APPENDIX G

Implementing Ordinances

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Implementing Ordinances

This Appendix provides a policy framework and draft ordinance language that could be used as a guide for establishing an overlay zone for US 101 through Seaside, and design standards that would encourage more bicycling and walking trips to businesses along the highway. Model design standards could be used to provide guidance to developers along the highway.

Seaside TSP Supporting Policies

The following policy recommendations support alternate mobility standards along US 101 within the City of Seaside. The Seaside Transportation System Plan (TSP) must conform to Oregon's Statewide Planning Goals and the Transportation Planning Rule (TPR), as described in the Oregon Administrative Rules, (OAR 660-012), and coordinate with the state and county TSPs, and be consistent with the City and County Comprehensive Plan. Activities needed to adopt and implement the Seaside TSP by the City of Seaside, the Oregon Department of Transportation (ODOT), and Clatsop County are listed below.

Background

Traffic forecasts for the future planning horizon (year 2030) show that congestion along US 101 will exceed existing Oregon Highway Plan (OHP) Mobility Standards under average annual weekday conditions. This condition is exacerbated during the summertime peak. Meeting the OHP mobility standards for the summertime peak would require a larger highway footprint than found to be acceptable by the community, and discussions of a bypass were dismissed during the 20-year planning horizon due to land use regulations, environmental impacts, and cost. The City and ODOT agreed to focus instead on using average annual weekday traffic conditions as the benchmark for measuring operational performance in order to maintain a smaller US 101 footprint through the City.

TSP projects were identified to meet or get as close as possible to OHP mobility standards on the highway under average annual weekday conditions, but funding limitations make it unlikely that ODOT or the City will be able to implement all the improvements needed to achieve that level of performance within the 20-year planning horizon. Therefore an alternate mobility standard of 1.0 for varying lengths of time at four intersections along US 101 is being requested from the Oregon Transportation Commission (OTC). The locations and proposed alternative standards are show in Table 1 below.

TABLE 1
Alternate Mobility Standards and Duration of Delay

Intersection	Current OHP Mobility Standard	Proposed Alternate Mobility Standard	Future (2030) Projected Average Annual Conditions	Expected Duration of Delay
US 101/Lewis and Clark Road	0.80	1.0	1.10	2 hours (3-5 pm)
US 101/12th Avenue	0.85	1.0	1.05	1 hour (4-5 pm)
US 101/Broadway	0.85	1.0	1.10	3 hours (3-6 pm)
US 101/Avenue U	0.85	1.0	0.95	0 hours (does not exceed 1.0)

As part of this request, the City and ODOT have committed to the following:

- Remove local trips from the highway by improving the local street network
- Encourage walk, bicycle, and transit trips by investing in infrastructure and policy devoted to these modes
- Improve safety and reduce congestion on the highway through a US 101 access management strategy
- Support new development and redevelopment along US 101 that is designed in a manner that reduces added trips on US 101 and encourages bicycle and pedestrian use, through a US 101 overlay zone

ODOT and the City have worked collaboratively to develop a range of focused transportation system investments and a supporting package of policies and management tools in Seaside to achieve the goals identified above. These are described over the following pages. Alternate mobility standards for US 101 are a key feature of a package of solutions that improves safety and livability and manages congestion along US 101 in a manner that is better than if no actions were taken.

Policies and Actions

The following policies and actions are recommended to implement the Seaside TSP alternate mobility standards. Jurisdictional adoption responsibilities are identified with each recommended policy and action. The following actions are considered planned improvements to be funded in the 20 year planning horizon, and are considered in the determination of the alternate mobility standards. These improvements will be used as mitigation for compliance with OAR 660-12-0060.

1. The City of Seaside shall adopt the TSP, which includes recommended projects, policies, and zoning code language to maintain the proposed OHP alternate mobility standards for the projected length of delay.
2. The City of Seaside shall adopt the proposed US 101 Highway Overlay Zone and related provisions as Section 3.400 of the City Zoning Ordinance. The overlay zone extends 200 feet on either side of US 101, from Mill Creek on the northern end to Dooley Bridge at the southern City limits, and functions to implement access management measures, requires consideration of traffic impacts for new development, and links land use and future development along the highway. The overlay requires the City to coordinate with ODOT and require Traffic Impact Analyses (TIA) for development along the highway projected to exceed 5 peak and 30 average daily trips.
3. ODOT shall develop an access management study to determine specific facility management actions that will enhance safety and operational performance along US 101 between Mill Creek and the Dooley Bridge. This access management study will use the access strategy prepared for the TSP as a starting point for this effort. The work shall be coordinated with and actively engage the City of Seaside in its development and, to the extent that local land use or local public facility actions are recommended in the study, it may be adopted as a TSP Refinement Plan and an ODOT Facility Plan.
4. ODOT shall pursue funding for sidewalk improvements along US 101 as needed between Broadway and the High School, and for intersection improvements at US 101 and Broadway.
5. The City of Seaside shall pursue funding for Avenue S cross section improvements west of Neawanna Creek, construction of a bicycle and pedestrian bridge over the Neawanna Creek at Avenue F (including a pedestrian connection to higher ground east of Wahanna Road), bicycle infrastructure improvements along Holladay Drive, and a shared use path north of 12th Avenue.
6. ODOT and the City of Seaside together shall pursue funding for improvements at US 101 and Avenue U, and for a new signal and realignment at US 101 and Avenues F and G.
7. Once short term projects have been completed, ODOT and the City of Seaside shall consider pursuit of additional funding to construct recommended TSP projects from the list of medium- and long-term implementation actions, and will consider whether a TSP update is needed (due to planned relocation of schools and medical facilities or other reason).

It is expected that these improvements will be funded by a combination of City general funds, transportation system development charges, development exactions, urban renewal area funds, local improvement districts, levies, bonds, and/or state and federal funds.

ODOT Implementing Actions

While funding for any of the projects in this TSP cannot be guaranteed, a variety of relatively smaller projects for which ODOT will have primary funding responsibility are identified herein for implementation over the 20-year TSP planning horizon. The alternate

mobility standards for US 101 that are based on future operational performance forecasts were determined under the assumption that these actions could be implemented within the planning horizon using some combination of federal, state, local, and private funds.

The list of projects upon which the alternative mobility standards are based, and for which ODOT will have primary responsibility is organized by time frame: short term is assumed to be 0-5 years from plan adoption; medium-term is assumed to be 5-10 years; and long-term is assumed to be 10-20 years. These time frames do not constitute a commitment for implementation, but are simply a reflection of the time frame within which the need for the improvement becomes acute. Table 2 shows these projects by timeframe, mode, location, and order of magnitude costs. Table 2 also provides a short description for each project.

TABLE 2
ODOT Implementing Actions

Time frame	Primary Mode	Location	Order-of-Magnitude Cost (2010 $, 000's)	Project Description
Short	Pedestrian	US 101	$1,935	Fill in sidewalk gaps along US 101 between 24th and 1st Avenues (southbound), between 12th and 24th Avenues (northbound).
	Auto	US 101 / Avenue U	$7,997	Right turn pocket and new signal at Avenue U (project shared with City of Seaside)
	Auto	US 101 / Broadway	$792	Intersection changes (right turn pocket for western approach on Broadway, restriping eastern approach)
Medium	Auto	US 101 / Avenues F & G	$3,352	Realign Avenues F and G and add signal (project shared with City of Seaside)
	Auto	US 101 / 12th Avenue	$1,314	Intersection changes (left turn pocket for western approach on 12th Avenue)
	Pedestrian	US 101	$100	Pedestrian crossing improvements at select intersections between 15th Avenue and Avenue S (see bicycle/ pedestrian plan for specific locations)
Long	Auto	US 101 / Holladay	Dependent on length of extension	Possible signal and partial extension

City of Seaside Implementing Actions

While funding for any of the projects in this TSP cannot be guaranteed, a variety of relatively smaller projects for which The City of Seaside will have primary funding responsibility are identified herein for implementation over the 20-year TSP planning horizon. The alternate mobility standards for US 101 that are based on future operational performance forecasts were determined under the assumption that these actions could be implemented within the planning horizon using some combination of federal, state, local, and private funds.

The list of projects upon which the alternative mobility standards are based, and for which the City of Seaside will have primary responsibility, is organized by time frame: short term is assumed to be 0-5 years from plan adoption; medium-term is assumed to be 5-10 years; and long-term is assumed to be 10-20 years. These time frames do not constitute a commitment for implementation, but are simply a reflection of the time frame within which the need for the improvement becomes acute. Table 3 shows these projects by timeframe, mode, location, and order of magnitude costs. Table 3 also provides a short description for each project.

TABLE 3
City of Seaside Implementing Actions

Time frame	Primary Mode	Location	Order-of-Magnitude Cost (2010 $, 000's)	Project Description
Short	Bike/Pedestrian	Avenue F at Neawanna	$645	Bicycle/pedestrian bridge over Neawanna Creek in the vicinity of Avenue F
	Auto/Bike/Ped	Avenue S Phase 1	$3,459	Avenue S Cross Section between US 101 and the bridge
	Pedestrian	East of Neawanna/Ave F	$110	Connection to high ground
	Bike	Holladay	$80	Bicycle lanes and shared roadway markings
	Pedestrian	Ped Crosswalks/Curbs	$5 to $17/per	12th/Holladay, Broadway/Lincoln, Spruce/Wahanna
	Bike/Ped	North City Limits/12th	$381	Extension shared path along US 101 from north city limits to 12th Avenue
Medium	Bike/Pedestrian	Avenue S at Necanicum	$390	Bicycle/pedestrian bridge over Necanicum River in the vicinity of Avenue S
	Bike/Pedestrian	Wahanna Road	$6,678	Wahanna Road pedestrian Improvements Sidewalks and Walking Paths
	Auto/Bike/Ped	Avenue F & G	$3,352[1]	Realignment of Ave F/Ave G from Holladay to Lincoln
	Auto/Bike/Ped	Avenue S Phase II	$2,268	Avenue S Cross Section between bridge and Wahanna
	Pedestrian	Ocean Vista to Cove	$800	Sidewalk and park area from Ocean Vista to Highland Drive area along west side
Long	Bike/Pedestrian	15th Avenue at Neawanna	$954	Bicycle/pedestrian bridge over Neawanna River in the vicinity of 15th Avenue
	Auto/Bike/Ped	South Y to Avenue U	$7,406[1]	Extension of S. Holladay to Avenue U along railroad right-of-way
	Bike/Pedestrian	4th Avenue at Necanicum	$719	Bicycle/pedestrian bridge over Necanicum River in the vicinity of 4th Avenue
	Pedestrian	Connector Path	$687	High ground connector pathway - North South between Lewis and Clark and Avenue S

[1]This project will be pursued by both ODOT and the City of Seaside

Projects Identified by ODOT as Not Reasonably Likely

In addition to the projects listed in Table 2, this TSP also identifies a variety of higher cost projects on the state highway system that ODOT has determined are not reasonably likely to be funded during this 20-year planning horizon. As such, these projects cannot be considered as planned improvements upon which the TSP, local land use plan, or any subsequent land use decisions can be based. The alternative mobility standards for US 101 are predicated on the assumption that these projects will not be implemented during the 20-year planning horizon. These projects are listed in Table 4.

