



AGENDA

ASTORIA PLANNING COMMISSION

October 27, 2015

Immediately Following the Traffic Safety Committee Meeting at 6:30 p.m.

2nd Floor Council Chambers

1095 Duane Street • Astoria OR 97103

1. CALL TO ORDER
2. ROLL CALL
3. MINUTES
 - a. August 25, 2015
 - b. September 1, 2015
 - c. September 16, 2015
4. PUBLIC HEARINGS
 - a. Conditional Use CU15-02 by Frank Linza to operate a bed and breakfast in an existing single family dwelling at 364 Floral in the R-3, High Density Residential zone. This item was continued from the September 22, 2015 meeting in order to allow staff to develop Findings for denial of the request.
 - b. Amendment A15-03 by Community Development Director to amend the Development Code, Comprehensive Plan, and Astoria Land Use & Zoning Map to implement the Riverfront Vision Plan in the Neighborhood Greenway Area, generally described as between 41st street and approximately 54th street, Lief Erikson Drive to the pier head line, commonly known as the Alderbrook Area, in the A-3, Aquatic Conservation; R-2, Medium Density Residential; C-3, General Commercial; IN, Institution zone. The recommendation of the Planning Commission will be forwarded to the City Council for consideration at a public hearing tentatively scheduled for Monday, November 16, 2015 at 7:00 pm in the City Hall Council Chambers.
5. NEW BUSINESS
6. REPORT OF OFFICERS
7. PUBLIC COMMENTS (Non-Agenda Items)
8. ADJOURNMENT TO WORK SESSION
 - a. Heritage Square Design and Redevelopment

THIS MEETING IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630 BY CONTACTING SHERRI WILLIAMS, COMMUNITY DEVELOPMENT DEPARTMENT, 503-338-5183.

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall
August 25, 2015

CALL TO ORDER:

President Pearson called the meeting to order at 6:30 pm.

ROLL CALL:

Commissioners Present: President David Pearson, Vice President McLaren Innes, Kent Easom, Sean Fitzpatrick, Daryl Moore, Jan Mitchell and Frank Spence

Staff Present: Interim Planner Mike Morgan, Community Development Director Kevin Cronin
The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

President Pearson asked for approval of the minutes of the July 28, 2015 meeting.

Commissioners and Staff noted the following corrections:

- Acting President Innes should be changed to Vice President Innes throughout the minutes.
- Page 2, paragraph 9, next to last sentence – Commissioner Mitchell's name was misspelled.
- Page 2, paragraph 9, last sentence – The word "the" was misspelled.
- Page 3, paragraph 2, first sentence – Interim President should be changed to Vice President Innes.

Commissioner Easom moved that the Astoria Planning Commission approve the minutes as amended; seconded by Commissioner Mitchell. Motion passed unanimously.

PUBLIC HEARINGS:

President Pearson explained the procedures governing the conduct of public hearings to the audience and advised that handouts of the substantive review criteria were available from Staff.

ITEM 4(a):

CU03-04 Permit Extension request for Conditional Use CU03-04 by Elisabeth Nelson for a temporary use permit for one year, to August 26, 2016 to operate the Astoria Conservatory of Music in the existing church structure at 1103 Grand Avenue in the R-3, High Density Residential zone.

President Pearson asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. He asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare.

Commissioner Fitzpatrick declared a potential conflict of interest. He is a member of the church's congregation, but believed he could make an unbiased decision. He offered to recuse himself. However, the Commission and Staff agreed this was not necessary and Commissioner Fitzpatrick said he would vote.

Commissioner Moore declared a potential conflict of interest. He and his children have taken classes at the Astoria Conservatory of Music. However, he believed he could still vote impartially.

President Pearson asked Staff to present the Staff report and recommendation.

Interim Planner Morgan reviewed the written Staff report. No correspondence had been received and Staff recommended approval of the request.

President Pearson opened the public hearing and confirmed there was no presentation by the Applicant. He called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, he closed the public hearing and called for Commission discussion and deliberation.

Vice President Innes said she fully supported the temporary use because it was a unique source for good training in the community.

Commissioner Fitzpatrick believed the Conservatory made a good neighbor because it does not cause parking issues and the students do not cause problems in the neighborhood. He noted that the space occupied by the Conservatory was built as a church school in 1938 and this is a good continued use for the space.

Commissioner Moore said as a student, he agreed with Commissioner Fitzpatrick and supported the request.

Commissioner Mitchell believed the Conservatory was a great use for the church. Music is something one expects to hear from a church and she would be surprised if there were any complaints from the neighbors. She asked if renewing the permit annually was the best way to handle this situation.

Interim Planner Morgan said he had spoken to former Planner Rosemary Johnson about this. He believed a Code change would be appropriate. Staff could recommend a specific code amendment that would allow this use without causing problems in the rest of the R-3 zones. He confirmed the applicant had to pay a fee each year to apply for the extension.

Director Cronin added that the new City Planner will be tasked with recommending annual code updates to City Council on a regular basis.

President Pearson believed the application met all of the criteria the Planning Commission had been asked to review.

Vice President Innes moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Permit Extension request for Conditional Use CU03-04 by Elisabeth Nelson; seconded by Commissioner Spence. Motion passed unanimously.

President Pearson read the rules of appeal into the record.

ITEM 4(b):

CU15-02 Conditional Use CU15-02 by Frank Linza to operate a bed and breakfast in an existing single family dwelling at 364 Floral in the R-3, High Density Residential zone.

President Pearson asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. He asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare. There were none.

All of the Commissioners confirmed for Staff that they were familiar with the site. Director Cronin noted the importance of visiting a site, especially when Staff is recommending denial of a request, as being on site puts the application into context.

President Pearson asked Staff to present the Staff report and recommendation.

Interim Planner Morgan reviewed the written Staff report. Staff recommended denial of the request due to inadequate parking. The Applicant recently had a survey completed, is attempting to find additional parking spaces, and therefore has requested a continuance. Extensive correspondence had been received, including letters from two neighbors and a petition containing between 12 and 15 signatures from neighboring property owners. All correspondence has been entered into the record.

Vice President Innes asked if the owners were required to live in the property. Interim Planner Morgan explained that the zoning ordinance requires an owner or manager to live in the bed and breakfast. The Applicant has

stated he does live in the building at 364 Floral. He also owns the property at 366 Floral, but he has certified that he plans to live at 364 Floral and manage the bed and breakfast.

President Pearson asked if Staff had information on combining parking spaces on multiple properties owned by the same person. Interim Planner Morgan said if there was adequate parking on 366 Floral, the Applicant could utilize the space on that property to satisfy parking requirements for 364 Floral. However, the driveway between the two properties only satisfies the parking requirements for the house at 366 Floral. A total of seven parking spaces would be needed for both properties. Therefore, even with the two properties combined parking was still inadequate.

President Pearson opened the public hearing and called for a presentation by the Applicant.

Frank Linza, 364 Floral, Astoria, said he purchased the property at 366 Floral over three years ago and realized the property at 364 Floral was a problem. He told the owner he wanted to purchase the property so he could make everyone happy and had noted the renters would have weekend parties, which created a dangerous situation on Floral. He purchased the property at 364 Floral in January 2015. He and his wife decided the best way to control the traffic to the property would be to control who enters the house and where people park. He renovated the house several months ago and applied for a lodging permit. He has had several guests in the house over the last two months and has received no complaints. No one knows the guests are at the house because he controls the situation. The house is beautiful and represents Astoria. For 30 years, his family operated a business in Aspen, Colorado and worked with that City and tourists. He believed this experience would make him an excellent representative to the City of Astoria. While he had not been able to go door to door, he had spoken with several of his neighbors about his plans to attempt to monitor traffic. Some people believe he is putting in a Super 8, but this is not true. He lives at 364 Floral and his wife owns and lives at 366 Floral. This has worked well so far, but he is a little bit short on parking. The survey was completed on Friday, August 21st and he met with Interim Planner Morgan to discuss options. He believed he had an excellent opportunity to lease property from the City and private landowners within 200 feet of the home. He hoped the Commission would table the discussion until September so that he could show the Commission a lease for at least three parking spaces within 200 feet of the home. If the Commissioners took the time to visit the property, they would understand that the view from the property makes it a spectacular bed and breakfast. In the 3½ years he has lived in Astoria, he has realized there is a huge shortage of housing, especially during salmon season. He is limiting traffic and prohibiting boats and trailers. The house is just a quaint bed and breakfast on a dead end street. He did not plan to have wedding rehearsals or any other big events because he wants to limit the cars on the property to one or two. He wants to keep the area quiet instead of turning it into a million dollar business.

Commissioner Easom asked if Mr. Linza had applied for a lease with the City.

Mr. Linza explained that he had just received the survey at 5:30 pm on Friday, August 21st. He has not had time to meet with the City to discuss a lease. The potential to lease property from the City exists because Floral was supposed to go through to Columbia. Landslide issues prevented the City from going through with that plan. He pointed to the dead end on the Power Point Presentation and explained that the area between Floral and Columbia was unincorporated City property that could be leased for an extended time and he could put in a gravel parking lot. There is also some private land in the area. He was unable to contact the owner over the weekend because the owner is currently out of state. This is why he has requested the hearing be continued for one more month.

Commissioner Mitchell asked if Mr. Linza planned to live next door to the three-bedroom bed and breakfast.

Mr. Linza said he set up separate quarters in a large shop area as his bedroom. His living quarters are separate from the rest of the house at 364 Floral and his wife lives at 366 Floral. He is in Astoria all the time, but his wife is still transferring with her job. She works for Providence Health Care and would like to get a job at Seaside, but a full time opportunity has not yet come available. She is in Astoria on weekends. Her transfer is just a matter of time because she has an interview scheduled at Providence Seaside. He waited patiently for three years to obtain this property. He has seen a huge difference in the flow of traffic. There were four or five renters in the house with no parking available. Since he has taken control of the house, congestion has eased up. His biggest problem is that Google shows that Floral Street goes through. Drivers are constantly turning around and he would like to work out something with the City that allows drivers to turn around easier.

Commissioner Moore said the Staff report indicates lack of parking is the primary reason for recommending denial of the request. The Applicant is suggesting he may have a resolution to the parking issues. He asked if the Applicant's proposal included on-street parking in front of both of the houses as part of the solution.

Mr. Linza said no. He has removed all of the fencing on both properties and installed pavers to provide off-street parking. He preferred the houseguests not use on-street parking. He owns the whole corner, but is two or three parking spaces short of meeting the requirements. He will try his best to obtain these additional parking spaces from the City or private property owners. Parking on the pavers in front of the house adjacent to the street would be included in the total required parking spaces. His drawings show that all of the required parking spaces would be off-street parking. He understood parking is a premium in the area and he has tried his best to get his neighbors to move their junk cars. However, he believed the situation could be controlled.

President Pearson called for any testimony in favor of the application.

William (Jake) Chadney, 350 Floral Street, Astoria, said his house was at the end of the street. After reading an article in the *Daily Astorian* about Airbnb, he suggested Mr. Linza turn 364 Floral into a bed and breakfast. He used to call the property the pirate house when people from Fort George Brewery lived there because they flew a flag with a skull and crossbones. He liked the people that lived there, but the house was a big nuisance because the residents would park near his house and his neighbor's house, making it difficult for them to get in and out. He bears the brunt of what occurs at the end of the street because everyone turns around in front of his house. Even though the street is a dead end, there is no cul-de-sac or provision in the road to accommodate turning around. Drivers usually end up using his driveway to turn around. A bed and breakfast will only be used part of the time instead of 24/7 and provide a way for Mr. Linza to control who is on the property. This is why he supports the application. He knew Mr. Linza had guests at the property a couple of times, but they were not noticeable. There were a lot of trucks at the property during the construction process, but this is to be expected during a renovation. He believed a bed and breakfast would simplify the situation in the neighborhood by having people on the property part-time instead of full-time. He believed that renting the house could cause more problems.

President Pearson called for any testimony impartial to the application.

Tom Gill, 407 Floral Street, Astoria, said he signed a petition opposing the application, but he intended to make impartial comments and pose questions he would like the Commission to consider. He thanked the Planning Commission for their service and for conducting this public hearing. He admired Mr. Linza's work ethic, believed he had great taste, and that he had done a beautiful job on both houses. He understood after speaking with Mr. Linza that the house at 366 Floral was intended as a place for Mr. Linza to retire and the house at 364 Floral was intended for visiting family members. Now, his plans have morphed into this commercial enterprise and he wondered where the plans would go from here. The Staff report indicates the driveway to the east of the property at 364 Floral is 26 feet long. He did not believe two automobiles could fit within 26 feet, except maybe compact vehicles. In the ten years he has lived on Floral, he has rarely seen two vehicles parked in that driveway. When there were two vehicles in the driveway, they almost always overlapped into the right-of-way of the street. The southwest portion of Floral is a very narrow fill for a causeway where two cars cannot pass each other. He was concerned that an obstruction would prevent fire equipment from getting down the street. Any traffic increase would be a matter of concern. The street makes a very tight curve at 407 Floral and extends down a hill to a neighborhood where small children play in the street. There have been a few instances of drivers speeding. He understood that Kingston Avenue has been platted for the space at the end of Floral Street. An attempt to vacate the space was not approved by the City, so he did not know if the space should be considered for additional parking.

President Pearson called for any testimony opposed to the application.

Al Mackey, 372 Floral Street, Astoria, said he was known as the unofficial mayor of Floral Street. He believed the end of the road was the only viable location for a bed and breakfast. A bed and breakfast should not be located along the street because of parking issues and accessibility for emergency vehicles. He asked the Planning Commission to deny the request. He has lived on Floral Street for about 80 years and knew quite a bit about the history of the neighborhood. He told the story of a church, built in the neighborhood in the 1920s, that had to be torn down because it was difficult for people to walk up the hill to get to the church. He had admired the church's engineering and architecture, but it did not have any posts supporting its sides. He reiterated that Mr. Chadney's

house was the only viable location for a bed and breakfast because it is located at the end of the street and Mr. Chadney would be on site to ensure the business would be run properly.

Cheryl Allen, 368 Floral Street, Astoria, confirmed that the Planning Commission had read all of her letters, including one that was submitted Friday, August 21st. She now understood why her retaining wall had been violated. The letters explain how she feels about this application. She purchased her house in 1994 and has lived there since 2003. She never had any problems with the residents from Fort George. They were respectful and parked on the street where parking was available. No one ever parked in front of her house. The pictures show there have been major parking problems in the last few months. The garbage trucks have traditionally turned around on Elsie and with the double parking, delivery drivers are unable to make it down the street. When she had her kitchen redone, Home Depot had to drive a forklift up the street because they were unable to get their truck to her house. Fire engines have never been on Floral Street at Christmas time because they are unable to get up the street. Parking is an issue. She believed Mr. Linza did an outstanding job on both houses. Originally, when he bought the house next to her it was to be used as a retirement home. Later, when he bought the second house, he said he wished he had not put so much money into the first house. The bed and breakfast idea came up within the last month. Mr. Linza had suggested she have a bed and breakfast, but her home only has two bedrooms and no parking. There is one parking space across the street, next to land leased from the City by Mr. Matthew. Her daughter was parking her car there and she knew it should not have been. Mr. Matthew called the police to her house to ask that the car be removed. She has two dedicated parking spaces in front of her house, which was built in 1918. She was very concerned about the drainage of her property. She had sent pictures to the Planning Commission and said she wrote the letters because she tends to ramble. She was totally against the bed and breakfast. There have only been a few times someone double-parked in front of her, preventing her from getting to work. She loves her house and the bed and breakfast will change the integrity of the neighborhood. All summer, a dog was barking 20 or 30 feet from her house. She does not say anything to her neighbors. When she watches her grandbaby, the baby could run into the street in the blink of an eye. Unfamiliar people coming up the street have no idea how small the street is. People that are not from the area whiz up the street. If anyone should have a bed and breakfast, it should be the man who owns the house across the street from her because he lives in Germany. She agreed with Mr. Chadney, but said most of the turn-arounds were done on Elsie directly across from her lot. This is how it has been for years. She did not understand why permits were not involved. When she told Community Development Director Cronin what was going on in her side yard, he said she needed a permit because her water lines run almost underneath her walkway. Her insurance company was looking into the situation. She did not understand how so much work could be done without permits. The bed and breakfast was not Mr. Linza's original plan, but he saved the house by doing such an awesome job at the renovation.

Commissioner Spence asked Ms. Allen to show him where Elsie is on the map. She pointed to Elsie and noted her house, her two parking spots, and the place her daughter parked. She said the garbage men have never been to that part of the street, at least since 2003 when she began living there full time. She added that if Mr. Linza had begun living in his house full time, it was only within the last two weeks. She confirmed the Commissioners had seen the pictures she submitted to show the double parking and said it has occurred all summer. She used the map to show where the garbage men turn around, noting that she can see them from her bedroom window. She woke up one morning to find her entire side yard being compromised, so she asked Mr. Linza to conduct the survey. Her house was built in 1918, so it is old. However, the side yard is not useable because it is not safe.

Interim Planner Morgan confirmed that Elsie was a City street.

Ms. Allen said she had the original plans and other documents for the house at the intersection of Elsie and Floral Streets and explained where the private property was located in relation to the right-of-way.

Ellen Levy, 420 Floral Street, Astoria, said her comments might be considered impartial. She was concerned with traffic and parking. When she visits Mr. Mackey, she must drive all the way to the end of the street, turn around at the last house, and come back down the street to park west of the house at 376 Floral. There is no other place to turn around. When one of the houses was being worked on, a kid fell off the roof and broke his leg and hip. The ambulance and fire truck were not able to get down the street because it is so tight and only has one lane. The street is on a hill, so if a driver goes off the road, they end up on Alameda. She questioned how Mr. Linza would control traffic if one of his guests wanted to bring a fishing boat on a trailer. There is no way for a boat or recreational vehicle to turn around on Floral Street. She asked what kind of vehicles would be parked on

the property, small cars or trucks with extended cabs or beds. She also wanted to know if guests would be asked in advance of their arrival what kind of vehicle they would be bringing. There is no room for errors and there is no parking. Gossip has indicated that three properties, 366, 364, and the house at the very end of Floral, are potential bed and breakfasts in the making. She asked if approving this application would set a precedent. She was concerned that her residential neighborhood would become a commercial area. Making a gravel lot would require tree removal, but the trees are the only thing holding the hill in place. She asked who would be responsible for a landslide if the trees were removed to put in a parking lot. At the end of Floral at the stop sign, there is only 1½ lanes because the people who live on the southwest side of the street park on the street. Drivers cannot see cars making a right hand turn to go up Floral. She asked who would control the extra traffic and traffic of people not familiar with the area. The City will have to change the street at the stop sign because there is no room for error, especially in the winter. If a car misses the stop sign, it will end up at the river. If the City is going to add traffic in this area, the City will have to make plans.

Cheryl Allen, 368 Floral Street, Astoria, said the hill behind the red house has slid within the last 13 years and the area is a very dangerous, known slide area.

Dennis Cranston, 403 Floral Street, Astoria, said his house was near the narrow causeway. It was built in 1966 by a fishing captain named Mr. Brooks. Floral Street was a dirt road at the time and he appreciated the street improvements done by the City since then. At one time, he had rented a 10-foot U-Haul truck and the power steering had stopped working. He used the map to show where he attempted to turn around, noting that eventually he was able to turn around with a 14-point turn. He said the picture did not show the cars parked in the area. Drivers cannot get through when cars are parked there. One of the garbage trucks does come down the street and is able to turn around because it is a smaller truck. The larger garbage trucks, UPS trucks, and FedEx trucks turn around in his driveway or in the old Chinook extension, where the City decided not to build a road because of landslides. Traffic is a problem and he was concerned about the type of people that would come in for the bed and breakfast. He recently used Airbnb to rent accommodations at Core Condo Group in San Diego, California. The trip was his son's bachelor party and 12 men were partying in the rental until 5 am. Situations like this really do occur. He was also concerned about the construction of the house. The electrical systems are probably not of commercial quality since the house is a residential property. He believed the electrical systems should be commercial, but understood this was likely part of the permitting process. He also believed he should speak on behalf of those who cannot speak. Floral Street is mostly green space and each year, three or four deer have babies and use a little path through the area. The deer are like children. When strangers come zipping down the road, even at 20 miles per hour, the deer do not have a chance. He believed the City should consider the deer as part of the tourist attractions. Everyone in the neighborhood feeds the deer and they are part of the community. He believed the wildlife should be considered.

President Pearson confirmed there were no more public comments and called for the Applicant's rebuttal.

Mr. Linza said the great thing about this meeting has been the opportunity for him to hear from each of his neighbors because he had not been able to go door to door to speak with them. He is a licensed and bonded contractor and had all new wiring installed in both houses. He upgraded the house at 364 Floral with handrails and extra lighting. He has 30 years of experience and has worked with the City of Aspen. He has provided quite a bit of off street parking. Elsie is the neighborhood's turn-around. All summer, he had asked his neighbor kindly to move her junk car. He was able to back up his 22-foot truck and 24-foot trailer in the neighborhood, but needed help to avoid hitting the car while backing up. He finally had to figure out how to have the car moved because he was so fearful of hitting it. He questioned why his neighbor parked the junk car in the public parking across the street even though she had two parking spaces in front of her house. He has spent a lot of money upgrading the houses and working on the parking issues. However, it seems as if some people are just fighting him tooth and nail. He approached Ms. Allen about his idea for a bed and breakfast three months ago and she indicated she had no problems with it as long as he took care of the parking. She has been mad since he removed a stump, which he did not understand. He was trying to work with all of his neighbors. He wants the bed and breakfast so he can control the area, not make money.

President Pearson called for closing comments of Staff.

Staff noted the Applicant had just received the survey and would like a continuance. Applicants are required to obtain permits for any City work that is to be done or a change of occupancy. The City cannot require any major

upgrades unless a property is being changed from residential to commercial. Most permits for work on residential properties are approved administratively.

President Pearson closed the public hearing and called for Commission discussion and deliberation.

Commissioner Easom confirmed the Applicant had formally requested a continuance.

President Pearson asked Staff to explain Criterion F on Page 5 of the Staff report. He also wanted to know how a road is determined to be narrow. Staff explained that Floral Street is about 18 feet wide, which is the bare minimum for a fire truck. There is no on street parking along most of the street. The Comprehensive Plan requires the site to have a layout adequate for transportation activities and suitability is partially determined by the potential impact of parking facilities on safety, traffic flow and control, and emergency vehicle movement. Therefore, Staff determined that without on street parking, it would be difficult to meet this criterion. The Transportation System Plan (TSP) defines standards for streets and Floral does not comply with the current standards. A new street would have sidewalks and facilities for emergency response, but Floral is old and narrow.

Commissioner Mitchell noted that the age of the community has resulted in many substandard streets. She asked if any entity in the community would have any kind of regulatory capacity over these expanded residential uses in neighborhoods. The Planning Commission recently reviewed a similar request to increase temporary housing and the housing study indicates this may be an issue the Planning Commission should consider. Interim Planner Morgan said there was no regulatory body tasked with overseeing vacation rentals and home stay lodging, but the industry regulates itself. For example, Airbnb imposes regulations on its clients that ensure safety, like requiring a fire extinguisher and posting emergency contact information on the refrigerator. If Astoria ever implemented a vacation rental dwelling ordinance, standards could be included.

Commissioner Mitchell understood that if parking is an issue, the neighborhood must tell the City. Director Cronin added that Astoria's zoning ordinance is very permissive and contains three classifications; home stay lodging, bed and breakfast, and inn. The bed and breakfast allows from three to seven units. These uses are allowed throughout the R-3 zone, which covers large swaths of the historic center of town. Traditionally, Astoria has been very friendly towards these uses. However, these uses can sometimes cause infrastructure and transportation problems. All of the streets above downtown, including Grand, Franklin, and Irving have bed and breakfasts, and the City does not have a lot of problem with them.

Commissioner Moore said he drove by the property on Saturday and the map does not tell the whole story. Along some parts of the road, he was uncomfortable driving through the narrow spots. Once he arrived at the property, he was unsure where he should turn around. He assumed there was a place to turn around, but being unfamiliar with the area, he did not know where it was. Elsie looked like a driveway and he did not feel comfortable turning around in someone's driveway, so he drove to the end of road hoping to find a place to turn around. However, he ended up backing into someone's driveway to turn around, which he felt bad about. The road is very crowded. It did not appear the yard was deep enough to accommodate off-street parking and he believed cars would extend into the road a little bit. Adding a few more cars could make the road impossible to navigate, especially in an emergency situation. He would support a continuance if the Applicant presented a parking solution that did not add cars to the roadway. However, he was not in favor of parking on the street, adjacent to the street, or in the driveways.

Commissioner Spence agreed with Commissioner Moore. He drove by the property on Friday and was also very uncomfortable driving through the neighborhood because it was very tight. People who are not supposed to be parking on the right-of-way still encroach on the street. He was concerned that fire engines and ambulances could not get up the street. The area is too tight and too dense to accommodate more vehicles. He believed that when residents had guests, they had no choice but to park on the street. He had to turn around in the driveway at the end of the street, but it was still tight because of the other vehicles in the driveway. He was not in favor of adding more traffic and vehicles to Floral Street.

Commissioner Easom agreed the parking was an issue and he believed Applicants should present complete parking plans that include the exact location and sizes of parking spaces. He was not concerned with the narrowness of the street because he had no problems getting through in his large vehicle. A family with kids would be going in and out during the week and all weekend long. He did not believe traffic from a bed and

breakfast would be substantially greater than if a family lived in the house. Tenants can be awful and getting the landlord to remove the tenants can be very difficult. Therefore, he was in favor of granting a continuance. Commissioner Mitchell added that she was as well.

