

In order to participate in the comment period for City Council Meetings, participants must register prior to the event. The agenda and packet for City Council meeting are available on the Friday prior to the meeting. Click on the link: [City Council Public-Comment-Submission-or- Registration](#)

6:25 PM CITY TREE BOARD INTERVIEWS

AGENDA SEASIDE CITY COUNCIL MEETING
OCTOBER 10, 2022 7:00 PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. PROCLAMATION – 2022 GREAT OREGON SHAKE OUT
6. COMMENTS – PUBLIC – (please keep speaking time to three minutes)
7. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
8. CONSENT AGENDA
 - a) PAYMENT OF THE BILLS - \$653,112.67
 - b) APPROVAL OF MINUTES – September 26, 2022
9. REPORTS AND PRESENTATIONS:
 - a) PRESENTATION – SEASIDE HIGH SCHOOL WELCOMING POLE, Bill Westerholm
 - b) REPORT – SEASIDE CAMPING POLICY BY COMMUNITY SERVICE OFFICER, Paul Knoch
10. UNFINISHED BUSINESS:
 - a) VACANCY - CITY TREE BOARD (2 Vacancies – 2 Applications/Interview)
CONVENTION CENTER COMMISSION (1 Vacancy)
11. NEW BUSINESS
 - a) PUBLIC HEARING – ORDINANCE #2022-09 – AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE ZONING MAP REFERENCED IN CODE OF ORDINANCES SEASIDE CHAPTER 151 CHANGING THE ZONING AT 2657 N. HIGHWAY 101 FROM R-2 TO R-3, Jeff Flory
 - OPEN PUBLIC HEARING
 - CLOSE PUBLIC HEARING
 - COUNCIL COMMENTS
 - MOTION FOR FIRST READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
 - b) REQUEST – WATER SERVICE CONNECTION OUTSIDE CITY LIMITS LOCATED AT KLOOTCHY CREEK COUNTY PARK ON HIGHWAY 26 (Owner Clatsop County)

c) VACANCY – PARKS ADVISORY COMMITTEE (1 Vacancy)

12. COMMENTS FROM THE CITY STAFF

13. COMMENTS FROM THE COUNCIL

14. ADJOURNMENT

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

All meetings other than executive sessions are open to the public. When appropriate, any public member desiring to address the Council may be recognized by the presiding officer. Remarks are limited to the question under discussion except during public comment. This meeting is handicapped accessible. Please let us know at 503-738-5511 if you will need any special accommodation to participate in this meeting.

CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

PROCLAMATION

Whereas, the City of Seaside recognizes that no community is immune from natural hazards whether it be earthquake, wildfire, flood, winter storms, drought, heat wave, or dam failure and recognizes the importance enhancing its ability to withstand natural hazards as well as the importance of reducing the human suffering, property damage, interruption of public services and economic losses caused by those hazards; and

Whereas, earthquake safety is a serious concern with much of our state at risk to seismic shaking and tsunami hazards; and

Whereas, the best way to survive a natural disaster is to develop a preparedness plan for your school, business, home and family; and

Whereas, being self-sufficient for two weeks after a natural disaster as well as knowledge about what to do when disasters occur is vital. All citizens, businesses and governmental agencies are encouraged to participate in earthquake drills where they practice "Drop, Cover and Hold On," during the Great Oregon Shakeout; and

Whereas, by participating in **The Great Oregon ShakeOut** on October 20, 2022, at 10:20 the City of Seaside has the opportunity to join and support all Oregonians in strengthening community and regional resiliency.

NOW, THEREFORE, I, Jay Barber, Mayor of the City of Seaside, hereby approves participating in the Great Oregon Shakeout hereto by taking time to recognize and acknowledge the importance of preparing our city for the purposes of building a safer community and reducing the loss of lives and property from a major earthquake event by taking proactive steps today.

NOW, THEREFORE, I, Jay Barber, Mayor of the City of Seaside, proclaim October 20, 2022, as

THE GREAT OREGON SHAKEOUT DAY

and encourage all Seaside schools, businesses, and citizens to practice preparedness.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Seaside to be affixed this 10th day of October, 2022.

JAY BARBER, MAYOR



The Great Oregon ShakeOut

Annual Statewide Earthquake Drill

Local Government

At 10:20 a.m. on October 20, 2022, thousands of Oregonians will “Drop, Cover, and Hold On” in The Great Oregon ShakeOut, the state’s largest earthquake drill ever! All local governments and their agencies are encouraged to participate in the drill (or plan a more extensive exercise).

Major earthquakes may happen anywhere you live, work, or travel. The ShakeOut is our chance to practice how to protect ourselves, and for everyone to become prepared. The goal is to prevent a major earthquake from becoming a catastrophe for you, your organization, and your community.

Why is a “Drop, Cover, and Hold On” drill important? To respond quickly you must practice often. You may only have seconds to protect yourself in an earthquake before strong shaking knocks you down, or something falls on you.



Millions of people worldwide have participated in Great ShakeOut Earthquake Drills since 2008. The Great Oregon ShakeOut is held on the third Thursday of October each year.

Everyone can participate! Individuals, families, businesses, schools, colleges, government agencies and organizations are all invited to register.

Register today at ShakeOut.org/oregon

HOW TO PARTICIPATE

Here are a few suggestions for what local governments and agencies can do to participate in the ShakeOut. More information is at ShakeOut.org/oregon/howtoparticipate.

Plan Your Drill:

- Register at ShakeOut.org/oregon/register to be counted as participating, get email updates, and more.
- Download a Drill Broadcast recording from ShakeOut.org/oregon/drill/broadcast.
- Have a “Drop, Cover, and Hold On” drill at 10:20 a.m. on October 20.
- You may also want to coordinate an exercise of your emergency plan.
- Discuss what you learned and make improvements.

Get Prepared for Earthquakes:

- Check your emergency supplies and equipment; make sure they are accessible and functional.
- Inspect your facilities for items that might fall and cause injury, and secure them.
- Encourage employees to prepare at home.
- Provide first aid and response training for employees.

Share the ShakeOut:

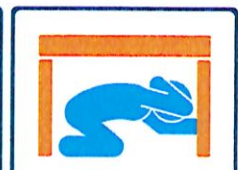
- Encourage employees to ask their friends, families, and neighbors to register.
- Agencies with outreach roles can include ShakeOut messaging in their routine activities.
- Find posters, flyers, and other materials for promoting the ShakeOut at ShakeOut.org/oregon/resources.
- Share photos and stories of your drill at Shakeout.org/oregon/share.



DROP!



COVER!



HOLD ON!

As a registered ShakeOut Participant you will:

- Learn what you can do to get prepared
- Be counted in the largest earthquake drill ever
- Receive ShakeOut news and other earthquake information
- Set an example that motivates others to participate

© 2022



FEMA



Staff Report – City Council Meeting

Meeting Date: October 10, 2022
Author: Spencer Kyle, City Manager
Department: City Manager
Subject: Camping Report
Type of Item: Report

Introduction:

At the September 26, 2022 City Council meeting the City Council asked for staff to report back to the City Council on the current operations of the Mill Ponds camp and how the City's camping ordinance is working.

Background:

Earlier this year the City Council enacted the City's first camping ordinance regulating camping on public property. That ordinance and its associated policies have been amended as the City has gained experience with the new ordinance and with the operations of a camp for the unhoused. The attached report, and the associated discussion with the City Council, it meant to help answer questions about the effectiveness of the program. That discussion may or may not prompt further updates to the ordinance and policies.

Budget Impact:

n/a, this is a report and discussion only.

Department Review:

In preparation for this meeting, staff from the City Manager's office, Police Department and Public Works met to discuss the current operations and to identify any changes that might be needed or should be considered. Please see the accompanying report from CSO Knoch.

A significant portion of that discussion dealt with requests for changes to the ordinance due to rain and wet weather conditions. The City Council has seen a request come from residents to not require campers at Mill Pond to move out on Thursdays (the current policy) when the camp is experiencing rain events. The thought is that requiring the tent campers to move their tents and belongings during rain events will further exacerbate the wet conditions, making life much more difficult for the campers.

Staff identified several concerns with changing the existing policy as well as several benefits. There are mixed opinions and recommendations from staff on whether or not the City should amend the policy. Here are some of the issues identified:

Anticipated problems with not requiring campers to move out during rain events:

- The accumulation of more "stuff" by the campers. The campers tend to collect stuff and the weekly check out requires them to reduce their possessions to the essentials rather than accumulating more of what some might consider as junk.
- An overall feeling that each campers place in the camp is permanent. The current policy to have campers move out is a good reminder that these accommodations are meant to be temporary and hopefully encourages the campers to be working towards permanent housing.

- A worry that the camp may begin to grow like the camp on 10th and Necanicum. The growth in the camp may outpace the number of people that can be accommodated.
- The issue of how to determine what constitutes a rain event. The City would have to determine an objective way to determine if campers needed to move or not in order to avoid arguments between staff and campers.

Anticipated benefits of allowing campers to remain in camp on Thursdays during rain events:

- The City wants our unhoused population to use the Mill Ponds camp. The camp reduces the interaction between the unhoused and downtown businesses, tourists, and homeowners. If the conditions are too miserable due to rain, some campers will choose to move out and may end up in the City's downtown area or moving into the woods or other places we don't want them camping.
- There is a humane reason to not require campers to move out during rain events. Many of the residents experience physical and mental limitations making the weekly move-out difficult. It will be especially difficult when it's raining.

Alternatives:

This is just a discussion. If the City Council wants to discuss the request to not require campers to move out when its raining, please see the anticipated problems and benefits outlined above. Staff believes the current program, while not perfect, is an improvement from where the City was prior to the program. We want the program to be successful. Part of the balancing act for the City is to ensure the program is attractive enough that our native unhoused population participates while not attracting additional unhoused populations to our City. Staff anticipates the need to continue to monitor and update the ordinance and policy.

If the City Council is inclined to amend the ordinance to not require moving out during rain events, staff has identified one requirement that may help prevent some of the anticipated problems. The City Council could consider allowing the tent campers to only keep items that can fit in their tents to remain in camp on Thursdays. Anything that can't fit in their tent would need to be removed from the camp or thrown away. This would reduce the growth in items collected each week by the campers. The City Council could also consider an option of requiring the campers to leave the camp, but leave their tents as outlined in this paragraph.

Recommendation:

Staff has no recommendation. We are looking forward to reporting back to the City Council and engaging in a discussion.

Attachments:

1. Report prepared by CSO Paul Knoch

Staff and Key Contacts:

Police Chief Ham

CSO Knoch

Lieutenant Knight

Public Works Director McDowell

Assistant City Manager Rahl

Monthly Report on Temporary Camping Area –September 2022

Paul Knoch, Community Service Officer, Seaside Police Department

Active Participants:

19 in tents, 6 in vehicles (3 vehicle campers moved out just prior to this report)

Individuals with active permits who are not staying at the camp – 11

Average Age of active participants: 45 Gender: Males: 18 Females: 7

Permits issued from 09/01-09/30/2022 days: 13 new (only 3 are still participating), 23 renewals

Length of stay by individuals with active permits:

0 – 21 days: 14 21-60 days: 9 More than 60 days: 13

Police Contacts at 2100 Alder Mill – 09/01/2022 – 10/01/2022

- Failure to move out / abandoning camp – 7
- Disturbance – 2
- Distribution of narcotics – 1 (report of vehicle coming in to camp to sell narcotics)
- Possession of narcotics – 1
- Improper disposal of dog waste – 1 (camper was not picking up after their dog)
- Found property – 2 (abandoned tent, ID)
- Illegal fire – 1 (Sterno can being used for cooking)
- Mental hold – (newly permitted camper attempted suicide by taking pills)
- Unlawful possession of a weapon – 1 (citizen entered camp with a handgun looking for stolen property)
- Trespass – 1 (camping participant was trespassed from camp after multiple disturbances)
- Civil – 1 (disagreement between two individuals sharing a vehicle)
- Assist other agency – 4
- Subpoena service - 2

Challenges

- Thursday move-out day continues to be a challenge due to campers not moving out on time and property being abandoned. There are campers with severe mental /physical challenges who require assistance with moving out.
- There are ongoing reports of drug use within the camp.
- Excessive amounts of trash accumulated creates more work for public works staff. The provided dumpster generally gets filled up as soon as its emptied.
- Tent area is difficult to manage as tent sites and boundaries are not clearly marked.
- Location is a wetland and will flood during heavy rains and high tides.
- The provided dumpster is nearly full all the time due to a variety of reasons.
- We are currently unable to restrict the limited space we have those experiencing homelessness from the Seaside area.