TABLE 4
Projects Not Reasonably Likely in the 20 Year Planning Horizon

Primary Mode	Location	Order-of-Magnitude Cost (2010$, 000's)	Project description
Auto	US 101/24th Avenue	$15,741	Intersection changes Phase 1
Auto	US 101/24th Avenue	$6,663	Intersection changes Phase 2
Auto/Bicycle/Pedestrian	US 101	$5,456	US 101 widening between north of Broadway and Avenue G
Auto	US 101/Holladay	$9,911	Flyover

Local Adoption Process

Public hearings must be conducted prior to final adoption of the Seaside TSP by the City Council, in accordance with the City's formal adoption process. In addition to new policies, a variety other local code amendments are being recommended to support and implement the TSP. Recommended language for local code amendments is presented in the Ordinances section below.

State Adoption Process

The Seaside TSP requires OTC adoption of alternate mobility standards. The timing of this adoption is flexible, though ideally would occur following the local public hearing process, prior to Seaside City Council's formal adoption of the TSP.

Implementing Ordinances

This section presents recommended changes to the City of Seaside Zoning Ordinance and Comprehensive Plan in order to comply with implementation provisions in the Oregon Transportation Planning Rule (TPR) as codified in Oregon Administrative Rule (OAR) 660-012-0045.

Overview

The TPR (OAR 660 Division 12) implements Oregon's Statewide Planning Goal 12 (Transportation) and promotes the development of safe, convenient, and economic transportation systems that reduce reliance on automobile travel. TPR Section 660-012-0045(1) requires that "each local government shall amend its land use regulations to implement the TSP."

Recommended changes are based on a review of the City of Seaside Zoning Ordinance and Comprehensive Plan for consistency with the TPR, conducted as part of the Plan and Policy Review in April 2008 (See Appendix A for the entire Plan and Policy Review).

The discussion of recommended changes is organized by (1) the applicable section(s) of the TPR that prompts a change in the Seaside Zoning Ordinance, (2) the recommended additions, deletions, or revisions to the Seaside Zoning Ordinance, and (3) a brief description of the recommended change.

TPR Code sections are shown in *Italics*, City of Seaside Zoning Code is shown in regular text while recommendations are presented with deletions shown in ~~strikethrough format~~ and additions are in <u>underline format.</u>

I. OAR 660-12-0045(1)(b)

Each local government shall amend its land use regulations to implement the TSP.

To the extent, if any, that a transportation facility, service, or improvement concerns the application of a comprehensive plan provision or land use regulation, it may be allowed without further land use review if it is permitted outright or if it is subject to standards that do not require interpretation or the exercise of factual, policy or legal judgment.

Seaside Zoning Ordinance Changes

To comply with TPR requirement 660-12-0045(1)(b), the changes identified below are proposed to the Seaside Zoning Ordinance sections regarding zoning districts within the City of Seaside. These changes permit transportation facilities and improvements outright when their nature does not require conditional use review, thus streamlining the permitting process.

Section 1.030 DEFINITIONS

<u>**Transportation Facilities and Improvements**: The physical improvements used to move people and goods from one place to another (i.e., streets, sidewalks, pathways, bike lanes, transit stations, bus stops, etc.). General transportation facility improvements include, but are not limited to:</u>

- Normal operation, maintenance, repair, and preservation activities associated with the existing transportation facilities.
- Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way or an expanded right-of-way that is not over 25% within the project area.
- Projects specifically identified in the City's adopted Transportation System Plan even when right-of-way expansion exceeds 25%within the project area.
- Landscaping as part of a transportation facility.
- Emergency measures necessary for the safety and protection of property or the public.
- Construction of a street or road as part of an approved subdivision or partition consistent with the City's adopted Transportation System Plan.
- Construction of a street or road as part of an approved subdivision or land partition approved in accordance with the applicable land division ordinance.

Significant Transportation Facility Improvements include, but are not limited to:

- Any form of expansive facility improvement that requires acquisition of additional right-of-way that will exceed 25% within a proposed project area when the project is not part of the City's adopted Transportation System Plan.
- The creation of new streets or roads when they are not part of an approved subdivision of land partition.
- The creation of new airports or heliports

Section 3.020 R-1 RESIDENTIAL LOW DENSITY

Section 3.022 Outright Uses Permitted. In the R-1 Zone, the following uses and their accessory uses are permitted outright:

1. Single family dwelling.
2. Flower and vegetable gardens, agricultural crops, orchards and vineyards, horticultural collections, nursery stock; but excluding signs or structures for the purpose of sale of any product, commercial greenhouses, commercial farm buildings or the keeping of non-domestic animals and poultry.
3. Residential Homes.
4. Family Day-Care Provider.
5. Dish antennas subject to provisions in Section 4.028.
6. General transportation facility improvements. These activities do not authorize the condemnation of property without due process.

Section 3.023 Conditional Uses Permitted. In the R-1 Zone the following conditional uses and their accessory uses are permitted subject to the provisions of Article 6:

1. Church and other religious structures.

2. Primary, elementary, junior or senior high school; or a higher education institution.
3. Community meeting buildings.
4. Cemetery.
5. Golf course, except commercial driving ranges or miniature golf course.
6. Public park, playground, or other similar publicly owned recreational use.
7. Private swimming pool when operated by a neighborhood group or similar organization.
8. Temporary real estate office in a subdivision.
9. Utility substation.
10. Medical clinics and hospitals.
11. Private sports complex.
12. Manufactured home on an individual lot when placed upon a permanent foundation and subject to Section 4.135. This section does not apply to land designated as a historic district or land adjacent to a historic landmark.
13. Significant Transportation Facility Improvements. These activities do not authorize the condemnation of property without due process.
14. Public facilities such as Fire Stations, Police Stations, or Ambulance Substations. (ORD. No. 99-11)

Section 3.030 R-2 RESIDENTIAL MEDIUM DENSITY

Section 3.032 Outright Uses Permitted. In the R-2 Zone, the following uses and their accessory uses are permitted outright:

1. Single family dwelling.
2. Two family dwelling or duplex.
3. Flower and vegetable gardens, agricultural crops, orchards and vineyards, horticultural collections, nursery stock; but excluding any sign or structure for the purpose of the sale of any product, commercial green houses, commercial farm buildings, or the keeping of non-domestic animals and poultry.
4. Sign subject to provisions in the Seaside Sign Code, Ordinance No. 88-2.
5. Dish antennas subject to provisions in Section 4.028.
6. Family Care.
7. Residential Home Care.
8. Family Day Care Provider
9. Residential Home
10. Residential Facility
11. See 3.022 6. Maintenance, repair or minor modification to existing roads, sidewalks, bike paths and public utilities and services; new roads, sidewalks, ~~and~~ bike paths~~.~~, and projects identified in the adopted Transportation System Plan. ~~Where~~ New right-of way ~~will be~~ required within a project area cannot ~~that~~ exceed~~s~~ 25 percent of the existing right-of-way, without a conditional use permit. ~~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 3.033 Conditional Uses Permitted. In the R-2 Zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6:

1. Church and other religious structures.

2. Primary, elementary, junior or senior high school; kindergarten, or day nursery; or a higher education institution.
3. Community meeting buildings.
4. Cemetery.
5. Golf course, except commercial driving ranges or miniature golf course.
6. Public park, playground, or other similar publicly owned recreational use.
7. Temporary real estate office in a subdivision.
8. Utility substation.
9. Radio or television transmitter or tower.
10. Government or municipal structure or use.
11. Manufactured Dwelling Park
12. Nursing homes and hospitals.
13. Professional offices when the lot adjoins a State Highway or major arterial and when the lot is contiguous to, or across the street from a commercial or industrial zone.
14. Private sports complex.
15. Manufactured Dwelling Subdivision.
16. Bed & Breakfast establishments subject to provisions in Sections 6.135 and 6.136.
17. Vacation Rental Dwellings subject to provisions in Section 6.137.
18. Manufactured home on an individual lot when placed upon a permanent foundation and subject to Section 4.135. This section does not apply to land designated as a historic district or land adjacent to a historic landmark.
19. Home Occupation subject to Sections 4.130 through 4.134.
20. See Section 3.023 13. Major modification of existing roads and public facilities and services and not identified in the Transportation System Plan or identified in the Transportation System Plan but requiring non public right-of-way over 25 percent of the existing right of way subject to City street standards; New roads that are not part of a partition or subdivision. These activities do not authorize the condemnation of property without due process.
21. Public facilities such as Fire Stations, Police Stations, or Ambulance Substations. (ORD. No. 99-11)

Section 3.040 R-3 RESIDENTIAL HIGH DENSITY

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. See 3.022 6. Maintenance, repair or minor modification to existing roads, sidewalks, bike paths and public utilities and services; new roads, sidewalks, ~~and~~ bike paths~~.~~, and projects identified in the adopted Transportation System Plan.

~~Where~~ New right-of way ~~will be~~ required within a project area cannot ~~that~~ exceed~~s~~ 25 percent of the existing right-of-way, without a conditional use permit. ~~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. See Section 3.023 13. Major modification of existing roads and public facilities and services and not identified in the Transportation System Plan or identified in the Transportation System Plan but requiring non public right-of-way over 25 percent of the existing right of way subject to City street standards; 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 3.046 R-R RESORT RESIDENTIAL

Section 3.048 Outright Uses Permitted. In the R-R Zone, the following uses and their accessory uses are permitted:

1. Single family dwelling.
2. Two family dwelling.
3. Multi-family dwelling.

4. Motel, hotel, or tourist court.
5. Family Day Care Provider
6. Dish antennas subject to provisions in Section 4.028.
7. Residential Home
8. Residential Facility.
9. See 3.022 6. Maintenance, repair or minor modification to existing roads, sidewalks, bike paths and public utilities and services; new roads, sidewalks, ~~and~~ bike paths~~.~~, and projects identified in the adopted Transportation System Plan. ~~Where~~ New right-of way ~~will be~~ required within a project area cannot ~~that~~ exceed~~s~~ 25 percent of the existing right-of-way, without a conditional use permit. ~~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 3.049 Conditional Uses Permitted. In the R-R Zone, the following Conditional Uses and their accessory uses are permitted subject to the provisions of Article 6:

1. Church and other religious structures.
2. Condominiums and Time Share Units.
3. Community meeting building.
4. Golf course, except commercial driving ranges or miniature golf courses.
5. Public park, playground, or other similar publicly owned recreational use.
6. Utility substation.
7. Professional offices, when the lot adjoins a state highway or major arterial, or when the lot is contiguous to, or across the street from a commercial or industrial zone.
8. Gift shop, or other uses appropriate to a motel or hotel, but only when a part of a hotel or motel.
9. Aquariums.
10. Restaurant and cocktail lounge, when in conjunction with a motel.
11. Group care homes, homes for the aged, and nursing homes.
12. Vacation Rental Dwellings subject to provisions in Section 6.137.
13. Manufactured home on an individual lot when placed upon a permanent foundation and subject to Section 4.135.
14. See Section 3.023 13. Major modification of existing roads and public facilities and services and not identified in the Transportation System Plan or identified in the Transportation System Plan but requiring non public right-of-way over 25 percent of the existing right of way subject to City street standards; New roads that are not part of a partition or subdivision. These activities do not authorize the condemnation of property without due process.
15. Public facilities such as Fire Stations, Police Stations, or Ambulance Substations. (ORD. No. 99-11)

Section 3.052 R-C RESIDENTIAL/COMMERCIAL

Section 3.054 Outright Uses Permitted. In the R-C Zone, the following uses and their accessory uses are permitted outright.