Vice President Innes said she would not want to live in the neighborhood with more cars. However, she would like to allow the continuance.

President Pearson said the Planning Commission has reviewed many bed and breakfasts over the years. They are usually approved outright even though no one really wants to live next to a bed and breakfast. He was concerned about access from Floral to the site and was unsure he would vote to approve the request even if the applicant was able to park 10 cars in the adjacent lot. Visitors have expectations about bed and breakfasts that some Astoria's other sites provide, like a place to turn around, available parking, and access. However, he would consider a continuation.

Commissioner Fitzpatrick said he would consider a continuance, but was very concerned about the parking. He appreciated and respected the work that Mr. Linza has done to the property. He visits a friend who lives on a section of Floral that has curbs and gutters and he was thankful he did not have to look for parking at the end of Floral.

Commissioner Easom moved that the Astoria Planning Commission continue Conditional Use CU15-02 by Frank Linza to September 16, 2015 at 6:30pm; seconded by Commissioner Moore. Motion passed unanimously.

President Pearson stated he would re-open the public hearing to take public comments at the next meeting. Staff confirmed a notice would be published in the newspaper.

President Pearson called for a recess at 8:59 pm. The Planning Commission meeting reconvened at 9:06 pm.

REPORTS OF OFFICERS/COMMISSIONERS: None.

NEW BUSINESS:

ITEM 6(a): Housing Study

Director Cronin explained that the Affordable Housing Study had been a City Council goal for the last two years. The study indicates there is a shortage of market rate and affordable housing in Astoria. The Planning Commission is tasked with providing feedback about the results of the study and make any recommendations the Commission would like Staff to forward to City Council. A City Council Special Work Session has been scheduled for September 14, 2015 at 7:00 pm. Commissioners are welcome to attend the work session, where Staff will set up panel discussion with local housing experts.

Interim Planner Morgan presented the Astoria Affordable Housing Study, which was included in the Staff report. He noted the report included data that will be used to develop a detailed plan to stimulate more affordable housing. Staff responded to questions and comments from Commissioners with the following key comments:

- The number of accessory dwelling units (ADUs) built since 2004, when the Development Code was amended to allow ADUs in all of Astoria's residential zones, is still unknown. However, Staff confirmed the number of units was low and noted some units may have been built without the City's knowledge. The number of ADUs will be added to the final draft of the study.
- The data indicates the lack of housing in Astoria is worse than expected. Commissioners and Staff discussed how quickly housing is filled when it becomes available, low vacancy rates, the way parking is affected by a housing shortage, and rental rates.
- Commissioner Fitzpatrick discussed how the lack of available housing has led in part to a dramatic increase in rental rates since 2013. He believed the recession a few years ago led many families to share housing and postpone relocating. Now that the recession was over, he believed Astoria's population was increasing as people were relocating to Astoria and adult children were moving out of their parent's homes.
 - Staff confirmed Astoria's estimated population from 2014 was 9590. Data for 2015 will be released soon. Once the population is above 10,000, Astoria will be in a different regulatory category under the Department of Environmental Quality (DEQ) and the Environmental Protection Act (EPA).

- Staff and Commissioners discussed how ADUs could provide some additional housing, how the City handles homes that are marketed as short-term rentals, vacant homes, and the challenges of cleaning up derelict homes. While Astoria lacks new single-family houses, the City has received hundreds of applications for permits for renovations, restorations, and rehabilitations of existing homes.
- The Coast Guard's need for housing and the lack of available land to build housing puts additional pressure on the market. The City could annex land if their priority was to create additional housing. However, if the city does not expand its boundaries, more development could occur outside the city limits. Therefore, the City should consider subsidies or some type of incentive to attract developers to build affordable housing.
 - Small chunks of land within the City limits can be developed, but many of the available sites have issues that would prevent affordable housing from being developed. Commissioners and Staff discussed possible opportunities for building new affordable housing, including building mixed use structures like the proposed new library, a subdivision on Tongue Point, and using the Mill Pond model for a mixed income neighborhood.

Staff planned to present some possible solutions to City Council on September 16th. However, the City, the County, community development corporations, and the Housing Authority will need to make a concerted effort to resolve the housing issue in the region.

President Pearson noted the importance of solving the housing problem without filling Astoria with vacation rentals.

Commissioner Moore wanted to know what the implications would be if Astoria grew beyond a population of 10,000 and asked if it was possible to maintain the current population. Staff believed the CSO projects and wastewater treatment plant would be impacted the most.

Staff added that most of the Comprehensive Plan has been updated, so the City will have to decide how many resources to use. The next step will be a City Council work session to discuss the study on September 14th. Staff hopes Council will create a task force and formally accept the study.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:02 pm.

APPROVED:

Community Development Director

ASTORIA PLANNING COMMISSION WORK SESSION

Astoria City Hall
September 1, 2015

CALL TO ORDER:

President Pearson called the meeting to order at 6:30 pm.

ROLL CALL:

Commissioners Present: President David Pearson, Vice President McLaren Innes, Kent Easom, Sean Fitzpatrick, Daryl Moore, Jan Mitchell and Frank Spence

Staff Present: Community Development Director Kevin Cronin, Special Projects Planner Rosemary Johnson, and Consultant Matt Hastie, Angelo Planning Group. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

NEW BUSINESS:

Item 3(a): Riverfront Vision Plan – Neighborhood Greenway Area

Planner Johnson explained this was the first work session to discuss the Neighborhood Greenway Area of the Riverfront Vision Plan. She gave a brief overview of the Plan, describing the location and boundaries of the Neighborhood Greenway area, and noted that the Plan was now being implemented into the City's Development Code and Comprehensive Plan. This work session would include an overview of the Code amendment process, as well as a review of the goals, the issues based on the goals, the Town Hall meeting held on August 20, 2015, and key issues and options for the Neighborhood Greenway Area. After input from the public and Planning Commission, staff will take guidance from the Commission on several options.

Matt Hastie, Angelo Planning Group, said several things, such as transportation projects, are necessary to implement the Riverfront Vision Plan. However, the Planning Commission would only focus on the elements of the Plan that could be implemented through the Development Code. He reviewed the goals and objectives identified for the Neighborhood Greenway Area in the Plan. He and Planner Johnson gave a PowerPoint presentation on the preliminary recommendations for the Code amendments necessary to implement the Plan in a way that would meet those goals and objectives. During the presentation, Staff posed the following questions for the Commission to consider:

1. Should residential accessory structures larger than a 1-car garage (14-feet by 20-feet, 280 square feet) require review or be allowed with no design review?
2. Should design guidelines, standards, or a combination of guidelines and standards be implemented? Design guidelines would have to be reviewed and approved by the Design Review Committee. Standards could be approved administratively if all standards were being met.
3. Should design guidelines and/or standards be implemented for non-residential structures? Standards would require a strict but simple process. Guidelines would allow more flexibility, but require the design review process. If both were implemented, a review would be required when standards are not met. Should the Code include standards and/or guidelines for roof designs?

Staff detailed next steps as follows:

- Continue to receive public feedback.
- Revise the draft Code amendments based on feedback from the public and the Planning Commission.
- Discuss revisions at the Planning Commission Work Session scheduled for September 16, 2015.
- Update amendments based on direction from the Commission given at the next work session.
- Schedule public hearings with the Planning Commission and City Council in October and November.

President Pearson invited public comments.

Michael Zametkin, 373 47th Street, Astoria, said everyone who was at the meeting attended because they love Alderbrook. The neighborhood has been described as having a small town charm and quirky vibe. He chose to live in Alderbrook for its affordability and location, which allowed him to create pottery, pursue his craft, and raise

his family without intrusive government interventions. He has lived in Alderbrook for more than 40 years and does not plan to move. Most of the people in the neighborhood mind their own business and help each other when they can. Each person has a right to their own way and individual pursuit of their own happiness. Alderbrook has been allowed to develop relatively unmolested from unnecessary rules, regulations, zoning, land use ordinances, and arbitrary City officials. The zoning does not need to be changed from A-3 to A-4 and the neighborhood does not need accessory structure ordinances or multi-family development standards. Imposing design standards that regulate the type, shape, and style of windows, and regulate roofs and exterior siding are excessive interventions into an individual's property rights. Alderbrook has become what it is today because these rules and ordinances never existed. The neighborhood has a live and let live spirit. Building codes are necessary and important because individual and public safety is involved. However, design codes have nothing to do with safety and everything to do with one's personal aesthetic taste. Taste is individual, in the eye of the beholder. He believed each person had a right to use their own property as they choose, as long as building safety codes and general zoning ordinances are respected.

Mike Abrams, 4880 Ash Street, Astoria, said he is the third generation of his family to live in Alderbrook. He asked the City to just leave the neighborhood alone because it is fine the way it is. The waterfront area is a tidal marsh zone, which goes dry twice a day, so no marina could be built. None of the old fishing docks and boat ways are left along the working waterfront because Mother Nature has destroyed them. The residents love the area. In the early 1990s, the neighborhood was rezoned from Marine Industrial to a neighborhood zone, so the working waterfront was taken away. Oregon owns everything under the water, so any overwater development will owe rent. There are already many rules in place for the area. He asked that Alderbrook be left alone.

Ken Adey, 5275 Ash Street, Astoria, said he agreed with Mr. Zametkin and Mr. Abrams. He wanted the area to be kept the way it is. He believed there was consensus at the Town Hall meeting of residents that like Alderbrook the way it is and do not want it to change. He requested the area between the sewage lagoon and the Alderbrook lagoon be rezoned from Institutional to S-5, Natural Shoreline. He believed the S-5 zone was more in keeping with the use of the property. He spends a lot of time in this area of the River Walk and has spoken to many people who say they go to this area because it is natural, peaceful, has a large green area, provides bird watching, and access to the water. These uses are important in this area. He was most concerned with the waterfront and natural areas of Alderbrook and has been working with the City and watershed association to reduce invasive plants and reintroduce native plants. Any docks built over the water would not be useful because the marsh is dry most of the time. He asked the Planning Commission to keep the area the way it is.

Marty Palmer, 5323 Ash Street, Astoria, believed Staff said at the Town Hall meeting that no changes would be made to the A-3 zone because the zoning protected the natural area. Now, Staff is saying the zone might be changed to A-4, which means uses will be more restricted. He questioned what Alderbrook had to do with the River Walk, noting that the two areas are about a ½ mile apart. He did not believe carnival rides or hot dog stands would be developed and wanted to know the purpose behind the proposed developmental changes to Alderbrook compared to the function of the River Walk. The River Walk is a pleasant place that is well maintained for walking. He asked what the purpose or vision was for the green area at the end of the River Walk. He believed the Institutional zone was part of a land grant and had limited uses. It is obvious that Alderbrook residents are happy and content with what they have, which includes multiple cultural structures. Therefore, the City cannot make a code that requires a certain roof pitch or material. The recommendations state there should not be any changes to residential development. However, he was concerned about the developmental issues and asked what was being developed and where. These Code amendments are being made for a reason, but the residents do not see the reason. He wanted to know what development would be coming to the neighborhood in the future. The neighborhood is not seeing the reason for all of these changes. The River Walk is a ½ mile from Alderbrook and he wanted to know why the City believed the River Walk impacted Alderbrook so substantially at this point.

Josie Peper, 5276 Ash Street, Astoria, believed the City should be more protective of the Institutional zoned area by changing the zoning to something more conservative. She also believed the City should figure out what to call the area. Director Cosby referred to it as the Astoria Natural Area, Planner Johnson referred to it as the Alderbrook Lagoon Park or Beach, some people call it Stinky Beach, and others call it Pretty Beach. The zoning should be changed to something that goes along with the wording in the Comprehensive Plan and Riverfront Vision Plan.

Staff responded to public comments about the Institutional Zone and the S-5, Natural Shoreland zone. The Institutional Zone includes the college campus, City facilities, and parks. The public uses allowed within the zone

have slightly different and more flexible standards than the public/semi-public uses allowed in residential zones, which require a conditional use permit. Staff had no intentions of relocating or expanding the sewage treatment plant and the park would remain a park. The recommended Code amendments are for the approximate 22 parcels that could be redeveloped. The City does not have any plans to do anything different with the Institutional Zone. Staff would need to review the uses allowed in the S-5, Natural Shoreland zone because some of the desired amenities for this area, like a walking trail, bridges, or restrooms, would be included in the Parks Master Plan.

Josie Peper, 5276 Ash Street, Astoria, understood the City had previously proposed to install windmills in the area. She was concerned about development like windmills or a dog park and asked if there was a way to create an overlay zone to further restrict uses.

Planner Johnson explained the Neighborhood Greenway Area is an overlay that would apply to the Institutional Zone, which includes the park.

Commissioner Easom said the entire area between 39th and 45th Streets appeared to be undeveloped and he wanted to know who owned the property.

Planner Johnson said properties from 39th to 41st Street include condominiums and the Astoria Business Park. The western edge of Alderbrook Lagoon includes a City-owned parcel and part of the River Trail. At about 43rd Street and up to 45th Street, there are a few houses on the south side of the river. She used a map to show the exact locations of each property in the area, noting that the City owns most of the rights to the areas over the water. She referred to Page 5 of the agenda packet, which showed parcels owned by the City and the Division of State Lands. Upland property owners have the first rights of refusal to use the parcels owned by the Division of State Lands. Very few overwater properties in this area are owned privately. She noted the condominiums and business park are within the Civic Greenway Area, as the Neighborhood Greenway Area only extends to 41st Street on its western edge.

In response to a question about whether these code amendments were necessary for the City to move forward with some planned developments, Mr. Hastie confirmed nothing had been planned. The City does not intend to develop any structures in the area. These Code amendments are necessary to implement the Riverfront Vision Plan. Current standards for overwater development in this area allow 20-foot tall structures in the A-3 zones. The recommendations in the Plan suggest open views and vistas should be maintained. Therefore, Staff is recommending additional future buildings not be allowed over the water unless they are bank height or lower. Recommended landscaping provisions are also intended to keep areas open, maintain views of green areas, and keep the area natural. The Plan indicated people like the area just the way it is, so Staff has refrained from recommending any new standards for most of the existing development. Standards recommended for larger or nonresidential development are intended to maintain the character of the neighborhood. He believed most of the recommendations would maintain the area as is.

In response to the comment about the River Trail being a ½ mile from Alderbrook, Mr. Hastie explained that the Riverfront Vision planning process from 2005 to 2007 considered the entire area between the highway and the pier head line, which includes areas over the water, the River Trail, and the residential neighborhood.

Vice President Innes reiterated that the design standards would only apply to windows and roofs on new non-residential structures of a certain size. Planner Johnson added the structures would include buildings like churches, schools, and daycare centers. Staff is not suggesting any design review of residential structures and the standards for accessory structures are very basic.

Commissioner Easom asked what prompted the recommendations for accessory structures. Planner Johnson explained that several years ago, the City received a request for a garage/pole barn in Alderbrook. The accessory structure would be larger than the residential structure. Neighbors tried to work out the issues amongst themselves, as is typical in Alderbrook. However, the property owner built the pole barn, which he had the right to do. Residents in Alderbrook did not want new restrictions on their properties, but they did not want large pole barns in the neighborhood either. Staff reviewed possible Code amendments to address the size and scale of accessory structure, but chose not to pursue implementation at that time. Staff is proposing these standards now to protect the character of Alderbrook from intrusive and large development. However, the Riverfront Vision Plan does not specifically address accessory structures.

Commissioner Mitchell said the visioning process does not help the City at all unless the zoning is changed. She believed this concept was difficult to understand. People like the views as they see them today and assume it will continue because everyone agrees they enjoy the views. However, a developer can build whatever the zoning allows. Staff cannot refer to the Riverfront Vision Plan just because it says nice things. This was an issue during implementation of the Bridge Vista Area. She was sure many people believed the City had sold them out. However, the City actually removed much of what had been allowed. It can be very difficult to understand that sometimes, Code amendments are necessary to prevent things from happening. Alderbrook is a wonderful neighborhood with a distinctive character. The traffic needs to slow down and the City should consider a way to prevent people from getting lost in the neighborhood. These recommendations will put in place the codes necessary to retain the character of the neighborhood and protect the neighborhood from inappropriate development.

Mr. Hastie agreed and said the intent is to restrict what could occur and maintain the existing character, more so in this area than in any other area along the riverfront. Staff is trying to limit the types of uses that would have further regulation. Most of the area consists of single-family and two-family homes and Staff is not recommending additional regulations to those uses.

The Planning Commission discussed the proposed Code amendments and Staff's questions. They provided feedback and responded to Staff's questions with the following key comments:

- Change the A-3 zone to A-4, as recommended.
- No overwater standards were necessary; the A-4 zone with the top of bank height limitation would limit height and width of structures.
- After some discussion of the current standards and uses for accessory structures, the Commission decided to eliminate proposed Code amendments for accessory structures. Staff will discuss residential use of accessory structures as they relate to the housing study with City Council on September 14.
- Commissioners agreed that non-residential structure designs should be reviewed after discussing design review in other R-2 zones in the City.
 - Staff noted that State law requires clear and objective standards for multi-family housing, but alternative design guidelines with a review could be offered as well. Staff explained how standards are reviewed differently from guidelines, noting that the Commission could implement both, and discussed standards versus guidelines in other areas of the City.
 - Commissioner Eason wanted to hear from the public. Staff, Commissioners, and the audience discussed current regulations for multi-family structures. President Pearson explained the design review process, confirming it was thorough.
 - The Commission decided to implement guidelines for non-residential structures. Multi-family structures should have standards, per State law, and guidelines as an option.
- On non-residential structures, roofing materials should be included in the guidelines and standards, and roof pitch should be similar to adjacent properties.
- Commissioners had no comments on the proposed landscaping guidelines for future development.

President Pearson confirmed there would be no more public comments at this meeting. However, there would be an opportunity for the public to give comments at the next public hearing.

Staff confirmed the Town Hall meeting, public comments at this meeting, and feedback from Commissioners resulted in clear direction for revising the Code amendments. Revisions would be presented in a work session at the end of the Planning Commission meeting on September 16, 2015, which starts at 6:30 pm. The public hearing is scheduled for October 27, 2015. Staff will continue to accept public comments throughout the process, but the hearing in October will be the last opportunity for the public to give the Planning Commission input.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:04 pm.

APPROVED:

Community Development Director

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall
September 16, 2015

CALL TO ORDER:

President Pearson called the meeting to order at 6:30 pm.

ROLL CALL:

Commissioners Present: President David Pearson, Vice President McLaren Innes, Kent Easom, Sean Fitzpatrick, Daryl Moore, and Frank Spence.

Commissioners Excused: Jan Mitchell

Staff Present: Interim Planner Mike Morgan, Special Projects Planner Rosemary Johnson, Community Development Director Kevin Cronin, Parks Director Angela Cosby, Police Chief Brad Johnston, City Attorney Blair Henningsgaard, and Consultant Matt Hastie, Angelo Planning Group. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

President Pearson noted there were no minutes to approve for the July 28, 2015 meeting.

PUBLIC HEARINGS:

President Pearson explained the procedures governing the conduct of public hearings to the audience and advised that handouts of the substantive review criteria were available from Staff.

ITEM 4(a):

CU15-02 Conditional Use CU15-02 by Frank Linza to operate a bed and breakfast in an existing single family dwelling at 364 Floral in the R-3, High Density Residential zone. This item was continued from the August 25, 2015 meeting.

President Pearson asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. He asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare.

Commissioner Fitzpatrick declared he had spoken with a couple of the Applicant's neighbors. He explained to the neighbors that he was unable to discuss this matter, but they shared their concerns.

President Pearson asked Staff to present the Staff report and make a recommendation.

Interim Planner Morgan reviewed the written Staff report. Additional information was received after the Staff report had been published. This information was available at the dais and for the audience. City Attorney Henningsgaard added that he had received information earlier that day indicating Mr. Linza was currently using the residence as a rental house. The house is advertized through VRBO as an independent rental house, not an owner occupied bed and breakfast. It has been rented as recently as last week and it appears that the owner intends to use the house as a transient rental facility. President Pearson confirmed the Commission had received correspondence on this application.

President Pearson opened the public hearing and called for a presentation by the Applicant.

Frank Linza, 364 Floral Street, Astoria, clarified that while he did advertise on VRBO, the advertisement clearly states the house is a lodging and that the owner is on premises. The City has already approved a lodging permit for two rooms and he just wants to add one more room in the downstairs. Both rooms have been occupied for

the last two months. He has been able to acquire the property at 376 Floral Street, which has covered parking. He plans on using 376 Floral for assigned parking for his bed and breakfast guests, which will eliminate any traffic. Right now, he plans on only one car on the premises, at the most. The fences have been moved back away from the curb to allow emergency vehicle access. He and his wife believe they have completely solved the traffic problems and relieved the burden on their neighbors. He was unsure how much more he could do because there is no traffic issue in the area now. The purchase of the new property just fell into his lap and it is the perfect solution to the problems expressed at the last Planning Commission meeting. He wants to make the house a quiet little bed and breakfast at the end of a street and the new parking will help him achieve this. He believed he had fulfilled the City's requirements and made the street safer for his neighbors. His guests receive a welcome letter that specifically states Floral Street is a quiet, family-run community and requests guests drive a maximum of 10 miles per hour and watch for children. He is trying to make the area safe for everyone and wants the bed and breakfast to provide an enjoyable experience that Astoria can be proud of. The house has a European feel and he believed Astoria could be proud of it.

President Pearson called for any testimony in favor of the application.

Cherry Chadney, 350 Floral Street, Astoria, said she and her husband have lived in the last house on the street for about five years. She understood there had been a lot of discussion about turning around in front of the houses being discussed. The end of the street is the turn-around. She and her husband have done a lot to widen the area so that large trash trucks can turn around. However, in the last two years, a smaller trash truck has been coming to the neighborhood because it was so difficult for the larger truck to turn around. Cement trucks, UPS trucks, and fire trucks are able to turn around. She had opposed renting the house because every other rental on the street has messes in front of the houses, kids that run out into the street, and the houses are not maintained. When 364 Floral was rented, there were up to eight cars parked along the street. Cars would park all the way down to her house and in front of her neighbor's house. Her neighbor had to call the owner to request the cars be moved. In the last two months, 364 Floral has been so quiet and she was impressed with what the Linza's had done to fix the property and provide off-street parking. Rental houses lower the values of properties in a neighborhood because owners cannot control the types of people who rent their houses. But, a bed and breakfast can be controlled. She supported the application.

President Pearson called for any testimony impartial to the application. Hearing none, he called for any testimony opposed to the application.

Thomas Gill, 407 Floral Street, Astoria, said as an educator, he was familiar with a MacGuffin, which he defined as an object, event or character in a film or story that serves to set and keep the plot in motion despite usually lacking intrinsic importance. Many students learn to use the MacGuffin principle to distract instructors from fundamental shortcomings in their work by inserting intentional and obvious errors that divert the teacher's attention from the important inadequacies of the work. He believed in this application, the parking issues have become the MacGuffin, distracting the Commission from weighing more substantial shortcomings in the application for a Conditional Use as a bed and breakfast. Section 11.030(a)(2) of the Development Code requires an adequate site layout be used for transportation activities, with consideration given to the suitability of access points. He noted the word 'points' is plural, but the street only has one access point, the one-way street from Alameda near the end of the road. There is no other point of access. On site drives are probably suitable for the current permitted use. While the Applicant is trying to address the parking issues, the new parking solution will require renters to walk 50 feet on a roadway without sidewalks to their destination. This parking is not adjacent to the facility, which is a safety problem. He believed the Planning Commission had already heard testimony on access points for the disposal and collection of refuse. The large trucks will no longer use the entire road. The nearest sidewalk is several hundred yards to the southwest and there are no bike paths close to the property. The nearest bike path is about 200 feet above Marine Drive and involves the negotiation of a significant hill. The bus runs 200 vertical feet below the property and is only reachable by circuitous routes. The Code says suitability should be determined by the potential impact of these facilities on safety, traffic flow and control, and emergency vehicle movements. However, the bed and breakfast will have a delirious effect on safety. The Planning Commission has heard testimony about the frequency of small children in the street, especially in the vicinity of the S curve at the 400 block of Floral. More children can be expected as the neighborhood changes and elderly residents sell or rent to young families. The narrowness of the road requires one of two vehicles driving toward each other to pause while the other passes. This is of special significance for emergency vehicles. Those who live or walk their dogs within the 300 block of Floral are aware of the microclimate that causes part of the street to frost over long before other parts of the street and other streets in the city. When frost occurs,

residents often park in the 400 block of Floral and walk the shoulder to get home. Leaving during frost is often treacherous and the City treats this part of the street last or not at all. Safety, traffic flow and control, and emergency vehicle movements are affected by placing a bed and breakfast near the end of a narrow dead end road, leaving only a single egress. There are no other outlets, not even an established footpath. In 2007, a large maple tree fell across Floral just west of 276 Floral and vehicles to the east were trapped for several days. Walking required climbing over or under the trunk of the tree. Section 11.30(a)(4) requires topography, soil, and other physical characteristics of the site be adequate for the use. A determination by the City Engineer, and engineering or geological study by a qualified individual might be required prior to construction. The Staff report indicates no exterior construction has been proposed as part of this request. However, the application for the Conditional Use permit was not responsive to this and most of the conditions listed in the Staff report. He did not understand where Staff would get the idea that nothing else had been planned. After the last public hearing, the Applicant constructed exterior amenities to the property. He wanted to know why the application was being considered when it is not completely responsive. He asked the Planning Commission to consider the deficiencies in meeting the criteria for this conditional use in their entirety and find that the proposal does not conform to the conditions required by the ordinances. He confirmed for Commissioner Fitzpatrick that he had lived on Floral for about 10 years.

