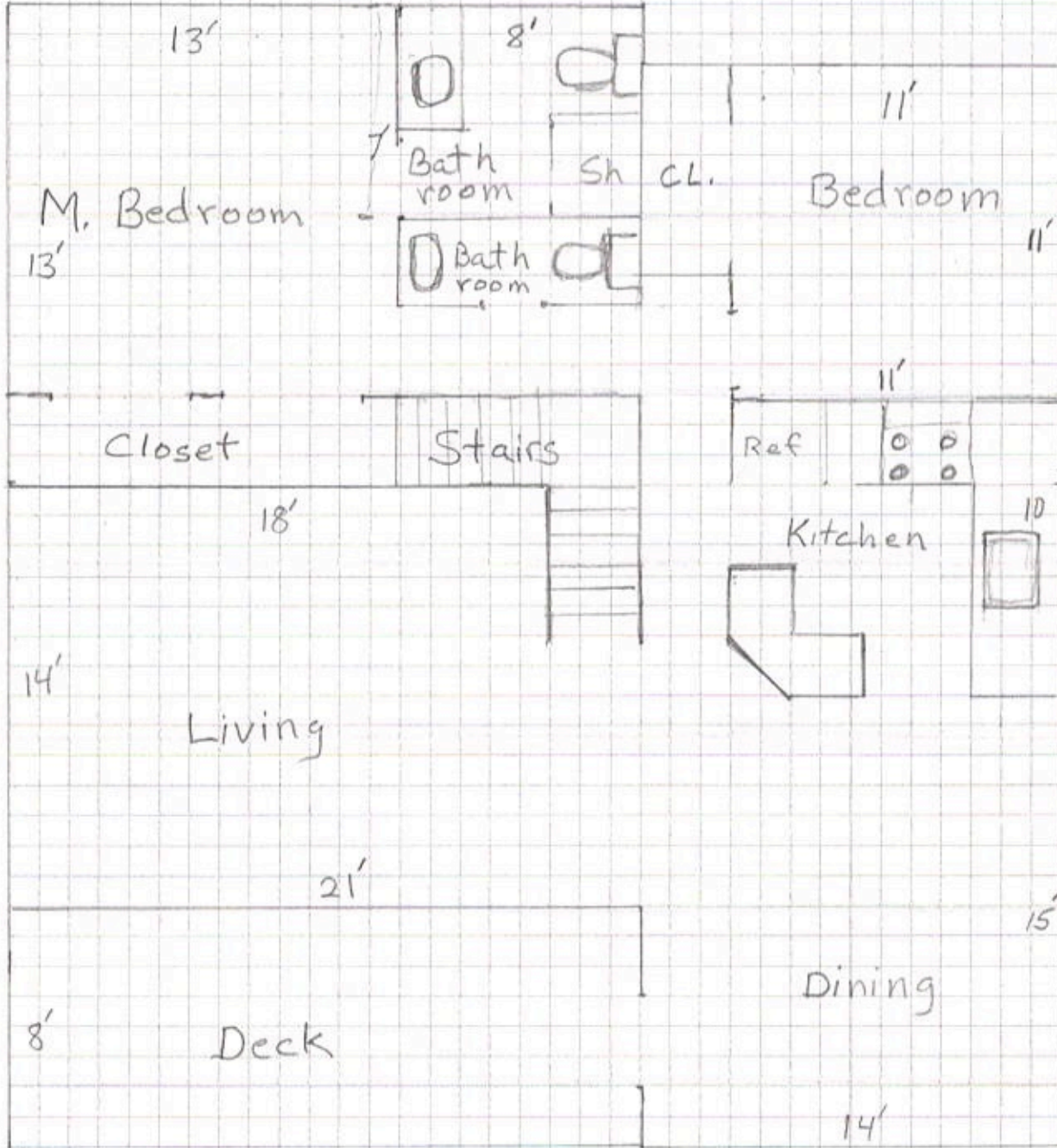
SCALE 1 Grid = 1 Foot
First Floor



416 17th Ave.



SCALE 1 Grid = 1 Foot
Second Floor



416 17th Ave



City of Seaside
Planning Approval
By: jsprague
04/05/2024



SCALE 1 Grid = 2 Feet

REQUIRED YARD AREA CALCULATION

50' N PROPERTY BOUNDARY

50% YARD REQUIREMENT MET

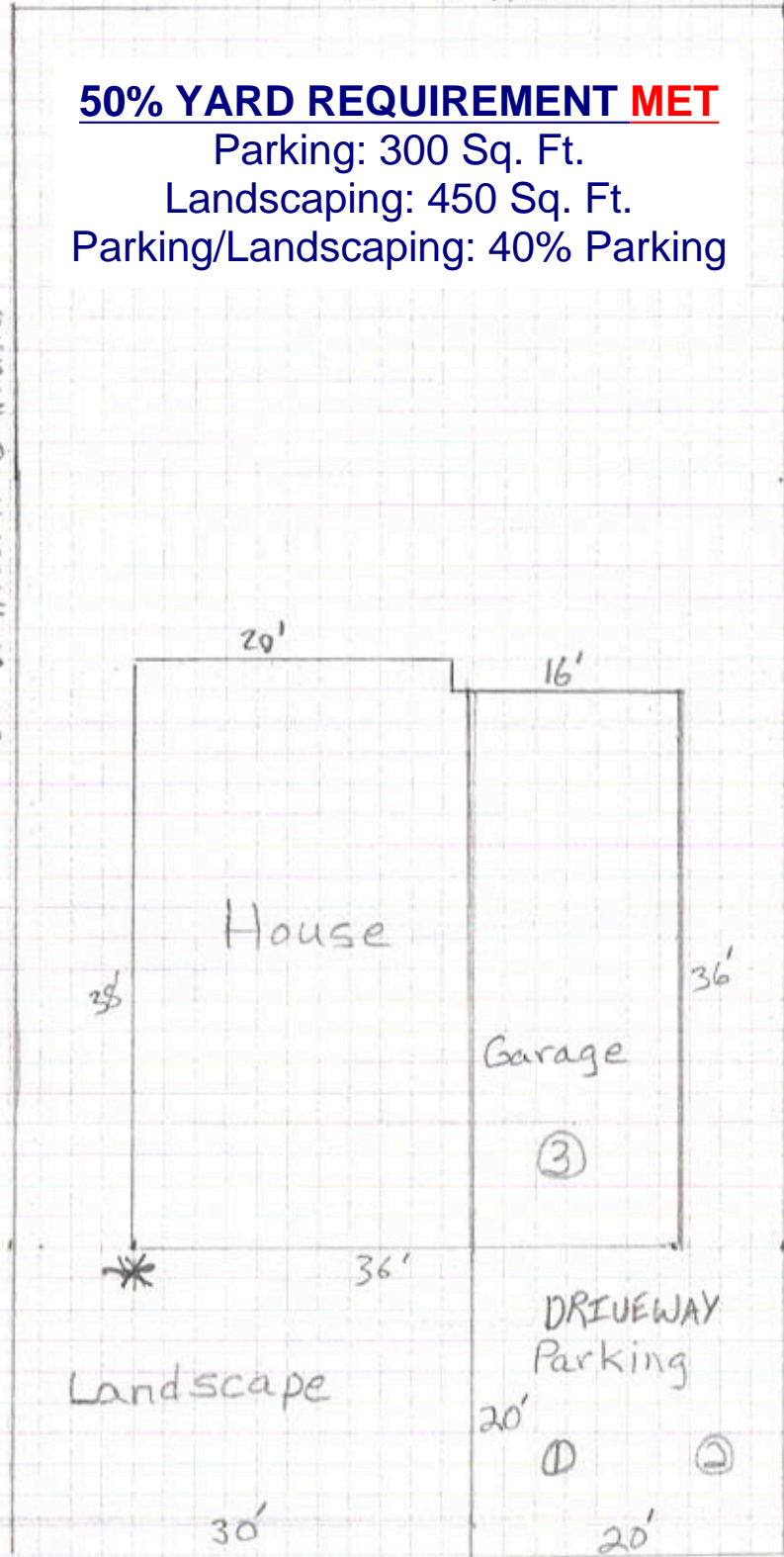
Parking: 300 Sq. Ft.

