

Kimberley Jordan

From: Marilyn Blacketer <jblack@pacifier.com>
Sent: Monday, April 15, 2024 2:29 PM
To: publiccomment
Subject: public testimony concerning 20th Ave.

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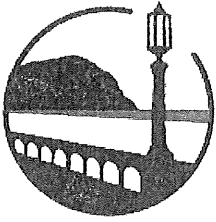
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4-15-24

It has come to my attention that the City Council City of Seaside will conduct a public hearing on Monday, April 22, 2024.... with the purpose to take public testimony concerning a proposal to vacate a portion of 20th Ave. that extends from N. Holladay Dr. west to the Necanicum River.

Please, do not vacate a portion of 20th Ave. because 20th Ave. provides public access to the estuary.

Thank YOU, Marilyn Blacketer (jblack@pacifier.com)



CITY OF SEASIDE

Published on Seaside, OR (<https://www.cityofseaside.us>)

[Home](#) > [Public Comment Submission or Registration](#) > [Webform results](#) > Submission #41

Submission information

Form: [Public Comment Submission or Registration](#) [1]
Submitted by Anonymous (not verified)
April 15, 2024 - 2:41pm
97.120.78.193

Full Name:

Marilynn Blacketer

Full Address (Providing your address is required to offer public comment):

1521 N. Holladay Dr. Seaside, OR 97138

Phone Number:

503-738-6661

E-mail Address:

jblack@pacifier.com

Confirm E-mail Address:

jblack@pacifier.com

Is this comment for the City Council or the Planning Commission?

City Council

Meeting Date you will be providing public comment (Council Meets 2nd and 4th Monday of Month, Planning Meetings 1st Tuesday of Month)

April 22, 2024

Select which option you will be using to attend the meeting:

In-Person

In-Person Instructions:

I have read and understand the in-person instructions.

Is this comment for the general (open) comment period or for a specific agenda item?

Specific Agenda Item

Please list the specific item on the agenda that allows for public comment (Example: Item #11A - Resolution #3994):

public hearing to take public testimony on proposal to vacate a portion of 20th Ave.

If you would like to submit a photo or other documents along with your comment please upload them here:**Please select one of the following required options:**

I am stating that I would like this comment submitted to the City Council prior to its next meeting and included in the council packet. Further, I'm stating that by checking this box, I understand that it will become part of the public record. Comments made without a name and address cannot be added to the public record.

Source URL: <https://www.cityofseaside.us/node/20386/submission/14616>

Links

[1] <https://www.cityofseaside.us/public-comment-form>

Kimberley Jordan

From: Christina Buck <christinaraebuck@gmail.com>
Sent: Tuesday, April 16, 2024 2:51 PM
To: publiccomment
Cc: Tita Montero; Steve Dillard
Subject: Re: Seaside has solved all of its serious problems?

This sender is trusted.

I am again reading that members of the City Council of Seaside are determined to censor and/or ban books in whatever manner they can (even though a decision was already made by the library board).

PLEASE, as I am disabled and unable to attend public meetings, forward my comment regarding this matter again.

As a resident of Seaside, OR I am 100% AGAINST ANY AND ALL EFFORTS TO BAN AND CENSOR BOOKS in any way.

Seaside has SERIOUS PROBLEMS that need to be resolved by the City Council and they are WASTING TIME ON THIS FASCIST ACTIVITY.

Seaside has a massive lack of housing (let alone affordable housing issue) and an exploding unhoused population.

Seaside has a hospital that is bit by bit being destroyed (first the pharmacy, now the lab services, what next)?

Seaside has infrastructure problems that have been identified and need to be addressed NOW, not later.

Why are the council and the mayor wasting time and money to argue over who should be allowed to read what books?

Are the council and the mayor also going to waste time and money arguing over what else Seaside residents can do (things that are already protected by the Constitution of the United States)?

Seaside residents should not have to constantly be subjected to the personal beliefs (Steve Dillard's for example) regarding what people should and should not be able to do when they elected the council and the mayor to take care of the serious problems Seaside is facing NOW and even more looking toward the future - as the population grows and the existing infrastructure is stressed.