1. Single family dwelling.
2. Two family dwelling.

3. Retail businesses and services with business hours not to exceed 8:00 AM - 10:00 PM.
    A. Drug stores
    B. Variety stores
    C. Barber shop and beauty shop
    D. Clothes cleaning
    E. Antique stores
    F. Gift shop, flower shops, rock shops, hobby shops
    G. Professional offices
    H. Repair shops for TV and appliances
    I. Similar uses as authorized by the Planning Commission
4. See 3.022 6. Maintenance, repair or minor modification to existing roads, sidewalks, bike paths and public utilities and services; new roads, sidewalks, ~~and~~ bike paths~~.~~, and projects identified in the adopted Transportation System Plan. ~~Where~~ New right-of way ~~will be~~ required within a project area cannot ~~that~~ exceed~~s~~ 25 percent of the existing right-of-way, without a conditional use permit. ~~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 3.055 Conditional Uses Permitted. In the R-C Zone, the following conditional uses and their accessory uses are permitted subject to the provisions of Article 6.

1. Church and other religious structures.
2. Wedding chapel.
3. Group care homes, homes for the aged, nursing homes and residential homes.
4. Primary, elementary, junior or senior high schools; kindergarten or day nursery; or a higher education institution.
5. Public park, playground, or other similar publicly owned recreational use.
6. Government or municipal structures or use.
7. Utility substation.
8. Bed and Breakfast establishments subject to provisions in Section 6.135 and 6.136.
9. Grocery stores
10. Restaurants
11. Vacation Rental Dwellings subject to provisions in Section 6.137.
12. Manufactured home on an individual lot when placed upon a permanent foundation and subject to Section 4.135. This section does not apply to land designated as a historic district or land adjacent to a historic landmark.
13. See Section 3.023 13. Major modification of existing roads and public facilities and services and not identified in the Transportation System Plan or identified in the Transportation System Plan but requiring non public right-of-way over 25 percent of the existing right of way subject to City street standards; New roads that are not part of a partition or subdivision. These activities do not authorize the condemnation of property without due process.
14. Public facilities such as Fire Stations, Police Stations, or Ambulance Substations. (ORD. No. 99-11)

Section 3.060 C-1 COMMERCIAL NEIGHBORHOOD

Section 3.062 Outright Uses Permitted. In a C-1 Zone, the following uses and their accessory uses are permitted outright.

1. Existing residential uses without any increase in density. Expansion of existing residential uses shall conform to the standards of Section 3.045.
   Retail businesses such as grocery, drug, variety stores, restaurants, barber and beauty shops, laundry and dry cleaning; and rental of non-motorized bikes, trikes, and boats.
2. Family Day Care Provider in an existing residential use as described in "1" above.
3. Residential Homes in an existing residential use as described in "1"above.
4. See 3.022 6. Maintenance, repair or minor modification to existing roads, sidewalks, bike paths and public utilities and services; new roads, sidewalks, ~~and~~ bike paths~~.~~, and projects identified in the adopted Transportation System Plan. ~~Where~~ New right-of way ~~will be~~ required within a project area cannot ~~that~~ exceed~~s~~ 25 percent of the existing right-of-way, without a conditional use permit. ~~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 3.063 Conditional Uses Permitted. In a C-1 Zone, the following conditional uses and their accessory uses are permitted subject to the provisions of Article 6:

1. Residential uses in connection with a permitted use and when located within the same structure.
2. Conversion of an existing dwelling unit to permitted use.
3. Automobile service stations, except no service station shall be allowed west of the Necanicum River.
4. See Section 3.023 13 Major modification of existing roads and public facilities and services and not identified in the Transportation System Plan or identified in the Transportation System Plan but requiring non public right-of-way over 25 percent of the existing right of way subject to City street standards; New roads that are not part of a partition or subdivision. These activities do not authorize the condemnation of property without due process.
5. Similar Use subject to Section 6.250

Section 3.070 C-2 COMMERCIAL RESORT

Section 3.072 Outright Uses Permitted. In a C-2 Zone, the following uses and their accessory uses are permitted outright:

1. Retail stores and shops handling things such as clothing, gifts, food, drugs, antiques, furniture and appliances.
2. Amusement and entertainment enterprises, such as a bowling alley, billiard hall, skating rink or theater.
3. Eating and drinking establishments.
4. Hotel or motel
5. Recreation activities such as an auditorium, convention hall, gymnasium or swimming pool.
6. Service type store or business such as a barber shop or beauty shop, clothes cleaning, shoe repair, small appliance repair and telegraph office.
7. Offices such as banks, savings and loans, insurance and professional offices.

8. Public facilities such as a post office, telephone exchange, substation, fire or police station.
9. See 3.022 6. Maintenance, repair or minor modification to existing roads, sidewalks, bike paths and public utilities and services; new roads, sidewalks, ~~and~~ bike paths~~.~~, and projects identified in the adopted Transportation System Plan. ~~Where~~ New right-of way ~~will be~~ required within a project area cannot ~~that~~ exceed~~s~~ 25 percent of the existing right-of-way, without a conditional use permit. ~~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 3.073 Conditional Uses Permitted. In a C-2 Zone, the following conditional uses and their accessory uses are permitted, subject to the provisions of Article 6.

1. Amusement enterprises such as games of skill and science, thrill rides, penny arcade, and shooting gallery.
2. Condominiums, apartments, and time-share units.
3. Church or other religious structures.
4. Fraternal or service organization.
5. Single family dwelling unit when in conjunction with and subsidiary to an allowed use in the zone.
6. The rental of motorized bikes and boats.
7. See Section 3.023 13. Major modification of existing roads and public facilities and services and not identified in the Transportation System Plan or identified in the Transportation System Plan but requiring non public right-of-way over 25 percent of the existing right of way subject to City street standards; New roads that are not part of a partition or subdivision. These activities do not authorize the condemnation of property without due process.
8. Similar Use subject to Section 6.250

Section 3.080 C-3 COMMERCIAL, GENERAL

Section 3.082 Outright Uses Permitted. In a C-3 Zone, the following uses and their accessory uses are permitted outright:

1. Retail stores and shops handling food, drugs, clothes, gifts, antiques, new and used furniture and appliances.
2. Wholesale suppliers and warehouses.
3. Building supplies, contractor's offices and yards, and farm supplies.
4. Automotive uses such as repair shops and service stations, and new and used car dealers.
5. Processing such as a dairy, bottling plant, or fish.
6. Restaurants, including drive-through operations.
7. Service type store or business such as a barber or beauty shop, clothes cleaning, shoe repair, small appliance and engine repair, and telegraph offices.
8. Offices such as banks, savings and loans, insurance and professional offices.
9. Public facilities such as post office, telephone exchange, substation, fire or police station.
10. Hotel or motel.
11. The rental of non-motorized bikes, trikes, and boats.
12. Residential Facilities.

13. Theater
14. See 3.022 6. Maintenance, repair or minor modification to existing roads, sidewalks, bike paths and public utilities and services; new roads, sidewalks, ~~and~~ bike paths~~.~~, and projects identified in the adopted Transportation System Plan. ~~Where~~ New right-of way ~~will be~~ required within a project area cannot ~~that~~ exceed~~s~~ 25 percent of the existing right-of-way, without a conditional use permit. ~~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 3.083 Conditional Uses Permitted. In a C-3 Zone, the following conditional uses and their accessory uses are permitted subject to the provisions of Article 6.

1. Drive-in restaurants.
2. Contractor's Yards
3. Mobile home and trailer sales lots and associated repair facilities.
4. Churches, religious structures and schools.
5. Residential uses in conjunction with a permitted use and when located within the same structure.
6. Time-share units, Condominiums and Apartments.
7. Recreational vehicle parks and campgrounds.
8. The rental of motorized bikes, and boats.
9. Indoor and outdoor amusement activities.
10. Kennels when in conjunction with a veterinary hospital.
11. See Section 3.023 13. Major modification of existing roads and public facilities and services and not identified in the Transportation System Plan or identified in the Transportation System Plan but requiring non public right-of-way over 25 percent of the existing right of way subject to City street standards; New roads that are not part of a partition or subdivision. These activities do not authorize the condemnation of property without due process.
12. Mini-storage
13. Similar Use subject to Section 6.250
14. Assisted Living Facilities

Section 3.090 C-4 COMMERCIAL, CENTRAL

Section 3.092 Outright Uses Permitted. In a C-4 Zone, the following uses and their accessory uses are permitted outright:

1. Retail stores and shops merchandising clothing, gifts, food, drugs, antiques, furniture, and appliances.
2. Eating and drinking establishments.
3. Service type store or business such as a barber or beauty shop, clothes cleaning, shoe repair, small appliance repair and telegraph office.
4. Offices such as banks, savings and loans, insurance and professional offices.
5. Public facilities such as post office, telephone exchange, substation, city hall, fire and police station.
6. The rental of non-motorized bikes, trikes, and boats.
7. See 3.022 6. Maintenance, repair or minor modification to existing roads, sidewalks, bike paths and public utilities and services; new roads, sidewalks, ~~and~~ bike paths~~.~~, and projects identified in the adopted Transportation System Plan.

~~Where~~ New right-of way ~~will be~~ required within a project area cannot ~~that~~ exceed~~s~~ 25 percent of the existing right-of-way, without a conditional use permit. ~~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 3.093 Conditional Uses Permitted. In a C-4 Zone, the following conditional uses and their accessory uses are permitted subject to the provisions of Article 6.