Landscaping: 450 Sq. Ft.

Parking/Landscaping: 40% Parking

100' W PROPERTY BOUNDARY

E PROPERTY BOUNDARY



TOTAL LOT SIZE:
5000 FT²

TOTAL YARD AREA:
3150 FT²

LANDSLAPING:
1,000 FT²

PARKING:
400 FT²

$5000 \text{ FT}^2 \div 3150 \text{ FT}^2 =$
63% YARD AREA

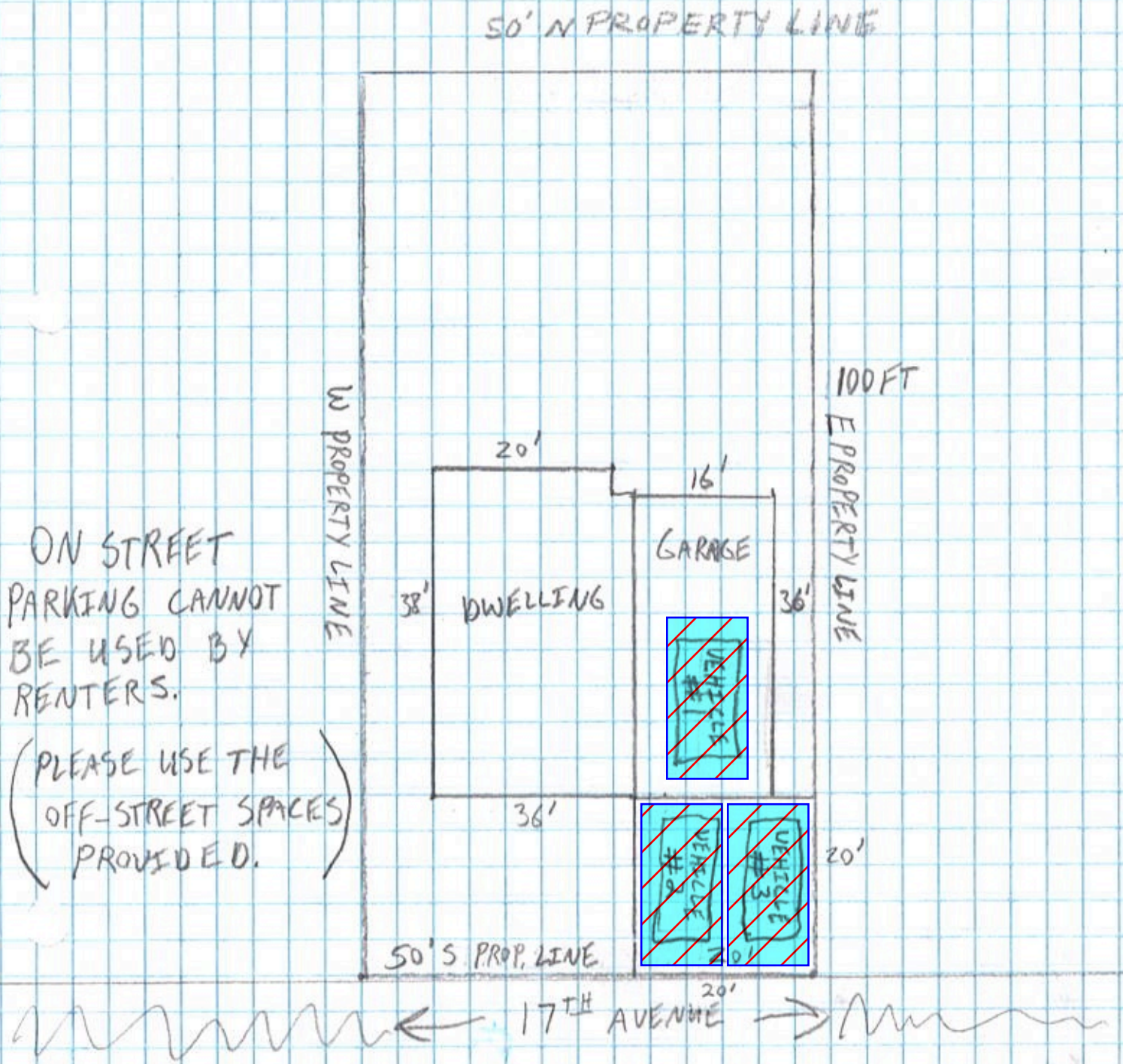
$400 \text{ FT}^2 \div 3150 \text{ FT}^2 =$
12.7% PARKING AREA

$400 \text{ FT}^2 \div 1000 \text{ FT}^2 =$
40% PARKING AREA
OF LANDSCAPED
PORTION OF YARD.