If there is no Seaside, Oregon because the major problems are ignored, it won't matter what Mr. Dillard believes other people should or should not read. His agenda is abhorrent. I look forward to making sure he is not re-elected to the council.

Sincerely,
Christina Buck

Kimberley Jordan

From: publiccomment
Sent: Wednesday, April 17, 2024 11:14 AM
To: marnie.murray@gmail.com
Subject: Written comments on Vacation Rental Dwellings

Marnie,

Thank you for your written comments. I have forwarded those to the City Council

Thank you
Kim Jordan, City Recorder

From: Marnie Murray <marnie.murray@gmail.com>
Sent: Monday, April 8, 2024 7:14 PM
To: Jordan Sprague <jsprague@cityofseaside.us>; Marnie Murray <marnie.murray@gmail.com>
Subject: Written comments on Vacation Rental Dwellings

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This email is my written comments on the Proposed Updates to the Seaside Zoning Ordinances and the changes to the Business Licenses to accommodate Vacation Rental Dwelling Units.

First, the website indicates that Seaside will only approval one VRD license per owner. Why this restriction? If I'm financially able to purchase more than one property in Seaside, why should I be prevented from using them both as Vacation Rentals?

I am using the version of the ordinance available at
chrome-
extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.cityofseaside.us/sites/g/files/vyhlif6311/f/uploads/
short_term_rental_ordinance.pdf

120.03.1 paragraph: a waiting period of 180 days after an expired application is excessive. Who knows what issues may be discovered by a Community Development inspection or how long it may take to fix the issues? Recommend 30 days maximum.

120.03.2 An Application Fee of \$500 is excessive. The standalone Inspection Fee is \$100, which makes the fee to process the paperwork \$400. If the paperwork is so complicated that it takes \$400 of a clerk's time to process it, then paperwork should be simplified. I recommend a reduction of the Application Fee to \$200, if which, \$100 is the paperwork process fee and \$100 is the Inspection Fee.

120.03.3 Please include a link to the location of the Business License.

120.03.4 Remove this requirement. Add a requirement that the new owner of the property must apply to change the name and contact information for the short-term rental license. Otherwise, the house is unchanged and the existing rentals are allowed to continue for a 90-day period, therefore there is no reason to make the short-term rental license non-transferable and void.

120.03.5 This clause is unclear. What does it mean "renting ... is required to be accessory to the primary, residential use of the dwelling?" Also, explain what documentation would satisfy "applicants must demonstrate, by written documentation" ?

120.03.6 Remove the 90-day waiting period for new Vacation Rental Dwellings. There is no reason to delay an approved licensed other than to make the process lengthy and difficult, and to prevent a homeowner from deriving income from their property. Likewise, remove the 2-year waiting period after issuance of Certificate of Occupancy for a newly constructed building. There is no reason to delay application for a Vacation Rental Dwelling for a newly constructed building, other than to make the process arbitrarily lengthy and difficult, and to prevent a homeowner from deriving income from their property.

120.05.5 State the amount of the Re-inspection Fee.

120.06.2 Remove 30% and 50% densities and make the entire Vacation Rental Area 100%. Failing that, change the Spatial Density of the 30% Zone to 50%.

In addition, for any Spatial Density that is being used, change the calculation from using Vacation Rentals and Tax Lots within 100 ft to using Total Number of Vacation Rental Dwellings as a percentage of the Tax Lots within the entire Zone, as follows: (Total number of VRDs) % (Total Number of Tax Lots).

120.06.4 The term "residential appearance" is subjective and open to interpretation. Once person's opinion of what is acceptable can be very different to another person's opinion. So, remove this sentence: "Front, side, and rear yards must maintain a residential appearance by limiting off-street street parking within yard areas." Retain the "50% of each yard area that is not occupied by buildings must be permanently landscaped" which is measurable.

120.06.6 Remove the prohibition "shall not exceed three person per bedroom". It's arbitrary. If someone has a vacation rental containing a bedroom with two bunk beds, meaning four persons could be in that room, where is the justification for restricting it to 3 people? Or if there are 4 bedrooms that can house 3 people each, where is the justification for saying only 10 people can stay there, not 12? Requiring an automatic fire suppression sprinkler system to have 12 people puts it out of reach of nearly every dwelling. After all, how many houses in Seaside actually contain these?