Thomas Stanley, 416 Floral, Astoria, said Mr. Linza had done a beautiful job on both of his houses. The houses were in bad shape when Mr. Linza purchased them and he has turned them into lovely cottages. Mr. Linza is truly a craftsman. He did not oppose bed and breakfasts, vacation rentals, hotels, motels, campgrounds, or anything necessary to bring visitors into Astoria. The town is growing with tourism and Astoria needs places for the visitors to stay. However, the community needs these places to be in appropriate areas and the Planning Commission must decide what areas are appropriate for bed and breakfasts. He questioned whether Floral Street was an appropriate location for a vacation rental. The testimonies, letters, emails, and petitions have given the Planning Commission an idea of how the neighbors in the area feel. He was concerned about traffic and children. Most people do not spend much time in their hotel or bed and breakfast rooms when on vacation. This means people are coming and going, which adds additional traffic. Floral is already a crowded street and vacationers are not familiar with the neighborhood or aware of the children playing in and out of the streets. A person goes on vacation to have a good time. A visitor might go back to the room to get ready for dinner and maybe have a couple of cocktails. Then, there could be children playing near the S curve on the way down Floral towards Alameda. This is an unnecessary risk to the people who live on Floral Street. He showed a photograph to the Commissioners of chalk art done by the kids who live on Floral. The photograph shows the flavor of the neighborhood. He hoped the Commission would consider this application for its appropriateness of Floral Street. Parking is not the only issue.

Karen Gill, 407 Floral, Astoria, said the application for the bed and breakfast states Mr. Linza has an owner-occupied single family home. At the last hearing, Mr. Linza had said he lived in the blue house and his wife lived in the basement of the red house, or vice versa. She came to the first public hearing in August to get information because she does not know much about bed and breakfasts, except that she likes to stay in them. She knew Mr. Linza had changed his mind sometime during the summer from renting the red house to using it as a bed and breakfast. She had heard from neighbors that there were some concerns about the proposal and she signed a petition not to oppose the proposal, but for clarification about what was happening. During the last nine years, she has walked to the end of Floral at least three times a day with her dog. She has met all of her neighbors and their dogs. She has visited Mr. Linza often as he worked on both of his houses. Information he shared during these visits did not ring true to what she heard him say at the last hearing. She wanted to speak with Mr. Linza about her concerns, but he has not been home during her walks. During her walk on Sunday morning, she noticed he had guests in the red house and he was in the blue house. However, it was too early for her to knock on his door, so she returned after church. The guests were still in the red house but no one was at the blue house. Mr. Linza was not there on Sunday evening, Monday morning, or at noon on Monday. The guest with the motorcycle was at the red house until after her Monday morning visit. On Monday morning, she spoke with Planner Morgan about the definition of owner-occupied. He had clarified the ordinance states owner or manager occupied and that occupied meant the house is a person's permanent residence. For months, as she has walked past, she has seen that when there are guests in the red house, Mr. Linza comes out of the blue house to say hello. She has never seen Mr. or Mrs. Linza come out of the red house while there are guests. An internet search using Google shows Mr. Linza's business contact information is a property in Oregon City and does include the address of his Astoria residence. If the ordinance means the owner must have this address as their permanent address, there must be a misunderstanding on Mr. Linza's part regarding what owner or manager occupied means or he is not being honest regarding his purpose. While preparing the two-bedroom red house

for the bed and breakfast, Mr. Linza told her Mrs. Linza was making sure it met the high standards they set for the vacation rental property they also own in Bend. Now, it appears the Linzas have acquired another property. She was curious about the purpose, in addition to parking, of that property. The letter from Mr. Linza states future parking spaces for 367 Floral will be built working with the City Engineers and erosion control to properly provide additional off-street parking. At the last hearing, Mr. Linza said he would investigate the use of City owned property and/or the vacated street at the end of Floral for parking. If it is possible for Mr. Linza or anyone else to use the property and/or street for parking, all of the residents on Floral should be notified by the City and be given the same opportunity to bid for leasing or owning the property and street. After the last hearing, Mrs. Linza told her she was disappointed in the outcome of the hearing and she told Mrs. Linza she was concerned that Floral would turn into a Cannon Beach-like street full of vacation rental properties. That morning, a neighbor showed her the Linza's advertisement for the red house on VRBO. Their home is listed as a vacation rental home, not a bed and breakfast. The calendar on the VRBO website allows guests to book the home at least one year out for two days or longer. Up to seven guests are allowed in the house. She was concerned about this for many reasons. She was unsure if it was legal for the house to be listed as a vacation rental. The advertisement ironically states the home is at the end of a quiet, dead end road with only local traffic. She found it interesting that the home being advertised is bringing the traffic that disturbs the quietness of the street for local residents that do not want extra traffic. Many of her other concerns have already been addressed by others. Floral is a beautiful street and every house has a view of the river. The homes were built by workers in Uniontown and Astoria. Children who live on the street or visit grandparents that live on the street swing on a rope swing down the hill, play on a swing set built by neighbors above her house, and skateboard on the winding, narrow road. Many people in the neighborhood still work in Astoria. The neighborhood is a small community of people who borrow sugar, share plants, sorrow in death, and help in times of sickness. They enjoy seeing eagles fly and new fawns born each spring. The Planning Commission had photographs of a party she had several years ago. She had entered a Breyers contest for the best neighborhood in America and her story about Floral Street won. The Federal Express Truck delivered ice cream for 100 people. Residents of Floral Street work in Astoria, serve in civic organizations, churches, the art community, and volunteer for the cruise ships, radio station, the Flavel House, and the Trolley. All of the residents want to do their best to make the community great. She asked the Planning Commission to consider keeping Floral as Astoria owned and rented as possible.

Ellen Levy, 420 Floral Street, Astoria, said she has lived on Floral for 12 ½ years. She was concerned about traffic. She shares a driveway with Mr. Stanley and their visibility is severely limited by a high retaining wall. Their first sight of traffic coming from the east end of Floral is when they are at the street. Tourists barrel down the street. On her way home at about 6 pm or 7 pm Saturday night, a car with bikes came barreling down the street. The egress was blocked by her car, but she had the right of way and the car just came charging down. This has been going on with people who are unfamiliar with the street. When making a turn from Alameda, it is not possible to see what is coming from the east on Floral. People drive way too fast. There is only one lane plus a foot or two because the people on the west side of the S curve park up to five cars on the street. Someone will really get hurt one day. She has seen enough fender benders when drivers are not careful. No one parks on the inner part of the S curve, but if a car is not in first gear during frost or a driver does not know how to drive on ice, the car will sail straight down into the river. The street has black ice all of the time in the winter. She was worried about the traffic, the extra unneeded traffic, and drivers who are unfamiliar with the area and do not know they need to slow down. On the S curves, it is not possible to see deer or mothers with their children coming down the street. When the fire inspector came to the neighborhood on Sunday, no one was on the street. She asked the Planning Commission to keep this in mind when they read the fire inspector's report. She was concerned about the control of bed and breakfasts versus long-term rentals. Managers seem to have a grip on doing background checks on long-term renters, which is necessary for the stability of the neighborhood. She did not want transients turning over every two nights. She did not understand what control of the renters was about. She asked if Mr. Linza's newly acquired property at 376 Floral would be another bed and breakfast. She had heard both of his other properties were going to become bed and breakfasts and the residents at the end of Alameda want a bed and breakfast. She asked if she could turn her house into a bed and breakfast as well. She has enough parking space on her driveway and could rent out two bedrooms for some much needed additional income. She wanted to know if all of the residents could turn their homes into bed and breakfasts, or just some. The Planning Commission's decision will affect all of the residents. If the Planning Commission does for one, it must do for everybody. Everyone should have the option to get the City owned land at the end of the block. She was fine with long-term rentals because the renter will be a person in the neighborhood. Neighbors get together for ice cream socials, picnics, and barbeques and the neighborhood does not want to be part of Motel Row. If the residents are going to be on Motel Row, they should all be allowed to have bed and breakfasts.

Cheryl Allen, 368 Floral, Astoria, said she has owned her house since 1994 and lives directly adjacent to one of Mr. Linza's houses. Mr. Linza had stated the house was a party house before he owned it. However, the residents were teachers and radiologists who were well mannered. There were parking issues, but those issues did not measure up to the parking problems of this last summer. The large garbage truck turns around on Elsie, which is directly across from her entry. The garbage truck almost took out her garbage can when the driver made an eight point turn. The impact on her has been completely negative. Mr. Linza did an outstanding job when he first came to the neighborhood by cleaning up the fire hazard in the neighborhood. The house was going to be a retirement house, but at some point that changed. Over the weekend, the motorcycle remained at the house while everyone was gone. She did not understand how someone could live in a house full time and not be there. All of the other speakers have shared what she feels. She has unfinished drainage and there is a bunch of dirt and sand on her property. She feels like this is an invasion. She did not know where the City got the idea to put on its website that this application has the support of the street because the impact is completely negative. As a new grandma, she would be freaked out by people coming down the street in trucks. At the last public hearing, someone asked if every guest would be interviewed and told not to bring skiffs. She thought the property recently purchased for parking was owned by the City. City property should be sold in auction. She wanted to know if the property was a slide area. She planned to die in her house, but did not want to die early because someone does not know the street.

Jennifer Kirk, 411 Floral, Astoria, said she rents the house she lives in. She was concerned about this application because she has five children, ages six to 13. The children do not go into the yard unsupervised, but they do like to play with chalk on the sidewalk and road. Most of the neighbors know about the corner and drive by very slow. It is very difficult to drive on Floral because there is off-street parking and it only accommodates one car at a time. Guests staying at the bed and breakfast could barrel down the road, fail to see her kids, and run into them. She moved to the neighborhood because it had a dead end and it is a nice quiet neighborhood. She does not have to worry about riff-raff and it would be terrible to have to move because people barrel up and down the road all the time.

Dennis Cranston, 403 Floral, Astoria, described a scene in the movie *Short Circuit*, which was filmed on Floral Street in Astoria. In this scene, a robot goes careening down the street and crashes into garbage cans. The people who live on Floral do not have traffic issues. The people he sees coming and going all the time are generally people from out of town that are not familiar with how narrow the road is. He did not want to see the kids or the deer get hit by someone who is not familiar with the area. The scene in *Short Circuit* provides a good visual of what happens.

President Pearson called for the Applicant's rebuttal.

Mr. Linza said he believed Planner Morgan clarified the first issue right away. The City is not interested in allowing him to use their property for parking. His attempt to acquire the parking was a long shot. That property was 225 feet away, so he knew he would not be able to use the City's property for parking. His acquisition of 376 Floral will not become a bed and breakfast. People do not understand how much it takes to have a bed and breakfast. A house must be molded for people to come in. He plans to stripe the parking and use the duplex at 376 Floral, which is zoned R-3. Some speakers have claimed he is not around, however he is currently in the process of moving to Astoria. He lives in quarters underneath 364 Floral, separate from the main house. This allows his guests to use the two upstairs rooms while he occupies the basement. He believed the situation was safe. Google shows that Floral goes through and he believed his neighbors were seeing people who think they can drive through to Columbia. However, Google does not show the dead end. The majority of the traffic in the area is because of Google. He is just trying to make the area safe for everybody. He is not trying to put in a Super 8 or Holiday Inn, but just wants to minimize the number of people. For three years, he knew what it was like to have four or five people in the house and it was no fun. The bed and breakfast will minimize the amount of traffic and applicants will be screened. Several people have asked to bring their truck and fishing boats. So, he sent out a welcome letter explaining that Floral is a tiny street that cannot accommodate large trucks or fishing boats. He is just trying to keep the house a small, intimate, romantic getaway. So far, he has achieved this. He hoped people realized he was trying to do the right thing for the end of Floral. He does not want the house to return to rental space that causes parking problems and parties. He thanked the Planning Commission for listening to him on both occasions.

President Pearson closed the public hearing and called for closing comments of Staff. There were none. He called for Commission discussion and deliberation.

Commissioner Easom asked if a bed and breakfast required a permit from the City. Director Cronin explained that the business license, which is issued over the counter, allows the City to track the transient tax. The Planning Commission is being asked to grant the Conditional Use permit.

Commissioner Easom understood that based on City Attorney Henningsgaard's disclosure and the advertisement that the house is a long-term rental, meaning the Applicant was in violation of City Code. Planner Morgan said when Mr. Linza first approached the City, he explained that anyone in the R-3 zone can have up to two rooms as a home stay lodging because it is a permitted use in that zone. The advertisement on VRBO was based on this use. Home stay lodgings must be occupied by the property owner. Mr. Linza told Staff he was living in 364 Floral and that enabled him to get the occupational license for the home stay lodging. Mr. Linza has adequate parking for the residents and two spaces at 364 Floral.

Vice President Innes asked for clarification about which properties were being used for parking. Planner Morgan used a map to show that 364 Floral had two parking spaces in the driveway and two parking spaces in front of the house. He also showed the parking spaces at 368 Floral, which included two spaces between the buildings. Mr. Linza has indicated his purchase of 376 Floral will provide adequate parking for guests staying at 364 Floral if he is allowed to have three or more rental units. A bed and breakfast is defined as having between three and seven units. This proposed Conditional Use permit will allow Mr. Linza to add a third unit.

Vice President Innes confirmed that a bed and breakfast could have three to seven units and must be owner or manager occupied while a home stay must have two or less units and be owner occupied. She also confirmed that Mr. Linza has stated he lives in the basement of 364 Floral, which is the home stay property that he wants as a bed and breakfast.

Commissioner Moore asked how many parking spaces were on 376 Floral. Planner Morgan said the property had an off-street parking area with room for about four parking spaces. The building, which is partially in the right-of-way, could be converted to accommodate three parking spaces for 364 Floral. The property provides adequate parking, but it is 200 feet from 364 Floral.

Commissioner Fitzpatrick asked how many street lights were between 376 and 364 Floral. Staff confirmed street lights were not considered, but there may be one or two between the properties.

President Pearson said the parking is not the criteria he was considering. Of the criteria the Planning Commission has been asked to review, he was most concerned with Section CP 220.6, which asks if this use would be an unnecessary intrusion of incompatible uses. He believed adding one more room of lodging at this facility would overtax the neighborhood. Floral is a small dead end street with no easy turn around. Regardless of the Applicant's best intentions, it would be very difficult to ensure what vehicles come to the bed and breakfast. Adding three rooms to the space would make a large difference. Therefore, he would vote to deny the request. Even if the parking requirements are met, the bed and breakfast seems to be an incompatible use in a residential neighborhood on a narrow dead end road.

Vice President Innes agreed with President Pearson and said she planned to vote to deny the request as well.

Commissioner Easom said he planned to vote to deny the request because the Applicant has stated in his advertisement that he lives next door to the property advertised as a vacation rental.

Commissioner Spence said he drove the narrow street and it is extremely difficult to get through because of how the residents and visitors park. There is no cul-de-sac at the end of the dead end street and he had to pull into a driveway to turn around. Public safety would be difficult and traffic would be generated. Additional traffic in such a restricted area is not in the best interest of the city.

Commissioner Moore said he was not entirely convinced that there would be a huge influx of traffic. Three cars three times a day is only nine trips. He was not convinced that everyone who visits Astoria drives after two cocktails and recklessly. However, he was concerned about the parking. A visitor might be likely to squeeze their car adjacent to the house instead of parking 180 feet away, even if it crowded the street. He was also concerned about the consistency of the messages given to the Planning Commission. Mr. Linza just testified that he owned investment property at 376 Floral on one side of his house, and another one at 364 Floral on the other side of his house. This implies that Mr. Linza considers 366 Floral his home, not the bed and breakfast, which does not line

up with the rest of his message that he lives in 364 Floral. Input from the neighbors indicates this use is not consistent with the neighborhood. Therefore, he planned to vote for denial of the request.

Commissioner Fitzpatrick said all of his concerns had already been discussed by the neighbors and Commissioners. He was concerned about the parking and believed the use did not seem appropriate for the neighborhood. Therefore, he is not in favor the request.

Director Cronin said Staff would need time to write Findings that more strongly supported denial of the request based on the criteria identified by the Planning Commission. Currently, the Staff report supports denial based on parking criteria. However, the Applicant meets the parking criteria. Staff could also write conditions of approval that address impacts to the neighborhood if the Commission would like to approve the request.

Interim Planner Morgan noted the original Staff report contained Findings for denial based on the lack of width in the street. Director Cronin added that Staff would like to write Findings that address traffic concerns based on the Transportation System Plan (TSP). Staff does not have traffic counts for Floral. It would be necessary to determine the baseline and compare that to the number of trips generated in order to write Findings that support the traffic concerns. Staff would be happy to write Findings based on Comprehensive Plan policies; however, Findings based on the Development Code create a much stronger case for the City if the request is appealed to City Council and/or the Land Use Board of Appeals (LUBA).

Commissioner Spence noted Page 4, Paragraph D of the Staff report finds that the use does not comply with two Sections of the Comprehensive Plan by overtaxing the capacity of the property and neighborhood with a lack of parking and maneuvering area.

Planner Morgan advised the Planning Commission to vote on the request, pending adoption of the Findings at the next meeting. The application date was July 10, 2015, so Staff still had time to write the appropriate Findings.

President Pearson moved that the Astoria Planning Commission tentatively deny Conditional Use CU15-02 by Frank Linza, pending presentation of the Findings of Fact for denial, by Staff; seconded by Commissioner Easom. Motion passed unanimously.

ITEM 4(b):

CU15-04 Conditional Use CU15-04 by Bruce C. Jones to allow indoor family entertainment at The Armory, 1636 Exchange in the MH, Maritime Heritage zone.

President Pearson asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. He asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare.

Commissioner Fitzpatrick declared he is a founding member and Vice President on the Board of the Friends of the Astoria Armory. This is a clear conflict of interest, so he recused himself and stepped down from the dais.

Commissioner Easom declared that he knows several of the Board members and is Vice President of the Historical Society adjacent to the Armory building. However, he believed he could vote impartially.

President Pearson declared that the Applicant is a trustee of the Columbia River Maritime Museum, which is a volunteer position. However, he is an employee of the Museum. He and the Applicant have never discussed the project and he has no role in the project. Therefore, he believed he could make an impartial decision.

President Pearson asked Staff to present the Staff report and make a recommendation.

Interim Planner Morgan reviewed the written Staff report and recommended approval of the request with the conditions listed in the Staff report. The Applicant received one letter, which he would speak about during the public hearing.

Director Cronin added that he and Planner Morgan met with the Applicant on site to tour the building and grounds.

President Pearson opened the public hearing and called for a presentation by the Applicant.

Bruce Jones, 455 45th Street, Astoria, President of the Friends of the Astoria Armory Board of Directors, introduced fellow Board member Dan Stein and Walt Postlewait of Craft3. In the 15 months since the Armory opened, the Friends have made great progress towards their goal of transforming the historic and long neglected Armory into a vibrant hub of community activity and entertainment that improves the quality of life for all Astorians and contributes to economic development. Strong community support and the extraordinary efforts of dedicated volunteers, one paid staff member, Board members, and Craft3 have given the Armory a new lease on life. Three weeks after receiving the keys from Craft3, the Armory held its first public event, a roller derby, attended by 500 people. The success of this event was made possible by hundreds of volunteer hours. The Armory was a United Service Organization (USO) venue that hosted Bob Hope and other big entertainers and the Board is excited to bring the Armory back to that use. Since the roller derby, the Armory has held over 175 events, including soccer practices, roller derbies family skate nights, symphony concerts, free medical clinics, free dental clinics, Goonies Central, physical fitness assessments of Clatsop Community College students, a skate park in the basement, and live bands. The Armory is trying to provide venues for community programs and activities that serve all of the diverse populations in the greater community. All of the events are done on the backs of their volunteers. In the first nine months, over 7200 hours of volunteer work allowed the Armory to host these events. This does not include the volunteer hours of the Board members. He believes the Armory has a bright future and the Board is excited about the potential to do more for the community. One day, the Armory will be a cornerstone of the downtown business community. He looks forward to formalizing the Armory's status as a community center in the Maritime Heritage zone through the approval of the Conditional Use application. He received a letter from the Clatsop County Sheriff's Office, tenant of the Lum's property located across the street from the Armory. The letter states the Sheriff's Office agrees to continue to allow guests of the Armory to use their parking lot for overflow parking during hours or after hours.

President Pearson called for any testimony in favor of the application.

Walt Postlewait, 36468 River Point Drive, Astoria, said he was speaking on behalf of Craft3, the property owner of the Armory. When Craft3 acquired the property from the Maritime Museum in June 2014, they leased it to the Friends of the Armory for two reasons. The Friends wanted to prove that the community needed the Armory as a community asset and Craft3 wanted the Friends to prove the community wanted the Armory as an asset. The Armory is a unique space. There is no other place in Clatsop County that fits the property. The variety of events held in the Armory has proven to Craft3 that the community needs it. The thousands of volunteer hours invested in the Armory have proven to Craft3 that the community wants it as well. While the Liberty Theatre is a huge asset to the community, more people have been to the Armory than the Liberty in the last 15 months. He believed the community needs and wants the Armory as an asset. He asked the Planning Commission to approve the Conditional Use permit.

Dan Stein, 16 Skyline Avenue, Astoria, said he was in favor of the Conditional Use permit and was available to answer any questions.

President Pearson called for any testimony impartial or opposed to the application. Hearing none, he called for closing comments of Staff. There were none. He closed the public hearing and called for Commission discussion and deliberation.

Commissioner Spence asked why the Armory was already hosting events allowed under the Conditional Use permit. He understood the permit would formalize what the Armory is doing and give it full legal status to proceed. Planner Morgan believed the Navy had filed a Conditional Use application in 1942, but Staff has not been able to find a permit in their files. Director Cronin believed the Armory has proven their concept and it is time to formalize the use so that it is legal. He had not heard any opposition, which indicated the Armory was working well in the neighborhood. If the Armory had more of an impact to the neighborhood, the Staff report would have contained many more conditions of approval for such a large event center. This could be revisited if neighborhood impacts increase in the future. But for now, Staff is impressed with the amount of work that has been done.

Commissioner Spence said he supported the request and complemented the Armory's management for doing such a great job over the last year. The Armory is a great asset to the city.

Commissioner Easom noted the Armory's most formal event was the Mayor's Ball. The Armory has had great community support and a diverse variety of events. He supported the request. The building was used as a skate center in the 1990s, but he did not know if there was a Conditional Use permit at that time, nor did he know the parking requirements.

Vice President Innes said she was in favor of the application. She has been impressed by the work of the already overtaxed volunteers who have done a wonderful job.

President Pearson agreed with Staff's recommendations. It is great to see the Armory return to its original intended use after all these years.

Commissioner Moore said he was in favor of the request.

Commissioner Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU15-04 by Bruce C. Jones, with the conditions listed in the Staff report; seconded by Commissioner Moore. Motion passed unanimously.

President Pearson read the rules of appeal into the record.

Commissioner Fitzpatrick returned to the dais.

Planner Morgan left the meeting.

President Pearson called for a recess at 7:56 pm. He reconvened the meeting at 8:04 pm.

The Planning Commission addressed Items 4(c) and (d) simultaneously.

ITEM 4(c):

WCF15-02 Wireless Communication Facilities WCF15-02 by Sharon Gretch, Lexcom for Verizon Wireless (VAW), LLC dba, Verizon Wireless to construct a 150' high wireless communication facility at 3850 Reservoir Road in the LR, Land Reserve zone.

ITEM 4(d):

V15-02 Variance V15-02 by Sharon Gretch, Lexcom for Verizon Wireless (VAW), LLC dba, Verizon Wireless from the maximum 45' height to construct a 150' high wireless communication facility at 3850 Reservoir Road in the LR, Land Reserve zone.

President Pearson asked if anyone objected to the jurisdiction of the Planning Commission to hear these matters at this time. There were no objections. He asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare.

Commissioner Fitzpatrick declared that he has owned Verizon stock in the past and may again in the future. While he does not currently own Verizon stock, he and his wife are Verizon customers and own shares in their competitors, AT&T and Century Link. The numbers of shares he has, does, and may own are small. This will not affect his decision and he believed he could vote impartially.

Vice President Innes declared that she has a Verizon account, but this would not affect her decision.

President Pearson asked Staff to present the Staff reports.

Special Projects Planner Johnson reviewed the written Staff reports for WCF15-02 and V15-02. No correspondence had been received for either request and Staff recommended approval of both requests with the conditions listed in the Staff reports.

President Pearson opened the public hearing for WCF15-02 and V15-02 and called for a presentation by the Applicant.

Sharon Gretch, 31649 Sexton Road, Philomath OR 97370, Lexcom Development, thanked the Planning Commission for hearing the proposal. She gave a PowerPoint presentation about the proposed project, which included aerial photographs and coverage maps. She explained that with the removal of the tower at the Column, three new sites will be required to provide what the Column site was capable of. The Reservoir site is in the middle of nowhere and will be accessed from Pipeline Road. The tower will be at least 700 feet from all property lines. She described the design of the tower, which would include a six-foot chain link fence and two equipment shelters. One equipment shelter will be used by the City and one by Verizon and both will be made of a brown aggregate material. The tower will be 150 feet tall, which is necessary for the facilities to reach the coverage area and provide services. All of the facilities currently on the Column tower will be moved to this tower. She explained the current coverage provided by the tower at the Column, noting that once the tower comes down, there will be no coverage in the area. Towers at the Reservoir site, City Park site, and on the JJ Astor building downtown will fill in that coverage area and in some cases provide better coverage than the tower at the Column. Verizon tried to minimize impacts to the Reservoir site. The towers are a passive use and do not create a lot of traffic. This tower will be built to the minimum height needed to achieve coverage objectives. The tower will not be reflective, so there will be no glare or additional light. Tree coverage will prevent the tower from being seen from a low area, but it will be visible from a distance. She added that Planner Johnson did a great job with the Staff reports and asked the Planning Commission to approve the applications. She offered to answer questions.