Positives

- Overall, the camp is working in that it provides an option for those experiencing homelessness.
- Calls for service have been relatively minor and there have been no major incidents.
- Having a designated location makes it easier for advocates and agencies to provide assistance to the homeless.
- Areas in Seaside that were formerly occupied with transients (10th/Necanicum, Ave D wetlands) are now clear of encampments.



Staff Report – City Council Meeting

Meeting Date: October 10, 2022
Author: Kim Jordan, City Recorder
Department: Business Office
Subject: Tree Board Vacancy
Type of Item: Discussion

Introduction:

The City Tree Board currently has 2 Vacancies – 2 Applications have been received from Victoria Fuller and Lisa Morley with interviews scheduled for the October 10, 2022, City Council meeting.

Background:

Victoria Fuller and Lisa Morley will be interviewing Monday, October 10, 2022, starting at 6:25 PM.

Budget Impact:

None

Department Review:

Business Office

Alternatives:

n/a

Recommendation:

Discussion only.

Attachments:

1. City Tree Board Information sheet and Victoria Fuller and Lisa Morley applications.

SEASIDE CITY TREE BOARD

(Meetings are scheduled every other month on the third Wednesday at 4:00 PM)

The purpose of the City Tree Board is to study, investigate, and develop and/or update annually, a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees in parks, along streets, and in other public areas. The Tree Board, when requested by the City Council, shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its duties and responsibilities.

- (1) Develop criteria for city staff and/or contractors to apply in making decisions entrusted to staff and/or contractor discretion,
- (2) Designate Heritage Trees on public and private lands within the city,
- (3) Promote the planting and proper maintenance of trees through special events including an annual local celebration of Arbor Day, and
- (4) Obtain the annual Tree City USA designation by the National Arbor Day Foundation.

The Board consists of five members, appointed by the City Council for a three-year term, and who are residents, or owners or employees of businesses within the city limit.

The City Tree Board shall schedule meetings as needed and elect a chairperson and a vice-chairperson. No more than 3 unexcused absences allowed in a calendar year.

Tree Board members serve without salary or compensation of any nature.

COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** June 23, 2022

Name: Arnold Olsen
Dan Stark

Commission/Committee: City Tree Board Committee

Resignation Date: Olsen - March 17, 2021
Stark – May 18, 2022

Term Expiration Date: Olsen - June 30, 2021
Stark – June 30, 2023

Wants to be considered again: No

2. **Applicants:**
Victoria Fuller
Lisa Morley

3. **Nominations:**

4. **Appointment:**

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

CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

NAME FULLER VICTORIA PHONE 503/ 880-3927
Last First

ADDRESS 361 HILLTOP DRIVE, SEASIDE, OR 97138

MAIL ADDRESS (DIFFERENT THEN ABOVE) _____

BUSINESS ADDRESS (IF APPLICABLE) N/A

EMAIL ADDRESS 1savoy@comcast.net

LENGTH OF TIME IN SEASIDE 6 YR ARE YOU A REGISTERED VOTER IN SEASIDE: Yes No

OCCUPATION RETIRED

PAST OCCUPATIONS RETIRED ANTIQUES DEALER (20YRS); BEFORE THAT, WORKED in Human Resources

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

List committee/commissions you are currently appointed to: N/A

List employment and volunteer activities, which may relate to service on committee/commissions:
MBR - BEAVERTON GARDEN CLUB, 29 YRS MBR - SOUTHWESTER GARDEN CLUB, 6 YRS

List skills and special knowledge that you may have acquired from these activities:
Having begun my gardening 'career' in the PNW in 1983 and worked two different yards over 5 ac
for 30 of those years, I have a feel for "Right Tree, Right Place"... advice often ignored by citizens and cities.

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

When? _____ Please explain: _____

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

NAME	RELATIONSHIP	ADDRESS	PHONE
<u>Lynda Sahway</u>	<u>Business Partner</u>	<u>154 Westbrook Rd, Essex CT</u>	<u>(612)868-9343</u>
<u>Susan Deshon</u>	<u>neighbor</u>	<u>2009 Maple Seaside</u>	<u>(503)717-3757</u>
<u>Diane Somers</u>	<u>garden club mbr</u>	<u>3243 Sunset Boulevard</u>	<u>(971)221-4680</u>

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

DATE 7/11/22 SIGNATURE Victoria Fuller

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

CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

NAME Morley, Lisa PHONE 8057983507
Last First

ADDRESS 2316 Beach Dr. #150 Seaside OR 97138

MAIL ADDRESS (DIFFERENT THEN ABOVE) 4908 Cedar St. Astoria OR 97103

BUSINESS ADDRESS (IF APPLICABLE) _____

EMAIL ADDRESS lisa.g.morley@gmail.com

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

OCCUPATION Safety Consultant

PAST OCCUPATIONS Project Manager, Buyer

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

List committee/commissions you are currently appointed to: N/A

List employment and volunteer activities, which may relate to service on committee/commissions:
Coral reef research project Invasive species identification, removal and restoration of
Study of wildlife diversity of Jackson Bottom Wetlands Three Creeks Natural Area Clackamas OR

List skills and special knowledge that you may have acquired from these activities:
Scientific research. Understanding of the need for native flora vs ornamental to support native wildlife.
Using research and data for making decisions. Having a diverse team makes for better outcomes.

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

When? _____ Please explain: _____

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

NAME	RELATIONSHIP	ADDRESS	PHONE
<u>Tonia White</u>	<u>Friend and Neighb</u>	<u>Cedar St. Astoria OR</u>	<u>503.703.7346</u>
<u>Steven Luttrull</u>	<u>Supv</u>	<u>Atlanta GA</u>	<u>805.701.8399</u>
<u>Lindsey Graham</u>	<u>Friend and Neighb</u>	<u>Cedar St. Astoria OR</u>	<u>907.350.6063</u>

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

DATE 30SEP2022 SIGNATURE 



CITY of SEASIDE

OREGON'S
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ALL-YEAR
RESORT

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

CITY TREE BOARD

Term of Office: 3 years

Number of Members: 5

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
(VACANCY) OLSEN			6/30/2021
JOHN CARTER	PO BOX 679	738-4387	6/30/2022
PAM FLEMING	1255 AVENUE 'B'	738-5637	6/30/2023
(VACANCY) STARK			6/30/2023
WILLIAM BARNES	2070 COOPER ST.	503-739-2118	6/30/2024
DALE MCDOWELL	1387 AVENUE 'U'	738-5112	STAFF REPRESENTATIVE



Staff Report – City Council Meeting

Meeting Date: October 10, 2022
Author: Kim Jordan, City Recorder
Department: Business Office
Subject: Convention Center Commission Vacancy
Type of Item: Discussion

Introduction:

Alyse Morrison resigned from Commission (Email attached September 8, 2022 to Brian Owen) creating one vacancy on the current Commission.

Background:

Alyse Morrison was previously interviewed and appointed by City Council to serve on the Convention Center Commission but has moved to Portland and has resigned her seat.

Budget Impact:

None

Department Review:

Business Office

Alternatives:

n/a

Recommendation:

City Council open vacancy to accept applications.

Attachments:

1. Convention Center Commission Information sheet.

SEASIDE CIVIC AND CONVENTION CENTER COMMISSION

(Meetings are scheduled the second Thursday of every month at 5:00 PM)

The purpose of the Seaside Convention Center Commission is to be an advisory body to make recommendations to the City Council on matters concerning the Civic and Convention Center. The Commission shall make recommendations concerning policy matters related to the Civic Convention Center. The Civic and Convention Center Commission shall advise the Convention Center Manager, City Manager and City Council on all items relating to the operation of the Civic and Convention Center including but not limited to: Contracts; Building Improvements; Employment of Civic and Convention Center Manager; Rentals; and Budget.

The commission consists of seven members who are not employees of the city and shall be residents, or owners or employees of businesses within the city limits of Seaside.

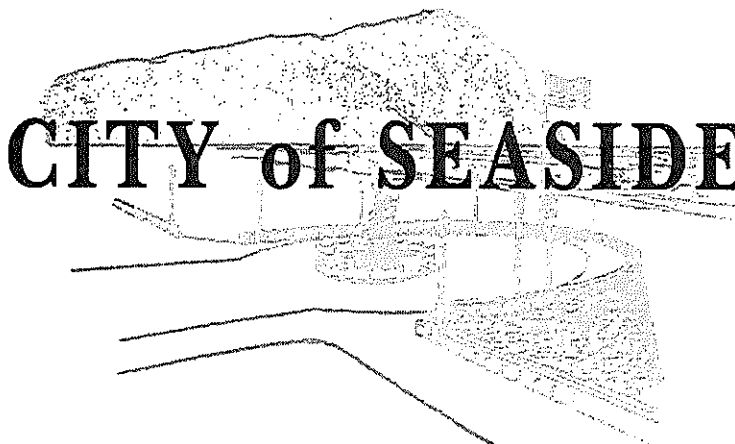
Each year, at the first Commission meeting in November, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson. The center manager shall serve as Secretary to the Civic and Convention Center Commission.

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

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

COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** September 26, 2022
Name: Alysse Morrison
Commission/Committee: Convention Center Commission
Resignation Date: Morrison – September 8, 2022
Term Expiration Date: Morrison – October 25, 2025
Wants to be considered again: No
2. **Applicants:**
3. **Nominations:**
4. **Appointment:**



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

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

CONVENTION CENTER COMMISSION

Term of Office: 4 years

Number of Members: 7

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
NANCY MCCUNE	PO Box 315	503-260-8905	10/25/2022
TIM TOLAN*	PO BOX 911	738-3802	10/25/2022
ROBERT PERKEL	2039 HUCKLEBERRY DR.	971-320-0008	10/25/2024
ERIK MARSTON**	2472 NEAWANNA	503-739-2057	10/25/2024
SHAUN WAGNER	300 N. PROM	440-1911	10/25/2025
VACANCY (MORRISON)			10/25/2025
ROBERT FULLER	361 HILLTOP DR.	503-807-0332	10/25/2025

*CHAIR

**VICE CHAIR



Staff Report – City Council Meeting

Meeting Date: October 10, 2022
Author: Jeff Flory, Planning Director
Department: Community Development
Subject: 22-039ZMA- Zone Change Request for the Properties located at 2657 N Hwy 101 Seaside, OR 97138 (T6-R10-S10DC- TL: 0200 and T6-R10-S10DC- TL: 001203)
Type of Item: Public Hearing and Ordinance First Reading

Introduction:

The applicant is requesting a zone map amendment that will change the zoning of the above referenced properties from Medium Density Residential (R-2) to High Density Residential (R-3). The properties are approximately .46 acres and .10 acres in size and the applicant is interested in rezoning them to provide for urban density residential development. The applicant intends to re-develop the properties and construct a 10-unit apartment building.

Background:

The use of the above referenced properties is currently as a non-conforming commercial wrecking yard in a Medium Density Residential (R-2) zone. The subject property is adjacent to a condominium/apartment complex to the south (zoned R-3), a mobile home park (zoned AD) to the east, a business office (zoned C-3) to the west, and a religious institution (City of Gearhart zoned R-1) across Seaside Airport Way to the north. The applicant properties are the sole Medium Density Residential (R-2) zoned properties in the immediate vicinity and the proposed use will be similar in nature to the adjacent properties to the east and south.

