

TO: City Manager

FROM: City Planner

DATE: 10/14/2024

SUBJECT: Conceptual Zoning Review of Siting a Public Safety Facility at the Old Gearhart Elementary School Site.

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This is an initial review of a concept to site a police/fire/public safety facility at the old Gearhart Elementary School site, in terms of Gearhart Zoning Ordinance standards. The review assumes the City is interested in siting public safety facilities on either of the two lots comprising the site, but does not include any assumptions about site design or facility needs/dimensions within the site. This review is not a comprehensive site evaluation.

### **Gearhart Zoning Ordinance Public and Semi-Public Zone Standards**

The site is in the P-SP Zone. Government facilities including police, fire, and emergency services are permitted uses. Heavy equipment storage is also permitted. Dimensional standards are provided below.

1. Lot size. None, except that the minimum for dwelling shall be the same as for dwellings in the R-1 Zone.
2. Front Yard. A front yard shall have a minimum depth of 20 feet. No parking shall be permitted within the front yard area.
3. Side Yard Where the side of a lot in the P/SP zone abuts upon the side of a lot in a residential zone, there shall be a minimum side yard of five feet. There shall be added to the minimum requirements aforesaid, one foot for each multiple of 15 feet or portion thereof, that the length of that side of the building measures over 30 feet; provided further, any side yard adjacent to a street shall be a minimum of 20 feet and no parking shall be permitted within ten (10) feet of the street property line.
4. Rear Yard. A rear yard shall have a minimum depth of 20 feet, which depth shall be increased by four feet for each additional story above the first.
5. Height. The maximum height of a structure shall be 30 feet.
6. Lot Coverage. The maximum area that may be covered by permitted structure and accessory buildings shall not exceed 35% of the total area of the lot.

### **Gearhart Zoning Ordinance Tsunami Hazard Overlay Zone (Section 3.14) Standards**

The purpose of the THO is to control, direct and encourage new development and redevelopment such that, over time, the community's exposure to tsunami risk will be reduced. The site is in an area that would be inundated by a tsunami rated as "small" by the

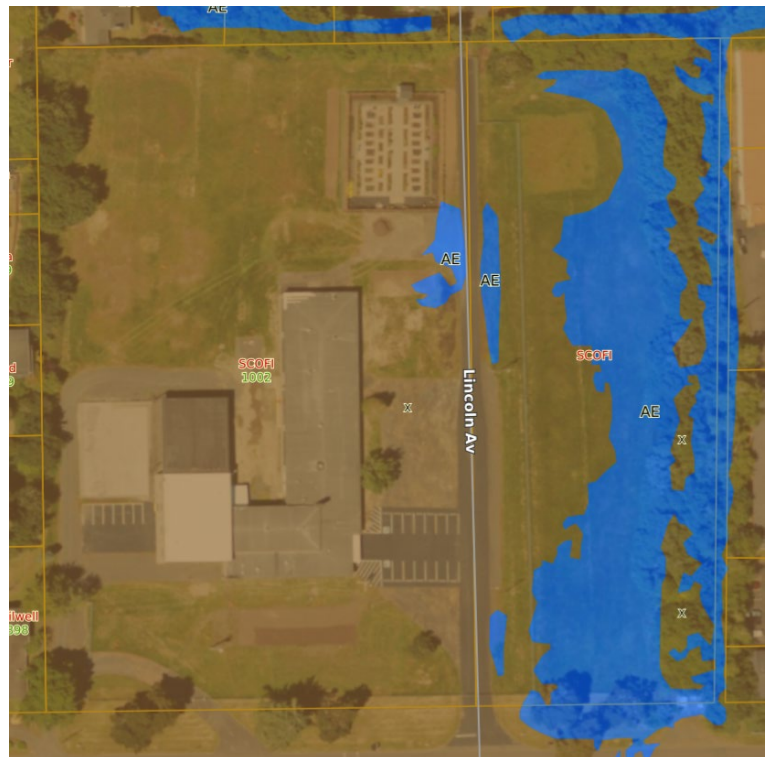
Oregon Department of Geology and Mineral Industries. DOGAMI has found that small tsunamis occur more frequently than large tsunamis in Oregon. Fire, police, and emergency preparedness facilities are discouraged by the comprehensive plan and prohibited by the zoning ordinance at the site, however the ordinance provides for use exceptions that can be granted with specific findings described in the two paragraphs below. The use exceptions have to be granted through a quasi-judicial decision made by the Planning Commission following public notice/hearing procedures, and subject to appeal to the City Council and the Oregon Land Use Board of Appeals.

A fire station and police station can be permitted at the site through a use exception permit with a finding that “there is a need for a strategic location.”

Fire suppression equipment and materials, emergency vehicle storage, emergency standby power generating equipment, and other emergency preparedness facilities can also be permitted with a use exception, but with the following findings: A. There are no reasonable, lower-risk alternative sites available for the proposed use. B. Adequate evacuation measures will be provided such that life safety risk to building occupants is minimized; and, C. The buildings will be designed and constructed in a manner to minimize the risk of structural failure during the design earthquake and tsunami event.

### **Flood Hazard Overlay Zone**

Most of lot 800 is in the Flood Hazard Overlay Zone. The FHO includes building requirements to limit damage from flooding to buildings and people. The City anticipates amending the FHO in the coming year in response to FEMA’s Endangered Species Act integration Pre-Implementation Compliance Measures requirements. Thereafter the FHO will include requirements to protect fish habitat, and it will be more challenging and expensive to develop any structures or impervious surfaces in the FHO. There is a small area of lot 1500 that is in the Flood Hazard Overlay Zone, but this area is to the northeast of the school building, between the building and the old Lincoln Avenue Right of Way. It could be relevant to the discussion if the City sought to own rights to use/expand/or improve the old Lincoln Avenue Right of Way.



## Freshwater Wetland and Lake Zone

Recently delineated wetlands are not present on lot 1500 but constrain much of lot 0800. Buildings, driveways, fill, grading, and vegetation removal are prohibited in the overlay zone.

## Other Zoning Standards

Gearhart Zoning Ordinance includes other standards that would affect site design details, but that are not specific to this location, for example standards for signs, fences, lighting, tree removal, and driveway access spacing.