S PROPERTY BOUNDARY 50'

← 17th AVENUE →

416 17TH AVE
SCALE 1 GRID = 4 FEET
PARKING MAP





APPLICATION(S):	769-24-000026-PLNG – Conditional Use
MEETING DATE:	May 7, 2024
PUBLIC HEARING:	Yes
Report Date:	April 25, 2024
Applicant:	Lindy Feneide
Owner:	Lindy Feneide
Location:	831 1 st Ave., Seaside, OR 97138
Major Street Access:	1 st Ave.
Parcel Number(s) & Size:	(61021AA07800) Approximately .11 Acres
Parcel Zoning:	High Density Residential (R-3)
Adjacent Zoning:	High Density Residential (R-3)
Current Use of Parcel:	Single-Family Dwelling with Detached Garage
Adjacent Uses:	Single-Family Residential, Hotel/Motel
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 Lindy Feneide to construct an approximate 750 sq. ft. Accessory Dwelling Unit (ADU) above a detached garage on their 5,000 sq. ft. lot.

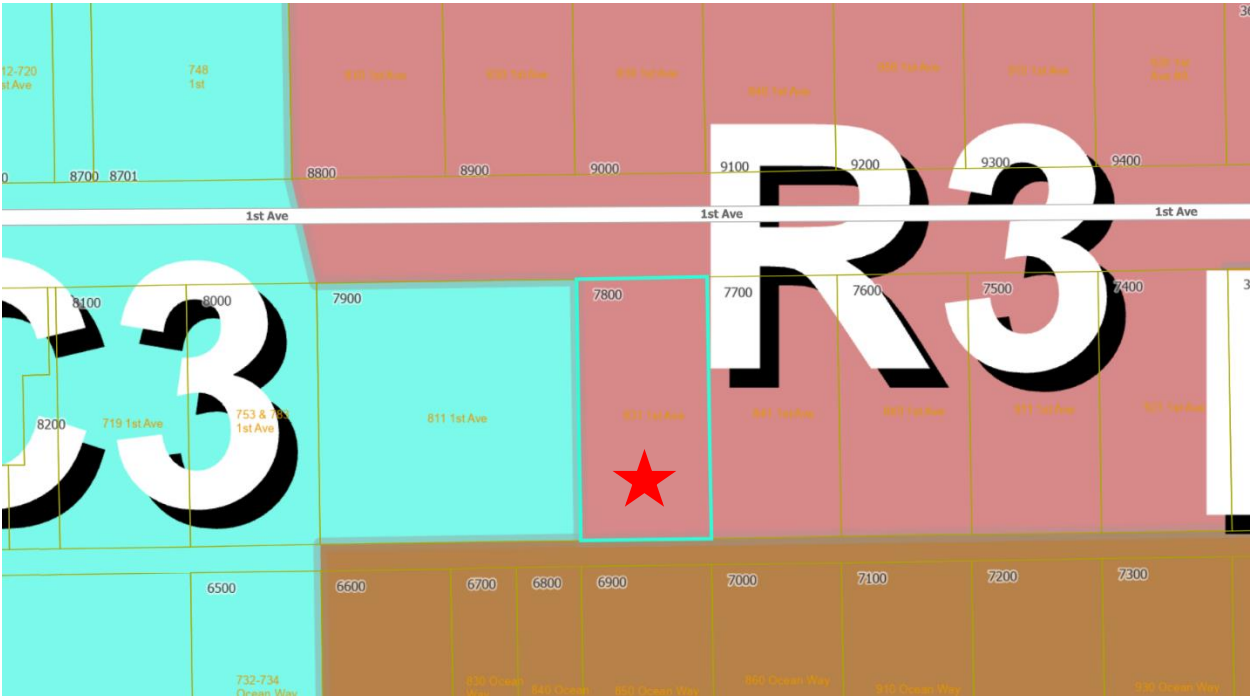
Staff Recommendation:

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. Public Comments**

Location: (61021AA07800) Approximately .11 Acres



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

C. Background:

This applicant’s approximate .11-acre property is a lot located on 1st Ave. with access to the rear via a public alleyway. The property contains a single-family dwelling with a non-conforming, detached garage.



D. Required Dates:

This application was accepted as complete on April 17, 2024. The 120-day decision timeframe is August 15, 2024.

E. Specific Request:

A conditional use request by Lindy Feneide to construct an approximate 750 sq. ft. Accessory Dwelling Unit (ADU) above a new detached garage on their 5,000 sq. ft. lot. The existing garage will be torn down.

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 April 18, 2024. Additionally, a mailed notice was sent on April 17, 2024, to all property owners within 100 feet of the subject property.

H. Written Comments:

At the time of this report, staff has received one written comment. Roger Whitaker from 910 Oceanway stated he uses the alley often and there is more and more traffic. Roger stated he does not want any more traffic on the alley. Roger stated the existing garage has standing water in it. The resident states he does not want any more vehicles or people living on the alley. *Staff Finding: The applicant is applying for a conditional use as the ADU is over 525 sq. ft. An ADU is an outright permitted use if it is under 800 sq. ft. State law prohibits requiring additional parking for the ADU.*

I. Comprehensive Plan:

The applicant’s property is located within the high-density residential land use designation. These areas are characterized by urban high-density qualities such as apartment houses, as well as some mix of single-family duplexes, and other uses consistent with high-density residential uses. Additionally, dwelling units in this area should be for full-time residential use.

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 along with a new two-car, detached garage. The accessory structure will be built after an existing non-conforming garage is demolished.*
2. **Limiting the height of buildings.** *Finding: The applicant's building will be far below the 45 ft. restriction in the R-3 zone.*
3. **Controlling the location and number of vehicle access points.** *Finding: The existing access points will be maintained. The access to the property is through the alleyway in the back with pedestrian access from 1st Ave. in the front.*
4. **Increasing the street width.** *Finding: No streets are proposed.*
5. **Increasing the number of required off-street parking spaces.** *Finding: The applicant has two proposed parking spaces within the new, two-car, garage.*
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 the ADU.*
8. **Designating sites for open space.** *Finding: The applicant's proposal keeps the existing open space intact.*

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 construct a detached two-car garage with the ADU on the second floor.*
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: HB 2001 (2020) does not allow local governments to require off-street parking for the ADU however, the applicant's plan will provide at least 3 off-street parking spaces.*
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 proposed accessory structure will meet off-street parking 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 5,000 sq. ft. which is the minimum lot size for the R-3 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: The applicant intends to use the ADU as a long-term rental.*

K. Additional Findings, Conclusions, and Justification Statements:

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

The applicant's proposal is to construct a two-car garage with a second-floor ADU. The construction of an ADU will add another potential rental housing unit to a market that desperately needs rental housing and remove a property from potential short-term rental eligibility.