1. Automobile service stations.
2. Condominiums and apartments.
3. Hotel or motel.
4. Church and other religious structures.
5. Fraternal or social organization.
6. Commercial laundries.
7. Kindergarten or day nursery.
8. The rental of motorized bikes, and boats.
9. Residential Facility
10. See Section 3.023 13. Major modification of existing roads and public facilities and services and not identified in the Transportation System Plan or identified in the Transportation System Plan but requiring non public right-of-way over 25 percent of the existing right of way subject to City street standards; New roads that are not part of a partition or subdivision. These activities do not authorize the condemnation of property without due process.
11. Similar Use subject to Section 6.250

Section 3.100 M-1 INDUSTRIAL

Section 3.102 Outright Uses Permitted. In the M-1 Zone, the following uses and their accessory uses are permitted outright:

1. Assembling, fabricating, storage or repair of such products as electrical appliances, heating and ventilating equipment, musical instruments, signs or toys.
2. Manufacturing, compounding, processing, packaging or storage of such products as cosmetics, drugs or foods and beverages.
3. Manufacturing, assembling, treating, storage or repair of articles made from previously prepared materials such as bone, cellophane, clay, cork, fabric, fur, glass, hair, leather, paper, plastics, precious or semi-precious stone or metal, shell, wire or wood.
4. Commercial or industrial laundry.
5. Distributing, wholesaling and warehousing.
6. Experimental firm, or testing laboratory.
7. Ice or cold storage plant.
8. Stone monument works.
9. Repair facilities, such as machine shop primarily for heavy repairs.
10. See 3.022 6. Maintenance, repair or minor modification to existing roads, sidewalks, bike paths and public utilities and services; new roads, sidewalks, ~~and~~ bike paths~~.~~, and projects identified in the adopted Transportation System Plan. ~~Where~~ New right-of way ~~will be~~ required within a project area cannot ~~that~~ exceed~~s~~ 25 percent of the existing right-of-way, without a conditional use permit.

~~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 3.103 Conditional Uses Permitted: In an M-1 Zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6.

1. A non-residential use permitted outright or a conditional use permitted in a C-3 Zone.
2. A use permitted outright processing such products as fish, meat, and other food products.
3. Freighting terminal.
4. Bulk petroleum storage plants.
5. Blacksmithing, electroplating, machine or welding shop.
6. Foundry casting light weight, non-ferrous metals.
7. See Section 3.023 13. Major modification of existing roads and public facilities and services <u>and not identified in the Transportation System Plan or identified in the Transportation System Plan but requiring non public right-of-way over 25 percent of the existing right of way subject to City street standards</u>; New roads that are not part of a partition or subdivision. These activities do not authorize the condemnation of property without due process.

Section 3.110 PD - PLANNED DEVELOPMENT

Section 3.112 General Standards and Requirements.

5. Permitted Buildings and Uses:

Buildings and uses may be permitted either individually or in combination provide the overall density of the Planned Development does not exceed the density of the parent zone as provided by Section 3.113 (4). Where commercial use(s) are provided, the use(s) are intended to be primarily service oriented for the use of the Planned Development and immediate surrounding area.

A. Single family dwellings, including detached, attached, or semi-attached units, row houses, atrium or patio houses.
B. Duplexes.
C. Multiple-family dwellings.
D. Accessory buildings and uses.
E. Commercial uses where such use(s) can be shown to be principally supported (financially) by the uses in the Planned Development and surrounding neighborhoods.
F. Condominiums, and Time-Share Units.
G. Buildings or uses listed as permitted outright or conditionally in the parent zone on which the planned development is located.
H. Stables where compatible with the approved planned development. The types of animals and areas for animals may be specified and restricted in the planned development.

Section 3.113 Development Standards: In addition to, or as a greater requirement to the regulations normally found in the district, the following guidelines and requirements shall apply to all developments for which a Planned Development Permit is required.

1. Transportation System Plan (TSP) Consistency. The development shall be consistent with the projects identified in the adopted TSP and promote a reduction in single user vehicle trips through designs that provide reasonable opportunities to utilize alternative modes of transportation.

Section 3.120 A-1 AQUATIC NATURAL

Section 3.122 Uses and Activities Permitted with Review. In an A-1 Zone, the following uses and their accessory uses, and activities are permitted if no major alterations of the estuary are necessary and the Planning Commission determines that the development plans comply with the provisions of Section 3.124 through 3.128.

1. Navigation Aids.
2. Research and Education observation.
3. Passive restoration measures.
4. Dredging or fill necessary for on-site maintenance of existing structures or facilities.
5. Riprap for protection of uses existing as of October 7, 1977, unique natural resources, historical and archeological values, and public facilities.
6. Bridge crossings.
7. Undeveloped low-intensity water-dependent recreation.
8. Vegetative shoreline stabilization.
9. See 3.022 6.

Section 3.123 Conditional Uses and Activities Permitted. In an A-1 Zone, the following uses and their accessory uses, and activities are permitted subject to the provisions of Article 6.

1. Boat ramps for public use where no dredging or fill for navigational access is needed.
2. Communication facilities.
3. Active restoration of fish and wildlife habitat or water quality and estuarine enhancement.
4. Pipelines, cables and utility crossings.
5. Temporary alterations.
6. Bridge crossing support structures.
7. Tidegate installation in existing functional dikes.
8. Incidental dredging, fill or piling installation in conjunction with uses 2 through 7 above.
9. See Section 3.023 13. <u>Projects identified in the adopted Transportation System Plan.</u>

Section 3.130 A-2 AQUATIC CONSERVATION

Section 3.132 Uses and Activities Permitted With Review. In an A-2 Zone, the following uses and their accessory uses and activities are permitted if no major alterations of the

estuary are necessary and the Planning Commission determines that the development plans comply with the provisions of Section 3.135 through 3.139.

1. Navigation Aids.
2. Research and Education Observation.
3. Passive restoration measures.
4. Dredging or fill necessary for on-site maintenance of existing structures and facilities.
5. Riprap
6. Active restoration of fish and wildlife habitat or water quality and estuarine enhancement.
7. Communication facilities.
8. Pipelines, cables and utility crossings.
9. Bridge crossings and bridge crossing support structures.
10. Undeveloped low-intensity, water-dependent recreation.
11. Vegetative shoreline stabilization.
12. Tidegate installation in existing functional dikes.
13. Dredging, fill or piling installation in conjunction with uses listed above.
14. Fill in conjunction with the widening of US 101, including fill in conjunction with bridge approaches. *(Ordinance No. 2003-09)*
15. See 3.022 6.

Section 3.133 Conditional Uses and Activities Permitted. In an A-2 Zone, the following uses and their accessory uses and activities are permitted subject to the provisions of Article 6. It must also be determined if these uses and activities meet the resource capability of the Aquatic Conservation area in which the uses or activities occur and if the uses and activities are consistent with the purpose of the Aquatic Conservation Zone, as stated above. The procedures of Section 6.180, Resource Capability Determination, will be used to make this determination.

1. High-intensity water-dependent recreation, including boat ramps, marinas and new dredging for boat ramps and marinas.
2. Active restoration for purposes other than those listed in 3.132(7).
3. Temporary alterations.
4. Storm water outfall.
5. Sanitary sewer outfall.
6. Minor navigational improvements.
7. Dredging, fill, or piling installation in conjunction with the uses listed above, excluding fill for minor navigational improvements.
8. See Section 3.023 13 Projects identified in the adopted Transportation System Plan.

Section 3.140 A-3 COASTAL LAKE & FRESHWATER WETLANDS ZONE:

Section 3.143 Uses and Activities Permitted with Standards: The following uses are permitted in the Coastal Lake and Freshwater Wetlands Zone subject to the provisions of Section 3.145 Development Standards:

11. See 3.022 6.

Section 3.144 Conditional Uses and Activities Permitted: The following uses and activities are allowed as conditional uses when authorized in accordance with Article 6, Conditional Uses.

The uses and activities are also subject to the provisions of Section 3.145, Development Standards:

1. Active restoration
2. Structural shoreline stabilization limited to rip rap
3. Boat launch
4. Bridges or other piling supported structures other than docks
5. Within the Urban Growth Boundary, selective harvesting of timber shall be according to a timber removal plan approved by the Oregon Department of Fish and Wildlife and submitted with the conditional use permit, subject to Conditional Use Standard 6.142.
6. See Section 3.023, 13 Projects identified in the adopted Transportation System Plan.

Section 3.160 AIRPORT DEVELOPMENT ZONE – AD

Section 3.162 Permitted Uses.

1. Airport support structures: hangars, weather stations, fuel terminals, storage buildings, etc.
2. Restaurant and service-type commercial activities.
3. Any business, service, processing, storage or display essential or incidental to any permitted use in this zone, and conducted entirely within an enclosed building.
4. Similar uses may be permitted when the Planning Commission determines that they meet the intent and standards of this Zone.
5. Manufacturing, assembling, warehousing, storage and processing of goods and products.
6. See 3.022 6. Maintenance, repair or minor modification to existing roads, sidewalks, bike paths and public utilities and services; new roads, sidewalks, ~~and~~ bike paths~~.~~, and projects identified in the adopted Transportation System Plan. ~~Where~~ New right-of way ~~will be~~ required within a project area cannot ~~that~~ exceed~~s~~ 25 percent of the existing right-of-way, without a conditional use permit. ~~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 3.163 Conditional Uses

1. Airport runway extensions.

2. See Section 3.023 13 Major modification of existing roads and public facilities and services and not identified in the Transportation System Plan or identified in the Transportation System Plan but requiring non public right-of-way over 25 percent of the existing right of way subject to City street standards; New roads that are not part of a partition or subdivision. These activities do not authorize the condemnation of property without due process.

Section 3.180 OPR ZONE - OPEN SPACE, PARKS AND RECREATION

Section 3.182 Outright Uses Permitted. In an OPR Zone, the following uses and their accessory uses are permitted outright:

1. Farm or forest use.
2. Golf course, except a commercial driving range or miniature golf course.
3. Private beach access.
4. Hiking and nature trails.
5. Wildlife refuge.
6. Historic and scenic areas and artifacts.
7. Archaeological areas.
8. See 3.022 6. Maintenance, repair or minor modification to existing roads, sidewalks, bike paths and public utilities and services; new roads, sidewalks, ~~and~~ bike paths~~.~~, and projects identified in the adopted Transportation System Plan. ~~Where~~ New right-of way ~~will be~~ required within a project area cannot ~~that~~ exceed~~s~~ 25 percent of the existing right-of-way, without a conditional use permit. ~~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 3.183 Conditional Uses Permitted. In an OPR Zone, the following conditional uses and their accessory uses are permitted subject to the provisions of Article 6.

1. Public park, playground or other similar publicly owned recreational use.
2. Cemetery.
3. Public beach access.
4. Campground.
5. Municipal water or sewage treatment plants.
6. See Section 3.023 13 Major modification of existing roads and public facilities and services and not identified in the Transportation System Plan or identified in the Transportation System Plan but requiring non public right-of-way over 25 percent of the existing right of way subject to City street standards; New roads that are not part of a partition or subdivision. These activities do not authorize the condemnation of property without due process.