Remove the restriction that vacationers cannot invite people to the Vacation Rental if it increases the number of people in the house over the maximum people allowed. What, they can't invite a few friends for a quiet dinner together, or to watch a movie in the evening? What is the problem that you are trying to solve with this regulation? Why not address it directly, rather than penalizing every vacationer for some action they may never do.

120.06.7 This is very specific to the type of activity being performed. Let me guess that what is being attempted is to reduce noisy activities out of doors late at night in a residential area. By this clause, people could be outside on a deck or play beach volleyball in the backyard, and any noise generated would not be a problem, because it isn't by a fire ring or fire place, etc. If there is an applicable Seaside noise ordinance, it might be better to state: "As per Seaside Ordinance xx.xx.x outdoor activities of a noisy nature must stop during the hours of ..."

120.06.9 Remove this clause.

120.10 All of the fines are excessive and look punitive. Two offenses and their license is revoked? REALLY? This should be reserved for an owner or property manager who is flagrantly and deliberately contravening the regulations. The actions with regard to licenses escalate to soon and too fast, and an owner loses their license for 6 months after only two, possibly minor, offenses.

120.10.1 \$250 for a first offense should be reduced to \$100.

120.10.2 Change fine to \$100. Remove the "suspension of the short-term rental license for 6 months".

120.10.3 Change to \$250 fine. Remove everything after "fine"

120.10.4 Change to: "\$500 fine and suspension of short-term rental license for a period of 6 months, or if unlicensed, a six-month waiting period before a license may be issued."

120.10.5 The current clause in 120.10.5 says "Subsequent offenses within a one-year period: \$2000 fine." The previous clause, 120.10.4, permanently revokes the short-term license with that owner. Doesn't that mean the process stops at clause 120.10.4 and never reaches 120.10.5?

My recommendations would have the owner returning back to vacation rental after having their license revoked for 6 months. At this point, the count is reset and the owner starts back at the beginning of the process with an offense count at 0.

Kimberley Jordan

From: eifxcm@gmail.com
Sent: Thursday, April 18, 2024 11:17 AM
To: Spencer Kyle
Cc: Kimberley Jordan; Tita Montero
Subject: FW: Library policies

This sender is trusted.

Please share with the council.

Tita 503.440.4454

From: Gini Dideum <gdideum@hotmail.com>
Sent: Friday, April 12, 2024 9:05 AM
To: Tita Montero <eifxcm@gmail.com>
Subject: Library policies

Tita--

I have followed the issue concerning certain books at the Seaside Library and watched the last city council meeting where Steve Dillard made multiple motions concerning the library's policies concerning minors. Although I do not pay Seaside taxes, I do pay an annual fee to have the privilege of using the Seaside Library. I can see that you voted against having a work session about this issue. Without knowing why you voted no, I hope that you oppose the city council becoming involved with library policies concerning books available to minors.

As a parent and retired educator, I celebrate kids that read and use the library. Children pick out books about topics that interest them. Just because you read a book about something does not mean you are going to become like a character in the book. If that was true, I would be an Israeli spy that likes artwork. Or, my students would have done a lot better on math tests. One of the books, "And Tango Makes Three", is about two male penguins that hatch an egg. After spending several hours learning and watching penguins on a recent trip to Australia, I know that penguins of both sexes sit on eggs, tend the hatchlings, get excited when their partners return from being at sea, and switch partners every two to three years.

Very young children come to the library with an adult or older sibling that helps with book selections. I see middle school aged children using the computers. I am not around when the teens are there. I am opposed to the Seaside Council becoming involved with what books are available to patrons of the library.

Gini Dideum

Jesse Taylor

2041 Aldercrest, Seaside.

4/18/2024

Seaside City Council and Planning Commission,

I am writing this to voice my concern and disapproval with how the city government has handled the discussion of the new zoning ordinance proposals. It has been extremely difficult to understand what is being proposed. The only discussion the city has talked about and took public comment on, is how the regulations will be moved from the planning department to business licensing. There is much more involved in this ordinance that the city is openly talking about.