2. ADUs under 525 sq. ft. are outright permitted in all residential zones. The applicant is requesting an ADU that is approximately 800 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.

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 June 4, 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

Property Information:					
STREET ADDRESS OR LOCATION OF PROPERTY 831 1st Ave, Seaside, OR 97138					
ZONE	OVERLAY ZONE	TOWNSHIP	RANGE	SECTION	TAX LOT(S)
R-3		6	10	21AA	07800

Owner:	Applicant/Representative Other than Owner:
NAME Lindy Feneide	NAME OF APPLICANT / REPRESENTATIVE
ADDRESS 2165 Summerlin Lane, Longmont, CO 80503	ADDRESS
PHONE 360-635-1289	PHONE
EMAIL dlfeneide@msn.com	EMAIL
SIGNATURE 	SIGNATURE

Proposed Use: Accessory Dwelling Unit (Garage with long term living unit above)

Existing Use: Accessory Unit (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 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: 04/03/24	File Number: 769-24-000026-PLNG
Application Deemed Complete: 04/08/24	120-Day Decision: 08/06/24
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?

Tear down existing garage and rebuild with expanded garage with living unit above. Our scope of work is to demolish the existing non-conforming accessory structure currently used as a detached garage and build a new conforming double car garage with an 800 square foot accessory dwelling above to be used as a long term rental in which our city is in extreme need of.

2. What is the proposed use in the zone?

Our property is zoned R-3 and although the high density residential zoning we feel that an accessory dwelling unit will be better suited in our neighborhood and our property. We intend on using the accessory dwelling as a long-term rental.

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

In the R-3 zone we are permitted to have high density residential, our neighborhood does have some high density residential but it mostly consists of single family dwellings. The proposed structure will be well within the zoning requirements of our zone, will have less than 55% lot coverage, and the new setbacks we are proposing will be conforming.

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

The proposed accessory dwelling will be 800 square feet, it will replace a non-conforming structure, the plan we have proposed actually adds two off street parking spaces bring our total number of off street parking spaces to 6, our proposed plan is conforming to property line setbacks which increases accessibility to the alley to the south of the property for emergency services and utilities.

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.

We intend to demolish the existing non-conforming and decaying structure and replace it with a conforming structure by improving accessibility for the surrounding properties by increasing the property line setbacks to 10'. We also intend on raising the proposed structure and driveway to increase the drainage for the property. We are proposing to add an additional long term rental with our city is in extreme need of.

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

ALL CONSTRUCTION TO MEET THE STATE OF OREGON BUILDING CODES

Living 800 SQ. FT.
Garage 724 SQ. FT.
Height 26'



NUMBER	DATE	REVISION TABLE	REVISOR	DESCRIPTION

New Garage/Apartment

Dennis and Lindy Feneide
831 1st Ave.
Seaside, OR 97138

DRAWINGS PROVIDED BY:
Jason Kraushaar Contracting, LLC
jasonkraushaar@gmail.com
(503) 739-6043, Cell

DATE:

3/7/2024

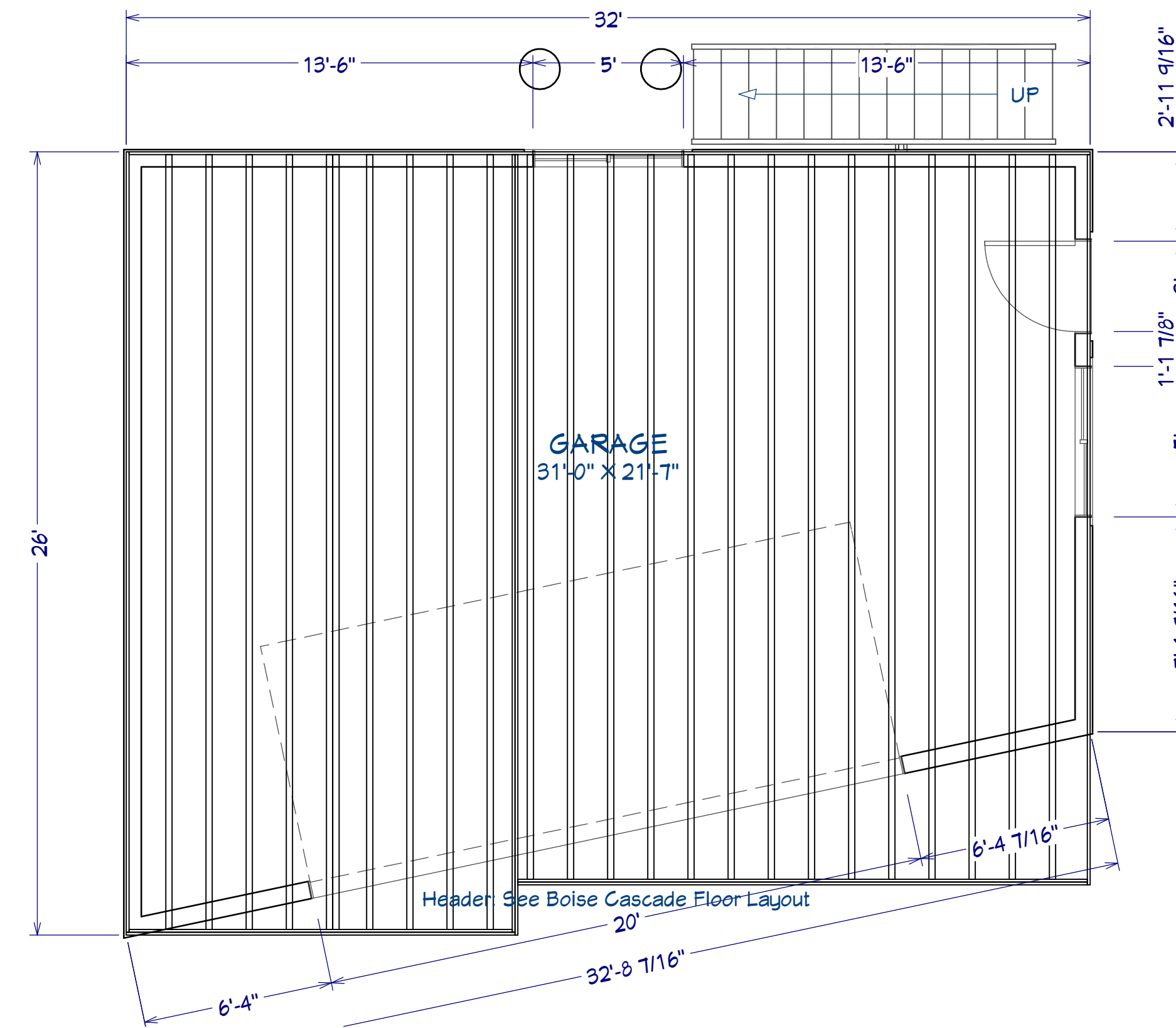
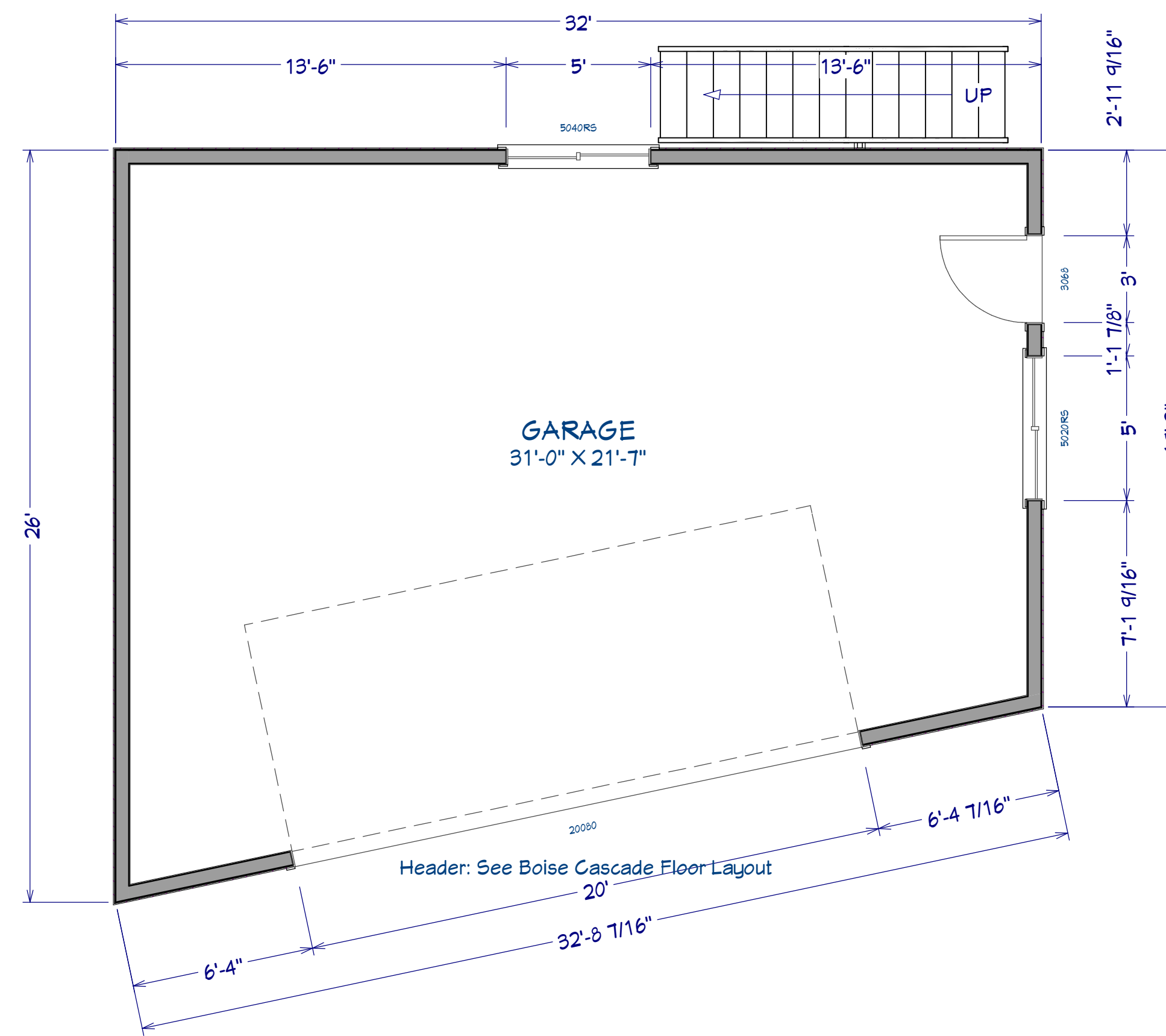
SCALE:

1/4"=1'

SHEET:

P-1

Window and Exterior Door
 Headers 6x12 DF (TYP)
 (1) 2x6 Trimmer (TYP)
 (1) 2x6 King Stud (TYP)



NUMBER	DATE	REVISION BY	DESCRIPTION

Dennis and Lindy Feneide
 831 1st Ave.
 Seaside, OR

DRAWINGS PROVIDED BY:
 Jason Kraushaar Contracting, LLC
 jasonkraushaar@gmail.com
 (503) 759-6043, Cell

DATE:

3/7/2024

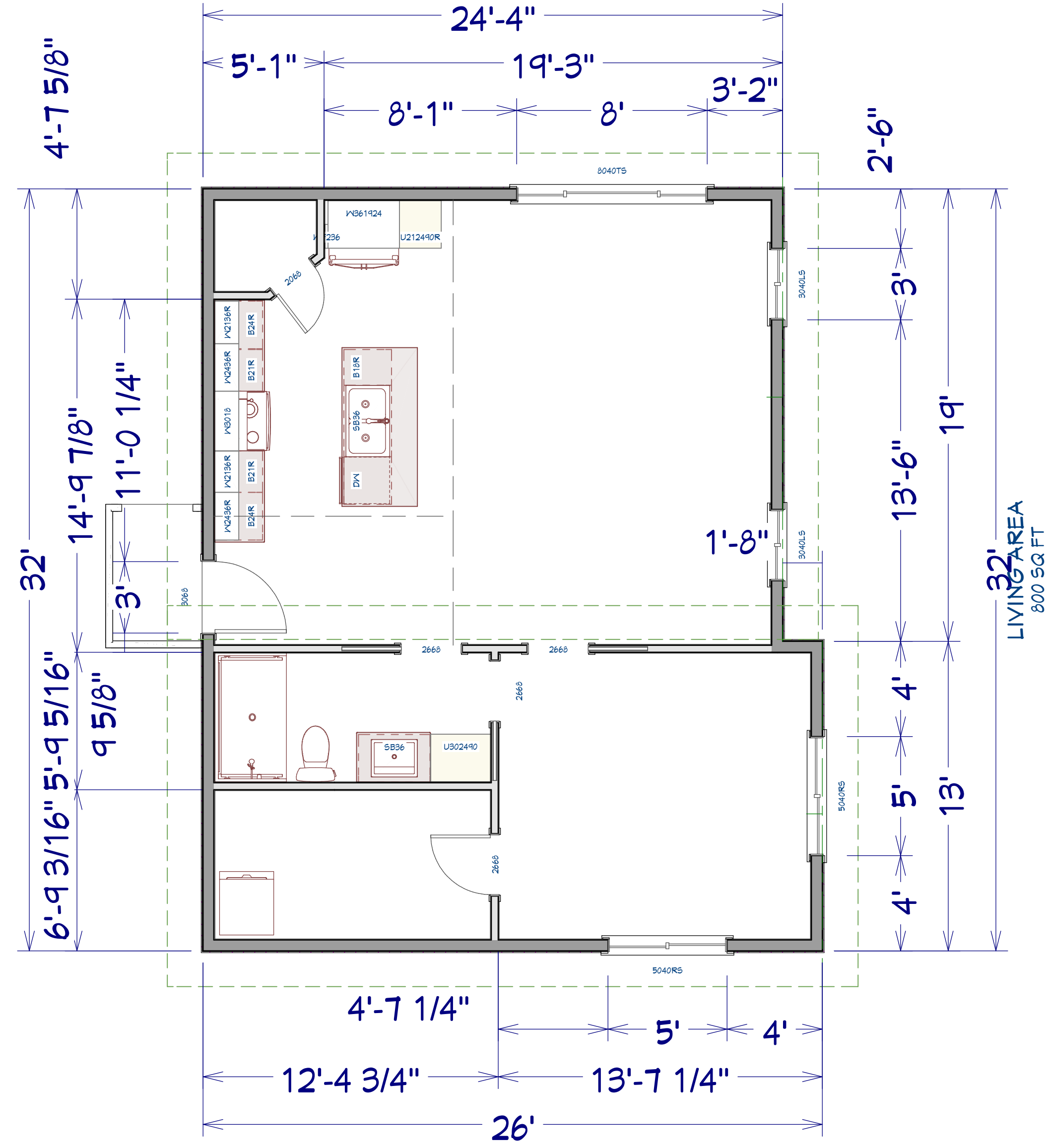
SCALE:

1/4"=1'

SHEET:

P-2

Window and Exterior Door
 Headers 6x12 DF (TYP)
 (1) 2x6 Trimmer (TYP)
 (1) 2x6 King Stud (TYP)



DRAWINGS PROVIDED BY:
 Jason Kraushaar Contracting, LLC
 jasonkraushaar@gmail.com
 (503) 754-6043, Cell

DATE:

3/7/2024

SCALE:

1/4"=1'