Section 3.190 SR - SUBURBAN RESIDENTIAL

Section 3.192 Outright Uses Permitted. In a SR Zone, the following uses and their accessory uses are permitted outright:

1. Single family dwelling.
2. Home occupations.
3. Public and semi-public buildings essential to the physical and economic welfare of an area, such as fire stations, substations and pump stations. Interior yards for

these uses shall be a minimum of 25 feet in width. No stock-piling or storage of materials shall be allowed.

4. Dish antennas subject to provisions in Section 4.028.
5. Family day-care provider.
6. Residential home.
7. See 3.022 6. Maintenance, repair or minor modification to existing roads, sidewalks, bike paths and public utilities and services; new roads, sidewalks, ~~and~~ bike paths~~.~~, and projects identified in the adopted Transportation System Plan. ~~Where~~ New right-of way ~~will be~~ required within a project area cannot ~~that~~ exceed~~s~~ 25 percent of the existing right-of-way, without a conditional use permit. ~~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 3.194 Conditional Uses Permitted. In an SR Zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6.

1. Church and other religious structures.
2. Primary, elementary, junior and senior high schools, or a higher education institution.
3. Community meeting building.
4. Cemetery.
5. Golf courses, except commercial driving ranges or miniature golf course.
6. Public park, playground or other similar publicly owned recreational use.
7. Utility substation.
8. Dog kennels.
9. Homes for the aged, nursing homes and hospitals.
10. Radio towers and transmitters.
11. Riding academies.
12. Day nurseries.
13. 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.
14. See Section 3.023 13 Major modification of existing roads and public facilities and services and not identified in the Transportation System Plan or identified in the Transportation System Plan but requiring non public right-of-way over 25 percent of the existing right of way subject to City street standards; New roads that are not part of a partition or subdivision. These activities do not authorize the condemnation of property without due process.
15. Public facilities such as Fire Stations, Police Stations, or Ambulance Substations. (ORD. No. 99-11)

Section 3.010 EFU - EXCLUSIVE FARM USE:

Section 3.012 Outright Permitted Uses. In an EFU Zone, the following uses and their accessory uses are permitted outright:

1. See 3.022 6.

Section 3.013 Conditional Uses Permitted. In an EFU Zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6:

1. . See Section 3.023 13

ARTICLE 6 CONDITIONAL USES

Section 6.010 PURPOSE

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

Section 6.155 Significant Transportation Facility Improvements Requiring a Conditional Use Permit

1. Significant transportation facility improvements shall be designed to avoid or minimize impacts to wetlands, wildlife habitat, or aquatic areas whenever there are practical alternatives, except where bridge crossings are needed.
2. Highways, railroads and bridges should be designed and located to take advantage of the natural topography so as to cause minimum disruption of the shoreline area. Causeways across aquatic areas must be designed so that natural processes are maintained to the greatest extent possible.
3. The impacts of proposed rail or highway facilities on land use patterns and physical/visual access shall be evaluated.
4. Culverts shall be permitted only where bridges are not feasible, and shall be large enough to protect water quality, salinity regime and wildlife habitat.
5. The project and its design are consistent with the City's adopted Transportation System Plan
6. The project design will minimize noise and public safety impacts on abutting land uses to the greatest extent practical
7. The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design feature.
8. The project includes provisions for access and circulation of bicycles and pedestrians consistent with the Seaside Comprehensive Plan, the Seaside Transportation System Plan and the requirements of this code.

II. OAR 660-12-0045(1)(c)

The proposed changes to the City of Seaside Zoning Ordinance Sections 10.080 mentioned below ensure multijurisdictional notice with regard to significant land use or transportation facility applications for development. This allows for findings of compliance with applicable acknowledged comprehensive plan policies and land use regulations through the land development application process.

Each local government shall amend its land use regulations to implement the TSP.

In the event that a transportation facility, service or improvement is determined to have a significant impact on land use or to concern the application of a comprehensive plan or land use regulation and to be subject to standards that require interpretation or the exercise of factual, policy or legal judgment, the local government shall provide a review and approval process that is consistent with

660-012-0500. To facilitate implementation of the TSP, each local government shall amend its land use regulations to provide for consolidated review of land use decisions required to permit a transportation project.

Seaside Zoning Ordinance Changes

To comply with the TPR requirements, the following changes are proposed to the Seaside Zoning Ordinance sections identified below.

~~Section 10.080 FINAL ACTION ON APPLICATION FOR PERMIT OR ZONE CHANGE REQUEST.~~

~~The following section shall apply to all applications for permits or zone change requests, except those which involve an amendment to the comprehensive plan or zoning ordinance, or the adoption of a new land use regulation.~~

1. ~~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 120-day period may be extended for a reasonable period of time at the request of the applicant. If the applicant chooses to request a continuance during the decision process, or during an appeal, they shall agree in writing to waive the right to completion of the decision or appeal process within the 120 days prescribed above.~~
2. ~~If an application for a permit or zone change is incomplete, the city shall notify the applicant of the additional information required within 30 days of the receipt of the application. The applicant shall be given an opportunity to submit the additional information. The application shall be deemed complete upon receipt of the additional information required. Refusal by the applicant to submit the required additional information shall deem the application complete on the 31st day after the governing body first received the application.~~
3. ~~All documents or evidence provided by the applicant shall be submitted to the city, and be made available to the public at the time the notice of public hearing required by Section 10.061 is provided.~~
4. ~~If the application was complete when first submitted, or the applicant submits the requested additional information within 180 days of the date the application was first submitted, the city's approval or denial of the application shall be based upon the standards and criteria that were applicable at the time the application was first submitted~~.

III. OAR 660-12-0045(2)(a)

Local governments shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements, to protect transportation facilities, corridors and sites for their identified functions. Such regulations shall include:

Access control measures, for example, driveway and public road spacing, median control and signal spacing standards, which are consistent with the functional classification of roads and consistent with limiting development on rural lands to rural uses and densities.

Seaside Zoning Ordinance Changes

To comply with the TPR requirements, the following changes are proposed to the Seaside Zoning Ordinance sections identified below.

Section 4.210 Public Intersection Spacing

Public intersection spacing applies to any two public streets, regardless of classification, intersecting another public street in an urban area. Any two public streets intersecting a major collector should be spaced at least 200 feet apart. Any two public streets intersecting a local public street should be spaced at least 100 feet apart. The table below shows desirable spacing standards that should be considered on a case-by-case basis.

Functional Classification	Desirable Public Intersection Spacing
Minor Arterial	1,250 feet
Major Collector	200 feet
Minor Collector	150 feet
Local Street	100 feet

Section 4.211 Private Access Driveway Requirements

Reducing the number of existing and proposed driveway access points on arterials and major collectors is a primary consideration when reviewing access proposals for new developments. Access should also be evaluated for infill developments and redevelopment of property. Whenever practical, access driveways shall be limited in an effort to reduce the impacts they have on traffic flow and safety.

Section 4.212 Private Access Driveway Width & Spacing

New private access driveways connecting to public streets must meet the requirements in the following tables based on their land use classification and the street's functional class. Existing access driveways will be reviewed for compliance with these requirements whenever the existing land use classification changes, the property is redeveloped, substantially improved or the access driveways are modified. The City Public Works Director may modify the requirements in the tables where they prove impractical due to lot dimensions, existing development, other physical features, or conflicting code requirements; provided he finds that any resulting impacts on traffic operation and public safety are acceptable. Any decision to modify the requirements is subject to a notice of decision similar to that prescribed under Article 10.036.

Private access widths based on land use classification:

Land Use	Minimum	Maximum
Single Family Residential	12 feet	25 feet
Multi-Family Residential	20 feet	35 feet
Commercial	20 feet	40 feet
Industrial	20 feet	40 feet

Private access driveway spacing standards based on functional classification:

Functional classification	Desirable Access Driveway Spacing	Desirable Setback from Intersecting Street
Minor Arterial	400 feet	400 feet
Major Collector	150 feet	100 feet
Minor Collector	100 feet	100 feet
Local Street	50 feet	50 feet

Section 4.212 Traffic Impacts

The City will require a Traffic Impact Analysis (TIA) for any proposed land use action, change of use, or development application that is estimated to generate more than 100 peak hour trips or 600 average daily trips. A TIA may be required by the City Public Works Director, or his designee, for any proposed land use action, change of use, or development application that is estimated to generate more than 25 peak hour or 150 average daily trips; and, there are operation or safety problems anticipated at the development site. In either case, the applicant will be required to mitigate the impacts based on recommendations in the TIA.

Trip generation calculations shall be based upon the most recent edition of *Trip Generation,* published by the Institute of Transportation Engineers. TIAs shall be prepared by a qualified professional to determine access, circulation, and transportation requirements in conformance with the TIA results.

1. *Amendments That Affect Transportation Facilities.* Amendments to the comprehensive plan and land use regulations which significantly affect a transportation facility as determined by City staff upon review of applicant's TIA shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility. This shall be accomplished by one of the following:

A. Adopting measures that demonstrate that allowed land uses are consistent with the planned function of the transportation facility; or
B. Amending the Comprehensive Plan to provide transportation facilities, improvements, or services adequate to support the proposed land uses; such amendments shall include a funding plan to ensure the facility, improvement, or service will be provided by the end of the planning period; or,
C. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation; or
D. Amending the planned function, capacity or performance standards of the transportation facility; or
E. Providing other measures as a condition of development or through a development agreement or similar funding method, specifying when such measures will be provided.

2. *Review of Applications for Effect on Transportation Facilities.* When a development application includes a proposed comprehensive plan amendment or land use district change, the proposal shall be reviewed to determine whether it significantly affects a

transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – TPR) and the Traffic Impact Study provisions of Section 4.1.900. "Significant" means the proposal would:

A. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors). This would occur, for example, when a proposal causes future traffic to exceed the levels associated with a "minor collector" street classification, requiring a change in the classification to an "major collector" street, as identified by the TSP; or
B. Change the standards implementing a functional classification system; or
C. As measured at the end of the planning period identified in the City of Seaside adopted TSP, *a*llow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility; or
D. Reduce the performance of an existing or planned transportation facility below the performance standard identified in the TSP; or
E. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the performance standard identified in the TSP.

IV. OAR 660-12-0045(2)(b)

Local governments shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements to protect transportation facilities, corridors and sites for their identified functions. Such regulations include:

Standards to protect future operation of roads, transitways and major transit corridors.

Seaside Zoning Ordinance Changes

To comply with the TPR requirements, the following changes are proposed to the Seaside Zoning Ordinance sections identified below.

Standards to protect local roads are suggested in Sections 4.210-4.212 in III above.

Section 4.213 Local Roadway Mobility Standards

The maximum volume to capacity ratio (v/c) on local City Streets that are located outside the Highway Overlay Zone shall not exceed a v/c greater than 0.85 based on peak hour typical weekday traffic.