Ordinance 2024-04 is an 11-page document that contains a paragraph that is easily overlooked labeled Estuary Properties. I would bet most of the citizens of Seaside have no knowledge of this paragraph. In the paragraph the city is proposing to give a property owner of a 12.47-acre parcel of land the right to build vacation rental properties in an area not eligible for VRD's. In this 1 paragraph the city is changing the VRD boundary and making special exceptions to the vacation rental rules for this property owner. The very rules that everyone else must follow or face fines. Why wasn't the planning commission involved in this decision? Even more concerning, why aren't all the planning commissioners aware of what's going on? Why is the city council moving this so quickly? Planning commission meetings are scheduled for once a month, the city has held 2 this month.

In 2022 the planning commission made recommendations to city council for changes to the zoning regulations and VRD boundary. At that time, they held a work session and 2 separate planning commission meetings with public comment before they made the recommendation. With that recommendation, the city council removed the same location as this proposed development from the VRD boundary. Why are we not following the same process?

I understand mistakes were made by not acquiring the land at the estuary park, but let's not continue to make more. Below is what I planned on reading at the 4/16/2024 planning meeting but was not given the opportunity to do so.

Thanks, Jesse

I'm here tonight to speak in opposition of the proposed zoning ordinance 2024-04, Specifically the section 120.12 estuary properties. I previously submitted a letter, hopefully the commission has had time to read it.

This 11-page proposed ordinance lays out the standards that the City of Seaside is requiring all property owners to abide by if they want to be eligible for a VRD. For example, I would love to vacation rental my property on Sunset Hills, but per this ordinance I can't because my property is not in a designated vacation rental area. As you read through this ordinance near the end you come across a little paragraph labeled estuary properties. In this paragraph the city is proposing to bend or change a majority of the VRD rules for this 1 property owner. A couple examples of this would be.

1. Location. This development is not located in an area that is eligible for vacation rentals. Furthermore, in 2022 this planning commission unanimously removed properties north of 12th Ave from the being eligible for VRD's.
2. This development is not being required to have dwelling unit type restrictions. Paragraph 120.11 identifies 5 different property types prohibited from being eligible for a VRD. They also are not required to have spatial distribution restrictions; I would say at least 90% of all vacation rentals in Seaside have some sort of spatial distribution restrictions.
3. Waiting periods. Will these properties have a waiting period? Per this ordinance a new construction property owner must wait 2 years after their issued occupancy before they can apply for a VRD permit. Is the city going to make another exception for this property owner?

I'm not sure how the city can tell a property owner that they must follow 1 set of standards, and then tell the next property owner we'll make an exception for you.

If this proposal passes, my application for a VRD permit will be the first 1 on your desk, and I will encourage any other property owner that wants to vacation rental their home regardless of if it qualifies to do the same. If the city is willing to make all these changes for 1 property owner, they can make some exceptions for everyone else.

Lastly, how can you even make an informed decision on this zoning proposal without knowing what is being proposed? Will there be 20 homes, so 5 VRD's, or will there be 200 homes with 50 VRD's? Shouldn't you know what the development is going to look like before you make a long-term decision like this? I will end this with a phrase my grandfather always said because I feel it applies to this decision process "you're putting the cart before the horse". Thank you for your time.

Kimberley Jordan

From: Bishy bob <thebeardedmemaw@hotmail.com>
Sent: Sunday, April 21, 2024 3:36 PM
To: publiccomment
Subject: Public comment

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My name is Sara and I am a long time resident and business owner here in Seaside.

I don't normally weigh in on city council proceedings, but I do so today in representation of my 8 year old granddaughter. As a transgender female, and an avid lover of reading, this is a subject near and dear to her heart, so she requested that I speak up.

I realize that at this point, Mr Dillard has asked for an item to be added to the agenda to discuss the modification of the existing Seaside Public Library's policy verbage regarding minors and materials provided to minors. Wanting the policy to reflect that minors not be treated the same as adults.