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

Planning Commission Public Hearing and Public Testimony Summary:

The Planning Commission held a public hearing on this request on September 6, 2022. The applicant spoke in favor of the request. The applicant expressed interest in the zone change in order to construct a 10-unit apartment building. During and prior to the Planning Commission public hearing, staff did not receive any comments, written or in person, in opposition to this request.

On September 29, 2022 the attached public comment e-mail was received from Judith Glazier of the Fourwinds Mobile Home Park. Ms. Glazier is in opposition to the zone change due to the unsightly wrecking yard that often blocks access to the park. Ms. Glazier states the towing company blocks the road with abandoned vehicles that sit for years. Ms. Glazier states the zone change from Medium Density Residential to High Density Residential will add to the congestion.

Staff Note: The wrecking yard operates as an existing non-conforming use of the subject properties. Re-development of the site will require adherence to the development standards in the Zoning Ordinance for the applicable zone. This will include the zone's standards for outright permitted uses, conditional uses, and off-street parking requirements.

Planning Commission Recommendation:

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

Final Recommended City Council Action:

The City Council should conduct a public hearing to take further public testimony on the proposed zone change. Following the hearing, the City Council should determine if any additional findings need to be added to the Planning Commission's recommendation. Provided testimony during the public hearing does not lead to findings which indicate the proposed change will violate the Comprehensive Plan or undermine the integrity of the Plan's compliance with state wide Planning Goals; staff recommends approval of the zone change request based on the Commission's recommendation and move to read Ordinance No. 2022-09 (attached) "by title only." This ordinance is will formally recognize the Council's approval of the request and authorize the change on the City's Zoning Map.

If the motion for the first reading is adopted, staff recommends the Council entertain a motion for a second reading "by title only". If a second reading is adopted a third reading and final adoption will take place during the next council meeting scheduled on October 24, 2022.

Per section 10.080 of the Seaside Zoning Ordinance "The city shall take final action on an application for a permit or zone change request, including resolution of all local appeals, within 120 days from the date the application is deemed complete." This application was deemed complete on July 7, 2022 and the 120-day deadline is Friday November 4, 2022.

Attachments:

1. Ordinance No. 2022-09
2. Planning Commission's Recommendation
3. Applicant Submittal
4. City Council Mailed Notice
5. City Council Published Notice
6. Public Comment

Staff and/or Key Contacts:

Jeff Flory, Planning Director

PUBLIC HEARING PROCEDURES SUMMARY

Mayor's or Council President's Script:

This is the time and place duly advertised for the Seaside City Council to hold a public hearing on Zone Change 22-039ZMA. Before we get started, I need to go over a few procedural issues prior to taking public testimony:

- First, does anyone wish to object to this item on jurisdictional grounds?

Hearing None.

- I need the councilors to state if they have any conflicts of interest or ex-parte contacts they need to disclose?

Duly Noted.

- I'll ask staff to give us a brief report and then hear testimony in the following order:

- The applicant,
- Then other individuals in favor of the request,
- Then anyone in opposition to the request,
- Following the testimony, the applicant will be given time for rebuttal.

All public comments are important to us and we want to be able to hear from everyone that wishes to speak. Individuals wishing to testify should:

1. Sign in at the desk by the entry way which indicates you plan to provide oral testimony.
2. Persons may speak only after being recognized and must state their full name and address for the record.
3. Testimony should be relevant to the issues at hand. Please avoid testimony that is immaterial or repetitious.
4. Please be prepared to limit your oral comments to 4 minutes. We review written testimony in addition to oral testimony provided prior to and during the hearing.

Ok let's get started by hearing from our Planning Director.

Jeff will include the following in his presentation:

Individuals testifying *are reminded their testimony and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which they believe is applicable to the decision.* Failure to raise an issue with sufficient details to allow decision makers or parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals on that issue.

Jeff will Summarize the following:

As stated, this is zone change request 22-039ZMA, a request to change the zone designation of the properties located at 2675 N Hwy 101 (tax lots 0200 & 01203) from Medium Density Residential (R-2) to High Density Residential (R-3).

The Planning Commission held a public hearing to review the request on September 6, 2022. The Planning Commission heard from the applicant who spoke in favor of the request, there were no comments in opposition.

After closing public testimony and deliberation, they recommended the Council approve the Zone Change request by RDA Project Management at 2675 N HWY 101.

This would rezone the Medium Density Residential (R-2) zoned subject properties (approximately .56 acres) to high density residential (R-3). The zone change will allow urban density residential development.

Staff has provided copies of the Commission's recommendation that was supported by findings and justification statements along with the applicant's submitted information and any written comments from the neighboring property owners.

ORDINANCE NO. 2022-09

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE ZONING MAP REFERENCED IN CODE OF ORDINANCES SEASIDE CHAPTER 151 CHANGING THE ZONING AT 2657 N HWY 101 FROM R-2 TO R-3.

WHEREAS, the Planning Commission conducted a public hearing regarding a proposed zone map amendment at 2657 N Hwy 101 (T6 R10 10DC TL: 0200 and T6 R10 10DC TL: 01203) that would re-designate the Medium Density Residential (R-2) zoned subject properties to High Density Residential (R-3) in order to permit urban density residential development of these properties, and

WHEREAS, following the Planning Commission's public hearing on September 6, 2022, the Planning Commission recommended the City Council approve zone change request 22-039ZMA based on the applicant's submittal, the staff report, public testimony, adopted findings and conclusions that support the proposed amendment; and

WHEREAS, the City Council held their own public hearing and reviewed the Commission's recommendation on zone change 22-039ZMA during their meeting on October 10, 2022, and determined the request is consistent with the provisions in the City's Comprehensive Plan and it will not undermine the Plan's compliance with the Statewide Planning Goals.

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

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

Change the Medium Density Residential (R-2) zoned properties located at 2657 N Hwy 101 (T6 R10 10DC TL: 0200 and T6 R10 10DC TL: 01203) to High Density Residential (R-3). Said properties to be rezoned are identified on the attached map.

SECTION 2. The Seaside City Council did hold a public hearing on October 10, 2022 during which the public was given an opportunity to testify in favor and in opposition of the zone change.

SECTION 3. The City Council hereby approves the zone change (file reference #22-039ZMA) based on the adopted information in the Planning Commission's recommendation and the testimony and information obtained during the Council's public hearing process.

ADOPTED by the City Council of the City of Seaside on this ____ day of _____, 2022, by the following roll call vote:

YEAS:
NAYS:
ABSTAIN:
ABSENT:

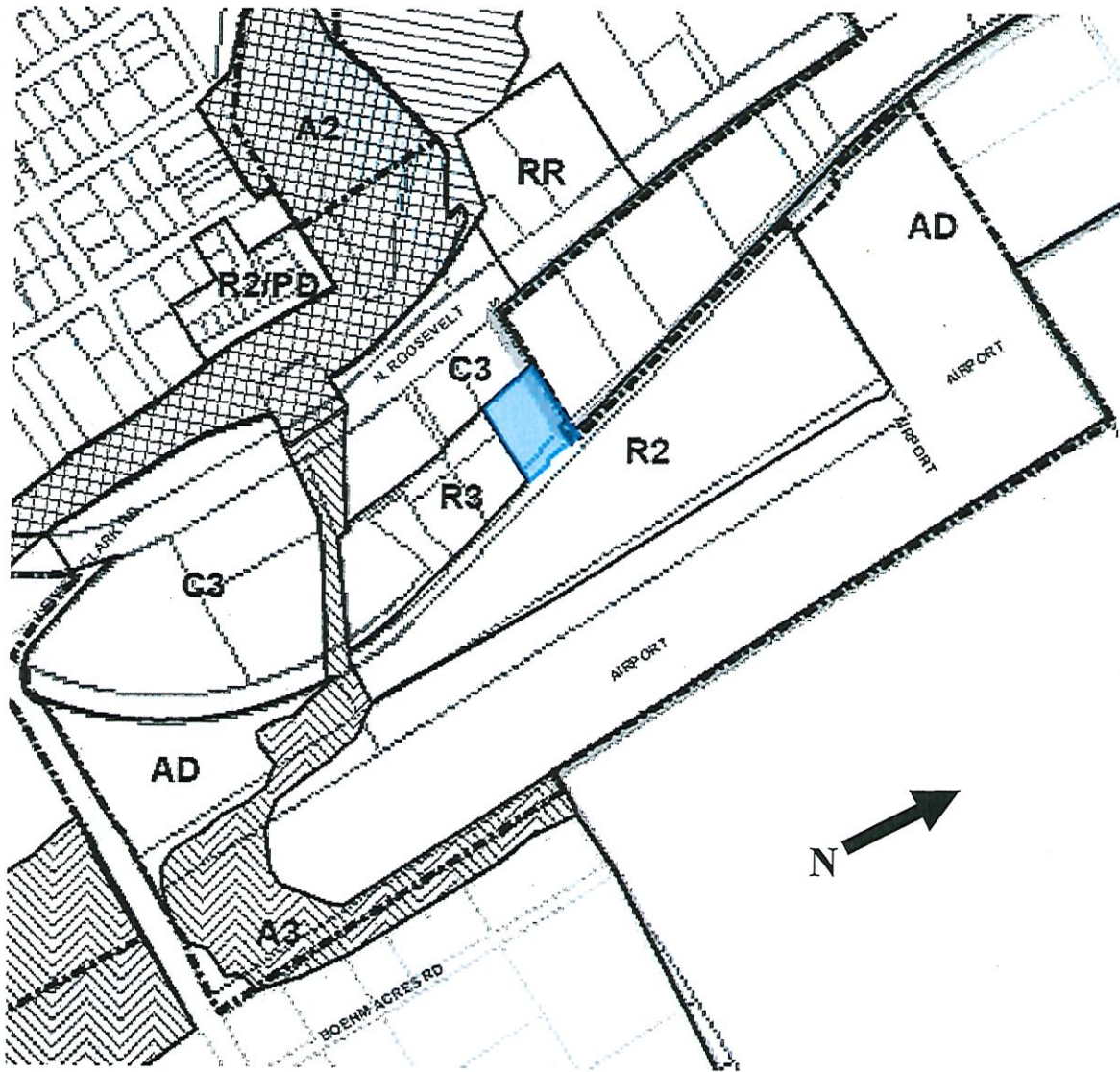
SUBMITTED to and **APPROVED** by the Mayor on this ____ day of _____, 2022.

JAY BARBER, MAYOR

ATTEST:

Spencer Kyle, City Manager

Proposed Zone Change
File #22-039ZMA



ZONE CHANGE OF SUBJECT PROPERTIES FROM
MEDIUM DENSITY RESIDENTIAL (R-2) TO HIGH
DENSITY RESIDENTIAL (R-3)



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

COMMUNITY DEVELOPMENT
LOCATION: 1387 AVE U
MAIL: 989 BROADWAY
SEASIDE, OREGON 97138
CDADMIN@CITYOFSEASIDE.US
(503)738-7100

PLANNING COMMISSION RECCOMENDATION

22-039ZMA

CITY COUNCIL HEARING DATE: October 10, 2022

SUBJECT PROPERTY:

2657 N Hwy 101 Seaside, OR 97138					
Zone	Overlay Zone	Township	Range	Section	Tax Lot
R-2	AD	6	10	10DC	0200 & 01203

OWNER: Big Chief LLC.
P.O Box 204 Astoria, OR 97103

APPLICANT: RDA Project Management

REQUEST:

A request by RDA Project Management for a zone change of the properties located at 2657 N Hwy 101 (T6-R10-10DC-TL0200 & T6-R10-DC-TL01203). The proposal will rezone the approximate .46-acre and .10-acre properties from Medium Density Residential (R-2) to High Density Residential (R-3).