The Seaside PMT, in coordination with the Planning Commission and City Council, developed the language over the next several pages that describe a highway overlay zone for US 101. This overlay zone encourages development in a manner that minimizes congestion, improves safety, and attracts walking and bicycle trips where appropriate.

Section 3.400 Highway Overlay Zone

Section 3.401 Purpose

This overlay district provides a flexible process to review proposed development or redevelopment of land in a manner that is compatible with long-term highway capacity, safety and operations, and the community's efforts to reduce these and other adverse effects of traffic congestion.

Section 3.402 Zone Boundaries

The boundaries for the Highway Overlay Zone extend from Mill Creek on the northern end of Seaside, to Dooley Bridge at the southern end of Seaside, extending 200' on either side of US 101.

Section 3.403 Definitions

- *Development* – All improvements proposed on a previously unimproved site, including buildings, other structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display, storage, or activities. New development includes improved open areas such as plazas and walkways, but does not include natural geologic forms or unimproved land.
- *Redevelopment* - means the act or process of changing existing development including replacement, remodeling, or reuse of existing structures to accommodate a new use.
- *Significant number of additional trips*- The generation of more than 5 peak hour trips or 30 average daily trips. Trip volumes are to be based upon the most recent edition of ITE's *Trip Generation*, inclusive of all pass by trips.
- *Traffic Impact Analysis* - a study prepared by a professional engineer that analyzes existing and future roadway conditions resulting from traffic generated by a particular development.
- *Typical Weekday* - a traffic operations measure used to indicate the median traffic volumes in a given geographic area over the course of a year. Typical weekday conditions are determined by exploring how traffic volumes vary throughout the year, and selecting the median day, for which there are equal numbers of days where traffic volumes are heavier as there are days where traffic volumes are lighter. The traffic analysis is then conducted for the busiest hour during that day. NOTE: typical weekday conditions do not necessarily occur on a Monday-Friday timeframe. All days during the year are considered.
- *Mobility Standard* – For US 101, the mobility standard is set by the Oregon Transportation Commission (OTC) and administered by the Oregon Department of Transportation (ODOT). The mobility standard is measured by a volume to capacity (v/c) ratio. A v/c ratio is the volume of vehicles moving along a roadway segment vs. the capacity of the lanes to handle traffic. A v/c ratio of 1.0 or higher indicates that there are more vehicles on the road than the road can process within a given time frame (generally one hour). When this occurs, full capacity utilization of the roadway extends beyond the usual one hour time frame that is typically used to calculate a v/c ratio.

Intersection operations are also measured using a v/c ratio and include the volume of vehicles moving through an intersection vs. the capacity of that intersection to handle traffic.

Section 3.404 Administration

This section establishes responsibilities of the City and ODOT to monitor and evaluate vehicle trip generation impacts on US 101 from new development and redevelopment within the overlay zone.

To maintain highway mobility along US 101 through Seaside, land use decisions concerning new development and redevelopment within the Urban Growth Boundary shall not authorize traffic flows to exceed the mobility standards for US 101 in Seaside established by the OTC. The following analyses and coordination procedures are established to ensure new development and redevelopment of parcels along US 101 will not exceed this standard.

An evaluation of compliance with the standards of this Overlay Zone shall be conducted by ODOT and the Seaside Planning Commission, and shall comply or be brought into compliance prior to issuance of any permits or approvals; if any of the following circumstances will generate a significant number of additional trips:

1. Proposed new development or redevelopment of property.
2. Proposed land division or property line adjustment.
3. Proposed construction or expansion of a parking lot for existing development with access to US 101
4. Any other circumstances where a business license, zoning, or occupancy certificate is sought from the City for use, site upgrade, or change of use for any land, buildings, or structures. This section does not apply to temporary permits or those short term special events or activities identified in Section 5.100; however, it may be required as a special condition of approval.

Section 3.405 Outright Uses Permitted

Uses allowed in the underlying zoning district are allowed subject to the standards in that zone and all of the applicable provisions of this Overlay zone, Section 3.400. The regulations of this overlay zone apply in addition to and simultaneously with the other applicable regulations, including permitted, conditional, and special land uses of the underlying zone. Where conflicts occur between the US 101 Overlay Zone and the underlying zones, the more restrictive provisions shall apply.

Section 3.406 Review Uses and Activities

The purpose of the review use process is to provide the Seaside Planning Commission with an opportunity to ensure that a proposed new development or redevelopment conforms to policies, standards, and criteria for the Highway Overlay Zone.

At the time a request for new development, redevelopment, or other activity identified under Section 3.404 is proposed, the use or activity shall be reviewed in accordance with the following:

1. Applications for review shall be made by the owner of the property or the authorized agent, and shall be filed on a form prescribed by the Planning Department accompanied by the following supplemental information:

   A. Traffic Impact Analysis (TIA) - A TIA is required for all land use applications subject to the provisions in OAR 734-051-070 summarized below :

      (i) Proposed developments generating vehicle trips that equal or exceed 600 daily trips or 100 hourly trips; or

      (ii) Proposed zone changes or comprehensive plan changes; or

      (iii) An onsite review by the ODOT Region Manager, or authorized designee, indicates that operational or safety problems exist or are anticipated at the development property.

   B. If a TIA is required, the scope, methodology, and process for the TIA shall be reviewed with ODOT prior to implementation. Developers are advised to coordinate directly with ODOT's Development Review Coordinator.

   C. A minimum of ten hard copies and one electronic copy of the proposed development plan must be submitted showing: streets, driveways, sidewalks, pedestrian ways, drainage facilities, off-street parking and loading areas; location and approximate dimensions of structures, utilization of structures, including activities and the number of living units; major landscaping areas; relevant operational data, drawings and/or elevations clearly establishing the scale, character and relationship of buildings, streets and open space. All elements listed in this subsection shall be characterized as existing or proposed and sufficiently detailed to indicate intent and impact.

   D. Vicinity maps and information on the use and points of access utilized by any abutting property within 200 feet of the development site.

   E. A boundary survey by a registered engineer or licensed surveyor.

   F. If the final development plan will be executed in phases, a schedule thereof will be required.

2. Pursuant to OAR 734-051, direct access to US 101 falls under the regulatory control of ODOT.

3. Within 5 working days of filing the application, the Planning Director shall forward a copy of the proposed development plan and the original application to the Public Works Department and ODOT for review and comment. The Director shall not deem the application complete until these Departments have had 5 working days to comment on the completeness of the submittal.

4. An application for review use shall be considered by the Seaside Planning Commission at a public hearing. Notice of the public hearing shall be provided once the Planning Director has determined that the application is complete. After the hearing, the Commission shall determine whether the proposal conforms to the standards and criteria set forth in the U.S. 101 overlay zone.

5. The Commission shall render a final decision to approve, approve with condition(s), or deny the request based on adopted findings and conclusions. The written decision shall be issued in accordance Section 10.066.
6. Appeals of the Commission's final decision shall be in accordance with Sections 10.068.
7. The City shall provide written notification to ODOT when land use applications approved under this Section, combined with approved building permits, result in traffic generation estimates that adversely impact the City's alternative mobility standard (defined as triggering a deviation from alternate mobility standard).

Section 3.407 Standards. **In the Highway Overlay Zone, the following standards shall apply:**

1. Building Size: The maximum building size will be 20,000 square feet. Buildings larger than 20,000 square feet may be considered, but are subject to additional design review.
2. Landscaping: A landscaped area must be provided along the highway frontage to assure that a buffer is provided between the development and the road surface. As a minimum requirement, the area must be equal to a 10' width multiplied by the length of the highway frontage. Any public sidewalk area provided on private property adjacent to the highway would be deducted from the required area.
3. Exterior Lighting: All exterior lighting shall be designed so the lighting source or lamp is recessed or otherwise covered to eliminate line of site visibility from neighboring properties, street travel lanes, or the surrounding environment. All exterior lighting must be dark sky compliant and shielded, screened, or otherwise provided with cut-offs in order to prevent direct lighting on the adjacent properties, riparian area, or the state highway subject to the following exception: Line of site visibility and direct lighting of neighboring property can be permitted subject to a formal agreement with the neighboring property owner when the lighting will benefit joint parking, access, or safety.
4. Yards Abutting the Highway Frontage: In an effort to promote more pedestrian oriented development, regardless of yard requirements of the underlying zone, buildings must be located close to the property line adjacent to highway such that the property line setback for the building entrance will not exceed 10'.
5. Off Street Parking: In addition to the requirements in Section 4.100, parking areas must address the specific design standards in Section 3.410.

Section 3.408 Criteria. Development proposals shall be evaluated according to the following criteria:

1. The proposal is consistent with the purpose of the overlay zone, and protects the capacity of US 101.
2. If the proposal involves a development with frontage along US 101, the required permits from ODOT will need to be obtained prior to construction. If a permit already exists, proof of permit shall be provided to the City and ODOT. Developers

are advised to coordinate with ODOT concurrently with their development proposal to discern the appropriate permit requirements. To confirm an appropriate permit, or to obtain a permit, contact the Permit Specialist at ODOT.

3. The location, design, and size of the development are such that the development can be well integrated with the surrounding transportation facilities or anticipated future developments, and will adequately address the impact of development on US 101.

4. The location, design, and size of the development are such that traffic generated by the development can be accommodated safely and is less than the mobility standard on existing or planned streets, including US 101.

5. The location, design, and size of the development are such that the proposed uses will be adequately served by existing or planned facilities or services.

6. The location, design, and size of the development are such that the proposed uses will provide functional and efficient access and circulation for anticipated pedestrians, bicycles, and vehicles.

Section 3.409 US 101 Capacity Preservation Standards

Land use applications subject to the provisions of Section 3.400 shall consider the following:

1. Transportation demand management (TDM) measures shall be strongly encouraged as a way to minimize peak hour vehicle trips. The City will compile and adopt a list of TDM measures they wish to promote in an effort to help preserve the capacity of US 101. This list will be reviewed and evaluated by the City on an annual basis.

Section 3.410 Automobile Parking Standards

1. Off-street parking, driveways, and other vehicle areas shall not be placed between buildings and the highway; except the following vehicle areas are allowed where the approval body finds that they will not adversely affect pedestrian safety and convenience:
    a. Schools, assisted living facilities, and other institutional uses may have one driveway not exceeding 20 feet in width plus parallel parking, including ADA accessible spaces, located between the street and the primary building entrance, provided that the building's primary entrance is connected to an adjacent street by a pedestrian walkway and the driveway/parking area is crossed by a clearly defined pedestrian walkway. The intent of this exception is allow driveways for particular uses that exhibit street-like features;

    b. Attached single family housing developments (townhomes) with street-facing garages may have one driveway access located between the street and the primary building entrance for every two dwelling units, provided they meet the following criteria:

        1) Where two abutting townhomes have street-facing garages, they shall share one driveway access that does not exceed 16 feet in width where it crosses the street right-of-way;

2) All primary building entrances shall be connected to a driveway (and sidewalk) via a pedestrian walkway that is not less than six (6) feet wide;
3) The maximum number of consecutively attached townhomes with garages facing the same street is four (4) (two driveways); and
4) Street-facing garages shall be setback a minimum of 20 feet from the street; where a building is placed less than 20 feet from the street; the 20-foot garage setback may be accomplished by recessing the garage behind the front building elevation.

c. Commercial buildings and uses (e.g., neighborhood commercial or mixed-use) shall be encouraged to locate all of their off-street parking located behind or to the side of such buildings and uses and screened from abutting properties. Off-street parking shall not be located between any building and US 101.