In advance of that, I would like to remind all of you that the US Supreme Court ruled in *Island Trees School District v. Pico* that **books may not be removed from library shelves just because officials find ideas in the books offensive**, and the SCOTUS has also held on numerous occasions that minors do have first amendment rights! Those rights include the right to receive information. **Book bans and censorship, particulary when done by government actors such as yourselves, violate the First Amendment because they deprive children the protected right to receive information and ideas!!**

I also refer you to Oregon HB 2243 passed in 2019 where it defines a public library as a public agency providing to **all residents** (not just adults, but minors too)...free and **equal access** to library and information services.

The 1st Amendment guarantees us the Freedom of Speech.

In conclusion, please allow me to quote case law from *Kreimer vs the bureau of police in the town of Morristown* in 1992:

To have Freedom of Speech you must have Freedom of Thought. In order to have Freedom of Thought you must have Freedom of informed thought. In order to have informed thought you must have Freedom of Information and where you get information is at your public library.

Thank you for your time and consideration.

Kimberley Jordan

From: City of Seaside Webform Submission via Seaside, OR <cmsmailer@civicplus.com>
Sent: Sunday, April 21, 2024 3:30 PM
To: Kimberley Jordan
Subject: Website Submission Sent to the City Council and the Mayor

This sender is trusted.

Submitted on Sunday, April 21, 2024 - 3:29pm
Submitted by anonymous user: 2001:5b0:2b42:5a58:5811:3edc:9e:68bc
Submitted values are:

Your Name: John Hesse
Your E-mail Address: : johndhesse@aol.com
Your Phone Number: : 5756494927
Subject: : Homeless encampment

Message: :

Mayor, council members and assembled public officials. I do not believe that the current homeless encampment located just off S Ave. should be there at all. It is not an appropriate location. I realize that this week, the Supreme Court of the United States is hearing the case from Grants Pass, Oregon regarding public camping and that you are wanting to know what they will rule. I am also aware that since September, Clatsop County has received more than 4 million dollars from the state through House Bill 5019 to combat the problem. I haven't seen any evidence that money has been used in Seaside at all. It has been used to make the Columbia Inn, in Astoria, a homeless shelter. I am somewhat curious as to how much of that money is being used for Seaside.

I am also somewhat mystified by the disparity of homeless encampments along the northern coast. The one in Seaside is obvious. Homeless people are gathered there day and night. In addition, homeless are allowed to congregate at the Safeway (particularly the bottle return and the street along the South Side of the building). As an avid walker in our city, I see homeless people begging in parking lots, riding bicycles all over in the ever-persistent search for bottles and cans, playing music on Broadway for donations, and going through every trash can in the area (public or private).

As a resident of the newly developed neighborhood called Blue Heron Point, I live on Seabright Way. This neighborhood is approximately one to two tenths of a mile from the homeless camp. Many in our neighborhood have experienced theft, property trespass, and dumping of trash onto the adjacent properties to our houses. We have an endless stream of people going through the neighborhood looking for anything that is not bolted down to steal. The police have been called by myself and my neighbors on numerous occasions because of this problem. You can't leave anything out, open your garage door, take out the trash or enjoy a walk around the neighborhood without feeling like a target. Mind you, this is not a neighborhood full of cheap housing. On average, each of these houses cost \$600,000. That means that we each pay a lot of taxes to support city services. Someone at the last council planning session made the comment that people who live in the area were contacted and there was a meeting about the encampment. Many of us were at that meeting and were taken by surprise as none of us were ever consulted. The result of placing that encampment where it is, is that property values plummet. I don't think that if anyone along S or in our neighborhood wanted to sell their property, that they would have any

luck at all. That also brings up the question, should realtors have to disclose the encampment? If the city authorized the encampment, are they liable for damages to property, theft and loss of value?

Interestingly, in Cannon Beach, you don't see homeless people. Why is that? The answer to that question was in the Astorian paper dated August 2, 2022. The camping ordinance there does allow camping from 9 pm to 7 am. No camping in parks, on streets and trails, within 40 feet of a residential zone and 100 feet of a school. In addition, the Police Chief stated that their police department is readily available to take people to shelters in Seaside and Astoria. According to our city council at the meeting earlier this month, you must have a place for them in your own city limits. Wonder how Cannon Beach gets away with it? In Astoria, you certainly see homeless people in the streets and doorways. But wasn't the state funding for all of Clatsop County?