RECOMMENDED DECISION:

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

Recommendation: Approve Zone Change 22-039ZMA

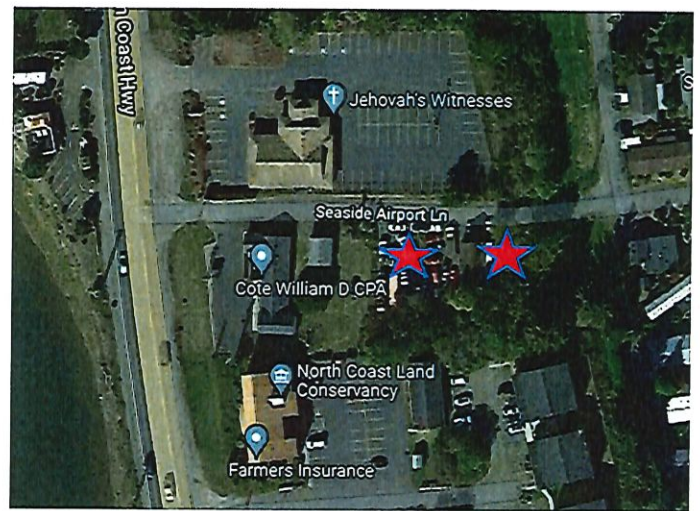
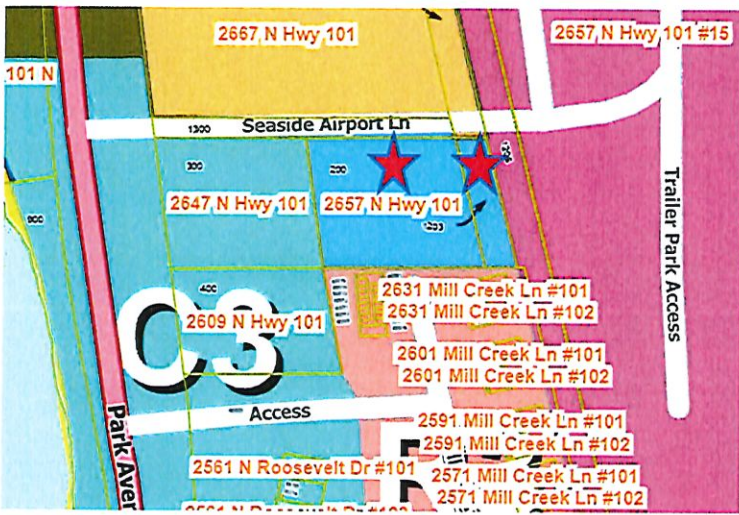
This recommendation can be supported by the applicant's submittal and the Commission's adoption of the findings, justification statements, and conclusions.

LOCATION INFORMATION:

2657 N Hwy 101. Seaside, OR 97138

T6-R10-S10DC TL# 0200 & T6-R10-S10DC TL# 01203

Zone: Medium Density Residential – R2



DECISION CRITERIA, JUSTIFICATION, FINDINGS, & CONCLUSIONS:

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

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

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

5. Changes to the Comprehensive Plan shall be based on adequate finding of public need and factual information.

6. Findings of fact for requested Comprehensive Plan revisions shall, at a minimum:

- a. Explain which plan goals, objectives, or policies are being furthered by the change:
- b. Present the facts used in making the decision; and
- c. Explain how the change will serve the public need.

Although not included in this Section of the Comprehensive Plan, any proposed amendment must be consistent with the Comprehensive Plan and the amendment must maintain the Plan's compliance with the applicable State Wide Planning Goals.

FINDINGS & JUSTIFICATION STATEMENTS:

1. Published & Mailed Request Summary:
22-039ZMA - A request by RDA Project Management for a zone change of the properties located at 2657 N Hwy 101 (T6-R10-10DC-TL0200 & T6-R10-DC-TL01203). The proposal will rezone the approximate .46-acre and .10-acre properties from Medium Density Residential (R-2) to High Density Residential (R-3).
2. The applicant's submitted justification is adopted by reference and summarized as follows:
 - a. The subject properties are .46-acre and .10-acre in size and is currently a non-conforming use as a commercial wrecking yard.
 - b. The proposed development of this property will be a 10-unit apartment complex that will bring the use of the property into conformance with R-3 standards.
 - c. The best use of these properties is for higher density residential development in order to create housing units to address the housing shortage in Seaside.
 - d. The property south of the subject properties is zoned High Density Residential (R-3).
 - e. The subject properties are already served with public utilities.
 - f. Transportation, traffic flow, and utilities will not have an undesirable impact with the addition of this small R-3 rezoning. In fact, the current non-conforming use may have a higher traffic impact than the proposed full-time residential use.
 - g. The subject properties are partially located within the 100-year flood zone and any future development will adhere to the required standards in the Seaside Flood Damage Prevention ordinance.
3. The rezone to R-3 will increase the residential development potential of the property from 10 dwelling units per net acre to 20 dwelling units per net acre. The proposed re-development of the property is for a 10-unit apartment complex with open space or playground area for residents. The units will rent for market rate.

4. The property immediately to the south of the applicant property is zoned R-3 and the current use is as a condominium complex. The property immediately to the east is zoned Airport Development (AD) and the current use is as a mobile home park. The highway frontage property to the west is zoned General Commercial (C-3) and the current use is as a business office. The property across Seaside Airport Lane is outside the city limits of Seaside and zoned Low Density Residential (R-1) and the current use of the property is as a religious institution and not residential housing. The applicant properties are the sole R-2 zoned properties in the immediate vicinity and the proposed use will be similar in nature to the adjacent properties to the east and south.
5. The subject property is within the Airport Safety Overlay Zone. The overlay zone designation will not change and any future re-development of the property will be required to meet the requirements and standards of Section 3.166 Airport Safety Overlay Zone of the Seaside Zoning Ordinance.
6. Future development under the new zone designation may increase traffic along Seaside Airport Lane however, the current non-conforming use of the subject properties may have a greater impact on the area. The applicant submitted an e-mail from ODOT which states the proposed development will not require a traffic study.
7. The Comprehensive Plan (Section 4.1.8) states that sufficient land shall be designated for higher density residential development where city services are available and access to community facilities is convenient and therefore close to the city center. The proposal will provide some additional high density residential land but it would be some distance (approximately 1.5 miles) from the city center and most community facilities; however, it would be relatively close (approximately 0.5 miles) from the food bank.
8. The 2019 Clatsop County Housing Strategies Report Appendix B: Preliminary Residential Buildable Land Inventory shows Seaside has approximately 9 vacant or partially vacant acres of buildable High Density Residential R-3 land. A need for multi-family residential rental housing exists as demonstrated by the 2019 study.
9. According to the Goal 9 Economic Opportunity Analysis and Employment Needs Assessment (2013), approximately 75% of those working in Seaside live outside the city limits. The 2019 Clatsop County Housing Strategies Report states that according to the Census Employment Dynamics database approximately 64% of Seaside's workforce commute from outside the city. Additional multi-family housing will provide an opportunity for families to reside closer to employment opportunities and thus these families will spend money in the Seaside Community.
10. The subject property is within the Sunset Empire Parks & Recreation District which provides recreation opportunities. City parks, the estuary, and the beach are within proximity to the site. It is not anticipated that the zoning map amendment and subsequent multi-family development will have a negative impact on existing park and recreation facilities.
11. The R-3 zone allows a variety of residential uses under Sections 3.040-3.045 in the zoning ordinance. The applicable ordinance states:

Section 3.040 R-3 RESIDENTIAL HIGH DENSITY

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

utilities and condominiums are provided for in this zone. Under certain conditions, certain commercial uses which are for the convenience of neighbors may be allowed.

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

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

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

1. Churches and other religious structures.
2. Primary, elementary, junior and senior high schools; or a higher education institution.
3. Kindergarten or day nursery.
4. Community meeting building.
5. Cemetery.
6. Golf course, except commercial driving ranges, or miniature golf courses.
7. Public Park, playground, or other similar publicly owned recreational uses.
8. Temporary real estate office in a subdivision.
9. Utility substation.
10. Radio or television tower or transmitter.
11. Government or municipal structure or use.
12. Convenience establishments.
13. Boarding, lodging or rooming house.
14. Group care homes, homes for the aged, nursing homes, and hospitals.
15. Professional offices when the lot adjoins a state highway or major arterial, or is contiguous to, or across the street from a commercial industrial zone.
16. Private sports complex.
17. Manufactured Home Subdivision.
18. Bed & Breakfast establishments subject to provisions in Sections 6.135 and 6.136.

19. Vacation Rental Dwellings subject to provisions Section 6.137.
20. Manufactured home on an individual lot when placed upon a permanent foundation and subject to Section 4.135. This section does not apply to land designated as a historic district or land adjacent to a historic landmark.
21. Home occupations subject to Sections 4.130 through 4.134.
22. Major modification of existing roads and public facilities and services; New roads that are not part of a partition or subdivision. These activities do not authorize the condemnation of property without due process.
23. Public facilities such as Fire Stations, Police Stations, or Ambulance Substations. (ORD. No. 99-11)

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

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

1. **Lot Size:** Lot area shall be a minimum of 5,000 square feet. Attached dwelling units in a zero-lot line setback development may have a minimum lot area of 3,000 square feet.
2. **Density:** The overall density on any parcel shall not exceed 20 dwelling units per net acre.
3. **Front Yard:** A front yard shall be at least 15 feet.
4. **Side Yard:** A side yard shall be at least five feet, except on corner lots a side yard abutting the side street shall be at least 10 feet. Also see exceptions in Section 5.070 for zero lot line setbacks.
5. **Rear Yard:** A rear yard shall be at least 15 feet, except accessory buildings may extend to within five feet of a rear property line.
6. **Height Restriction:** Maximum height of a structure shall be 45 feet.
7. **Lot Coverage:** Maximum area that may be covered by a permitted structure and accessory building shall not exceed 55 percent of the total area of the lot.
8. **Off-Street Parking:** As specified by Section 4.100.
9. All uses shall comply with other applicable supplementary provisions in Article 4.

CONCLUSION TO CRITERIA #1:

The proposed zone change from Medium Density Residential (R-2) to High Density Residential (R-3) will be a logical extension of the current development zone and allow the subject properties to be fully utilized for urban residential development that is consistent with the provisions of the City's Comprehensive Plan and maintain the Plan's compliance with Statewide Planning Goals.

PUBLIC COMMENTS:

As of the date of this report no written public comments have been received by the Community Development Department. The Planning Commission held a public hearing on September 6, 2022 and the applicant spoke in favor of the request. The applicant stated they are requesting the zone change because their intention is to develop an apartment complex on this property. The zone change will allow approval a higher density of dwelling units than the current zone allows. No public comments were provided in opposition of the request:



City of Seaside, Planning Department

989 Broadway, Seaside, OR 97138 (503) 738-7100 Fax (503) 738-8765

Land Use Application

Kevin Cupples, Director

PLEASE PRINT OR TYPE

NAME OF APPLICANT RDA Project Management	ADDRESS PO Box 1417	ZIP CODE 97103
STREET ADDRESS OR LOCATION OF PROPERTY 2657 N Hwy 101. 61010DC00200		

ZONE R-2	OVERLAY ZONES	TOWNSHIP 6N	RANGE 10W	SECTION 10DC	TAX LOT 200 /1203
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PROPOSED USE OF PROPERTY AND PURPOSE OF APPLICATION(S):

Requesting a zone change from R-2 to R-3 to allow for a multi-family dwelling.

(PLEASE INCLUDE THE APPROPRIATE PLOT PLAN.