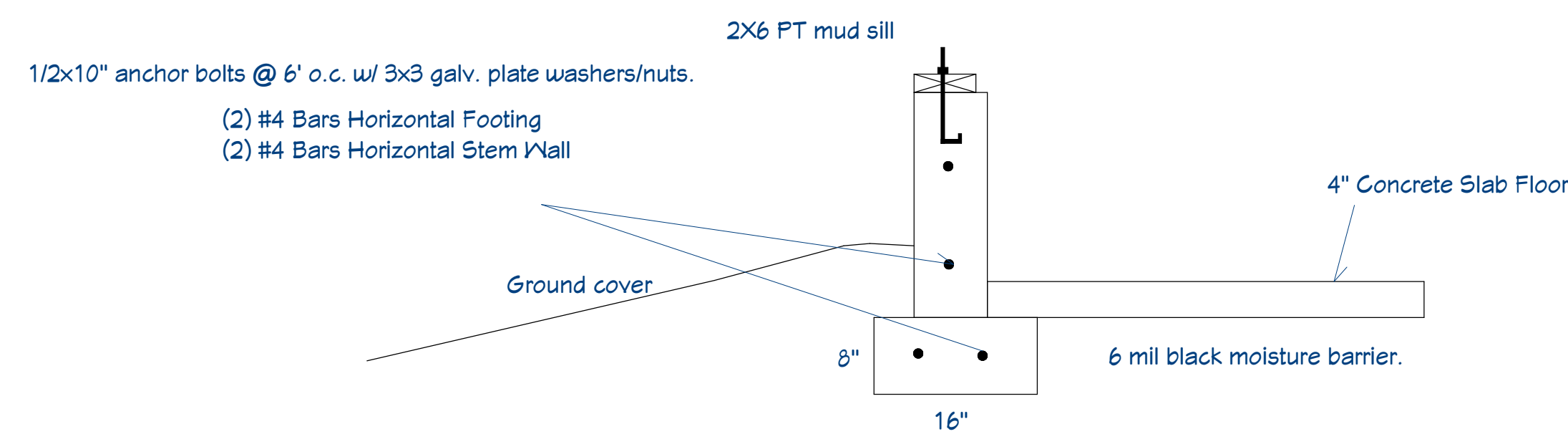
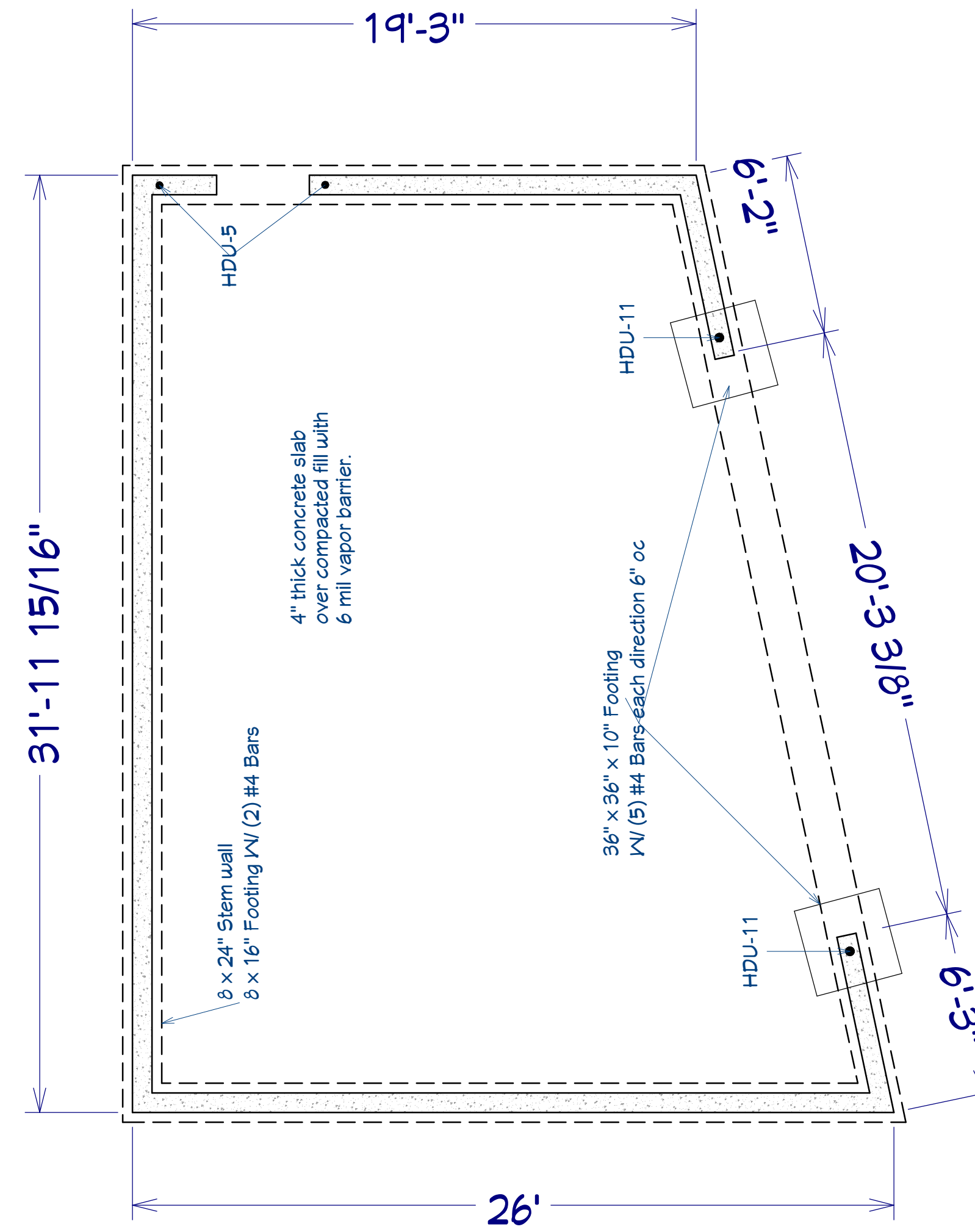
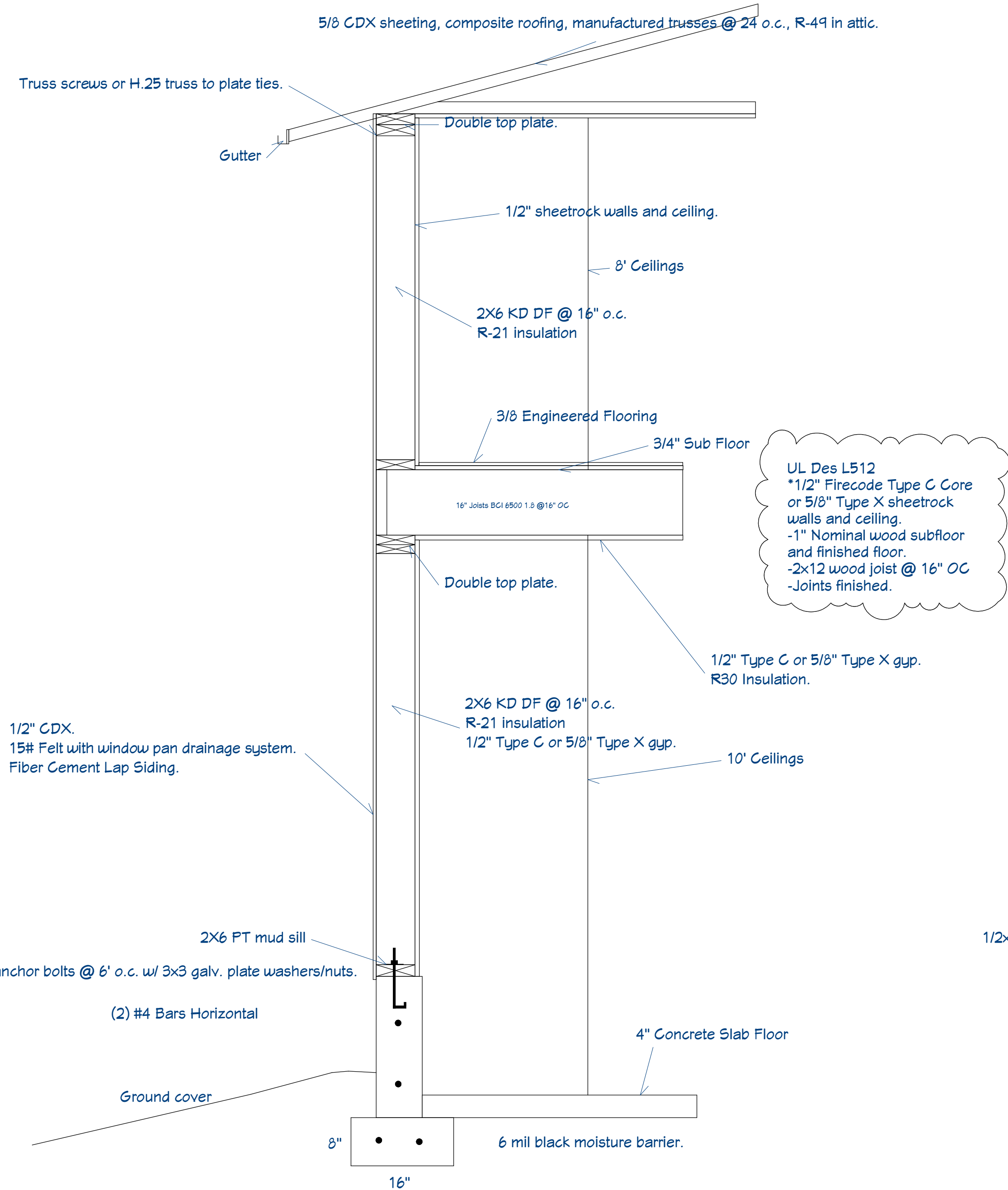
SHEET:

P-3

Dennis and Lindy Feneide
 831 1st Ave.
 Seaside, OR 97138

REVISION TABLE			
NUMBER	DATE	REVISION BY	DESCRIPTION

Elevation Detail



FOUNDATION PLAN FOUNDATION NOTES:

1. CONCRETE COMPRESSIVE STRENGTH = 3000 PSI.
2. USE GRADE 60 REINFORCING STEEL (REBAR).
3. TYPICAL STEM WALL WIDTH = 8" w/ HORIZONTAL #4 BARS @ 16" O.C.
4. TYPICAL FOOTING = 16"x8" w/ (2) CONTINUOUS #4 BARS
5. MINIMUM FROST DEPTH = 12"
6. ALL FOOTINGS TO BEAR ON UNDISTURBED SOIL.
7. FOUNDATION DRAINAGE TO BE INSTALLED AROUND THE PERIMETER.