Section 3.420 Design Standards Vehicular Access and Circulation

1. Permit Requirement – Access to US 101 requires an access permit from the Oregon Department of Transportation. The access permit or a condition that requires obtaining the permit must be attached as a condition of approval to a land use decision.

2. Closure or consolidation – The City (and/or ODOT if the parcel fronts US 101) may require the closing or consolidation of existing curb cuts or other vehicle access points, installation of traffic control devices and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the transportation system.

3. Site circulation – new developments shall be required to provide a circulation system that accommodates expected traffic on site. Pedestrian connections on the site, including connections through large sites, and connections between sites (as applicable) and adjacent sidewalks, must conform to the provisions in section 4.040.

4. Joint and cross access – requirement – The number of driveway and private street intersections with US 101 shall be minimized by the use of shared driveways for adjoining lots where deemed feasible by the City. When necessary for traffic safety and access management purposes, or to access flag lots, the City may require joint access and/or shared driveways in the following situations:

   a. Shared parking areas

   b. Adjacent developments

   c. Multi-tenant developments and developments on multiple lots or parcels. Such joint accesses and shared driveways shall incorporate all of the following:

      i. A continuous service drive or cross-access corridor that provides for driveway separation consistent with the applicable ODOT access management classification system and standards

ii. A design speed of 10 miles per hour and a maximum width of 20 feet, in addition to any parking alongside the driveway; additional driveway width or fire lanes may be approved when necessary to accommodate specific types of service vehicles, loading vehicles, or emergency service provider vehicles

iii. Driveway stubs to property lines (for future extension) and other design features to make it easy to see that the abutting properties may be required with future development to connect to the cross-access driveway;

5. Joint and cross access – reduction in required parking allowed – when a shared driveway is provided or required as a condition of approval, the land uses adjacent to the shared driveway may have their minimum parking standards reduced by 25 percent.

6. Joint and cross access – easement and use and maintenance agreement – property owners shall:

   a. Record an easement with the deed allowing cross-access to and from other properties served by the joint-use driveways and cross-access or service drive

   b. Record an agreement with the deed that remaining access rights along the roadway for the subject property shall be dedicated to the City and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;

   c. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

7. Access connections and driveway design – all driveway connections to local street right-of-way (access) and driveways shall conform to all of the following design standards:

   a. Driveway width – driveways on local streets shall meet the following standards:

      i. One-way driveways (one way in or out) shall have a minimum driveway width of 10 feet, and a maximum width of 12 feet, and shall have appropriate signage designating the driveway as a one-way connection.

      ii. For two-way access, each lane shall have a minimum width of 10 feet and a maximum width of 12 feet.

   b. Driveway approaches – local street driveway approaches shall be designed and located to provide exiting vehicles with an unobstructed view of other vehicles and pedestrians, and to prevent vehicles from backing into the flow of traffic on the public street or causing conflicts with on-site circulation (an exception may be provided for single family dwellings). Construction of driveway accesses along acceleration or deceleration lanes or tapers shall be avoided due to the potential for vehicular conflicts. Driveways shall be

located to allow for safe maneuvering in and around loading areas. Driveway approaches to US 101 are subject to ODOT approval and must be consistent with state requirements.

c. Driveway construction – local street driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive. Driveway aprons shall conform to ADA requirements for sidewalks and walkways, which generally require a continuous unobstructed route of travel that is not less than 6′ feet in width, with a cross slope not exceeding 2 percent, and providing for landing areas and ramps at intersections. Driveway Construction on US 101 is subject to requirements for access found in OAR Division 51.

8. Relocate access along local streets – upon property development or redevelopment, driveways and approaches on US 101 shall be analyzed to determine if the approach could be relocated onto a side street as far from the intersection with US 101 as possible, allowing closure of the approach on US 101.
9. Variance to Vehicular Access and Circulation Standards. Where vehicular access and circulation cannot be reasonably designed to conform to Code standards within a particular parcel, shared access with an adjoining property shall be considered. If shared access in conjunction with another parcel is not feasible, the City may grant a variance to the access requirements after finding all of the following:

A. There is not adequate physical space for shared access, or the owners of abutting properties do not agree to execute a joint access easement;
B. There are no other alternative access points on the street in question or from another street;
C. The access separation requirements cannot be met;
D. The request is the minimum variance required to provide adequate access;
E. The approved access or access approved with conditions will result in a reasonably safe access;
F. The visual clearance requirements of Chapter 3.1 will be met; and
G. Variances for street access deviations shall be subject to review and approval by the roadway authority.

V. OAR 660-12-0045(2)(f)

Local government shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements, to protect transportation facilities, corridors and sites for their identified functions. Such regulations include:

Regulations to provide notice to public agencies providing transportation facilities and services, MPOs, and ODOT of:

(A) Land use applications that require public hearings;

(B) Subdivision and partition applications;

(C) Other applications which affect private access to roads; and

(D) Other applications within airport noise corridors and imaginary surfaces which affect airport operations.

Section 3.400 requires adequate notification of the City and ODOT to meet the requirements of OAR 660-12-0045(2)(f)

VI. OAR 660-12-0045(2)(g)

Local governments shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements, to protect transportation facilities, corridors and sites for their identified functions. Such regulations shall include:

Regulations assuring that amendments to land use designations, densities, and design standards are consistent with the functions, capacities and levels of service of facilities identified in the TSP.

Proposed Seaside Zoning sections 3.400 and 4.212 allows the City of Seaside to require the preparation of a traffic impact analysis, which at a minimum needs to demonstrate that a proposed land use action does not degrade traffic operations below a specific traffic operations standard. These sections satisfy the requirements of OAR 660-12-0045(2)(g).

VII. OAR 660-12-0045(3)(a)

Local governments shall adopt land use or subdivision regulations for urban areas and rural communities as set forth below.

Bicycle parking facilities as part of a new multi-family residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots.

Seaside Zoning Ordinance Changes

To comply with the TPR requirements, the following changes are proposed to the Seaside Zoning Ordinance sections identified below.

Section 4.129.1 Bicycle Parking Requirements

1. Minimum Required Bicycle Parking Spaces. Uses shall provide long- and short-term bicycle parking spaces, as designated in the table below. Where two options are provided (e.g., 2 spaces, or 1 per 8 bedrooms), the option resulting in more bicycle parking is used.

Minimum Required Bicycle Parking Spaces			
Use Categories	**Specific Uses**	**Long-term Spaces** (covered or enclosed)	**Short-term Spaces** (near building entry)
Residential Uses			
Apartment dwellings, condominium or time share project	Multifamily	1 per 4 units	2, or 1 per 20 units
Hotel, motel or tourist court.	Lodging	2, or 1 per 20 rentable rooms	2, or 1 per 20 rentable rooms
Rooming or boarding house or fraternity		2, or 1 per 20 bedrooms	None
	Dormitory	1 per 8 bedrooms	None
Public and Semi-Public Buildings and Uses			
Church		2, or 1 per 4,000 sq. ft. of net building area	2, or 1 per 2,000 sq. ft. of net building area
Elementary or equivalent private or parochial schools	Grades 2-5	1 per classroom, or per CU review	1 per classroom, or per CU review
Junior High, Senior High School or equivalent private or parochial school	Grades 6-12	2 per classroom, or per CU review	4 per school, or per CU review
Colleges	Excluding dormitories (see Group Living, above)	2, or 1 per 20,000 sq. ft. of net building area, or per CU review	2, or 1 per 10,000 sq. ft. of net building area, or per CU review
Commercial Categories Uses			
Retail Sales store, And Service or repair shop		2, or 1 per 12,000 sq. ft. of floor area	2, or 1 per 5,000 sq. ft. of floor area
Retail store, Service or repair shop	Lodging	2, or 1 per 20 rentable rooms	2, or 1 per 20 rentable rooms
Bank or Office		2, or 1 per 10,000 sq. ft. of floor area	2, or 1 per 40,000 sq. ft. of floor area
Medical or dental clinic		2, or 1 per 20,000 sq. ft. of net building area, or per CU review	2, or 1 per 40,000 sq. ft. of net building area, or per CU review
Commercial Recreation			
Commercial Outdoor Recreation		2, or 1 per 10 auto spaces	None
Parks (active recreation areas only)		None	6, or per CU review
Industrial Categories			
Manufacturing And		2, or 1 per 15,000 sq. ft.	None

Minimum Required Bicycle Parking Spaces			
Use Categories	**Specific Uses**	**Long-term Spaces** (covered or enclosed)	**Short-term Spaces** (near building entry)
Production		of floor area	
Warehouse And Freight Movement		2, or 1 per 40,000 sq. ft. of floor area	None
Institutional Categories			
Basic Utilities	Bus transit center	8	None
Community Service		2, or 1 per 10,000 sq. ft. of floor area	2, or 1 per 10,000 sq. ft. of floor area
Other Categories	Determined through Land Use Review, Site Design Review, or CU Review, as applicable		

2. **Exemptions.** This Section does not apply to single-family and two-family housing (attached, detached, or manufactured housing), home occupations, agriculture and livestock uses.

3. **Location and Design.** Bicycle parking should be no farther from the main building entrance than the distance to the closest vehicle parking space, or 50 feet, whichever is less. Long-term (*i.e.*, covered) bicycle parking should be incorporated whenever possible into building design. Short-term bicycle parking, when allowed within a public right-of-way, shall be coordinated with the design of street furniture, as applicable.

4. **Visibility and Security.** Bicycle parking for customers and visitors of a use shall be visible from street, sidewalks or building entrances, so that it provides sufficient security from theft and damage;

5. **Options for Storage.** Long-term bicycle parking requirements for multiple family uses and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building;

6. **Lighting.** For security, bicycle parking shall be at least as well lit as vehicle parking.

7. **Reserved Areas.** Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

8. **Hazards.** Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards.

VII. OAR 660-12-0045(3)(b)

Local governments shall adopt land use or subdivision regulations for urban areas and rural communities as set forth below.

On-site facilities shall be provided which accommodate safe and convenient pedestrian and bicycle access from within new subdivisions, multi-family developments, planned developments, shopping centers, and commercial districts to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. Single-family residential developments shall generally include streets and accessways. Pedestrian circulation through parking lots should generally be provided in the form of accessways.