IF ADDITIONAL SPACE IS NEEDED OR SUPPLEMENTAL INFORMATION IS REQUIRED PLEASE ATTACH)

OWNER:	APPLICANT/REPRESENTATIVE (OTHER THAN OWNER):
PRINT NAME OF PROPERTY OWNER Big Chief LLC	PRINT NAME OF APPLICANT/REPRESENTATIVE RDA Project Management
ADDRESS P.O. Box 204 Astoria	ADDRESS PO Box 1417 Astoria
PHONE / FAX / EMAIL 503-440-7524	PHONE / FAX / EMAIL 503-440-6924
SIGNATURE OF PROPERTY OWNER <i>John G. Carlisle</i>	SIGNATURE OF APPLICANT/REPRESENTATIVE <i>Kevin Cupples</i>

FOR CITY USE ONLY – DO NOT WRITE BELOW THIS LINE

CHECK TYPE OF PERMIT REQUESTED:

- | | | | |
|--|---|--|--|
| <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 checked="" type="checkbox"/> ZONING MAP AMENDMENT |
| <input type="checkbox"/> MAJOR PARTITION | <input type="checkbox"/> PROPERTY LINE ADJUSTMENT | <input type="checkbox"/> VACATION RENTAL | <input type="checkbox"/> APPEAL |
| <input type="checkbox"/> MINOR PARTITION | <input type="checkbox"/> SETBACK REDUCTION | <input type="checkbox"/> VARIANCE | <input type="checkbox"/> |

PLANNING DEPARTMENT USE:	
DATE ACCEPTED AS COMPLETE 7-7-22	BY J
CASE NUMBER (S) 22-0392MA	
HEARING DATE 9/6/22	P.C. ACTION

OFFICE USE:	
FEE	RECEIPT
DATE FILED 6/27/22	BY JAS

ZONE CHANGE APPLICATION

FEE: \$ 1600.00

Zone Change Procedure Summary:

Zoning change applications are scheduled for a public hearing before the City of Seaside Planning Commission. Prior to the hearing, the Community Development Department notifies the Department of Land Conservation & Development and all the property owners within 100 feet of the subject property. The applicant submits a complete application that supports the proposed request along with all the supplemental information. Staff reviews the submittal and prepares a staff report for the Planning Commission prior to the public hearing. During the hearing, the chairman will open the hearing and ask for a brief summary of the staff report. Following staff's brief summary of their report the applicant will be given an opportunity to testify and any other individuals in favor of the request, and then individuals in opposition to the request. An opportunity for rebuttal will be provided after we have heard from everyone that wishes to testify.

After the public hearing, the Planning Commission will make a recommendation to the City Council. The City Council will then hear the request in light of the Commission's recommendation before making a final decision. A decision by the Council to approve the request will require formal reading and adoption of an ordinance amendment authorizing a change to the Zoning Map of Seaside, Oregon. The decision by the City Council can be appealed to the Land Use Board of Appeals in accordance with State Statute.

Zoning Map Amendment Request and Review Criteria:

Prior to completing any application, the request should be discussed with the Planning Director. It may be advisable to take advantage of a formal pre-application conference to promote an exchange of information about the applicant's proposal and how it relates to the requirements of the Seaside Zoning Ordinance, Comprehensive Plan, or other applicable ordinances.

The City of Seaside City Council may authorize a zone change in accordance with the provisions in the City of Seaside Zoning Ordinance when the proposed change is found to be consistent with the Seaside of Seaside Comprehensive Plan.

In accordance with Section 15.4 Implementation and Procedural Policies of the Comprehensive Plan, the property owner must justify the zone change based on the following considerations:

1. Any revision shall be based on examination of development trends, population growth, and effectiveness of policy statement since the adoption or previous revision date.
2. Changes to the Comprehensive Plan shall be based on adequate finding of public need and factual information.
3. Findings of fact for requested Comprehensive Plan revisions shall, as a minimum:
 - a. Explain which plan goals, objectives, or policies are being furthered by the change:
 - b. Present the facts used in making the decision; and
 - c. Explain how the change will serve the public need.

4. As with the preparation of the Comprehensive Plan, other jurisdictions and agencies shall be involved in the process of revision or updating.
5. Zone changes shall be consistent with the Comprehensive Plan.

QUESTIONS TO BE ADDRESSED IN NARRATIVE STATEMENT

Please provide the following information in full and attach to this application as Exhibit B.

1. COMPREHENSIVE PLAN MAP AMENDMENT. Is the proposed amendment compatible with the provisions of the Comprehensive Plan when measured by the following?

- a. What is the land area that will be affected by the map amendment?
- b. What are the current land uses in the surrounding area?
- c. What is the proposed use of the site?
- d. What is the impact of the proposed amendment on land use and development patterns in the City regarding:
 - i. Traffic generation and circulation patterns
 - ii. Population concentrations
 - iii. Demand for public facilities and services
 - iv. Maintenance of public health and safety
 - v. Level of park and recreation facilities
 - vi. Economic activities
 - vii. Protection and use of natural resources
 - viii. Natural hazards and constraints
 - ix. Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvement programs
- e. Is there a need for the proposed map change based on the lack of available land in the districts where the proposed use is allowed?
- f. Are adequate urban services available to the site for the proposed use?
- g. How does the proposed amendment comply with all the applicable Statewide Planning Goals and administrative rule requirements? The State's Transportation Planning Rule requires an amendment to an acknowledged comprehensive plan or a land use regulation to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of transportation facilities. If there is a proposed change in the urban growth boundary, then compliance with Goal 14 and the Urban Growth Policies of the City of Seaside will also need to be described.
- h. Can the proposed amendment be implemented within the existing framework of the comprehensive plan?
 - i. Is the proposed amendment an appropriate action under one or more of the following criteria?
 - i. It corrects identified error(s) in the provisions of the comprehensive plan.
 - ii. It represents a logical implementation of the plan,

iii. It is mandated by changes in federal, state or local law.

iv. It is otherwise desirable, appropriate and proper.

SUBMITTAL REQUIREMENTS (ZONE CHANGE)

Ten (10) copies plus the original, signed application form with a written narrative describing and justifying the zone change requested. This information must be reproduced so please print clearly using black or blue ink or type.

Ten (10) copies plus the original of a site plan and other materials essential to understanding the proposal.

All submitted material must be folded and collated in sets and drawings & maps must be to scale (1" = 20', 1" = 40' or other approved by staff).

The appropriate filing fee payable to the City of Seaside.

SUBMITTAL RECOMMENDATIONS

Applicants are advised to schedule a pre-application meeting with Planning staff to discuss request prior to submittal of application.

Applicants are advised to submit three (3) draft application packages one week in advance of deadline dates for public hearings.

City of Seaside Planning Commission,

The owners of 2657 N Highway 101 (tax map: 61010DC00200 and 61010DC00203), located directly off Seaside Airport Ln are requesting a zone change from R2 to R3. There are several different zones surrounding this property. The property located directly in front (West) and other nearby properties along the highway are zoned C3 (mostly commercial). The property North on the other side of Seaside Airport Ln is zoned R1, it is currently being used as a church not a single family residence. The property located directly South is zoned R3. 2657 N Hwy 101 current zoning of R2 makes it an island property, but by rezoning it to R3 it would be incorporated with the neighboring properties that are zoned as R3. By changing from R2 to R3 it will continue as residential zoning, but would go from medium density to high density.

According to the Seaside zoning ordinance *section 3.040 R-3 Residential High Density*, R3 zones are mostly single family residences, but the new primary developments in this zone are multi-family units. Outright uses permitted in this zone include single family, two family, and multifamily dwellings, agriculture uses (gardens, orchards, vineyards), dish antennas, residential homes, family day care providers, and accessory dwelling units. With a conditional use permit, other uses, such as room and boarding houses, churches, schools, parks, government buildings, utilities and condominiums are allowed in this zone.

According to the Seaside zoning ordinance *section 3.030 R-2 Residential Medium Density*, its purpose is to provide moderately dense housing with a maximum density of ten dwelling units per acre, basically a single family zone with limited multiple family development options. With the higher density of R3 it allows for more opportunities for the property including to be developed as a multi family dwelling at twenty units per acre. Having another property zoned at high density would be advantageous to a community that's facing a major housing shortage. An increase in density from ten dwelling units per acre (R2) to twenty dwelling units per acre (R3) would significantly help Seaside residents.

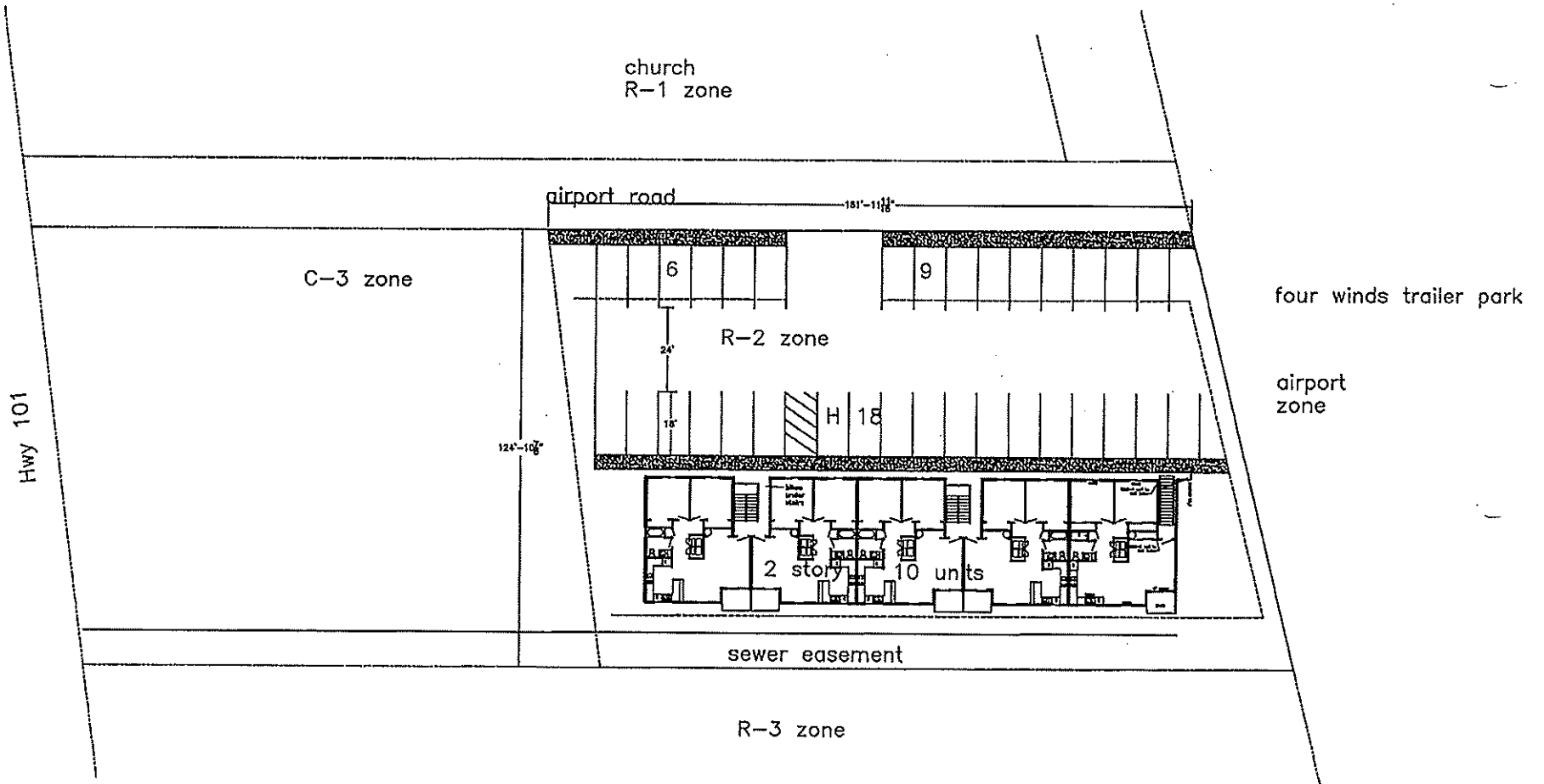
If the zone change is approved, the property owners plan to build one apartment building that's two stories consisting of ten units. The units will be a mixture of two and three bedrooms. There will be twenty parking spaces, two spaces per unit. Ten units is the maximum allowed due to density requirements for the lot size. The property is .56 acres, so ten units are the maximum allowed in an R3 zone (twenty units per acre). There will also be an open space/playground on the property for residents. The property is currently non-conforming per zoning ordinance, but would be fixed by developing the land with an apartment building.