In the city's own Temporary Camping Program Permit Application, it lists 9 violations that can have you removed from the camp. Every one of these rules are being ignored and broken daily while a blind eye is turned. The homeless have rights, I understand that. Their rights end where it effects my rights to live as a taxpayer. We have equal rights but must follow rules and laws. They are not doing that.

Finally, while complaining about a situation may make us heard and may even make us feel better, it brings no solutions. Here are a few proposals for your consideration:

1. Stop the bottle return business for a period to stop funding drug use.
2. Temporary shelter can be found at the old Seaside High School. It has bathrooms and a roof. I realize it is owned by Sunset Empire, but it seems like this could be worked out.
3. Since funds were allocated by the state, employ 24-hour security to enforce rules and laws wherever homeless are housed. Rules must be followed, or they need to leave. We can provide shelter but not shelter with no rules.
4. Check with Camp Rilea as to the availability of Army tents and cots. If its good enough for our service members, its good enough for the homeless.
5. Consider chairing a citizen's committee to come up with more ideas, parcels of land, buildings or whatever to help this problem.

As a final note, I have contacted the State Department of Health and spoken with the director of Clatsop County Health Department regarding the deplorable, unsanitary conditions in the camp and the disease, rat infestation, trash, drug paraphernalia, and generally unhealthy conditions for the campers and residents in the area. They are investigating. I will also be calling the news to see if I can get a reporter out here. This town will be spotlighted in an unfavorable light. Can't imagine it will help tourism.

Thank you, I will reiterate this at the meeting Monday.

John Hesse

Councilor Morrisey:

Councilor Frank:

Councilor Dillard:

Councilor Posalski:

Councilor Montero:

Councilor Horning:

Mayor Wright:

The results of this submission may be viewed at:

<https://www.cityofseaside.us/node/10116/submission/14671>

Kimberley Jordan

From: Chuck Murphy <cmurphy4@cox.net>
Sent: Saturday, April 20, 2024 11:34 AM
To: publiccomment
Subject: Short Term Rental Ordinance Comment - 2024-03 & 2024-04

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City of Seaside Council:

I am writing as a property owner in Seaside to comment on the proposed Ordinance 2024-03 and 2024-04.

Upon review of the proposed changes I support the recommendations maintaining the 100 foot inclusion zoning percentages (100%, 50%, 30%) as described in the proposal.

This will maintain that a property owner is not inundated with Short Term Rentals (STRs) changing out every 2-3 days in the summer. A current factual issue.

If we are to maintain Seaside as a community for tourism and residents, it is inherent that the city council aspire to maintain a percentage of homes as personal residences.

This can be accomplished through restrictions on number of Short Term Rentals (STRs) within a set geographical location. The proposed zoning percentages accomplish this.

Additionally, applications, monetary registration fees should **NOT** be transferable (grandfathered) to new homeowners. If a property owner sells the property, the new owners should be required to apply to the city if they intend to utilize the property as a Short Term Rental.

The fines (noise, barking dogs, occupancy limits) as written into this proposal seem in line with enforcing the regulations to maintain Seaside as a residential and vacation destination.

The new proposal as written accomplishes many of the issues we have here in Seaside.

Thank you for your time,
Chuck Murphy

Kimberley Jordan

From: Sandy Ward <sandyward2018@gmail.com>
Sent: Monday, April 22, 2024 3:52 PM
To: publiccomment
Subject: On proposed change in public library policy

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Members of the Seaside City Council,

As a retired public school teacher, aunty to many beloved children, and citizen of Seaside, I am adamantly opposed to Councilmember Dillard, or any Seaside citizen creating policies of censorship for our public library. I trust in and respect the wisdom of parents and family elders, with assistance they request from our excellent library staff to make decisions about what the children of this community read.

I believe the proposal from Councilmember Dillard is unconstitutional and violates the first amendment rights of members of our community and would prefer that the council focus their efforts on pressing matters of public safety.

Thank you for your consideration in this matter.

Sincerely,
Sandy Ward