Seaside Zoning Ordinance Changes

To comply with the TPR requirements, the following changes are proposed to the Seaside Zoning Ordinance sections identified below.

Section 4.027 SIDEWALK AND RECREATION TRAILS.

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

Sidewalks, planter strips, and bicycle lanes shall be installed in conformance with applicable streets standards, applicable provisions of the TSP, the Comprehensive Plan, and adopted street plans. Maintenance of sidewalks and planter strips in the right-of-way is the continuing obligation of the adjacent property owner. Development or redevelopment of parcels along US 101 requires sidewalks along the highway. Parcel owners shall work with ODOT to determine if the sidewalk will be placed in ODOT right-of-way.

Section 4.040 Pedestrian Access and Circulation

1. Site Layout and Design. To ensure safe, direct, and convenient pedestrian circulation, all developments, except single-family detached housing (i.e., on individual lots), shall provide a continuous pedestrian system. The pedestrian system shall be based on the standards in subsections A-C, below:

    A. Continuous Walkway System. The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property with a previously reserved public access easement for this purpose, in accordance with the provisions of Section 3.408, Vehicular Access and Circulation, and applicable Transportation Standards.
    B. Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:

        1. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

2. Safe and convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

3. "Primary entrance" for commercial, industrial, mixed use, public, and institutional buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

4. "Primary entrance" for residential buildings is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard, or breezeway which serves as a common entrance for more than one dwelling.

C. Connections within Development. Connections within developments shall be provided as required in subsections 1-3 below:

1. Walkways shall connect all building entrances to one another to the extent practicable;

2. Walkways shall connect all on-site parking areas, storage areas, recreational facilities and common areas, and shall connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections; and

3. Large parking areas shall be broken up so that no contiguous parking area exceeds one (1) acre. Parking areas may be broken up with plazas, large landscape areas with pedestrian access ways (*i.e.,* at least 20 feet total width), streets, or driveways with street-like features. Street-like features, for the purpose of this section, means a raised sidewalk of at least 4-feet in width, 6-inch curb, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting.

Section 4.041 Walkway Design and Construction.

Walkways, including those provided with pedestrian access ways, shall conform to all of the standards in subsections 1-4:

1. Vehicle/walkway separation. Except for crosswalks (subsection 2), where a walkway abuts a driveway or street, it shall be raised 6 inches and curbed along the edge of the driveway/street. Alternatively, the decision body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or concrete bollards designed to withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.
2. Crosswalks. Where walkways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials (*e.g.,* light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.

4. Walkway width and surface. Walkway and accessway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the City Engineer, at least six (6) feet wide. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt, at least 10 feet wide. Narrower widths may be permitted if physical or topographical constraints will not permit full width development.
5. Accessible routes. Walkways shall comply with applicable Americans with Disabilities Act (ADA) requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

Comprehensive Plan Amendments to Support the TSP

This section addresses the requirement that the City of Seaside's TSP is consistent with the Comprehensive Plan. Existing Seaside comprehensive plan language appears in plain text. Recommended additions to City of Seaside code are shown as underlined text while recommended deletions to City of Seaside code are shown in ~~strikethrough text~~.

City of Seaside Comprehensive Plan

7.3 STREET SYSTEM

The 2010 Seaside Transportation System Plan (TSP) is hereby adopted by reference as the transportation element of the Seaside Comprehensive Plan. The city ~~has~~ historically coordinated street improvements with water and sewer line installation. In 2010, the City wrote and adopted a TSP. The purpose of the TSP process was to develop a plan that addresses the transportation issues and needs for all users of Seaside's transportation network over a 20-year planning horizon. This TSP identifies short-, medium-, long-, and very long-term transportation improvements throughout the City of Seaside in a manner consistent with the TPR (Oregon Administrative Rule [OAR] 660-012) and the Oregon Transportation Plan (OTP). Refer to the Seaside TSP for further information on the transportation elements of the Seaside Comprehensive Plan.

~~There is a need to upgrade existing streets through the passage of a road district levy.~~

~~The Public Facilities Plan shows a need for $938,000 in collector development and $1,320,000 in residential street improvements over the five year period of 1989-1994.~~

New streets, if they are part of a new development, are the responsibility of the developer. If a new street is needed in a developed area, the street development is the responsibility of the benefiting property owners.

8.0 TRANSPORTATION

In September, 2010 the City of Seaside completed a Transportation System Plan (TSP) for areas within the Seaside urban growth boundary. The TSP considered future growth prospects for the community, evaluated alternatives for access and circulation, and included specific recommendations for a balanced transportation system and system improvements.

The major part of the transportation plan is the street and highway system. The city's street system is illustrated on the Street Functional Classification Plan in Figure 3.2 of the TSP and it ~~Transportation Element Map and~~ includes the following classifications:

1. *Principal Arterial:* Primary functions are to serve local and through traffic and connects Seaside with other urban centers and regions, and provide connections to major activity centers within the city.
2. *Minor Arterial:* Primary functions are to connect major activity centers and neighborhoods within Seaside and to support the major arterial system.

3. *Major Collector:* Primary function is to provide connections between neighborhoods and major activity centers and the arterial street system.
4. *Minor Collector:* Primary function is to connect residential neighborhoods with major collectors, major arterials, or minor arterials.
5. *Local Street:* Primary function is to provide direct access to adjacent land uses and higher order streets.

In addition to establishing a classification of the street system based on their primary functions, the Public Facilities Plan recommends proposed street improvements that would facilitate circulation around and throughout the city.

The relocation of U.S. Highway 101 to Roosevelt Drive was accomplished during the 1960's, which relieved intolerable congestion on Holladay Drive. During the 1970's Roosevelt served well as a highway but there have been increasing local and regional needs which conflict with the through-traffic and ~~pattern. Now in the 1990's, strong evidence shows that the shift from Holladay to Roosevelt has been only a temporary solution. C~~ congestion continues to increase during the busy summer months. Solutions are constrained by well established development along the highway corridor and the City wants to minimize the impacts to these improvements because they contribute to the community's economic stability and sense of place. ~~As development has moved eastward and regional traffic has become heavier~~, The City and the Oregon Department of Transportation agree that local street and intersection upgrades and alternate mobility standards are needed to address the issue of congestion on the highway while attempting to maintain much of the fabric of the community surrounding the highway corridor. ~~an entirely new highway location is needed. Such a major by-pass should be far enough east to avoid conflict with anticipated city development.~~

~~Although a by-pass would help alleviate the current inadequate separation of local and through traffic, ongoing congestion on the existing alignment will still be an urgent problem.~~

The streets shown on the plan as "Arterials" should have the right-of-way over other streets so the Street Functional Classification Plan ~~Public Facilities Plan~~ becomes a guide for placement of traffic control devices such as traffic signals and stop signs.

Pedestrian and bicycle improvements are an important part of the city's transportation system. They provide an alternative to conventional vehicular travel and they are commonly utilization more during the summer months when conventional traffic congestion peaks. Pedestrian and Bicycle Improvements are illustrated in the TSP.

Bike trails should be developed if they are feasible.

The City of Seaside owns and operates the Seaside State Airport. Additional property adjoining the airport has been obtained by the city to provide for expansion.

The Sunset Empire Transit District (SETD) provides bus service in Seaside. Currently, there are two bus routes that serve Seaside. They are described in the Transit Plan, TSP Chapter 3, and they are illustrated on the Transit Recommendations Figure 3.20 in the TSP. ~~A mass transit system is not feasible in Seaside at the present time; however, there~~

~~is a mini-van service for the elderly and handicapped.~~ The TSP supports the existing transit service and ~~If any effort is made to develop a county-wide or regional mass transit system,~~ the City of Seaside will work with the SETD to facilitate future service expansion. ~~Clatsop County on the development of such a system.~~

8.1 TRANSPORTATION POLICIES

1. The improvement of traffic flow on U.S. 101 would be best accomplished by specific intersection upgrades, widening US 101 to two lanes in each direction between Broadway and Avenue G, widening US 101 to one lane in each direction with a center lane between Avenue G and Holladay Drive, and encouraging those making local trips to use streets other than US 101~~diverting as many vehicles as possible on a new by-pass route east of the city~~. ~~Because of the lag time in construction,~~ Attention must be given to the improvements cited within the 20 year TSP timeframe ~~near term improvement of existing U.S. 101~~.

2. The Planning Commission will review all significant ~~proposed~~ development on or adjacent to U.S. 101 to consider impacts of the development on the traffic carrying capacity and safety of U.S. 101. This review will be in accordance with a newly established highway overlay zone based on ordinance changes suggested in the TSP.

3. The City of Seaside and the State Highway Department ~~Division~~ shall cooperate to reduce traffic congestion along U.S. 101, through:

   a. Limitation of approach permits;

   b. The requirement that new uses access onto side streets wherever possible; and

   c. Widening or relocation of street right-of-ways, particularly in the south part of the city.

4. The city will participate in the two year Statewide Transportation Improvement Program (STIP) ~~Six-Year Highway Improvement Plan process~~ and will cooperate with the Northwest Area Commission on Transportation NWACT. ~~CEDC subcommittee on transportation.~~

5. Seaside will discourage direct access from adjacent properties onto those highways designated as arterials wherever alternative access can be made.

6. The City of Seaside encourages the cooperation of private property owners in the development of a bike and trail system throughout Seaside for the use and enjoyment of the citizens of Seaside and visitors to the community.

7. The City of Seaside encourages the improvement and maintenance of the coastal Bike Route along U.S. 101 by the State Highway Department, and the Oregon Coast Trail~~, Bicentennial Trail, and Oregon Loop Trail~~ and Clatsop Loop Trail by the State Parks and Recreation Department.

8. Future bike trails in the Seaside area shall be physically separated from vehicle lanes or on separate right-of-ways, if possible.

9. Energy conservation shall be achieved in Seaside by keeping future development within the Urban Growth Boundary in order to keep travel distance reasonable.

10. The city shall support the Partnership for Seniors ride program and Dial A Ride ~~Area Agency on Aging's mini-van program~~ which provides transportation for the elderly and physically handicapped.

11. The cities of Seaside and Gearhart, Clatsop County, the Port of Astoria, and the State Aeronautics Division should work together in retaining the Seaside Airport as a needed transportation facility.

12. The Seaside Airport clear-zone shall be protected from development that could conflict with aircraft approach safety or threaten surrounding development.

13. Land use compatibility with the air port clear zones shall be rated as follows:

    Most Compatible: Open Space, Agriculture and Forest

    Recreation (parks)

    Industry

    Commercial

    Least Compatible: Residential and Tourist Accommodations

14. The City will include in its Public Facilities Plan the roadway, pedestrian, and bicycle improvements identified in the 20 year planning horizon of the Transportation System Plan (TSP).