President Pearson called for any testimony in favor of, impartial to, or opposed to the applications. Hearing none, he called for closing comments of Staff. There were none. He closed the public hearing and called for Commission discussion and deliberation.

Commissioner Fitzpatrick said as a Verizon customer, he has been affected by spotty coverage. He described his experience with less than adequate coverage when he owned a home on the South Slope. Calls would have to be answered and made from the front yard and he was concerned that he and his wife would not be able to make emergency calls from inside their home. A couple of the vendors that work for him carry two phones serviced by different providers because they must have coverage wherever they go. They often lose calls when they are in areas where Verizon does not provide coverage. It is important to have better coverage than what Astoria has now.

Commissioner Moore noted that everyone has a cell phone, but no one wants a tower in their backyard. He believed the reservoir site was a great solution to that problem. The Staff reports seem complete and all necessary issues have been addressed.

Commissioner Spence said he visited the reservoir site on Monday with the assistance of a Public Works Supervisor and a four-wheel drive vehicle. The tract of land is 82 acres accessed only through a locked gate by an authorized person. The site is the most desolate area one can imagine in Astoria. He was not able to see any houses and the public will not be able to view the tower, which makes this the perfect site. He supported the Findings in the Staff reports.

President Pearson agreed with Commissioner Spence and appreciated all of the work that was done on the Staff reports. This is a great solution to get the tower away from the Column, which is a National Historic Landmark. This also increases coverage in the City. He supported the requests.

Vice President Innes said she supported the requests.

Commissioner Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Wireless Communication Facilities WCF15-02 by Verizon Wireless; seconded by Commissioner Fitzpatrick. Motion passed unanimously.

Commissioner Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Variance V15-02 by Verizon Wireless; seconded by Commissioner Spence. Motion passed unanimously.

President Pearson read the rules of appeal into the record.

The Planning Commission addressed Items 4(e) and (f) simultaneously.

ITEM 4(e):

WCF15-03 Wireless Communication Facility WCF15-03 by Sharon Gretch, Lexcom for Verizon Wireless (VAW), LLC dba, Verizon Wireless construct a 150' high wireless communication facility at 1580 Shively Park Road in the IN Institutional zone.

ITEM 4(f):

V15-03 Variance V15-03 by Sharon Gretch, Lexcom for Verizon Wireless (VAW), LLC dba, Verizon Wireless from the maximum 45' height and 150' setback to construct a 150' wireless communication facility at 1580 Shively Park Road in the IN, Institutional zone.

President Pearson asked if anyone objected to the jurisdiction of the Planning Commission to hear these matters at this time. There were no objections. He asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare.

Commissioner Fitzpatrick reiterated his prior declaration; that he has owned Verizon stock in the past and may again in the future. While he does not currently own Verizon stock, he and his wife are Verizon customers and own shares in their competitors, AT&T and Century Link. The numbers of shares he has, does, and may own are small. This will not affect his decision and he believed he could vote impartially.

President Pearson asked Staff to present the Staff reports for WCF15-03 and V15-03.

Planner Johnson reviewed the written Staff reports for both requests. One letter was received, from Ron Zilli, which was made available at the dais. Staff recommended approval of both requests with the conditions listed in the Staff reports.

President Pearson opened the public hearing and called for a presentation by the Applicant.

Sharon Gretch, 31649 Sexton Road, Philomath OR 97370, said this site is one of three required to replace the tower at the Column. The tower will be nestled into a bunch of trees at the far end of the Park and accessed via Shively Park Road. The lease area is 18 feet by 40 feet and the equipment will sit at a lower level, which will require a retaining wall surrounded by a 6-foot chain link fence with brown slats. The 10-foot landscape buffer will include additional trees and native plants. The ground equipment will be a natural brown color. The tower will be a monopole, 150 feet tall, and painted a non-reflective shade of grey to blend in with the sky and trees. The mature trees near the tower are of a similar height and bulk, ranging from 120 to 150 feet tall and are a blend of deciduous and conifers. In a PowerPoint presentation, she showed the coverage that will be provided by this tower. Once this tower is integrated with the network, Astoria will be covered with high RS signal, which is a tremendous improvement in coverage. The tower is a passive use that will create one or two visits a month from a technician to maintain the facilities. Verizon is using the minimum height necessary to achieve its coverage objective; any height lower than 150 feet will severely impact their coverage ability for the area. A significant amount of landscaping at ground level will help minimize the view. This secluded location was chosen to minimize the visual impact outside of the Park. Verizon conducted an off-site visual study to find out what would be visible from surrounding areas outside of the Park. She showed examples of the views from various locations, noting the facility cannot be seen due to topography and tree cover.

Vice President Innes asked what an ice bridge was. Ms. Gretch explained that the cables coming out of the equipment run to the tower. The ice bridge is a shield that goes over the cables to protect them.

President Pearson called for any testimony in favor of, impartial to, or opposed to the applications. Hearing none, he closed the public hearing and called for Commission discussion and deliberation and closing comments of Staff.

Planner Johnson said over the last 10 years, multiple sites were considered, both private and City-owned. The City will lease the sites to Verizon. She confirmed for Commissioner Easom that the trees at the site are a combination of deciduous and evergreen trees. He suggested the bottom of the tower be painted green or brown to blend in with the trees. Staff explained that Verizon has found dark colored towers do not wear very well and

the light grey blends in better, even in the forested areas. This issue was discussed at the Historic Landmarks Commission meeting. Darker colors draw more attention to the tower.

Vice President Innes said she liked that Verizon will be required to replace any damaged or blown down trees that camouflage the tower. However, replacement trees will likely be lower than any trees blown down. Planner Johnson agreed any time trees are removed, new trees take years to grow back, but least the trees will be replanted. If there is a catastrophic storm like the one in 2007, trees will be replanted so that they eventually grow back. There will not be an immediate mitigation.

President Pearson said he supported the applications as presented. He believed the monopole would create the least impact and the site is one of the more remote sites at the Park. The tower will not be seen from the parking lot or playground and it will be difficult to see from the community.

Commissioner Spence noted that Mr. Zilli's letter of objection stated he was concerned about the view from the picnic area. However, Page 9 of the Staff report states, "the 150-foot high monopole would be located within the tree area on the western edge of the Park and not in direct alignment of the picnic area view corridor. While the location is within a designated historic and park area, it is approximately 500 feet from Shively Hall and approximately 175 feet from the picnic area." He believed this issue had been adequately addressed and supported Staff's Findings.

Commissioner Moore said a lot of work and attention to detail had been put into this project. He supported the requests.

Commissioner Fitzpatrick said he recognized concerns about the Park and believed no one wanted to see a monopole there. However, he also recognized Astoria has a need. He has followed this project over the last 10 years and knew that a lot of work had been done. The Parks Department, Police Department, and City Staff have put a lot of time into the project. He trusted that this was the best location with a minimal impact and was in favor of the requests.

Commissioner Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Wireless Communication Facility WCF15-03 by Verizon Wireless; seconded by Commissioner Fitzpatrick. Motion passed unanimously.

Commissioner Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Variance V15-03 by Verizon Wireless; seconded by Commissioner Spence. Motion passed unanimously.

President Pearson read the rules of appeal into the record.

REPORTS OF OFFICERS/COMMISSIONERS:

Director Cronin gave an update on the Affordable Housing Study Work Session with City Council. He anticipated Council would direct Staff to recommend Development Code amendments, which would be reviewed by the Planning Commission.

He noted he would be interviewing applicants for the Planner position over the next two weeks, with second interviews being conducted in the next three or four weeks. He planned to have a Planner on Staff in the next month or two.

ADJOURNMENT TO WORK SESSION:

Riverfront Vision Plan – Neighborhood Greenway Area

Planner Johnson gave a brief overview of the changes made to the recommendations since the last work session. She noted the changes, which were based on input from the public and Planning Commission and public, were as follows:

- Eliminated all references to residential accessory structures.
- Established clear and objective design review standards for multi-family dwellings.

- Established design guidelines similar to the Gateway Master Plan Area for multi-family dwellings and non-residential structures.
- Included roof design and materials in the standards and guidelines.

She noted the area contains very few lots that could be developed. However, some lots could have multi-family, commercial, semi-public, or public facilities. Staff is still fine-tuning the code language to ensure all of the recommendations meet legal requirements for guidelines and standards. The final draft will be presented to the Planning Commission in a public hearing on October 27, 2015, and then to City Council in a public hearing in November.

Director Cronin added that the City did not have any plans to make changes to the sewage treatment plant or City property. He has requested demographic information about the area to understand how residents use the parks in the area. However, Staff has not had time yet to collect that information.

Planner Johnson made maps available that show which lots are currently vacant and could be developed.

Commissioner Easom believed Staff's changes were complete and accurate. Vice President Innes and President Pearson agreed.

Commissioner Moore referred to Page 4, Design Standards B.1(a) noting that squares are rectangles. He asked if there was something more to the standard that he did not understand. Planner Johnson explained the wording used was typical language. A square and rectangle have slight differences and the Code is written for the common person to understand.

President Pearson invited public comments.

Josie Peper, 5276 Ash Street, Astoria, said the draft states the aquatic area east of 41st Street has been designated Natural instead of Conservation. She asked if the zone, which is A-4, should be added in parenthesis. Planner Johnson explained Ms. Peper was referring to the Comprehensive Plan amendment on the last page of the ordinance document. The Comprehensive Plan just describes areas and does not assign zone numbers. Zoning designations are part of the Development Code. The Ordinance that amends the Comprehensive Plan therefore does state A-4 in parenthesis.

Ms. Peper asked why the Institutional, IN zone would not be changed, specifically the Alderbrook Beach area. Planner Johnson said the Institutional zone allows park facilities. Staff considered the Shoreland Natural, S-5 zone, but that zone would not allow all of the park uses. If any changes were made, a new Park Overlay Zone would need to be implemented. The Parks and Recreation Department is in the process of creating a master plan, which will consider the need for any overlay zones or additional restrictions for park areas. At this time, the Institutional zone allows the best uses for the beach area.

Director Cronin added that the Community Development Department will work with the Parks Department on the Parks Master Plan. When the master planning process reaches a certain point, Staff will make a presentation to the Planning Commission and gather input from the public.

There being no further business, the meeting was adjourned at 9:03 pm.

APPROVED:

Community Development Director

STAFF REPORT AND FINDINGS OF FACT

August 11, 2015

TO: ASTORIA PLANNING COMMISSION

FROM: MIKE MORGAN, PLANNER

SUBJECT: CONDITIONAL USE REQUEST (CU15-02) BY FRANK LINZA TO LOCATE A
THREE ROOM BED AND BREAKFAST AT 364 FLORAL AVENUE

I. SUMMARY

- A. Applicant: Frank Linza
364 Floral Avenue
Astoria OR 97103
- B. Owner: Margery Linza
366 Floral Avenue
Astoria OR 97103
- C. Location: 364 Floral Avenue; Map T8N-R9W Section 7CD, Tax Lots 3400 &
3302, 2400; Lot 5, Block 15, Taylor's
- D. Zone: R-3, High Density Residential
- E. Lot Size: 6,775 square feet (.15 ac.)
- F. Proposal: To operate a three bedroom transient lodging facility in an existing
single family home.

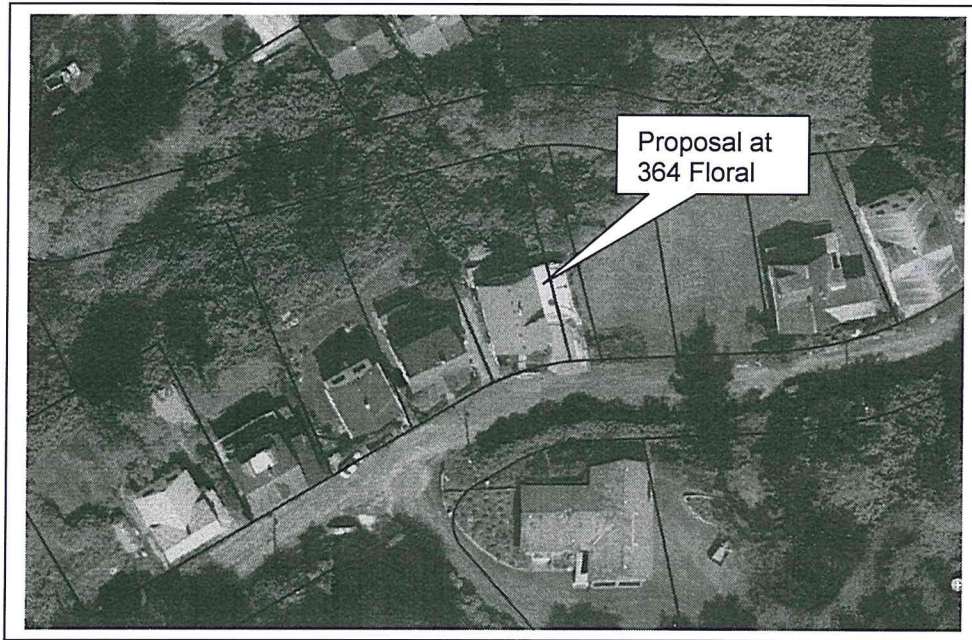
II. BACKGROUND INFORMATION

A. Site:

The building is located on the north side of Floral Avenue overlooking the Port of Astoria marina and the Astoria Megler Bridge. It is currently operated as a 2-unit Home Stay Lodging, which is an outright use in the R-3 zone. The site is on the edge of a regulatory landslide that extends north across Multnomah Avenue onto Alameda Avenue. Floral Avenue is a dead end street and relatively narrow in this area, with pavement widths ranging from 14' to 18' in this area... It is classified as a local street in the Transportation System Plan. There are three other single family dwellings beyond (east of) the proposed facility, where Floral dead ends. There is no formal turnaround or cul de sac at the terminus, and vehicles must turn around in a private driveway.

B. Neighborhood:

Floral is developed almost exclusively with single family dwellings. There is a vacant lot next to the proposal on which a single family dwelling could be built. The neighborhood slopes steeply down to Alameda Avenue. Multnomah Avenue right of way directly below the house is undeveloped.



C. Proposal:

The applicant currently operates 364 Floral as a "Home Stay Lodging", which is a transient lodging facility with one or two rooms and is occupied permanently by the owner. He is proposing to operate a three bedroom bed and breakfast at this location. A bed and breakfast of this size requires five parking spaces. A bed and breakfast is defined as a transient lodging facility between 3 and 7 bedrooms which is owner or manager occupied and provides a morning meal. The applicant is requesting one more unit above the home stay lodging which he currently operates.

III. PUBLIC REVIEW AND COMMENT

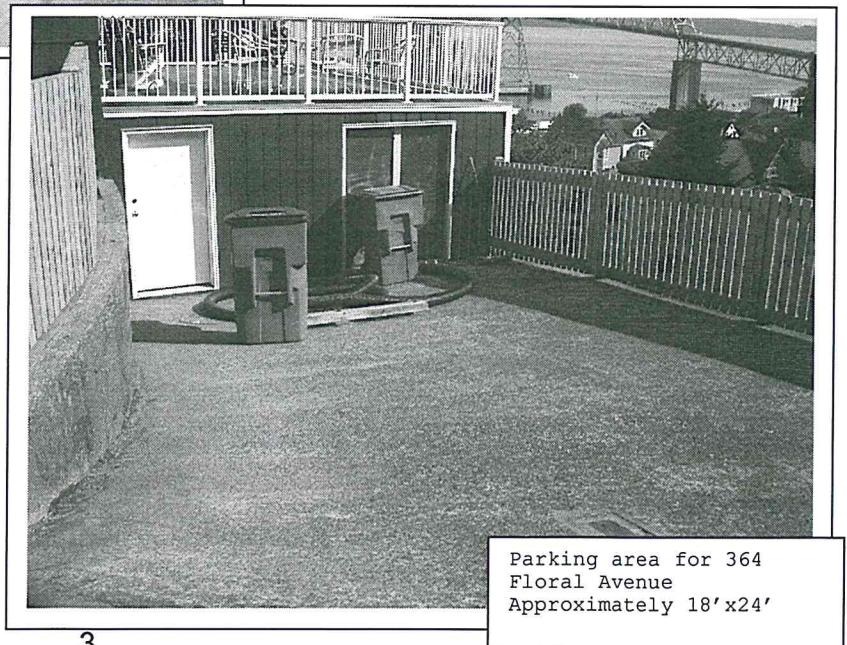
A public notice was mailed to all property owners within 100 feet pursuant to Section 9.020 on July 31, 2015. A notice of public hearing was published in the Daily Astorian on August 18, 2015.

IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 2.160(1) concerning Conditional Uses Permitted allowed in the R-3 Zone allows *"Bed and breakfast, or inn"*.

Section 1.400 defines "bed and breakfast" as *"Any transient lodging facility which contains between three (3) and seven (7) guest bedrooms, which is owner or manager occupied, and which provides a morning meal."*

Finding: A bed and breakfast facility is allowed in any residential building and is not limited to single-family dwellings. As mentioned, the owner currently operates a two unit "home stay lodging" facility which is permitted in the R-3 zone as an outright use.



- C. Section 2.185(1) requires that *"All uses with access, parking, or loading areas will comply with standards in Article 7."*

Section 7.100 concerning Minimum Parking Space Requirements states that *"bed and breakfast"* shall have *"One space per bedroom plus two for the owner/manager unit."*

Finding: The request is for three guest rooms plus the manager's residence, which requires five parking spaces. The building at 364 Floral can accommodate two parking spaces in the driveway, which is approximately 18' wide by 26' long. The building at 366 Floral, which is also owned by and is the home of the applicant, has a driveway that can accommodate two vehicles. The applicant is in the process of putting pavers in front of the 364 Floral house, which could conceivably provide one additional space. Without this space, there is a deficit of three parking spaces that are needed for the guest rooms. Because of the narrowness of the Floral Avenue right of way, it is not possible for the guests or the owners to park on the street. Apart from a variance, the only other option would be for the applicant to lease off site parking spaces in the neighborhood. The applicant has proposed to lease space from the City at the east end of Floral Street, or to purchase property at 376 Floral to provide the three parking spaces. However, the Planning Commission finds that the distance from the proposed bed and breakfast is too great to reasonably accommodate guests at 364 Floral, and that guests will attempt to park on the street. Standard is not met.

- D. Section 11.020(B)(1) requires that the use comply with policies of the Comprehensive Plan.

1. Section CP.205(5) concerning Economic Development Policies states that *"The City encourages the growth of tourism as part of the economy. Zoning standards which improve the attractiveness of the City shall be considered including designation of historic districts, stronger landscaping requirements for new construction, and Design Review requirements."*

Section CP.220(6) concerning Housing Policies states that *"Neighborhoods should be protected from unnecessary intrusions of incompatible uses, including large scale commercial, industrial, and public uses or activities."*

Finding:

The house is suited to use as a bed and breakfast, with outstanding views and outdoor living area overlooking the Columbia River. The owner has made significant improvements to the structure, including the

interior and exterior, which was previously used as a single family rental. However, the Planning Commission finds that three lodging rooms may overtax the capacity of the property, the adjacent narrow street and the neighborhood with the lack of parking and maneuvering area. Standard is not met.

- E. Section 11.030(A)(1) requires that *“the use is appropriate at the proposed location. Several factors which should be considered in determining whether or not the use is appropriate include: accessibility for users (such as customers and employees); availability of similar existing uses; availability of other appropriately zoned sites; and the desirability of other suitably zoned sites for the use.”*

Finding: The existing building was constructed and used as a single-family residence. The applicant states that he will live in the 364 Floral building. The applicant and his wife own both 366 and 364 Floral. The Planning Commission finds that there is evidence presented that the applicant does not live in the building at 364 Floral on a permanent basis. Occupancy by a full time owner or manager is a requirement of the Development Code, Section 1.400. There are other appropriately zoned sites throughout the R3 Zone, and bed and breakfasts are allowed in most residential areas where accessibility and parking may not be an issue. The R3 zone allows for a variety of residential uses as an outright use, including home stay lodging as an outright use. However, home stay lodging also requires that the owner of the property live in the house. Standard is not met.

- F. Section 11.030(A)(2) requires that *“an adequate site layout will be used for transportation activities. Consideration should be given to the suitability of any access points, on-site drives, parking, loading and unloading areas, refuse collection and disposal points, sidewalks, bike paths, or other transportation facilities. Suitability, in part, should be determined by the potential impact of these facilities on safety, traffic flow and control, and emergency vehicle movements.”*

Finding: The site is difficult because of the narrowness of Floral Avenue (14-18 foot pavement with no on street parking), and the lack of available land adjacent to the site for parking. While the property is large, most of the lot extends over the bank to the north which is a geologically unstable area. On-street parking is available only in the sloping driveway or in the front yard of 364 Floral, or some distance away. The Planning Commission finds that the site is not suitable because of the potential impact on safety and traffic flow with no on street parking and the configuration of the property at 364 Floral. Standard is not met.

- G. Section 11.030(A)(3) requires that the use will not overburden water and sewer facilities, storm drainage, fire and police protection, or other utilities.

Finding: Public facilities are available to the site. The use will not overburden water, sewer, or storm drainage. The impacts of a small bed and breakfast would be less than a three or four bedroom home with full-time residents. As with all new or increased businesses and development, there will be incremental impacts to police and fire protection but the proposed use will not overburden these services

- H. Section 11.030(A)(4) requires that the topography, soils and other physical characteristics of the site are adequate for the use. Where determined by the City Engineer, an engineering or geologic study by a qualified individual may be required prior to construction.


Finding: No exterior construction is proposed as part of this request. The property includes a portion that is in a landslide area that extends north, but no geologic report is required.


- I. Section 11.030(A)(5) requires that the use contains an appropriate amount of landscaping, buffers, setbacks, berms or other separation from adjacent uses.

Finding: The building is existing and the site is amply landscaped. Additional landscaping is not required.

VI. CONCLUSIONS AND RECOMMENDATIONS

Based on the findings above, the request does not meet all applicable review criteria. The application is denied.


Interim Planner


Director



CITY OF ASTORIA

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COMMUNITY DEVELOPMENT

October 12, 2015

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, SPECIAL PROJECTS PLANNER

SUBJECT: AMENDMENT REQUEST (A15-03) ON RIVERFRONT VISION PLAN
IMPLEMENTATION ORDINANCE FOR NEIGHBORHOOD GREENWAY AREA

I. BACKGROUND SUMMARY

- A. Applicant: Community Development Department
City of Astoria
1095 Duane Street
Astoria OR 97103
- B. Request: Amend the Development Code and Zoning map to implement the Riverfront Vision Plan in the Neighborhood Greenway (41st to approximately 54th Street, Lief Erikson Drive to the Columbia River Pierhead Line); add Neighborhood Greenway Overlay zone; add design standards for multi-family development; add design guidelines for residential and non-residential development; miscellaneous related changes with new code references in Sections 1.300, 3.180.D, 3.190.F, 9.100.B, 14.010; and rezone the existing A-3 (Aquatic Conservation) to A-4 (Aquatic Natural) zone. Amend the Comprehensive Plan Sections CP.080 & CP.085, Alderbrook Area; CP.175.F, Columbia River Estuary Aquatic and Shoreland Designations; add CP.150.B.20, Aquatic Natural Conditional Uses. Add Neighborhood Greenway Overlay Zone to Land Use and Zoning Map.
- C. Location: City-wide within the Neighborhood Greenway Plan Area

II. BACKGROUND

In 2008-2009, the City of Astoria developed the Riverfront Vision Plan (RVP) to address issues dealing with open space, land use, and transportation along the Columbia River. Significant public involvement opportunities were designed to gain public input. This process was initiated to plan for these issues in a comprehensive manner and to set a framework for the future of the study area. The City's north Riverfront (Columbia River to West Marine / Marine Drive / Lief Erikson Drive) was divided into four Plan areas of development: Bridge Vista (Portway to 2nd Street), Urban Core (2nd to 16th Street), Civic

Greenway (16th to 41st Street), and Neighborhood Greenway (41st Street to east end of Alderbrook Lagoon).

During the Plan development, four community-wide forums, three open houses, and numerous community meetings were held at various locations within the four Plan areas. In addition, staff and/or consultants conducted stakeholder interviews, distributed and tabulated surveys. Development of the Vision Plan was structured to gain as much public input as possible. On December 7, 2009, after holding a final public hearing, the City Council accepted the Riverfront Vision Plan. For Fiscal Years 2011-2012, 2012-2013, 2013-2014, and 2014-2015, the City Council set goals to "Implement Riverfront Vision Plan on a Zone by Zone Basis."

With the completion of Phase 1 (Civic Greenway Area) and Phase 2 (Bridge Vista Area), staff has begun work on Phase 3 (Neighborhood Greenway Area). This Area encompasses the Alderbrook neighborhood north of Lief Erikson Drive to the pier headline between 41st Street and approximately 54th Street.

The City was notified that funding from the Department of Land Conservation and Development (DLCD) Coastal Management Technical Assistance Grants for the FY 2014-2015 grant cycle was awarded to the City to assist in code writing for implementation of Phase 3 of the Astoria Riverfront Vision Plan for the Neighborhood Greenway Area (41st Street to 54th Street). The grant funds need to be expended and the project complete by December 31, 2015.