As stated in Seaside's comprehensive plan there is a need to adequately house the permanent residents in the community, and it is recognized that there's a need for multi-family housing to

help house those residents. By allowing for a zone change to allow high density multi family housing it would coincide with that aspect of the comprehensive plan. Additionally, adding additional housing within Seaside will have a beneficial impact financially for the city. By having more housing opportunities for families that work in Seaside it will allow them to reside closer to their place of employment, therefore spending more of their time supporting local business through dining, shopping and other recreational activities that Seaside has to offer.

With the density increase due to the zone change we've looked at the impact on traffic. However, the increase in traffic wouldn't be significant and there is already a turn lane located on Hwy 101. The center turn lane will help alleviate peak hour congestion for southbound traffic. Additionally, we spoke with ODOT and they have expressed that they aren't interested in a deceleration lane nor see that a traffic study is necessary per ODOT development review guidelines.

A change in zoning from R2 to R3 is compatible with the comprehensive plan and will not be a burden to the City of Seaside. The property is within the Urban Growth Boundary and a need for multi-family housing exists and is supported by the 2019 Clatsop County Housing Strategies Report. The development occurring because of the zone change would not cause a surge in population concentration for this specific area. The density increase will not be a constraint for public utilities and services. Per verification with the Seaside Public Works Department, the property is currently serviced by the city's sanitary sewer system and the increase in dwelling units will not cause any constraints on the system. The zone change of the property will not have a negative impact on existing park and recreational facilities. The property does have special flood hazard designations (100 and 500 year). All future development will adhere to the required standards in the Seaside Flood Damage Prevention ordinance. However, there are no mapped wetlands or conservation zones on the property.



church
R-1 zone

airport road
181'-11 1/2"

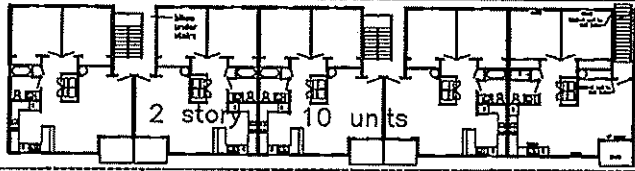
C-3 zone

four winds trailer park

R-2 zone

airport zone

H 18



sewer easement

R-3 zone

Hwy 101

124'-10 1/2"



719 S Main Street Warrenton and 2657 N Highway 101 Seaside

Abigale Goodman <abigalestemper@gmail.com>
To: richard.a.kearns@odot.state.or.us
Cc: Randy Stemper <randystemper@gmail.com>

Thu, May 12, 2022 at 12:59 PM

Here is the information for our conversation.

~~719 S Main Street Warrenton:~~


~~Located on the corner of 7th street and Main Street. The existing curb cut is located on Main Street, we would like to move it 20ft to the north. It would be located on the north end of the property to allow better access to the 5 cottage clusters. I have attached the site plan and aerial photo. On the phone I said that it was only a curb cut but after looking at photos again there is a sidewalk that you'll be able to see in the photo.~~

2657 Highway 101 Seaside:

Located directly off of Airport Lane. It would be one apartment building with 10 units consisting of 2-3 bedroom units. Based on my prior conversation with Jeff at Seaside Planning it didn't appear that we would need the traffic study done. But was told to contact you about a potential need by ODOT for a deceleration lane. There is already the left hand turn lane on hwy 101. However, I'll discuss the traffic study more with Jeff. Attached is a preliminary site plan and aerial photo of the property location.

Thank you,
Abby

2 attachments

 **719 S Main.pdf**
11027K

 **2657 N hwy 101.pdf**
12099K



Abigale Goodman <abigalestemper@gmail.com>

719 S Main Street Warrenton and 2657 N Highway 101 Seaside

KEARNS Richard A <Richard.A.KEARNS@odot.oregon.gov>

Tue, May 24, 2022 at 10:15 AM

To: Abigale Goodman <abigalestemper@gmail.com>, WILLIAMS Virginia L <Virginia.L.WILLIAMS@odot.oregon.gov>

Abigale

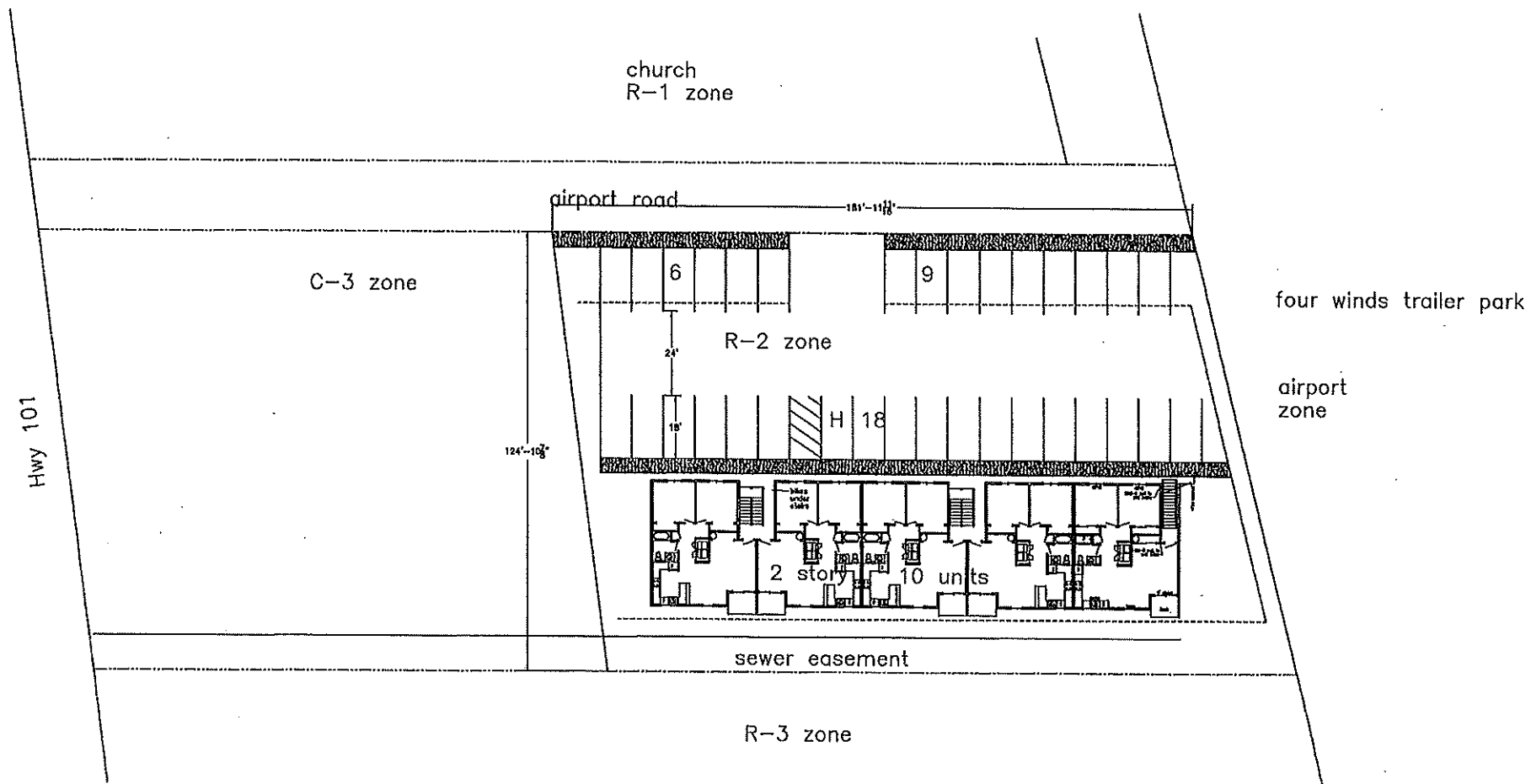
Below is the response I got from ODOT'S Access Engineer;

~~For the Warrenton one my response: New application required; expect support with closure of the existing approach. The on-street parking needs to be completely removed between 7th and the mailboxes. I believe our ADA standards will require a single parallel curb ramp to be designed in between the new approach and 7th since 7th is a public street. It will need a site specific detail, see RD920 for guidance. <https://www.oregon.gov/ODOT/Engineering/202201/RD920.pdf>~~

For the Seaside one my response: No coordination with ODOT necessary, per our development review guidelines a traffic study would not be warranted.

Richard Kearns

D1 Permits



church
R-1 zone

airport road 181'-11"

C-3 zone

four winds trailer park

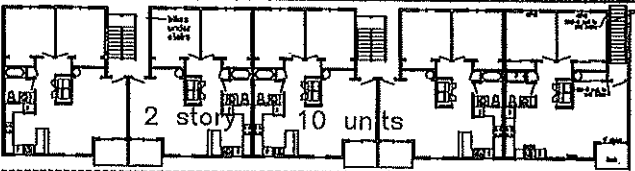
R-2 zone

airport zone

H 18

Hwy 101

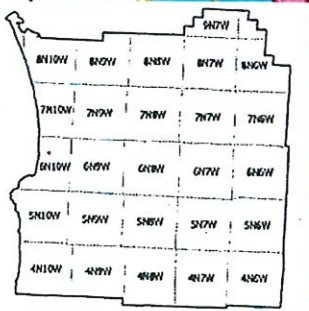
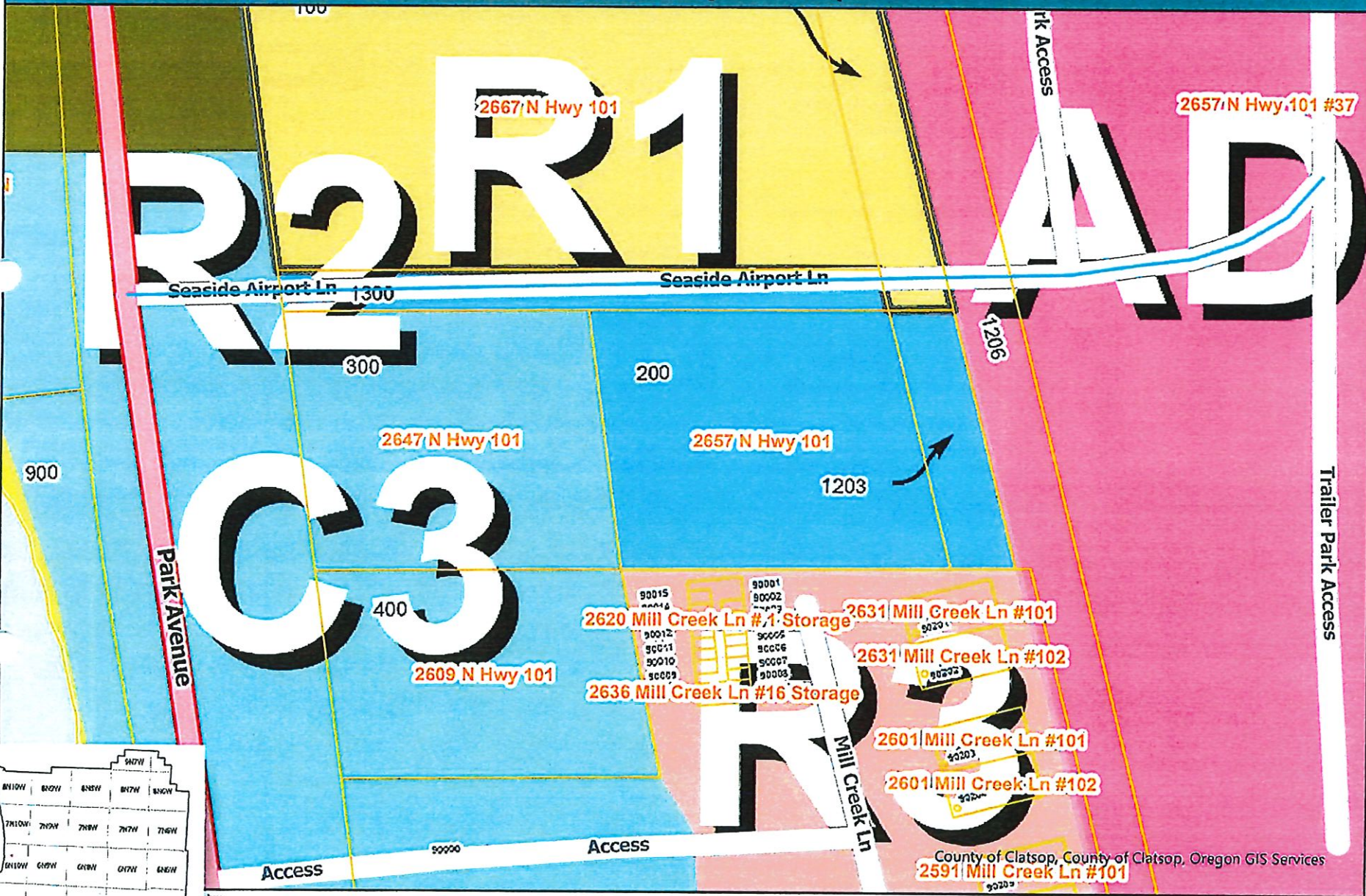
124'-10"