NUMBER	DATE	REVISED BY	DESCRIPTION

FOUNDATION

Dennis and Lindy Feneide
831 1st Ave.
Seaside, OR 97138

DRAWINGS PROVIDED BY:
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jasonkraushaar@gmail.com
(503) 754-6043, Cell

DATE:

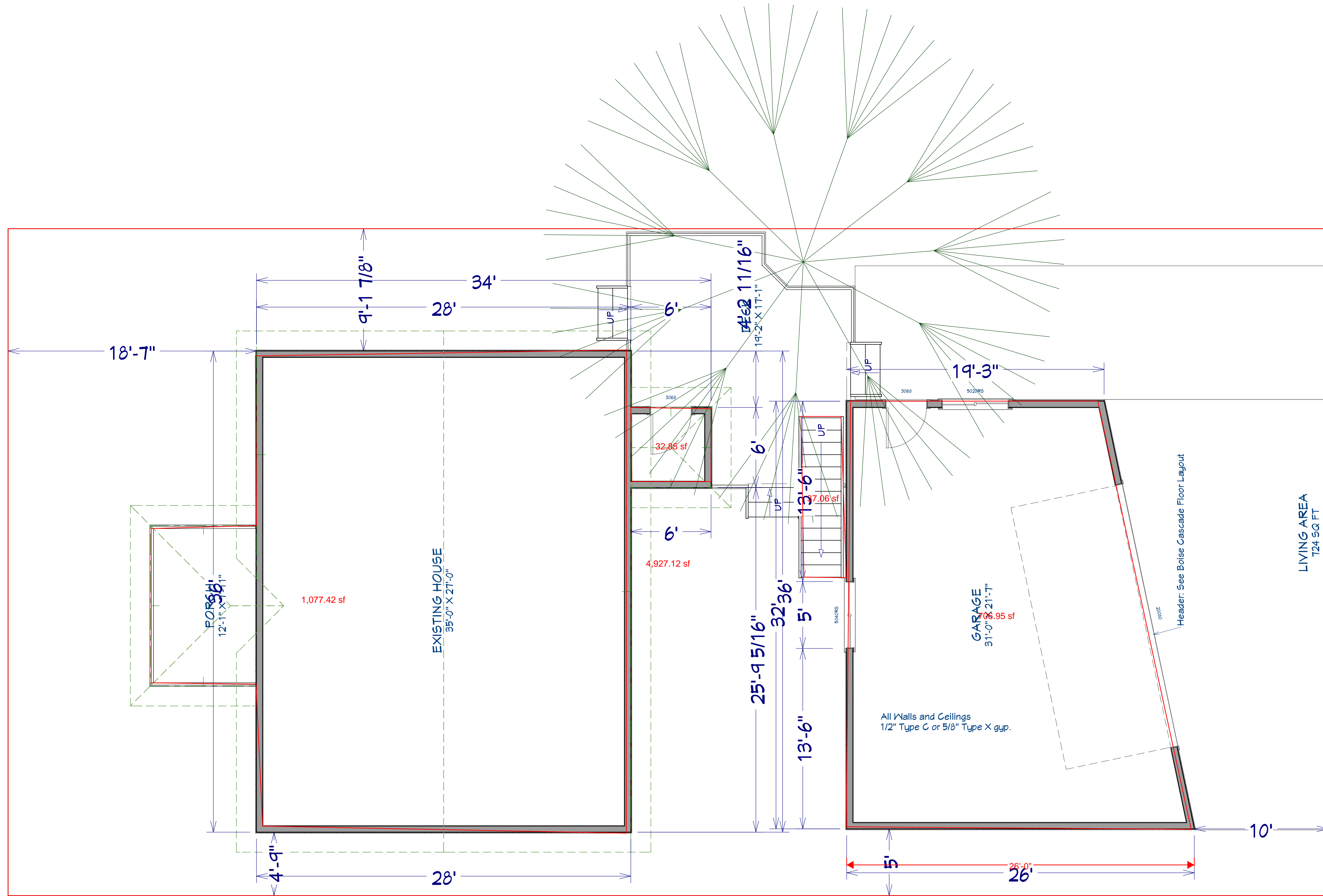
3/7/2024

SCALE:

1/4"=1'

SHEET:

P-4



Lot Coverage is 37%
5000 SQ. FT Lot

NUMBER	DATE	REVISION BY	DESCRIPTION

PLOT PLAN

Dennis and Lindy Feneide
831 1st Ave.
Seaside, OR 97138

DRAWINGS PROVIDED BY:
Jason Kraushaar Contracting, LLC
jasonkraushaar@gmail.com
(503) 739-6043, Cell

DATE:

3/7/2024

SCALE:

1/4"=1'

SHEET:

P-5

From: Roger Whitaker <rlwhit@roger-whitaker.com>
Sent: Wednesday, April 24, 2024 3:33 PM
To: Jeff Flory <jflory@cityofseaside.us>
Subject: app 769-24-000026-PLNG

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

April 24,2024

Dear Sir:

I live at 910 oceanway .

I use the ally often, there seems to be more and more traffice. some drive very fast. I am not infavor of more traffic on the ally.

I have seen standing water in the detached garage , at times it a mess. Also seems impossible to enter garage with a car since it is well belowgrade. Really it just outsidespace .

Currently there are two cars parked next to the building and there no room for more!!!! mr Feneide has a large truck and additional car.

We have enough of the general public as well as all those the have property on ally using it as a street. I do not like nor want more people living on alley, going in and out on alley all the time.

Sincerely,

Roger
Whitaker

971 475 9484