The consultant team identified to work on this project is Angelo Planning Group. One of the project team members is Matt Hastie, who was directly involved in development of the Riverfront Vision Plan. The project includes public involvement opportunities held during Planning Commission work sessions. The final product would be code amendments and land use zoning map amendments which would ultimately be presented to the City Council for consideration of adoption.

Staff and the project team drafted preliminary code amendment language to address selected code issues for the Neighborhood Greenway Plan Area. The project team conducted a Town Hall meeting for interested community members on August 20, 2015. Approximately 70 people attended and provided staff with the initial public comments and questions. The Planning Commission held two public work sessions (September 1, 2015, and September 16, 2015) on the draft amendments with mailed, e-mailed, and published notification to the general public and to anyone who has expressed interest in the Riverfront Vision Plan implementation process. Updates were provided to the City Council on the progress made to date on July 27, 2015 and August 31, 2015. The work sessions have been well attended and public comments have been provided.

The RVP for the Neighborhood Greenway Plan Area identified Land Use Assumptions and Objectives which state that *"It is expected that very little overwater development will occur in the Neighborhood Greenway area in the future other than small-scale improvements such as docks or piers (or improvements to the River Trail trestle) which would enhance the general public access to the river."* The objectives of the RVP for this area include:

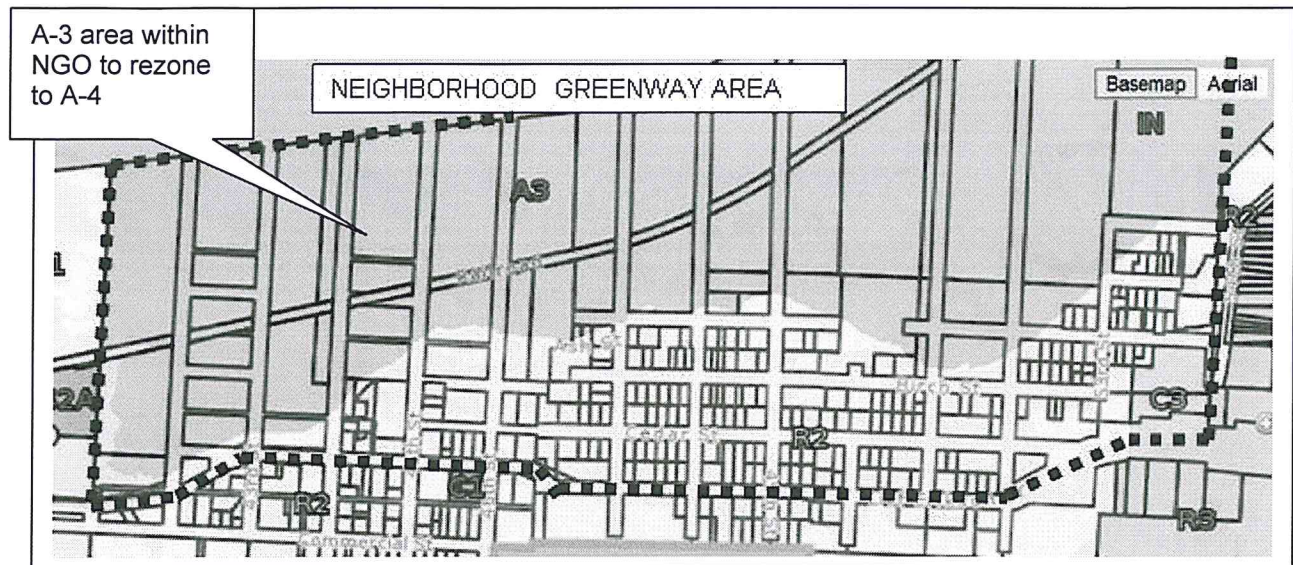
- Highlight the river's natural edge by framing views and creating path/trail systems that reflect the river's movement.
- Emphasize natural features and beauty along the edge of the river and lagoon.
- Use plantings and landscaping that provide riverbank restoration and increase habitat.
- Respect and protect the visual character of the Alderbrook Neighborhood.
- Minimize impacts of pedestrians on neighborhood residents.
- Protect river vistas to maintain physical and visual connection to the Columbia River.
- Create and maintain a sense of openness to enhance connections to the Columbia River and the Neighborhood Greenway area and improve the quality of residential areas. Open spaces should range from smaller, more intimate spaces to larger gathering places.
- Encourage maritime related uses consistent with Astoria's working riverfront such as docks, piers, marinas, and associated uses that provide jobs and maintain a historic connection to the river.

Throughout the RVP implementation process, the Planning Commission (APC) focused on these Assumptions and Objectives and did not attempt to change the Vision Plan as adopted.

At the work sessions, the Planning Commission ultimately provided guidance and recommendations on a set of proposed amendments to implement the Neighborhood Greenway Plan Area. Implementation of recommendations from the Riverfront Vision Plan in the Neighborhood Greenway Plan Area will take the form of Zoning Map amendments, Development Code amendments, and Comprehensive Plan amendments.

Proposed map amendments will include:

1. Rezone the aquatic parcels between 41st and approximately 54th Streets, from the shoreline to the pier head line from A-3 (Aquatic Conservation) to A-4 (Aquatic Natural).
2. Apply the new Neighborhood Greenway Overlay (BVO) Zone to the Neighborhood Greenway Plan Area.



Proposed Development Code text amendments will include:

1. Add a new Neighborhood Greenway Overlay Zone to address the standards for over-water development including structure height and width, allowable uses, and landscaping, etc.
2. Add new design standards for multi-family development in the Neighborhood Greenway Plan Area.
3. Add new design guidelines for multi-family residential and non-residential development in the Neighborhood Greenway Plan Area.
4. Establish landscaping standards for multi-family residential and non-residential construction/uses. There would be no landscaping standards for single-family and two-family dwellings.
5. Allow some exemptions for the few existing over-water buildings to continue to be viable businesses thereby preserving the historic structures.
6. Limit new, over-water development to maximum height of top of bank.
7. Make miscellaneous "housekeeping" amendments related to references to the above noted amendments.

Proposed Comprehensive Plan text amendments will include:

1. Update the description of the Alderbrook Area and reference the Neighborhood Greenway Overlay Area and Riverfront Vision Plan implementation.
2. Acknowledge the growing impact of traffic to the neighborhood.

3. Add a policy to investigate the possibility of extending the trolley to the Alderbrook area.
4. Change designation of aquatic area from conservation to natural, and amend allowable uses in the Aquatic Natural designated areas to include the exception for existing structures.

III. PUBLIC REVIEW AND COMMENT

A. Astoria Planning Commission

A public notice was mailed to Neighborhood Associations, various agencies, and interested parties on October 2, 2015. In accordance with ORS 227.186(5), a notice was mailed on October 2, 2015 to all property owners within the area and within 250' of the area proposed for the code and map amendments advising that ". . . the City of Astoria has proposed a land use regulation that may affect the permissible uses. . ." of their or other property. In accordance with Section 9.020, a notice of public hearing was published in the Daily Astorian on October 20, 2015. The proposed amendment is legislative as it applies City-wide.

B. State Agencies

Although concurrence or approval by State agencies is not required for adoption of the proposed amendments, the City has provided a copy of the draft amendments to representatives of the Oregon Departments of Transportation (ODOT), Land Conservation and Development (DLCD) and Department of State Lands (DLS) as part of the planning process.

IV. FINDINGS OF FACT

- A. Development Code Section 10.020.A states that *"an amendment to the text of the Development Code or the Comprehensive Plan may be initiated by the City Council, Planning Commission, the Community Development Director, a person owning property in the City, or a City resident."*

Development Code Section 10.020.B states that *"An amendment to a zone boundary may only be initiated by the City Council, Planning Commission, the Community Development Director, or the owner or owners of the property for which the change is proposed."*

Finding: The proposed amendments to the Development Code, Comprehensive Plan, and Astoria Land Use and Zoning Map are being initiated by the Community Development Director. The City Council has identified implementation of the Riverfront Vision Plan in their yearly goals since 2011. In addition, the City Council established a FY 2015-16 goal to "Continue implementation of the Riverfront Vision Plan."

B. Section 10.050.A states that *"The following amendment actions are considered legislative under this Code:*

1. *An amendment to the text of the Development Code or Comprehensive Plan.*
2. *A zone change action that the Community Development Director has designated as legislative after finding the matter at issue involves such a substantial area and number of property owners or such broad public policy changes that processing the request as a quasi-judicial action would be inappropriate."*

Finding: The proposed amendment is to amend the text of the Astoria Development Code Article 2 concerning Use Zones, and Article 14 concerning Overlay Zones. The amendment would create new overlay zone standards. The request is also to amend the Astoria Land Use and Zoning Map to rezone the aquatic area from A-3 (Aquatic Conservation) to A-4 (Aquatic Natural). The proposed amendment is also to amend the text of the Comprehensive Plan relative to the Riverfront Vision Plan.

The proposed amendments are applicable to a large area of the City and represent a relatively broad policy change. Processing as a legislative action is appropriate.

C. Section 10.070.A.1 concerning Text Amendments, requires that *"The amendment is consistent with the Comprehensive Plan."*

1. CP.005.5, General Plan Philosophy and Policy Statement states that local comprehensive plans *"Shall be regularly reviewed, and, if necessary, revised to keep them consistent with the changing needs and desires of the public they are designed to serve."*

Finding: The City accepted the Riverfront Vision Plan in 2009 as a long-range planning framework to address the changing needs and desires of the citizens concerning Riverfront development and the need to protect the environment. The City Council directed staff to initiate Development Code amendments to implement the Plan recommendations.

2. CP.010.2, Natural Features states that *"The City will cooperate to foster a high quality of development through the use of flexible development standards, cluster or open space subdivisions, the sale or use of public lands, and other techniques. Site design which conforms with the natural topography and protects natural vegetation will be encouraged. Protection of scenic views and vistas will be encouraged."*

Finding: The proposed amendments will implement the Riverfront Vision Plan for the Neighborhood Greenway Area. The amendments include design standards for residential development, design guidelines for non-

residential development, protection of scenic views and vistas, and protection of the natural aquatic areas.

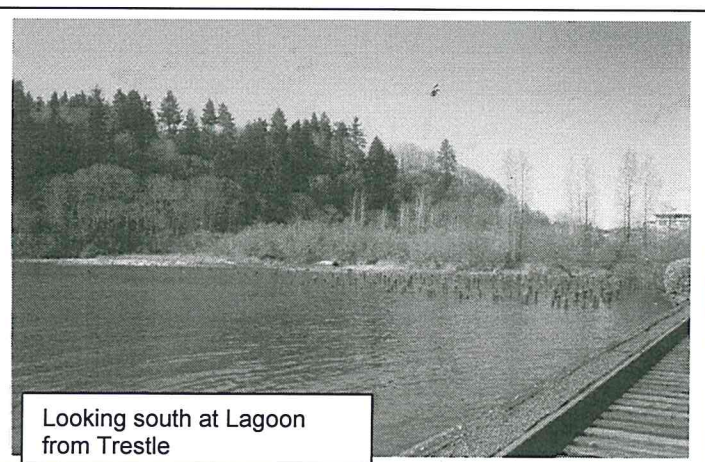
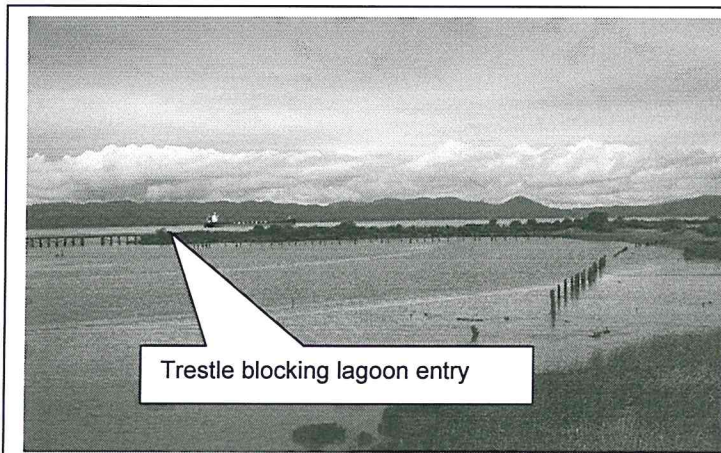
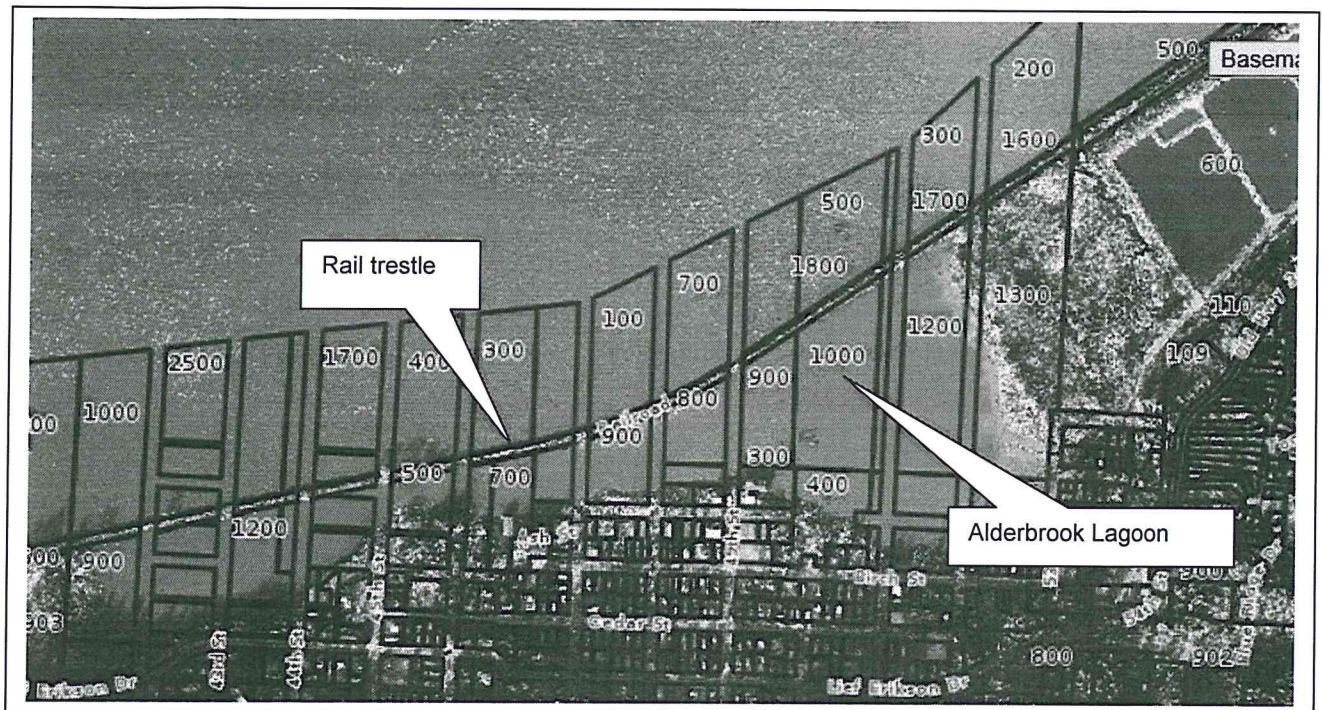
3. CP.015.1, General Land & Water Goals states that *"It is the primary goal of the Comprehensive Plan to maintain Astoria's existing character by encouraging a compact urban form, by strengthening the downtown core and waterfront areas, and by protecting the residential and historic character of the City's neighborhoods. It is the intent of the Plan to promote Astoria as the commercial, industrial, tourist, and cultural center of the area."*

CP.015.1, General Land & Water Goals states that *"Because of the City's strong water orientation, the Plan supports continuing regional efforts to manage the Columbia River estuary and shorelands. The City's land use controls, within this regional context, will be aimed at protecting the estuary environment and at promoting the best use of the City's shorelands."*

Finding: The proposed amendments create development standards for over-water construction and establish design standards and guidelines to protect the character of the Alderbrook residential neighborhood. This addresses the need to encourage a compact urban form. The design and landscaping standards protect the historic character of the City and waterfront areas. The reduction in allowable uses and development on parcels extending over the water, and the use of native vegetation will help protect the estuary environment. The proposed ordinance is intended to provide the guidance to help achieve these goals.

4. CP.203, Economic Development Goal 4 and Goal 4 Policies, goal states *"Continue to encourage water-dependent industries to locate where there is deep water, adequate back-up space, and adequate public facilities."* Policies states *"1. Maintain areas of the City in order to provide sufficient land for water dependent as well as non-water dependent industries."*

Finding: The aquatic area in the Neighborhood Greenway Area is known as Alderbrook Lagoon. The shallow lagoon is blocked from access by large vessels due to the railroad trestles. The lagoon could accommodate small vessels such as canoes and kayaks. The area does not have sufficient upland area that is zoned to support water-dependent industries as there is no shoreland zone and the land area is zoned R-2 (Medium Density Residential). In addition, the lagoon is currently zoned A-3 (Aquatic Conservation which does not support development.



The proposed rezone to A-4 (Aquatic Natural) would eliminate a few allowable uses such as marinas, aquaculture facilities, low-intensity water-dependent commercial or industrial uses, and in-water log storage. However, as noted above, the area is not conducive to such development due to physical and access constraints and upland zoning. Public piers and docks would still be allowed to accommodate the smaller vessels.

The requirements for shoreland and estuary development in Development Codes Articles 4 and 5 would remain applicable to any development in this area.

5. CP.210.1, Economic Element, Economic Development Recommendations, states that *“In the City’s waterfront areas, the City will continue to promote a combination of tourist oriented development, industrial development associated with the City’s working waterfront and water-related and dependent industries, and distribution and sales of goods and services for*

Astoria residents and businesses. These efforts will be guided by and consistent with the Astoria Riverfront Vision Plan.”

Finding: As noted above, this area of the waterfront is not conducive to development and is not accessible to the Columbia River for large vessels. The Riverfront Vision Plan for this area recognizes the value of the natural setting and identifies the following related goals:

- *“Emphasize natural features and beauty along the edge of the river and lagoon.*
- *Respect and protect the visual character of the Alderbrook Neighborhood.*
- *Protect river vistas to maintain physical and visual connection to the Columbia River.*
- *Create and maintain a sense of openness to enhance connections to the Columbia River and the Neighborhood Greenway area and improve the quality of residential areas. Open spaces should range from smaller, more intimate spaces to larger gathering places.*
- *Encourage maritime related uses consistent with Astoria’s working riverfront such as docks, piers, marinas, and associated uses that provide jobs and maintain a historic connection to the river.”*

The Vision Plan emphasizes the natural features and openness and while it notes encouragement of maritime related uses, the lagoon cannot support more intense uses such as marinas due to its shallow depth, lack of upland support areas, and limited access from the Columbia River. The proposed rezone to A-4 (Aquatic Natural) would preserve the natural features while still allowing the lower impact uses such as docks and piers for small vessels.

6. CP.025.2, Policies Pertaining to Land Use Categories and Density Requirements, states that *“Changes in the land use and zoning map may be made by boundary amendment so long as such change is consistent with the goals and policies of the Comprehensive Plan.*

Factors to be considered when evaluating requests for zoning amendments will include compatibility with existing land use patterns, effect on traffic circulation, adequacy of sewer, water and other public facilities, contiguity to similar zones, proposed buffering, physical capability including geologic hazards, and general effect on the environment.”

Finding: Consistency with the goals and policies of the Comprehensive Plan are addressed in this Section of the Findings of Fact. The factors are addressed in this Section and Sections D & E below of the Findings of Fact.

7. CP.085.2, Alderbrook Area Policies, states that *"The residential character of Alderbrook will be protected through the designation of the aquatic area from 41st Street to Tongue Point as conservation, and by the present zoning pattern. Development in the 100-year flood area shall be subject to the requirements of the City's Flood Hazard Overlay Zone."*

CP.175.B, Uppertown / Alderbrook Subarea Plan, Aquatic Features, states that *"The aquatic portions of this subarea include open water and nearshore habitats in the river and Alderbrook Cove. The aquatic characteristics of the open water areas are similar to the adjacent channel (see Estuary Channels Subarea Plan). In the nearshore habitats, sediments become finer and benthic infauna productivity higher. A 1980 study reported high densities of amphipods in nearshore areas of the subarea. Juvenile fall Chinook salmon migrate in the shallow nearshore habitats. Alderbrook Cove contains fine sediments and probably has high benthic productivity. The Cove is partially fringed by low elevation tidal marshes. Bird use on the marshes and adjacent tidal flats is high."*

CP.175.F, Uppertown / Alderbrook Subarea Plan, Aquatic and Shoreland Designations, states that *"The aquatic area between 29th and 41st Streets is designated Development to the pierhead line, except at the East End Mooring Basin where the designation corresponds to the outer boundary of the pier. East of 41st Street, the aquatic area is designated Conservation..."*

Finding: The current designation as "Conservation" does allow for some minor development. The goal of the Riverfront Vision Plan is to protect the natural features of this area. The area is proposed to be rezoned to "Natural" which is similar but restricts some of the more intrusive human uses. Sections CP.085.2 and CP.175.F of the Comprehensive Plan is proposed to be amended to state that the area from 41st to approximately 54th Street be designated as "Natural".

8. CP.175.G.1, Uppertown / Alderbrook Subarea Plan, Subarea Policies, states that *"The Alderbrook area has unique characteristics and values. Plan amendments which would allow higher-intensity uses than those now present are discouraged."*

CP.150.B, Permitted Uses in Columbia River Estuary Aquatic and Shoreland Designations, Natural Aquatic, states that *"Natural Aquatic areas are designated to assure the protection of significant fish and wildlife habitats; of continued biological productivity within the estuary; and of scientific, research, and educational needs. These areas are managed to preserve natural resources in recognition of dynamic, natural, geological, and evolutionary processes. Natural Aquatic areas include all major tidal marshes, tide flats, and seagrass and algae beds. The designation is intended to preserve those aquatic natural resource systems existing relatively free of human influence."*

CP.150.C.29, Permitted Uses in Columbia River Estuary Aquatic and Shoreland Designations, Conservation Aquatic, lists the following as an allowable use *"In pile supported buildings existing as of October 1, 2002, non-water dependent and non-water related uses."*

Finding: Currently, there are a few over-water buildings that have existed for over 100 years. In 2002, the City amended (A02-02) the Development Code for the A-3 Zone and the Comprehensive Plan to allow these buildings to be used for other than maritime related uses. At that time, there were three buildings, all within the Alderbrook lagoon, and which were separated from the main Columbia River channel by the railroad tracks. If the Lagoon is rezoned to A-4, it is proposed that the same allowable use notation would be included in the A-4 Zone and in Section CP.150.D for the Natural Aquatic designation. The only buildings that would be affected by this amendment would be the same three buildings as in 2002.

9. CP.068, Astoria Riverfront Vision Overlay Area Policies, states that

- "1. Promote physical and visual access to the river. The overall Comprehensive Plan objectives are to:*
- a. Maintain current areas of open space and create new open space areas.*
 - b. Provide for public access to the river within private developments.*
 - c. Retain public ownership of key sites along the riverfront.*
 - d. Protect view sheds along the river, including corridors and panoramas from key viewpoints.*
 - e. Use alternative development forms (e.g., clustered development, narrower, taller profiles, setbacks, stepbacks, and gaps in building frontages) to preserve views."*

Finding: The proposed amendments implement the Riverfront Vision Plan. They identify areas for limited development to top of bank height maximum to minimize their impact on public access and the preservation of the natural features.

- "2. Encourage a mix of uses that supports Astoria's "working waterfront" and the City's economy. The overall Comprehensive Plan objectives are to:*
- a. Maintain the authentic feel of the riverfront.*
 - b. Prioritize siting of water-related businesses along the river.*
 - c. Allow for some residential development along the riverfront, emphasizing smaller-scale work force (moderate income) housing.*
 - d. Allow for development that supports downtown and other commercial areas.*
 - e. Limit development in areas with most significant impacts on open space, view or other resources.*

- f. *Promote uses that provide jobs and support the local economy.”*

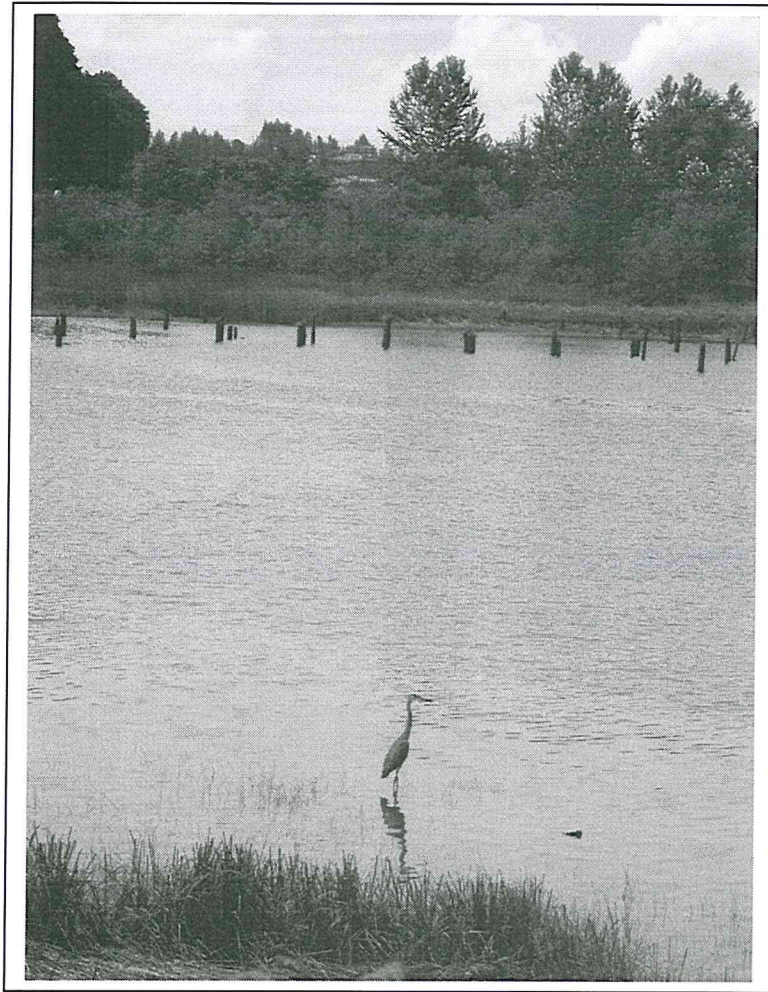
Finding: The proposed amendments include rezoning of the aquatic area from A-3 to A-4 to further preserve the natural features. Opportunities for a variety of uses that support the City’s working waterfront have been integrated in Comprehensive Plan policies and Development Code provisions for the Civic Greenway and Bridge Vista areas, with similar provisions possibly proposed to be applied in the Urban Core area in a future code amendment process for that area.