2 story 10 units

sewer easement

R-3 zone



7/7/2022 2:27 PM

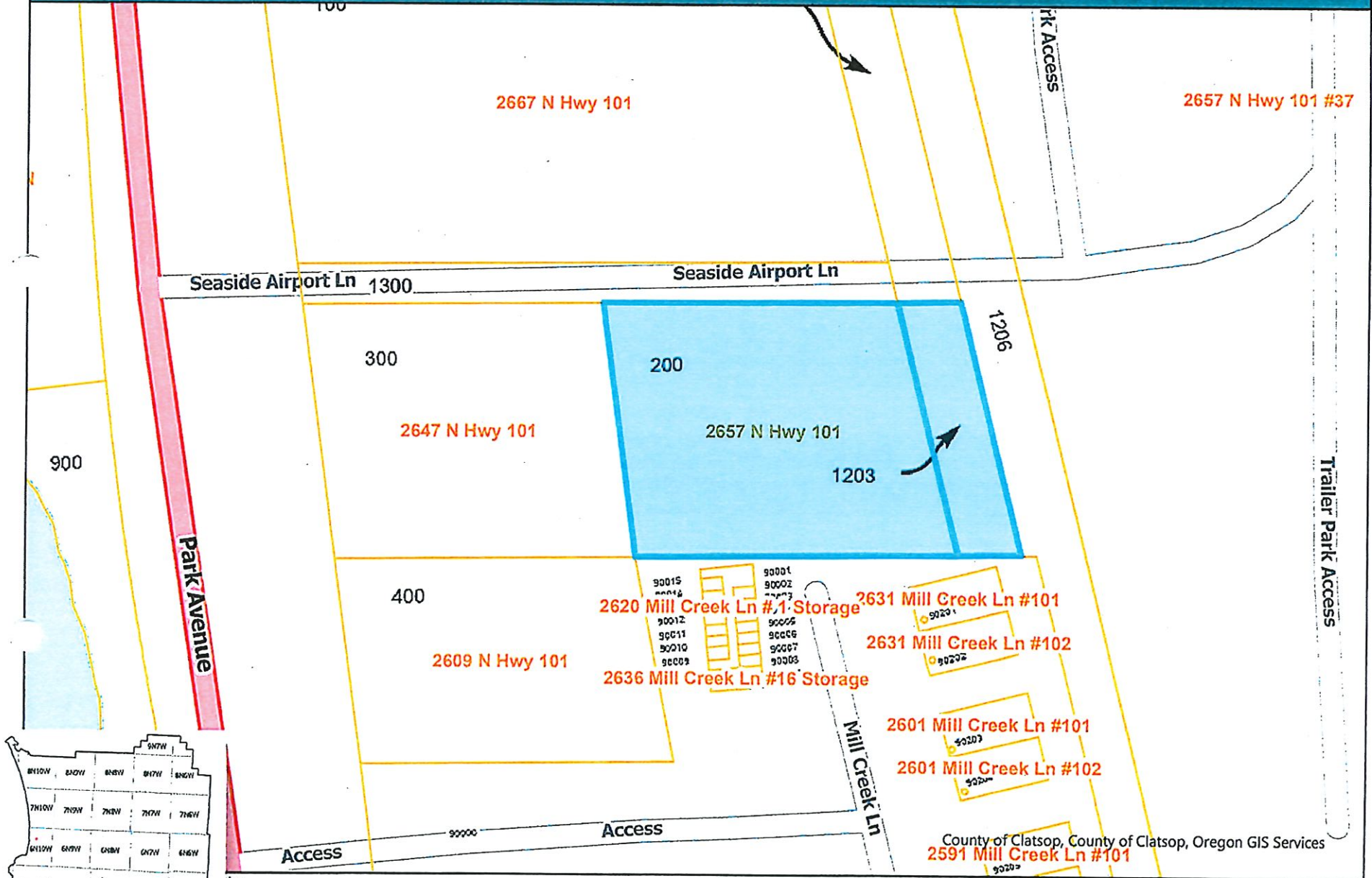


Clatsop County
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Clatsop County Webmaps



7/7/2022 2:25 PM



Clatsop County

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R E S O R T

COMMUNITY DEVELOPMENT
LOCATION: 1387 AVE U
MAIL: 989 BROADWAY
SEASIDE, OREGON 97138
CDADMIN@CITYOFSEASIDE.US
(503)738-7100

Notice of City Council Public Hearing

Application 22-039ZMA

Public Hearing Date:	October 10, 2022 at 7:00pm	Comment Period Ends	October 10, 2022
Public Hearing Location:	989 Broadway Seaside, OR 97138	Send Written Comments To:	989 Broadway Seaside, OR 97138
Mailed Date:	September 12, 2022	Staff Contact:	Jeff Flory, Planning Director

Property owners are entitled to receive the following notice when their property is located within **100 feet** of a pending land use decision that will be made by the **Seaside City Council**. Because the City mails notice to the owners of record, any tenants will not receive this notice; therefore, we encourage landlords to provide this information to their tenants so they also have an opportunity to participate in the review process.

On Monday, October 10, 2022 at 7:00pm a public hearing will be held by the Seaside City Council to take testimony on the following item:

Request:	A request by RDA Project Management for a zone change of the properties located at 2657 N Hwy 101 (T6-R10-10DC-TL0200 & T6-R10-DC-TL01203). The proposal will rezone the approximate .46-acre and .10-acre properties from Medium Density Residential (R-2) to High Density Residential (R-3).
Applicant(s):	RDA Project Management
Location:	2657 N Hwy 101 Seaside, OR 97138 (T6-R10-10DC-TL0200 & TL 01203)
Zone:	Medium Density Residential (R-2)

In addition to complying with the provisions in the Comprehensive Plan, the review will be conducted in accordance with Article 9 and Article 10 of the Seaside Zoning Ordinance, which establishes the review criteria and procedures for a zone change.

A copy of the application, applicable criteria, documents, and evidence relied upon by the applicant are available for review at no charge. Likewise, a staff report will be available for inspection 7 days prior to the hearing. These materials can be reviewed at the Community Development Department, 1387 Avenue U in Seaside. Copies of these materials will be provided at a reasonable cost.

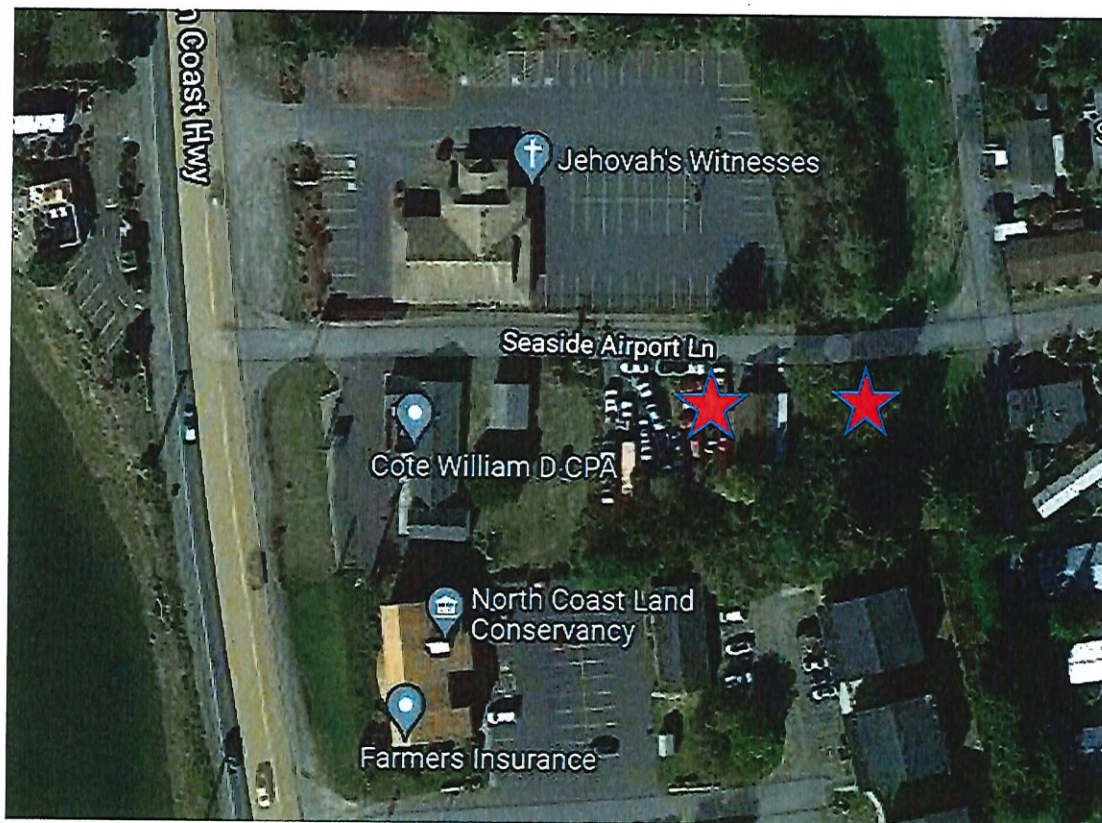
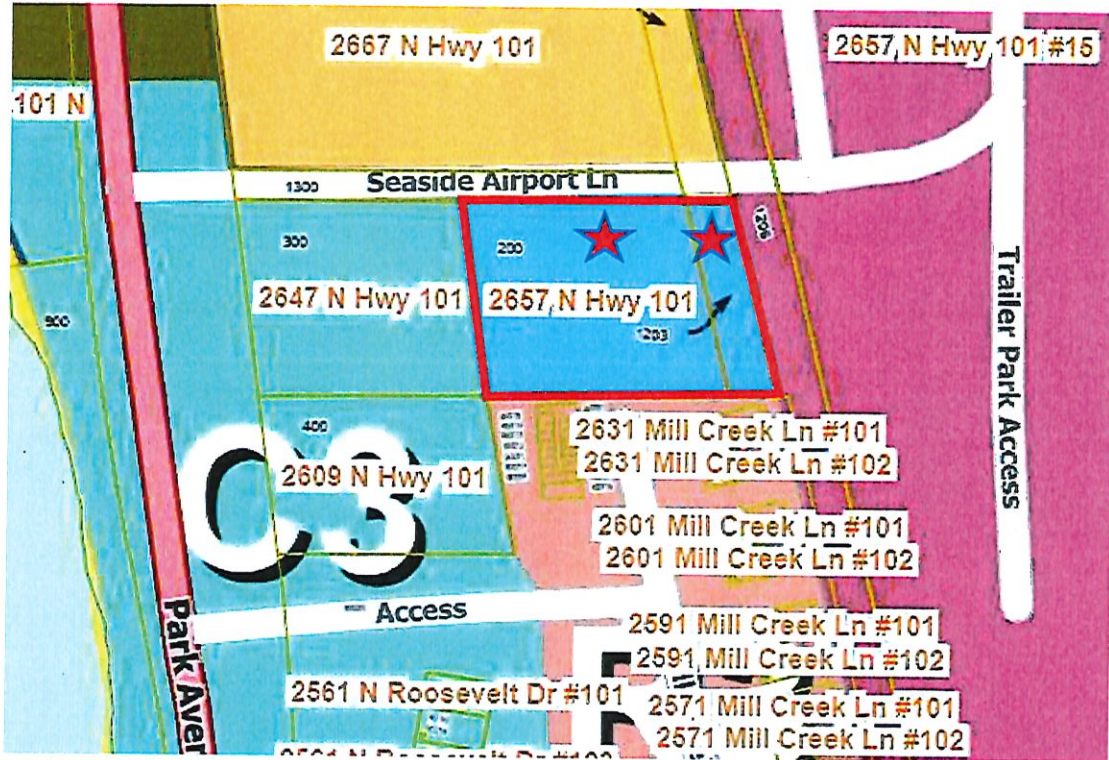
All interested persons are invited to attend the meetings in person or electronically and submit oral testimony in favor or in opposition to the request. Members of the public wishing to testify electronically will be able to join the webinar as an "attendee." Attendees will be able to view the webinar on an electronic device or dial-in to listen to the Council meeting. Instructions to pre-register for public comment and join the meeting will be posted on the City of Seaside website at www.cityofseaside.us/meetings. Pre-registration to provide public comment is strongly encouraged.