- “3. *Support new development that respects Astoria's historic character. The overall Comprehensive Plan objectives are to:*
- a. *Enhance or refine Development Code to achieve vision principles.*
 - b. *Implement design review, design standards, or other tools to guide the appearance of new development.*
 - c. *Devote resources to rehabilitating old structures.”*

Finding: The proposed amendments would create clear and objective design review standards for multi-family development and design review guidelines for multi-family residential and non-residential development that reflect the character of the Alderbrook. The proposal would allow for repair, restoration, and reconstruction of existing over-water buildings.

- “4. *Protect the health of the river and adjacent natural areas. The overall Comprehensive Plan objectives are to:*
- a. *Protect natural areas for wildlife viewing.*
 - b. *Replace invasive plants with native species.*
 - c. *Incorporate natural elements in the design of future public and private improvements.”*

Finding: The proposed amendments would encourage the use of native plants along the Riverfront using the list of recommended plants listed in Development Code Article 3. Landscaping requirements would encourage and/or require placement of plant material that would enhance the riverfront and viewing opportunities. The Alderbrook Lagoon area is proposed to have a maximum height limit of top of bank and be rezoned from A-3 (Aquatic Conservation) to A-4 (Aquatic Natural) to further protect the natural features.



- “5. *Enhance the River Trail. The overall Comprehensive Plan objectives are to:*
- a. Maintain, repair, extend, and enhance the River Trail.*
 - b. Provide better pedestrian connections between the downtown and the riverfront.*
 - c. Create amenities such as shelters, lighting, and public restrooms in targeted locations.*
 - d. Ensure adequate parking opportunities along, adjacent to, and near the riverfront.*
 - e. Address safety issues associated with mix of autos, pedestrians, trolley, and other activities.*
 - f. Ensure long-term maintenance of public improvements.”*

Finding: River Trail construction in Alderbrook is completed. The proposed amendments would establish design and siting standards and guidelines to protect the River Trail from incompatible encroachments. It would require public access to the riverfront, require recorded maintenance agreements for certain landscaping features, and allow for the continuation of the River Trail. The amendments would also allow some flexibility in landscaping by allowing a percentage to be devoted to public amenities such as benches, restrooms, interpretive signage, etc.

10. CP.185.H, Regional Estuary and Shoreland Policies, Fisheries and Aquaculture Policies, states that *"Policies in this subsection apply to all projects that could conceivably affect fisheries (either commercial or recreational) or aquaculture in the Columbia River Estuary. This subsection is also applicable to the development of aquaculture facilities and to fisheries enhancement projects. . .*
2. *Sufficient space for present and anticipated needs shall be reserved for the following uses:*
- Fishing vessel moorage;
Seafood receiving and processing;
Boat repair;
Gear storage;
Ice making;
Cold storage;
Other seafood industry support facilities. . .*
7. *A number of sites in Astoria and throughout the Columbia River Estuary are suitable for development or expansion of facilities for the commercial seafood industry. These include moorage, fuel, ice, fish receiving and processing, gear storage, marine hardware sales and repair, boat building and repair, and related facilities. The City will periodically consider amending its Comprehensive Plan as needed to provide sufficient sites for these facilities. The City will rely on information in periodic updates of the Columbia River Estuary Regional Management Plan pertaining to fisheries-related development in the estuary.*

Finding: The Alderbrook Lagoon area is currently zoned A-3 and proposed to be rezoned to A-4. Development in either zone is limited. The following uses currently allowed in the A-3 zone would be eliminated with the A-4 Zone: water-dependent parts of an aquaculture facility; high-intensity water-dependent recreation including boat ramp, marina, and individual dock; mining and mineral extraction; low-intensity water-dependent commercial or industrial use requiring occupation of water-surface area by means other than fill; and in-water log storage. As noted earlier, the Lagoon is shallow, not accessible from the Columbia River by large vessels, and does not have sufficient upland area to support development. Other areas of the Riverfront are better suited to this type of development and the City currently allows for those types of development in those areas. The Lagoon is more appropriate as a natural area as identified in the RVP.

11. CP.185.O, Residential, Commercial and Industrial Development Policies, states that *"Policies in this subsection are applicable to construction or expansion of residential, commercial or industrial facilities in Columbia River Estuary shoreland and aquatic areas. Within the context of this subsection, residential uses include single and multifamily structures,*

mobile homes, and floating residences (subject to an exception to Oregon Statewide Planning Goal 16). Duck shacks, recreational vehicles, hotels, motels and bed-and-breakfast facilities are not considered residential structures for purposes of this subsection. Commercial structures and uses include all retail or wholesale storage, service or sales facilities and uses, whether water-dependent, water-related, or non-dependent, non-related. Industrial uses and activities include facilities for fabrication, assembly, and processing, whether water-dependent, water-related or non-dependent, non-related.

1. *New non-water-dependent uses in aquatic areas and in Marine Industrial Shorelands shall not preclude or pose any significant conflicts with existing, proposed or probable future water-dependent uses on the site or in the vicinity.*
2. *Residential, commercial or industrial development requiring new dredging or filling of aquatic areas may be permitted only if all of the following criteria are met:*
 - a. *The proposed use is required for navigation or other water-dependent use requiring an estuarine location, or if specifically allowed in the applicable aquatic designation; and*
 - b. *A substantial public benefit is demonstrated; and*
 - c. *The proposed use does not unreasonably interfere with public trust rights; and*
 - d. *Feasible alternative upland locations do not exist; and*
 - e. *Potential adverse impacts are minimized.”*

Finding: The proposed amendments would limit the allowable uses in the aquatic area to uses that would support the Natural designation. Uses would be limited to maximum top of bank height which would accommodate piers, docks, and low-impact recreation in the Lagoon. Commercial development would be restricted to the land area within the R-2 Zone. These proposed uses are consistent with this Comprehensive Plan section which protects the waterfront area for the low-impact marine uses. Any project proposed would be subject to compliance with this section at the time of project proposal.

12. CP.186.C, Cumulative Impacts, Cumulative Impact Analysis, states that

1. *Public Access.*

Activities generating cumulative impacts on public access can both enhance and reduce opportunities for public access to the waters and shorelines of the Columbia River Estuary. Public access is treated broadly here to include both physical and visual access. . .

Boat ramps and marinas have a strongly beneficial cumulative impact on public access for the boating public. Private individual moorages on the other hand can have negative cumulative impacts

with respect to public access if allowed to overcrowd particular waterways. Continuous development of individual moorages along a reach of the Columbia River Estuary or a tributary can block public shoreline access and inhibit small boat navigation, having a strongly negative cumulative impact. The regional estuarine construction policies and standards encourage community docks and piers and discourage individual moorages. . .

5. *Recreation/Tourism.*

Discussion of cumulative impacts on recreation and tourism includes estuary-oriented recreation undertaken by both local residents and by visitors from outside the region. Many impacts may be largely aesthetic in nature. . .

Boat ramps, marinas, and moorages have a generally positive impact on recreation and tourism, though there may also be a negative aesthetic component. The net cumulative impact is probably positive, however, because the estuary is large relative to the extent of existing recreational boat facilities. . .

Finding: The proposed amendments would limit the Alderbrook Lagoon to low-impact water-related and water-dependent uses such as small boat docks and ramps. It would also limit the height to top of bank to protect the important public view and natural character of the area, consistent with RVP objectives. This would support boat ramps, etc. that are considered to be a positive impact on recreation and tourism. The proposed amendments are intended to minimize the cumulative negative impacts along the Riverfront by preserving some vistas and views.

The cumulative impacts of the River Trail and Alderbrook Lagoon Park development to the neighborhood should be considered. Alderbrook has several dead end streets especially around the Park area. A Comprehensive Plan amendment is proposed that recognizes this issue.

13. CP.185.M, Regional Estuary and Shoreland Policies, Public Access Policies, states that *"Public access" is used broadly here to include direct physical access to estuary aquatic areas (boat ramps, for example), aesthetic access (viewing opportunities, for example), and other facilities that provide some degree of public access to Columbia River Estuary shorelands and aquatic areas."*

CP.185.M.2 to M.5, Regional Estuary and Shoreland Policies, Public Access Policies, states that

- "2. *Public access in urban areas shall be preserved and enhanced through waterfront restoration and public facilities construction, and other actions consistent with Astoria's public access plan.*

3. *Proposed major shoreline developments shall not, individually or cumulatively, exclude the public from shoreline access to areas traditionally used for fishing, hunting or other shoreline activities.*
4. *Special consideration shall be given toward making the estuary accessible for the physically handicapped or disabled.*
5. *Astoria will develop and implement programs for increasing public access."*

CP.185.N.2, Regional Estuary and Shoreland Policies, Recreation and Tourism Policies, states that *"Recreation uses in waterfront areas shall take maximum advantage of their proximity to the water by: providing water access points or waterfront viewing areas; and building designs that are visually u {typo from original ordinance} with the waterfront."*

CP.204, Economic Development Goal 5 and Goal 5 Policies, Goal states *"Encourage the preservation of Astoria's historic buildings, neighborhoods and sites and unique waterfront location in order to attract visitors and new industry."* The Policy 1 states *"Provide public access to the waterfront wherever feasible and protect existing access. The importance of the downtown waterfront in terms of aesthetics, public access and business improvement cannot be overemphasized. The City supports the concept of the "People Places Plan," and encourages local organizations in the construction and maintenance of waterfront parks and viewing areas."*

Finding: One of the reasons the Riverfront Vision Plan was developed was to enhance public access to the estuary and allow for preservation of public open space and park areas along the Columbia River. Public access includes both physical and visual access. The River Trail along the Columbia River is used by locals as well as visitors and is maintained for its aesthetic values as well as for its transportation values. The Neighborhood Greenway Area was identified as an area to emphasize the natural features and allow minimal over-water development while preserving visual and public access. The Urban Core Area was identified for more intense development, Bridge Vista for mixed development and open space, and the Civic Greenway Area was identified for more open space. The proposed rezone to A-4 would protect the natural features and promote public access.

The proposed implementation of the RVP will allow for limited over-water development of minimal maritime related facilities while protecting public visual and physical access to the River. The maximum height of structures is proposed to be at existing shoreline bank height which would limit the type of development that could occur.

The existing over-water structures are proposed to be allowed to continue and include uses that would provide access to the River by the public. The proposed amendment would limit those uses to the existing structures only.

14. CP.185.G, Estuary and Shoreland Policies states that *"This subsection applies to uses and activities with potential adverse impacts on fish or wildlife habitat, both in Columbia River estuarine aquatic areas and in estuarine shorelands.*
1. *Endangered or threatened species habitat shall be protected from incompatible development.*
 2. *Measures shall be taken protecting nesting, roosting, feeding and resting areas used by either resident or migratory bird populations.*
 3. *Major nontidal marshes, significant wildlife habitat, coastal headlands, and exceptional aesthetic resources within the Estuary Shorelands Boundary shall be protected. New uses in these areas shall be consistent with the protection of natural values, and may include propagation and selective harvest of forest products, grazing, harvesting, wild crops, and low intensity water-dependent recreation."*

CP.460.1, Natural Resource Policies states that *"The Plan land and water use designations will protect those areas that have high natural value, and direct intensive development into those areas that can best support it."*

CP.460.3, Natural Resource Policies states that *"The City recognizes the importance of "trade offs" that must occur in the planning process. Although certain estuary areas have been designated for intensive development, other areas will be left in their natural condition in order to balance environmental and economic concerns."*

Finding: The Alderbrook Lagoon is a significant wildlife habitat area. The proposed amendment to rezone the Lagoon to A-4 allows for some over water development while excluding high-intensity commercial uses that could be located elsewhere on land areas. This zone change would further protect the natural features and wildlife area. It encourages and/or requires the use of native plants along the Riverfront. The standards maintain open areas for protection of the estuary habitat and to maintain vistas and views.

15. CP.204.3 & CP.204.4, Economic Development Goal 5 and Goal 5 Policies, Goal states *"Encourage the preservation of Astoria's historic buildings, neighborhoods and sites and unique waterfront location in order to attract visitors and new industry."* The Policies state
3. *Encourage the growth of tourism as a part of the economy.*
 - a. *Consider zoning standards that improve the attractiveness of the City, including designation of historic districts, stronger landscaping requirements for new construction, and Design Review requirements.*
 4. *Protect historic resources such as downtown buildings to maintain local character and attract visitors."*

CP.250.1, Historic Preservation Goals states that *"The City will Promote and encourage, by voluntary means whenever possible, the preservation,*

restoration and adaptive use of sites, areas, buildings, structures, appurtenances, places and elements that are indicative of Astoria's historical heritage."

CP.250.3, Historic Preservation Goals states that *"The City will Encourage the application of historical considerations in the beautification of Astoria's Columbia River waterfront."*

CP.200.6, Economic Development Goals states that the City will *"Encourage the preservation of Astoria's historic buildings, neighborhoods and sites and unique waterfront location in order to attract visitors and new industry."*

CP.205.5, Economic Development Policies states that *"The City encourages the growth of tourism as a part of the economy. Zoning standards which improve the attractiveness of the city shall be considered including designation of historic districts, stronger landscaping requirements for new construction, and Design Review requirements."*

Finding: The proposed amendments will adopt design standards to allow for development that is consistent with the design of the residential Alderbrook Area. This neighborhood has many older buildings similar to other parts of Astoria, but has not been inventoried for historic designation. However the unique characteristic of this neighborhood is proposed to be protected by the addition of design standards for multi-family dwellings and design guidelines for non-residential development that is compatible with the existing development within the area. No standards are proposed for the single-family and/or two-family residential development.

The River and River Trail are important tourism/economic assets for the City and will be protected from incompatible development with the proposed amendments. The proposed amendments exempt the existing historic over water buildings from some of the requirements so as to encourage and support the restoration and adaptive reuse of these buildings. However, additions to these buildings would be subject to the proposed development standards. The code would also protect the scenic views of the Columbia River waterfront with a top of bank height limitation for over-water development.

16. CP.270, Parks, Recreation, and Open Space Element, Goals states that *"The City of Astoria will work:*
1. *To develop a balanced park system.*
 2. *To reflect Astoria's special qualities and characteristics. . .*
 5. *To provide or encourage waterfront parks. . .*
 7. *To promote general beautification. . .*
 12. *The City will continue its efforts to improve public access to the shoreline through:*
 - a. *The construction of public access points, pathways, and street ends;*

- b. *The encouragement of public access projects in conjunction with private waterfront development actions, possibly through the use of local improvement districts and/or grant funds; and*
- c. *The protection of street ends and other public lands from vacation or sale where there is the potential for public access to the water. The City will work with the Division of State Lands (DSL) to determine the status of submerged and submersible lands adjacent to the City street ends."*

Finding: The City has established a River Trail along the Columbia River as a City park. The Riverfront Vision Plan identifies this as a public area and encourages protection of a portion of the public views and vistas in the Neighborhood Greenway Area. The RVP for the Neighborhood Greenway Planning Area identified Land Use Assumptions and Objectives which state *"Highlight the river's natural edge by framing views and creating path/trail systems that reflect the river's movement. Emphasize natural features and beauty along the edge of the river and lagoon. . . Protect river vistas to maintain physical and visual connection to the Columbia River. Create and maintain a sense of openness to enhance connections to the Columbia River and the Neighborhood Greenway area and improve the quality of residential areas. Open spaces should range from smaller, more intimate spaces to larger gathering places. . ."*

The proposed amendments address the design, location, height, etc. for development on both the water and land. The proposed amendments also address public amenities and the ability of a developer to provide specific public amenities in conjunction with their development and promote the general beautification of the waterfront area. The limitation of structure height and reduction in allowable uses in the Lagoon would protect the waterfront park from incompatible intrusions. There are three City-owned parks in the area. These properties would be protected as public access areas.

17. CP.470.1, Citizen Involvement states that *"Citizens, including residents and property owners, shall have the opportunity to be involved in all phases of the planning efforts of the City, including collection of data and the development of policies."*

Finding: Throughout the process of drafting the proposed ordinance, the City has provided extensive public outreach. The APC has held two work sessions and one town hall meeting over the last two months with invitations and notices sent to interested parties, neighborhood associations, stakeholders, email lists, web site, etc. Anyone interested in the proposed ordinance was encouraged to submit suggestions and comments. Work sessions were open for discussion with the public to allow for interactive feedback at this early stage of the adoption process. The following is a list of public work sessions, public hearings, and newspaper articles concerning the draft ordinance. There were numerous "Letters to the Editor" in the Daily Astorian which are not listed.

August 19, 2015	Daily Astorian article "Town Hall Meeting set for Neighborhood Greenway
August 20, 2015	Town Hall Meeting
August 21, 2015	Daily Astorian article "Neighborhood Greenway gets closer look"
August 24, 2015	Daily Astorian editorial "Alderbrook discussion puts community wishes first"
September 1, 2015	APC work session
September 16, 2015	APC work session
October 27, 2015	APC public hearing

The City was very conscious of the interest in protection of the Riverfront and the need to have an ordinance that would meet the needs of the citizens, property owners, protect the environment and historic resources, be in compliance with State regulations, and would be a permit process that was easy for both the citizens and staff.

Finding: The request is consistent with the Comprehensive Plan.

- D. Section 10.070.A.2 concerning Text Amendments requires that *"The amendment will not adversely affect the ability of the City to satisfy land and water use needs."*

Section 10.070.B.2 concerning Map Amendments requires that *"The amendment will: a. Satisfy land and water use needs; or . . ."*

Finding: The proposed amendment will satisfy land use needs in that it will allow for the development of private properties while protecting the vistas and views along the Neighborhood Greenway Area of the River Trail. The proposed amendment limits the allowable over-water development in this area thereby reducing some of the impacts associated with a more intensive development. The water area is zoned A-3 (Aquatic Conservation) with limited allowable development, all of which are maritime related. The area is proposed to be rezoned to A-4 (Aquatic Natural) which would eliminate a few of the more intensive uses and would better reflect the current condition of the enclosed shallow lagoon. No changes are proposed to the allowable uses on land.

An amendment to Comprehensive Plan Section CP.080, Alderbrook Area, is proposed to state *"However, the limited access into the Alderbrook Area from Lief Erikson Drive creates concerns with increased traffic to the area with no secondary vehicular outlets."* which would acknowledge the existing transportation issues with the increase in traffic and a single access neighborhood. In addition, CP.085.8, Alderbrook Area Policies, is proposed to be amended by the addition to read as follows: *"8. Extension of the trolley service to the Alderbrook neighborhood should be investigated and considered."* The possible addition of trolley service to the area would potentially provide an alternative mode of transportation thereby reducing the impacts on the transportation system.

Proposed lighting and open space landscaping standards would decrease impacts to Police and Fire protection services by the creation of appropriately lit and open areas. The Aquatic area was not included in the Buildable Lands Inventory as buildable area, and there are no proposed changes to the residential area, therefore, the proposed amendment will not adversely affect the ability of the City to satisfy land and water use needs.

- E. Section 10.070.B.2 concerning Map Amendments requires that *“The amendment will. . .*
- b. *Meet transportation demands. The amendment shall be reviewed to determine whether it significantly affects a transportation facility pursuant to Section -0060 of Oregon Administrative Rule (OAR) 660-012, the Transportation Planning Rule (TPR). When the City, in consultation with the applicable roadway authority, finds that a proposed amendment would have a significant effect on a transportation facility, the City shall work with the roadway authority and applicant to modify the request or mitigate the impacts in accordance with the TPR and applicable law; or*
 - c. *Provide community facilities and services.”*

Finding: The Neighborhood Greenway area is located on the north side of Lief Erikson Drive between 41st and approximately 54th. It is currently partially developed with mostly residences, but also includes a few commercial facilities such as Crest Motel, a construction company, art studio, Alderbrook Station over-water structure, and a few home occupations. There are three City park facilities. There are only a few undeveloped lots in the existing R-2 Zone as noted in the Buildable Lands Inventory, several of which are owned by the City. The aquatic area proposed for a map amendment fronts the River Trail and the Neighborhood Greenway Area of the Riverfront Vision Plan.

There are no traffic lights in this area. Alderbrook is generally accessed from Lief Erikson Drive (Hwy 30) at 45th Street. In accordance with Statewide Planning Goal 12 concerning Transportation, and the Transportation Planning Rule (TPR) (OAR 660-12-060), any plan amendment having a significant effect on a transportation facility (i.e. Highway 30) must assure that the allowed land uses are consistent with the function, capacity, and level of service of the facility. In addition, OAR 734-051-0080, and OAR 734-051-0100 state that a proposed development or land use action where an on-site review indicates that operational or safety concerns may be present requires a Traffic Impact Study.

The proposed rezone of the aquatic area would reduce a few of the more intense allowable uses and therefore would reduce potential transportation impacts associated with future development. Since no changes are proposed for the R-2 Zone, there are no changes to the transportation impacts associated with future development.

All City utility services are available to the area. There is no indication that operational or safety concerns are present, nor would they be increased as a result of the proposed uses on the existing transportation system. Any future

development would be subject to a Traffic Impact Study as required by Development Code Article 3.

In April 2014, the City Council adopted the Transportation System Plan (TSP). This Plan was conducted by the City of Astoria in conjunction with the Oregon Department of Transportation (ODOT) and studied the existing and forecasted transportation needs in the City. The subject aquatic area proposed for rezone is located on north of the shoreline in the Alderbrook area which is north of Lief Erikson Drive between 41st and 54th Street. There were several projects identified in the TSP for the Neighborhood Greenway Area as follows:

D-4 – US 30 Speed Warning System – Install a speed warning system that activates when a motorists approaches at a high speed

D-7 – US 30 / 45th Street Safety Enhancement – Install eastbound and westbound left-turn pockets on US 30

D-8 – US 30 / 54th Street Safety Enhancement – Provide an eastbound left turn pocket on US 30

D-37 – 54th Street-Old US Hwy 30 Upgrade – Improve to a Working collector street cross-section

CR-02 – US 30 and 45th Street – Upgrade existing crossing to the highest level pedestrian actuated beacon approved by ODOT

P-14 – Lief Erikson Drive (East) Sidewalk Infill – Complete sidewalk gaps on north side of the street from 46th to 50th and both sides from 50th to 54th

B-10 – 45th Street Shared Roadway Enhancements – Add wayfinding and shared lane markings

B-11 – 51st Street Shared Roadway Enhancements – Add wayfinding and shared lane markings

B-16 – Birch Street Shared Roadway Enhancements – Add wayfinding and shared lane markings

B-18 – Cedar Street Shared Roadway Enhancements - Add wayfinding and shared lane markings

These projects are aimed at pedestrian and bike safety and to create better vehicle and pedestrian circulation in the Neighborhood Greenway Area. The proposal to rezone the aquatic area to A-4 would not impact transportation and would be consistent with these projects

The area proposed to be zoned A-3 to A-4 is accessed from City streets and not directly from the State Highway. Therefore, ODOT would not typically comment

on the TPR review. ODOT has been included in the draft amendment review process. Based on the existing TSP and projected traffic volumes and projected uses, the transportation facilities in this area, including any proposed future improvements, will be sufficient to accommodate the uses allowed in the proposed A-4 Zone areas.

F. Oregon Administrative Rules Section 660-012-0060 (Plan and Land Use Regulation Amendments) states that:

1. *“(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
 - (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);”*

Finding: As shown in the attached draft Ordinance, Attachment B, the proposed Land Use and Zoning Map amendment consists of the following:

- Rezoning an aquatic area of A-3 (Aquatic Conservation) to A-4 (Aquatic Natural)

This area is adjacent to roadways including Ash Street, Alder Street, Birch Street, and the street ends of 45th through 53rd Streets. These rights-of-way are designated as “Residential Local Streets” as shown in Figure 15 (Multi-Modal Street System) of the 2013 City of Astoria Transportation System Plan (TSP). The proposed Land Use and Zoning Map amendment does not propose or necessitate changes to these classifications.

2. *“(b) Change standards implementing a functional classification system; or. . .”*

Finding: Section 6 of the Astoria TSP establishes design guidelines, spacing standards, and mobility targets for City streets based on functional classification. The proposed Land Use and Zoning Map amendment does not propose or necessitate changes to these guidelines, standards, or targets.

3. *“(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating*

projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

- (A) *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
- (B) *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or. . .”*

Finding: The proposed Land Use and Zoning Map amendment only affects the aquatic area known as Alderbrook Lagoon. It would reduce the allowable uses limiting some of the more intense commercial uses currently allowed. In general, as proposed, the amendment would allow similar uses or uses that are not expected to generate any more trips than existing zoning. The number of trips generated would be expected to decrease. Therefore, the proposed map amendment should not significantly change the character of land use and zoning in the area and, thus, the changes in zoning would not affect the types and levels of travel and performance of transportation facilities. More detailed information about specific changes in allowed uses is provided in Table E.1 which presents examples of uses currently permitted in the A-3 and A-4 Zones, as well as some uses that are proposed to be permitted or prohibited. The only change proposed for the A-4 Zone is to allow the existing over-water buildings as noted in the A-3 Zone to be allowed to continue. Since no new uses are proposed and a few of the more intense uses are eliminated, no additional analysis of the transportation impacts is required.

**Table E.1 A-3 AQUATIC CONSERVATION and A-4 AQUATIC NATURAL ZONE
Allowable Use Comparison**

Use	A-3		A-4	
	Outright	Conditional Use	Outright	Conditional Use
Estuarine enhancement.	X			
Riprap for protection of use existing as of October 7, 1977, unique natural resources, historical or archeological resources, or public facility.	X			
Maintenance and repair of existing structure or facility.	X			X
Active restoration of fish habitat,	X			X

Use	A-3		A-4	
	Outright	Conditional Use	Outright	Conditional Use
wildlife habitat, or water quality.				
Filling in conjunction with any of the permitted uses 1 through 4, above, pursuant to the applicable standards in Section 4.070.	X			X for repair of existing structure
Tidegate installation and maintenance in existing functional dike.	X		X	
Dredging to obtain fill material for dike maintenance pursuant to the dike maintenance dredging standards.	X			
Pipeline, cable, and utility crossing.	X			X
Water-dependent parts of an aquaculture facility which do not involve dredge or fill or other estuarine alterations other than incidental dredging for harvest of benthic species or removable in-water structures such as stakes or racks.	X			
Dredging in conjunction with any of the permitted uses 1 through 9, above, pursuant to the applicable standards in Section 4.050.	X			X for specific conditional uses
Navigation aid.	X		X	
Communication facility.	X			X
Bridge crossing support structure.	X			X
Boat ramp for public use where no dredge or fill is needed for navigational access.	X			X
Undeveloped low intensity water-dependent recreation.	X		X	
Project for the protection of habitat, nutrient, fish, wildlife and aesthetic resources.	X			
Research and educational observation.	X		X	
Piling and pile supported structure in conjunction with any of the permitted uses 1 through 17 above.	X			X for specific conditional uses
Passive restoration.	X		X	
Bridge crossing.	X		X	
Transportation facilities, excluding electric car charging stations.	X			X

Use	A-3		A-4	
	Outright	Conditional Use	Outright	Conditional Use
Aquaculture and water-dependent portions of aquaculture facility.		X		X limited to temporary removable structure
Active restoration for purposes other than protection of habitat, nutrient, fish, wildlife and aesthetic resources.		X		X
Temporary alteration.		X		X
Beach nourishment at sites designated in the Comprehensive Plan.		X		
Filling in conjunction with conditional uses 1 through 4, above, pursuant to the applicable standards in Section 4.070.		X		X for specific conditional uses
High-intensity water-dependent recreation including boat ramp, marina, and individual dock.		X		
Minor navigational improvement.		X		
Mining and mineral extraction.		X		
Dredging in conjunction with any of the conditional uses 1 through 8, above, pursuant to the applicable standards in Section 4.050.		X		X for specific conditional uses
Low-intensity water-dependent commercial or industrial use requiring occupation of water-surface area by means other than fill.		X		
In-water log storage.		X		
Piling in conjunction with any of the conditional uses 1 through 11, above.		X		
Temporary use meeting the requirements of Section 3.240.		X		
In pile supported buildings existing prior to October 1, 2002, non-water-dependent or non-water-related uses as follows:		X		Proposed
a. Arts and crafts studios.		X		Proposed
b. Bed and breakfast, home stay lodging, or inn.		X		Proposed
c. Home occupation.		X		Proposed

Use	A-3		A-4	
	Outright	Conditional Use	Outright	Conditional Use
d. Professional and business office, personal service establishment limited to beauty and barber services and garment alterations.		X		Proposed
e. Residential home.		X		Proposed
f. Single-family dwelling.		X		Proposed
g. Two-family dwelling.		X		Proposed
h. Multi-family dwelling.		X		Proposed
i. Off-street parking requirements for the above uses may be located in the upland zone adjacent to the use. The Planning Commission may impose additional landscape buffering to protect the adjacent residential uses.		X		Proposed

4. *“(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.”*

Finding: As concluded in the Future Needs Analysis (Section H, Volume 2) in the Astoria TSP, *“In addition, the . . . US 30 / Nimitz Drive-Maritime Road intersections are expected to operate with a level of service “F” for the side street, even though they are expected to meet ODOT’s v/c target. . .”* This intersection is just east of the Neighborhood Greenway Area. It was also noted that in the area between the Astoria-Megler Bridge and Nimitz Drive-Maritime Road, *“Each of the segments along US 30 has more driveways and public street approaches than allowed to comply with the access spacing standards.”* Since no changes are proposed to the existing transportation system, and no new uses are proposed, criterion is not applicable.

Finding: The proposed amendments comply with the Oregon Administrative Rules Section 660-012-0060 (Plan and Land Use Regulation Amendments) requirements.

V. CONCLUSION AND RECOMMENDATION

The request is consistent with the Comprehensive Plan and Development Code. Staff recommends that the Planning Commission recommend adoption of the proposed amendments to the City Council.

Alternatively, the Planning Commission can continue the hearing until November to allow additional comment, make revisions to the proposed amendments, or close the hearing and deliberate further. However, as a result of a grant deadline, and extensive outreach completed to date with the Alderbrook neighborhood, staff recommends approval subject to additional public testimony.

ORDINANCE NO. 15-_____

AN ORDINANCE AMENDING THE ASTORIA DEVELOPMENT CODE AND LAND USE AND ZONING MAP PERTAINING TO IMPLEMENTATION OF THE ASTORIA RIVERFRONT VISION PLAN IN THE NEIGHBORHOOD GREENWAY AREA

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Section 14.130 through 14.138 pertaining to the Neighborhood Greenway Overlay Zone is added to read as follows:

"NGO: NEIGHBORHOOD GREENWAY OVERLAY ZONE

14.130. PURPOSE.

The purpose of the Neighborhood Greenway Overlay Zone is to implement the land use principles of the Astoria Riverfront Vision Plan, dated December 2009, as they pertain to the Neighborhood Greenway Plan Area. The Neighborhood Greenway Overlay (NGO) Zone is intended to protect views of and access to the Columbia River, provide for an enhance open space and landscaping, support limited water-dependent uses consistent with Astoria's working waterfront. The NGO Zone extends from approximately 41st Street to the east side of Alderbrook neighborhood at approximately 54th Street and between Lief Erikson Drive and the pier head line of the Columbia River as depicted on the City's Zoning Map.

14.131. APPLICABILITY AND REVIEW PROCEDURES.

The provisions of the Neighborhood Greenway Overlay Zone shall apply to all new construction or major renovation, where "major renovation" is defined as construction valued at 25% or more of the assessed value of the existing structure, unless otherwise specified by the provisions in this Ordinance.

Review of applications in the Neighborhood Greenway Overlay Zone is subject to the administrative procedures and approval of the Community Development Director established in Article 9.

A. Residential Development Exception

These standards shall not apply to single-family and two-family dwellings.

B. Residential Development

Applications for multi-family dwellings may be reviewed administratively subject to the Design Review Standards in Section 14.134 or through the public design review process subject to the Design Review Guidelines in Section 14.135.

C. Non-Residential and Mixed Use Development.

Applications shall be reviewed through the public design review process subject to the Design Review Guidelines in Section 14.135.

14.132. ALLOWABLE USES FOR OVERWATER DEVELOPMENT.

Outright and Conditional uses within the Neighborhood Greenway Overlay Zone shall be limited to allowable uses in the A-4 Zone (Aquatic Natural) with the following exceptions:

1. In pile supported buildings existing prior to October 1, 2002, non-water-dependent or non-water-related uses as follows are allowed as a conditional use:
 - a. Arts and crafts studios.
 - b. Bed and breakfast, home stay lodging, or inn.
 - c. Home occupation.
 - d. Professional and business office, personal service establishment limited to beauty and barber services and garment alterations.
 - e. Residential home.
 - f. Single-family dwelling.
 - g. Two-family dwelling.
 - h. Multi-family dwelling.
 - i. Off-street parking requirements for the above uses may be located in the upland zone adjacent to the use. The Planning Commission may impose additional landscape buffering to protect the adjacent residential uses.

14.133. STANDARDS FOR OVERWATER DEVELOPMENT.

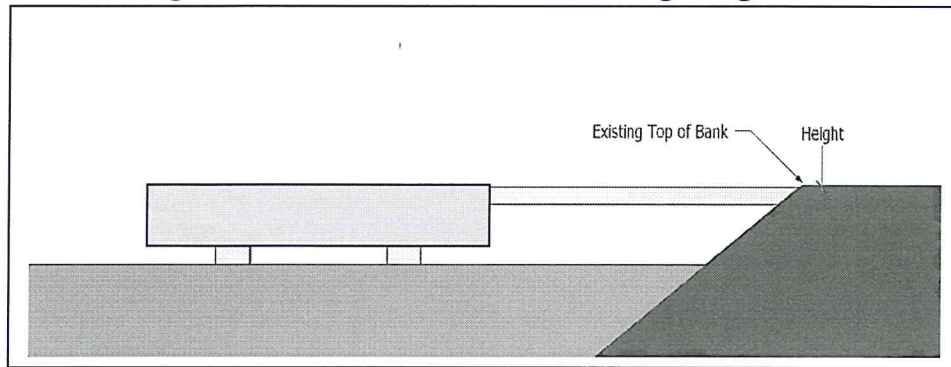
The following development standards apply to overwater development in the Neighborhood Greenway Overlay Zone. The Overwater Development standards shall also apply to on-land development north of the River Trail and/or 50' wide railroad line property between 41st Street and approximately 54th Street. In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control.

Maintenance, repair, or restoration of buildings existing prior to 2002 shall be exempt from the standards of this Section. Additions and/or new construction on these buildings shall be subject to these standards.

A. Height.

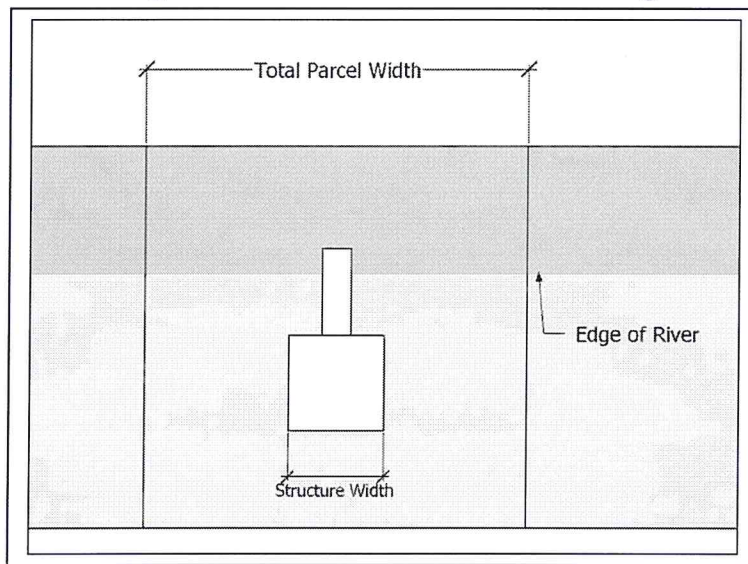
1. Maximum building height, except hand rails, shall be the top of the existing adjacent riverbank. No variance may be granted for an exception to this height limitation.

Figure 14.133-1: Maximum Building Height



- B. The maximum width of an overwater structure is 25% of the total parcel width (measured along the parcel frontage adjacent to the Columbia River) or 50 feet, whichever is smaller. In cases where total parcel width is 100 feet or less, the structure width may be up to 25 feet.

Figure 14.133-2: Maximum Building Width



14.134. RESIDENTIAL DEVELOPMENT DESIGN STANDARDS.

A. Applicability.

1. Residential.

- a. Single-family and two-family dwellings are not subject to the design standards.
- b. Multi-family dwellings proposed in the Neighborhood Greenway Overlay Zone may be reviewed in accordance with one of two review options:

- (1) Applications in compliance with Multi-Family Development Design Standards of Section 14.134 shall be reviewed pursuant to procedures for administrative review by the Community Development Director established in Article 9 unless the applicant requests review through the City's Design Review Committee pursuant to design review guidelines in Section 14.135; or
- (2) If a multi-family development applicant requests review through the City's Design Review Committee process, applications shall be reviewed in accordance with the Residential Development Design Guidelines of Section 14.135 and shall be reviewed pursuant to design review procedures in Article 9 and 14.

2. Non-Residential.

Non-residential uses may be reviewed pursuant to procedures for administrative review by the Community Development Director established in Article 9; or they may be reviewed pursuant to the Residential Development Design Guidelines of Section 14.135 and design review procedures in Article 9 and 14. The applicant shall have the option to choose between these two options.

3. Figures.

Figures included in Section 14.133 through 14.135 are included for illustrative purposes only and are not intended to be regulatory in and of themselves. If there is an inconsistency between the Figure and the Development Code text, the text shall prevail.

B. Design Standards.

1. Building Forms.

- a. All buildings shall be based on a rectangular or square form.
- b. All multi-family dwelling unit buildings shall have a front porch, at least six (6) feet deep and 60 square feet in area.

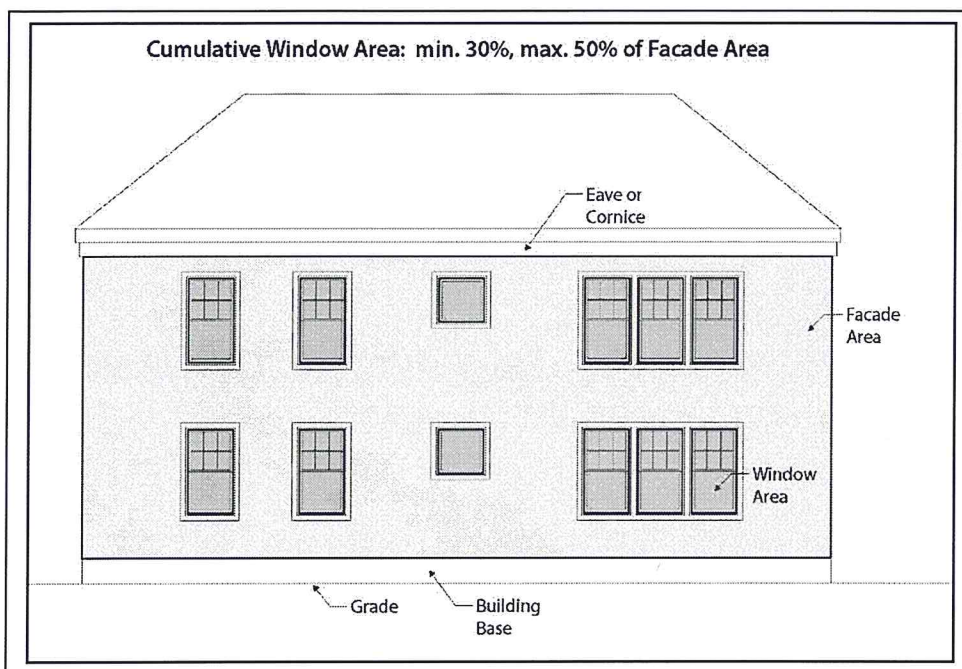
2. Window Design.

The following design standards apply to all facades.

- a. Windows required. All facades facing a right-of-way, River Trail, or common open space shall have windows.
- b. Window area. Window area shall cover a minimum of 30% of all street-

facing facade areas and shall not exceed 50% of street-facing facade areas.

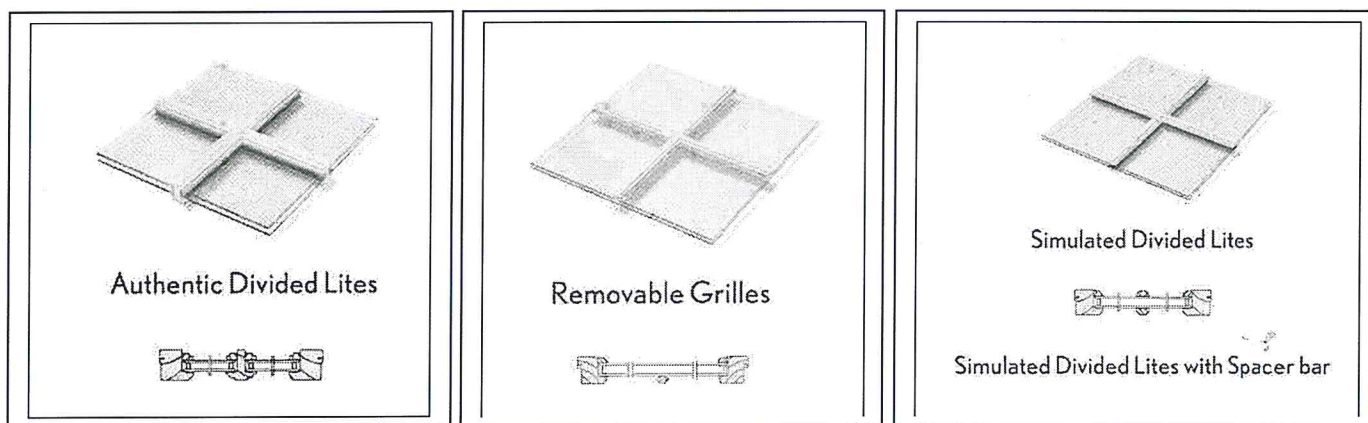
Figure 14.134-1: Window Area



c. Window lites. Window lite design shall be one of the following:

- 1) Single-lite windows; or
- 2) Multiple-lite true-divided windows; or
- 3) Combination of single and multiple-lite true-divided windows; or
- 4) Applied muntins with profile facing window exterior.

Figure 14.134-2: Window Lites

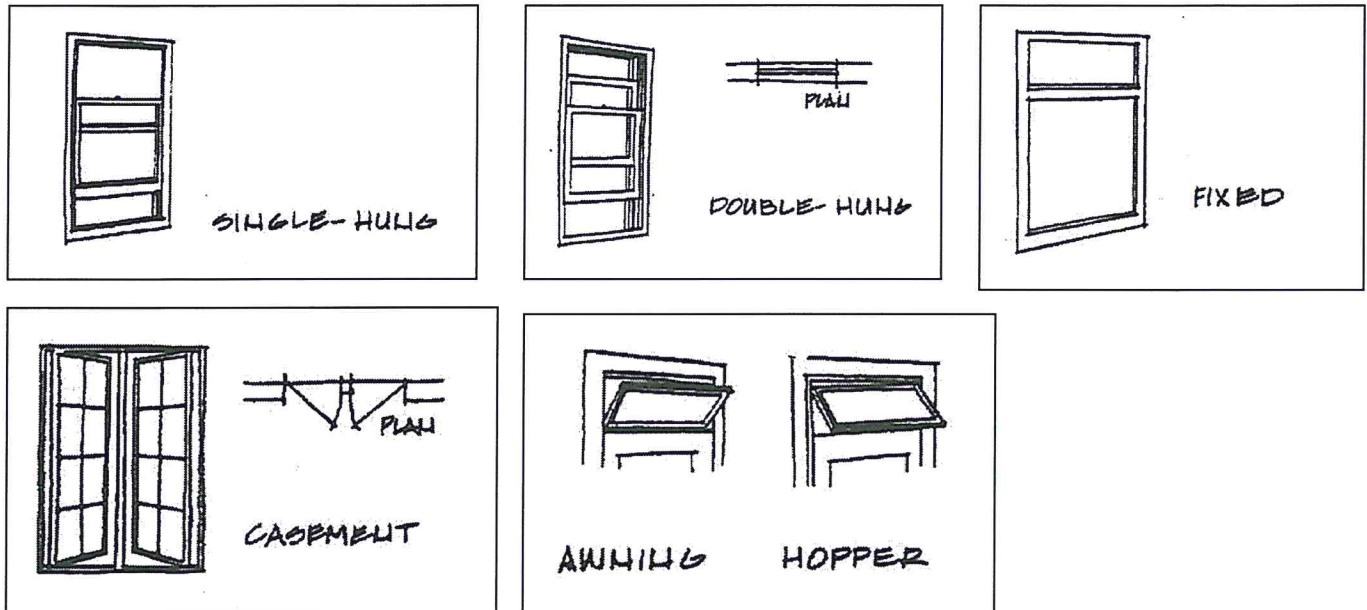


d. Windows shall be fixed or open in one of the following configurations:

- 1) Fixed window; or
- 2) Single-hung windows; or

- 3) Double-hung windows; or
- 4) Awning or hopper windows; or
- 5) Casement windows.

Figure 14.134-3: Fixed and Opening Windows

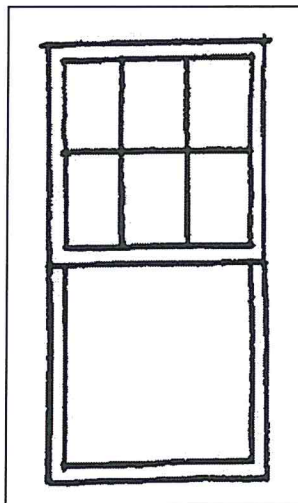


e. Window shape. Window shape shall be one of the following:

- 1) Vertical rectangle; or
- 2) Square.
- 3) Arched or decorative windows are permitted but should not exceed more than 30% of the total window coverage on all facades of the building.

Figure 14.134-4: Window Shapes

Vertical rectangular window

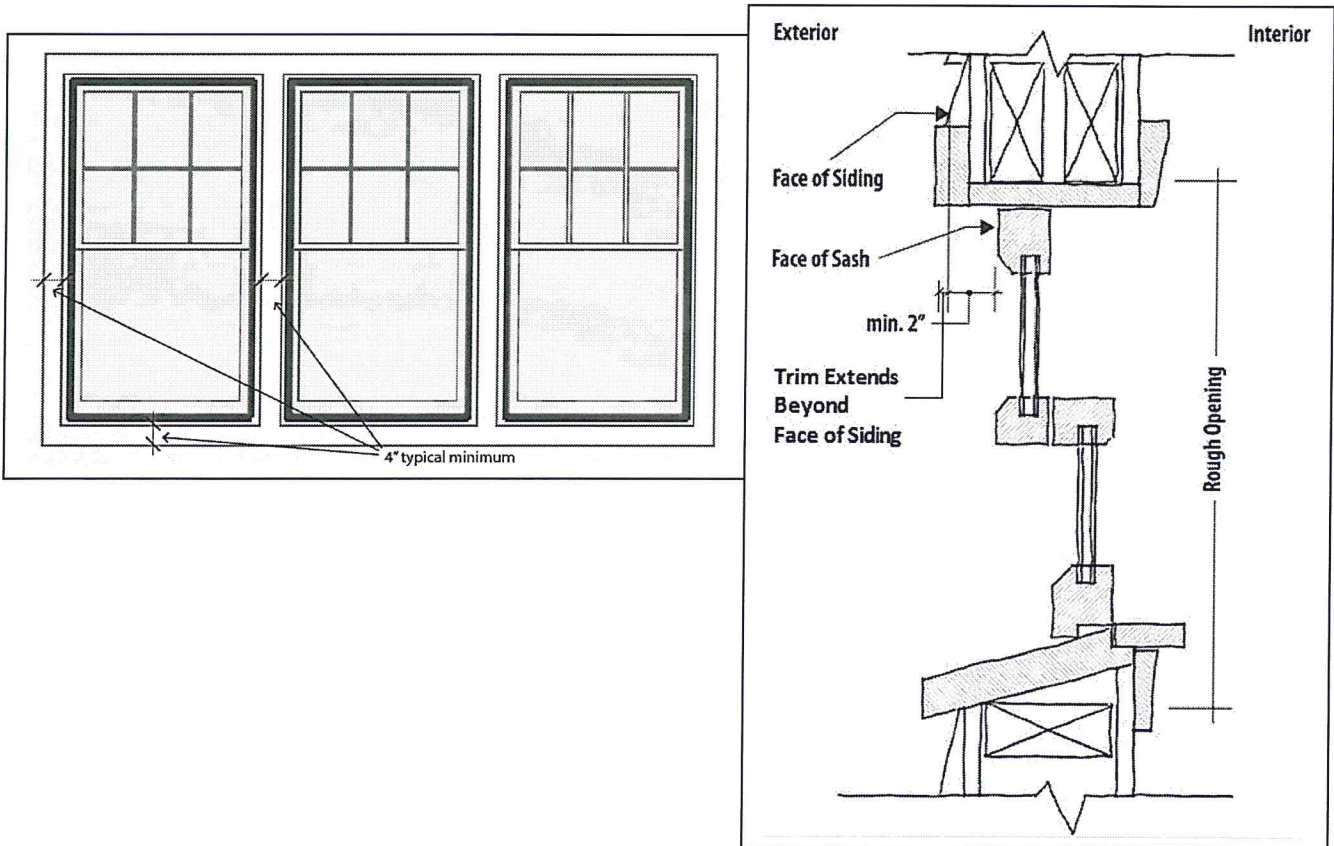


Examples of arched or decorative windows



- f. Window detailing. Windows shall have casings/trim, sills, and crown moldings. Window detailing shall meet the following requirements.
- 1) Casings/trim shall have minimum dimensions of 5/4 inch x 4 inch and shall extend beyond the facade siding.
 - 2) Windows shall be recessed a minimum distance of two (2) inches from the trim surface to ensure a shadow line/effect.