Written testimony is also welcome but should be submitted by 5:00 p.m. on the Tuesday preceding the hearing in order to be included with the information sent to the City Council. Written testimony received after this date will be submitted to the City Council at the time of the hearing. Comments may be delivered to the Community Development Department located at 1387 Avenue U or mailed to 989 Broadway, Seaside, Oregon 97138.

Failure to raise an issue at the meeting, in person, or in writing, or failure to provide sufficient details to afford the City Council and the applicant an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals on that issue.

For more information, please contact Seaside Community Development at (503) 738-7100.

Location: 2657 N Hwy 101 Seaside, OR 97138 (T6-R10-10DC-TL0200 & TL 01203)





Staff Report – City Council Meeting

Meeting Date: October 10, 2022
Author: Dale McDowell, Public Works Director
Department: Public Works
Subject: Request for City Water Connection Outside City Limits
Type of Item: Request for Approval

Introduction:

Clatsop County, the property owner of Klootchey Creek County Park on Hwy 26 has requested the City of Seaside allow a connection to City Water.

Background:

Subject property has an existing water meter box and water meter connection. The city Water Clerk has no record of this property having an existing Water Service.

Budget Impact:

Customer will be billed for all equipment, materials and labor.

Department Review:

Water Foreman Mike Dimmick has reviewed the subject property and Water Master Plan, this request is in compliance with our Plan.

Alternatives:

Property Owner would need to drill a Water Well.

Recommendation:

Staff's recommendation is to approve the request to connect the water service of the property owner to the city watermain. The property owner understands they will be billed the out of city water rates.

Attachments:

T5N R10W Section 1400 Tax Lot 0501
Lat: 45°920636N
Lon: 123°864398W
See attached map

Staff and Key Contacts:

Mike Dimmick, Water Foreman (503) 738-5112
Dale McDowell, Public Works Director (503) 717-2896
Wendy Bradwell, City Water Clerk (503) 738-5511
Steve Meshke, Property Owner representative (503) 325-9306

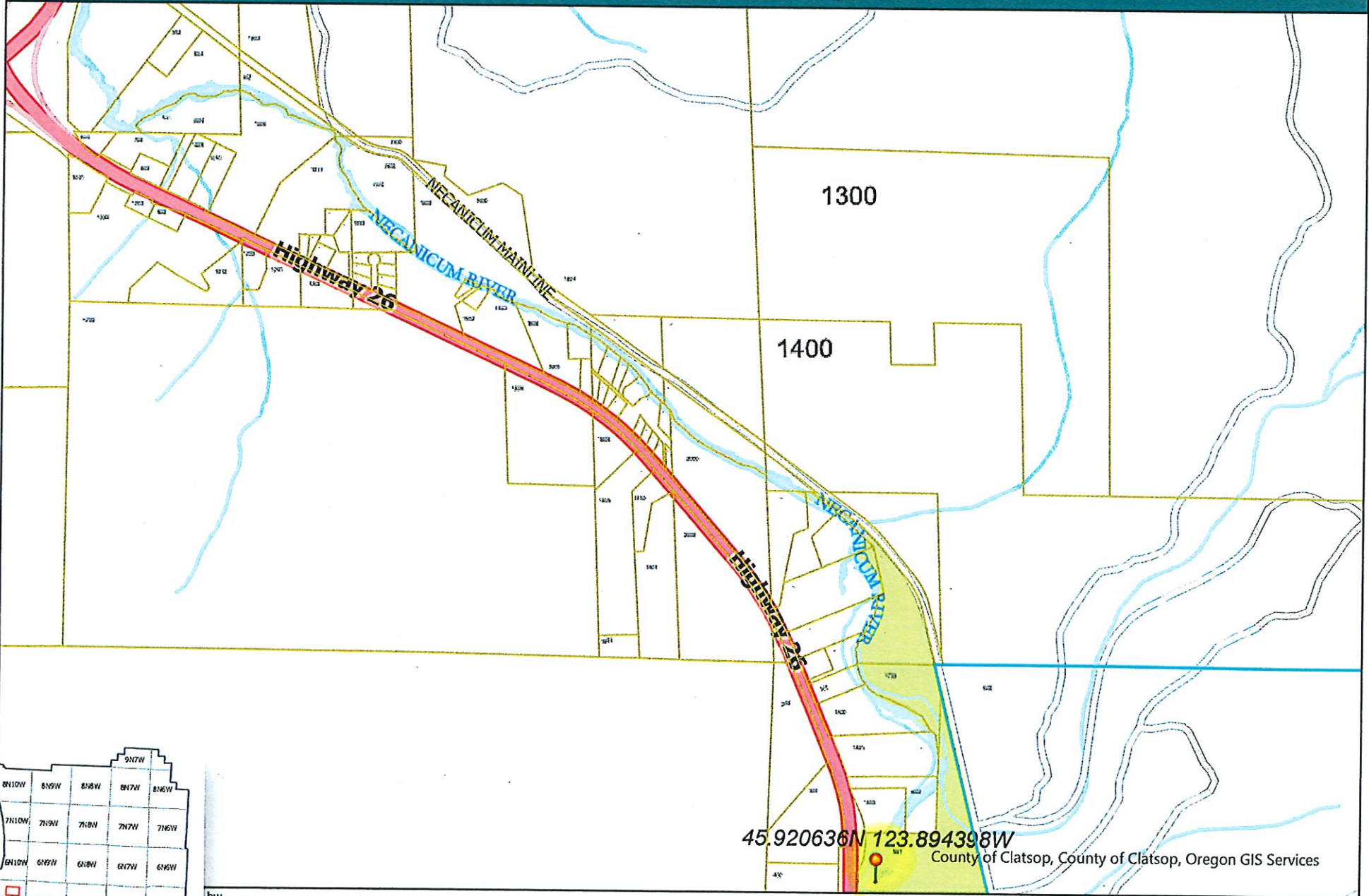
WELCOME TO

KLOOTCHY CREEK

COUNTY PARK



Clatsop County Webmaps

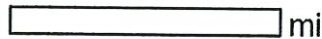


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Clatsop County

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9/29/2022 3:25 PM



Staff Report – City Council Meeting

Meeting Date: October 10, 2022
Author: Kim Jordan, City Recorder
Department: Business Office
Subject: Parks Advisory Committee Vacancy
Type of Item: Discussion

Introduction:

The Parks Advisory Committee has 1 Vacancy.

Background:

Michael Hinton has resigned from the Parks Advisory Committee after more than 15 years of service.

Budget Impact:

None

Department Review:

Business Office

Alternatives:

n/a

Recommendation:

City Council open vacancy to accept applications.

Attachments:

1. Parks Advisory Committee Information sheet and Michael Hinton resignation.

Kimberley Jordan

From: MICHAEL HINTON Owner <michaelhinton@centurylink.net>
Sent: Wednesday, October 5, 2022 9:08 AM
To: Nancy Holmes
Cc: Jim Kuhn; Dale McDowell; Bill Montero; Mary Blake; Pambierly; Tom Horning; Daffne Mejia; Kimberley Jordan
Subject: Hinton Resignation Re: Parks Advisory Member Jim Kuhn Appointment

Dear Fellow Seaside Parks Advisory Committee Members and Seaside City Councilors,

I just wanted to formally announce my resignation from this fine group after more than 15 years of service! It has been an honor to serve the mission for community parks and the commitment begun toward our lasting heritage !

It is time for new blood on the committee and to open the door to new potential!
an and yield to waning hearing capacity.

There is so much that has happened since the Parks Master Plan was createdus! My only real regret is the conundrum we face now with aiding the School district with Title IV compliance and the lack of foresight as the plan was developed. This is a painful process as it is revisited!

Thank You to City Staff and especially Public Works!

Yours Very Truly,

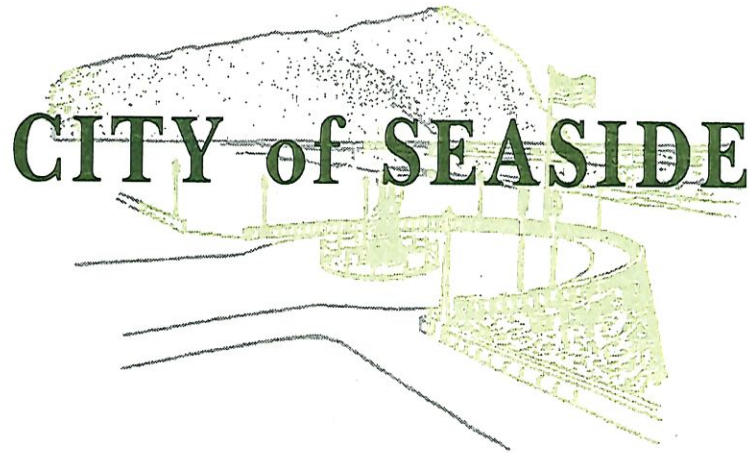
Michael Hinton

From: "Nancy Holmes" <nholmes105@yahoo.com>
To: "Jim Kuhn" <kuhnbro@gmail.com>, "Dale McDowell" <dmcdowell@cityofseaside.us>
Cc: "Bill Montero" <montero@seanet.com>, "Mary Blake" <diveinsplash@gmail.com>, "Pambierly" <pambierly@yahoo.com>, "Tom Horning" <horning@pacifier.com>, "Daffne Mejia" <dmejia-alvarez@seasidek12.org>, "michaelhinton" <michaelhinton@centurylink.net>
Sent: Friday, September 23, 2022 10:07:31 PM
Subject: Re: Parks Advisory Member Jim Kuhn Appointment

Thank you Dale.

On Friday, September 23, 2022 at 11:49:26 AM PDT, Dale McDowell <dmcdowell@cityofseaside.us> wrote:

Nancy and others,



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

PARKS ADVISORY COMMITTEE

Term of Office: 3 years
 Number of Members: 7
 Chairperson*
 Vice Chairperson**
 Secretary***

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXP.</u>
MARY BLAKE	1668 Whispering Pines	717-3810	3/31/2023
WILLIAM MONTERO**	2471 SUNSET BLVD.	206-250-5919	3/31/2023
DAFFNE MEJIA ALVAREZ	1610 SPRUCE DR. APT. 'F'	503-739-0926	3/31/2023
(VACANCY) HINTON			3/31/2024
NANCY HOLMES*	1520 COOPER ST.	717-1614	3/31/2024
PAM BIERLY***	120 12TH AVENUE	738-8107	3/31/2025
JIM KUHN	910 5TH AVENUE	503-709-8799	3/31/2025
TOM HORNING	808 26TH AVENUE	738-5770	horning@pacifier.com
DALE MCDOWELL	1387 AVENUE 'U'	738-5112	dmcdowell@cityofseaside.us