Figure 14.134-5: Window Detailing – Trim and casement location and dimensions

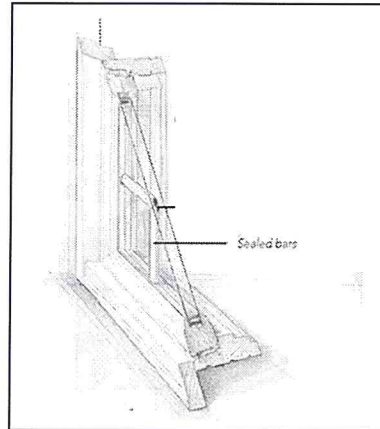


- g. Window design prohibited. The follow window design features are prohibited.

- 1) Applied muntins that have no profile.
- 2) Smoked, tinted, or frosted glass, except for bathroom windows not on the street-facing facade.
- 3) Mirrored glass.

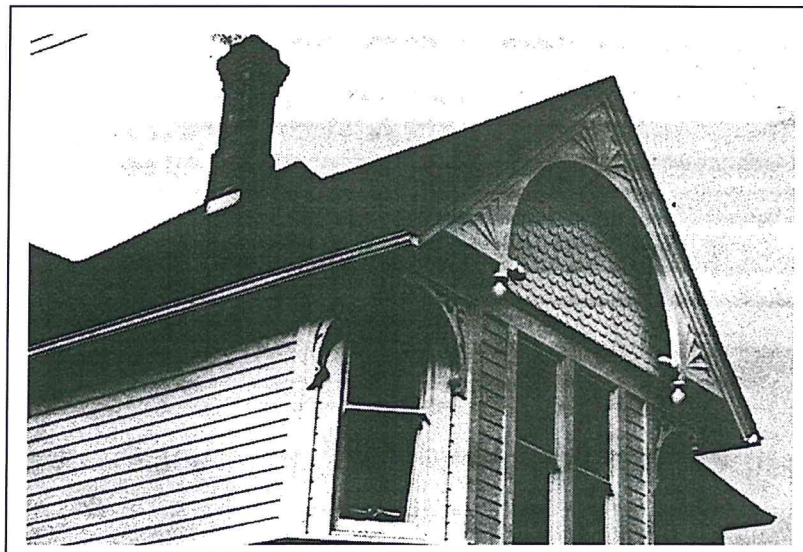
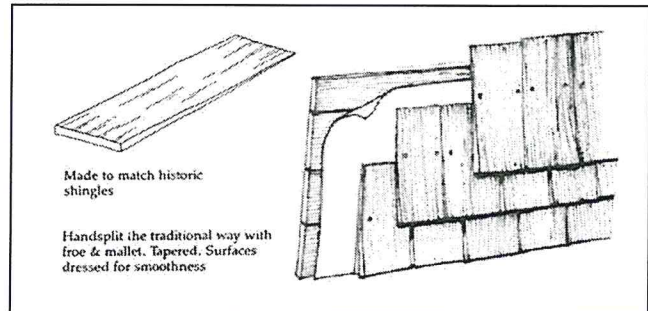
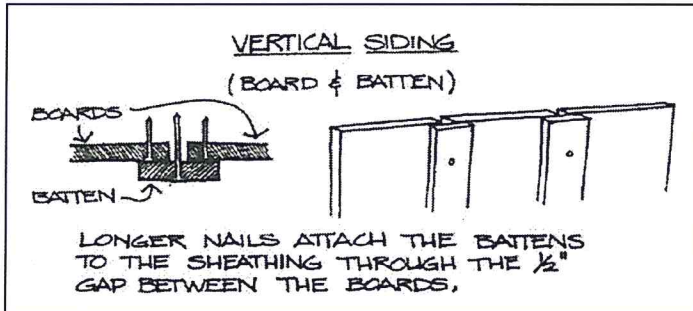
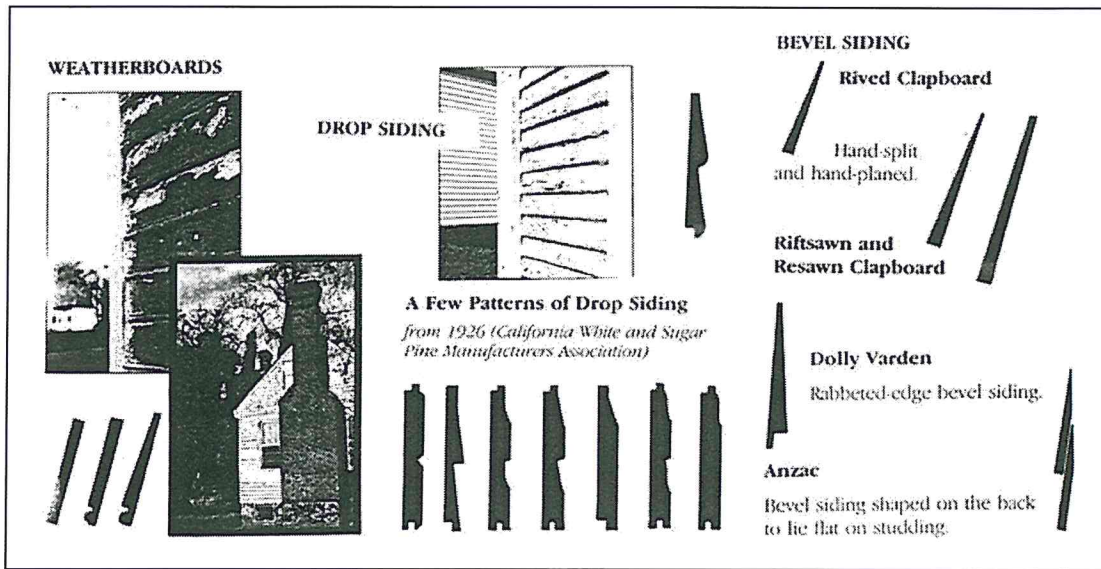
Figure 14.134-6: Window Design Prohibited

Muntins with no profile



3. Exterior Wall Treatments and Materials.
 - a. A minimum of 80% of exterior walls shall be constructed of one or more of the following sets of treatments and materials.
 - 1) Drop siding; or
 - 2) Weatherboard siding; or
 - 3) Clapboard; or
 - 4) Rectangular wood shingle or shake; or
 - 5) Decorative wood shingle or shake; or
 - 6) Board and batten.
 - b. Horizontal siding shall have six inches or less exposure.
 - c. Vertical board and batten shall have true battens.

Figure 14.134-7: Exterior Walls – Permitted Materials



- d. Paneled material shall be applied in a manner which avoids the occurrence of seams along the wall plane. Where seams cannot be avoided, they shall be located in a manner that relates logically to windows and other architectural features of the facade. Horizontal seams shall be covered by a trim board or cornice piece.

Figure 14.134-8: Exterior Walls – Seam Treatment

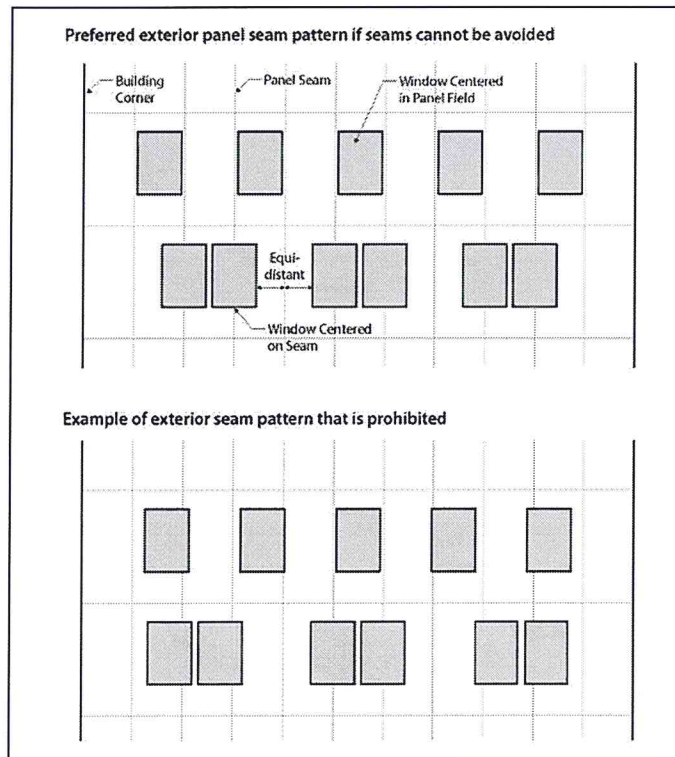
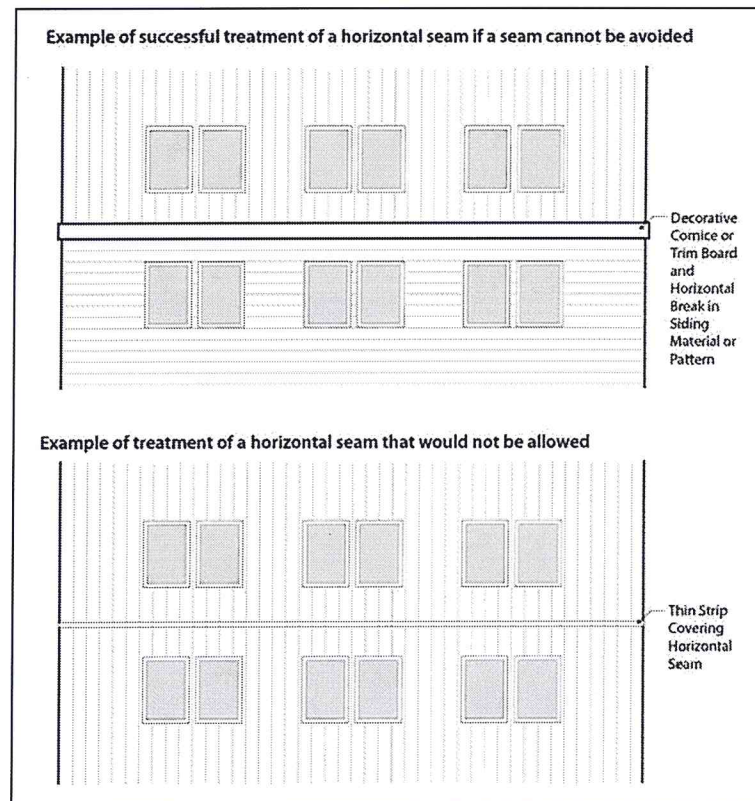


Figure 14.134-9: Exterior Walls – Horizontal Seam Treatment

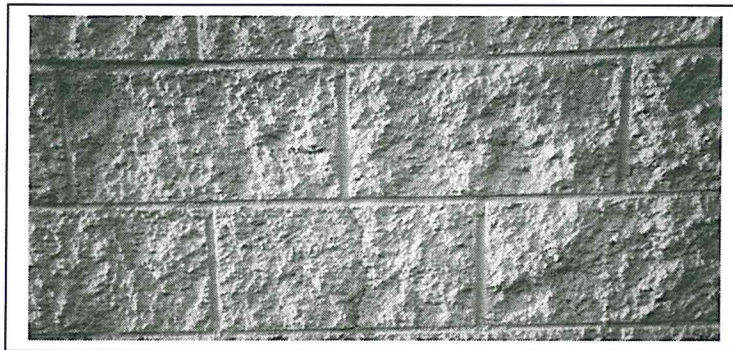


- e. Exterior wall treatments and materials prohibited. The following types of treatments and materials are prohibited.

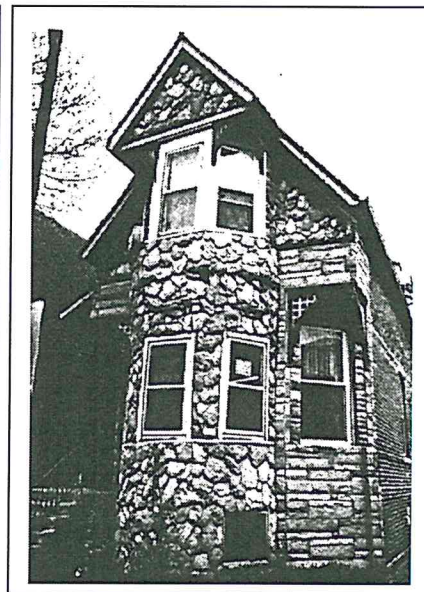
- 1) Exposed textured concrete block.
- 2) Flagstone or other applied stone products.
- 3) Precast concrete or decorative concrete panels.
- 4) Plywood paneling.

Figure 14.134-10: Exterior Wall Treatments and Materials Prohibited

Textured concrete



Applied stone

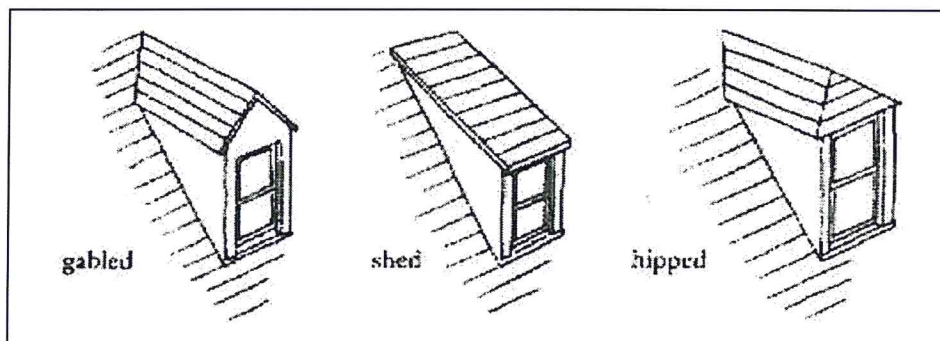


4. Roof Elements.

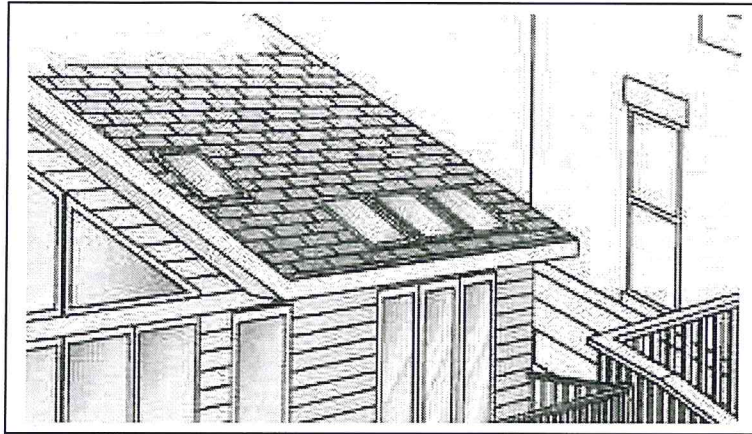
- a. Roof elements permitted. The following roof design elements are permitted.
- 1) Dormers with gable, hip, or shed roofs.
 - 2) Flat panel skylights or roof windows on secondary elevations.

Figure 14.134-11: Roof Elements Permitted

Gabled, shed, and hipped dormers



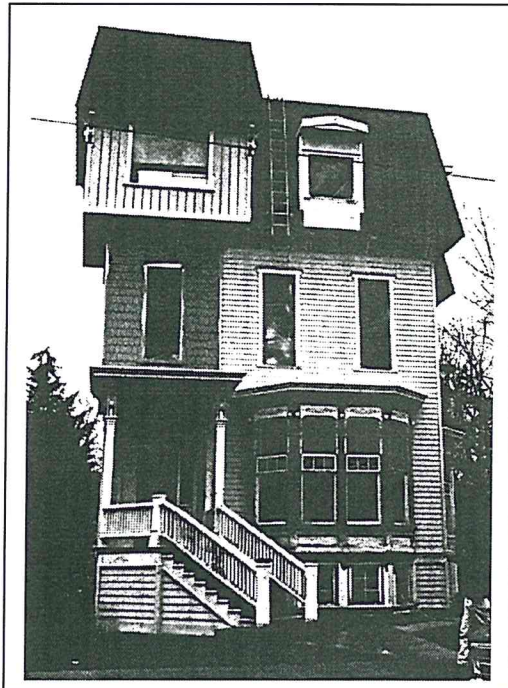
Flat panel skylights



- b. Roof elements prohibited. The following roof design elements are prohibited.
- 1) False mansard or other applied forms.
 - 2) Dome skylights.

Figure 14.134-12: Roof Elements Prohibited

False mansard roof



6. Signs.

Signs are subject to the sign provisions in Section 8.040 and 8.160.

7. Doors.

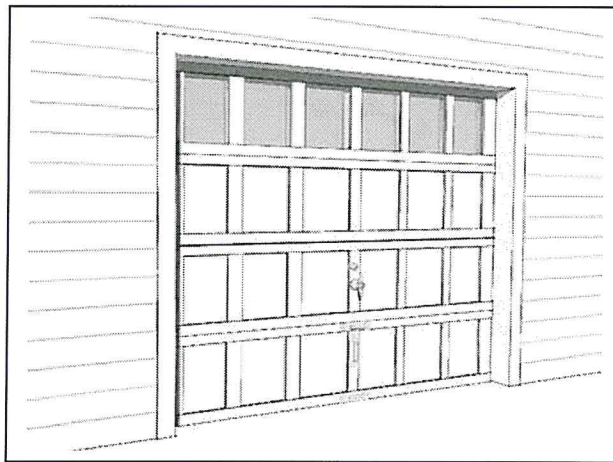
- a. Doors shall have at least one lite (glass) panel.
- b. Sliding doors are not permitted on the ground floor of the front facade.
- c. All materials are permitted.
- d. Metal or metal-clad doors shall be painted.

8. Garage Doors.

The following design standards apply to attached and detached garages:

- a. A minimum of 10% of each garage door shall be window panels, raised trim, or other architectural details.

Figure 14.134-13: Garage Doors Permitted



14.135. DESIGN GUIDELINES.

A. Purpose.

These guidelines promote architectural elements that unify the Neighborhood Greenway Area by encouraging styles characteristic of Astoria. The historic architecture of Astoria is represented by a variety of styles. Differences in details may be seen from one neighborhood to the next. These guidelines advocate the simplicity of design which is characteristic of Alderbrook and the working man's neighborhood. Building styles and details not inspired by Astoria's past will be discouraged but not prohibited. Monotony of design should be avoided. Variety of detail, form, and siting should be used to provide visual interest.

The Guidelines make reference to, but do not require the use of, historic materials. Contemporary substitutions (i.e. composite materials), will not be discouraged if their

texture, profile, and proportions are similar to those materials with historic precedent. As guidelines, the code provisions shall encourage or allow for design features or approaches that provide flexibility and discretion for the appropriate review body to interpret and apply the guidelines.

B. Design Review Process.

All uses proposed in the Neighborhood Greenway Overlay Zone other than residential single-family and two-family dwellings, or public utilities that are not located within an enclosed structure shall be reviewed in accordance with the design review guidelines of Section 14.135 pursuant to the design review procedures in Article 14.

C. Design Guidelines.

The following design guidelines shall apply to multi-family dwelling development that does not comply with the design standards of Section 14.134 and/or all non-residential development except public utilities that are not located within an enclosed structure.

1. Building Forms.

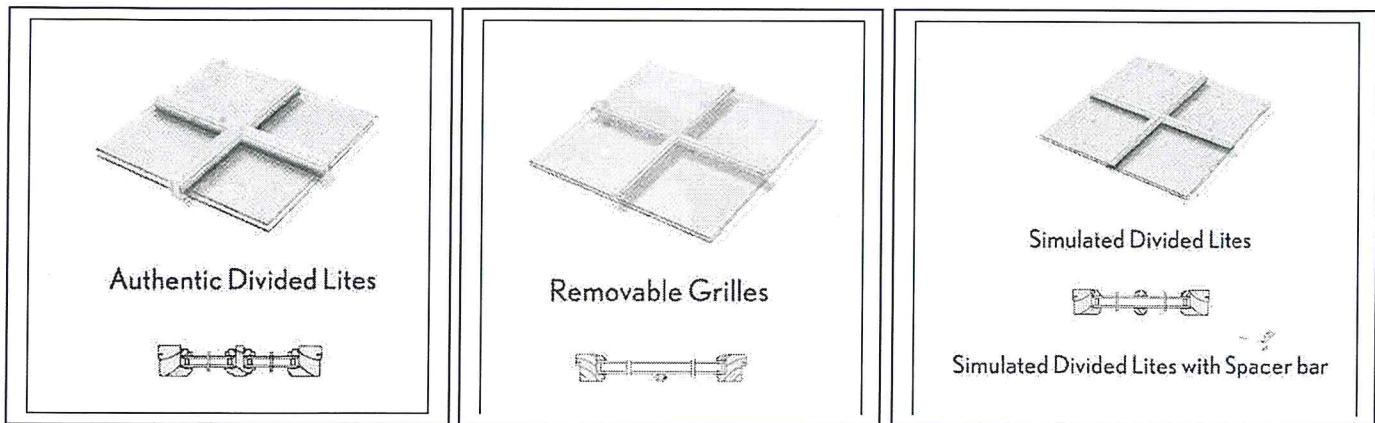
- a. All buildings should be based on a rectangular or square form.
- b. All multi-family dwelling unit buildings should have a front porch, at least six (6) feet deep and 60 square feet in area.

2. Window Design.

The following design guidelines apply to all facades.

- a. Windows required. All facades facing a right-of-way, River Trail, or common open space should have windows.
- b. Window area. Window area should be included on each level or story of the facade.
- c. Window lites. Window lite design should be one of the following:
 - 1) Single-lite windows; or
 - 2) Multiple-lite true-divided windows; or
 - 3) Combination of single and multiple-lite true-divided windows; or
 - 4) Applied muntins with profile facing window exterior.

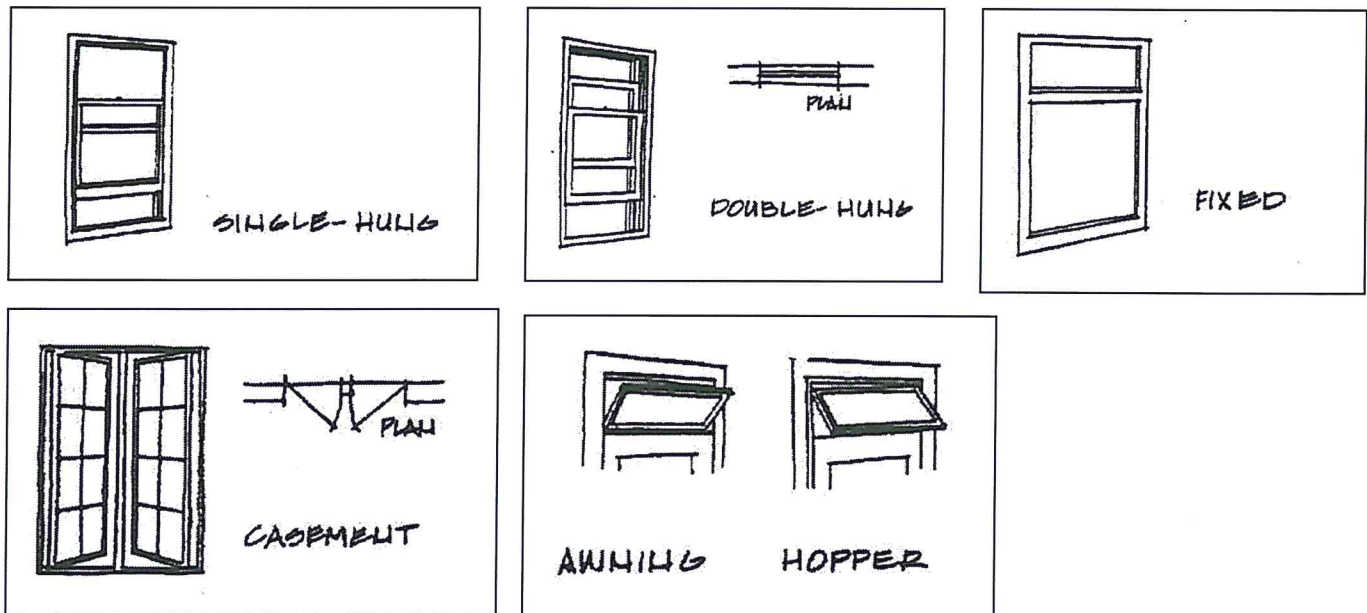
Figure 14.135-1: Window Lites



d. Windows should be fixed or open in one of the following configurations:

- 1) Fixed window; or
- 2) Single-hung windows; or
- 3) Double-hung windows; or
- 4) Awning or hopper windows; or
- 5) Casement windows.
- 6) Sliding windows may be used on non-residential structures in commercially zoned properties.

Figure 14.134-2: Fixed and Opening Windows



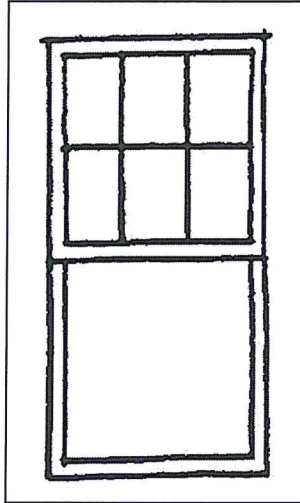
e. Window shape. Window shape should be one of the following:

- 1) Vertical rectangle; or
- 2) Square.
- 3) Arched or decorative windows are permitted but should make up a

relatively small percentage of all windows in the structure.

Figure 14.135-3: Window Shapes

Vertical rectangular window



Examples of arched or decorative windows

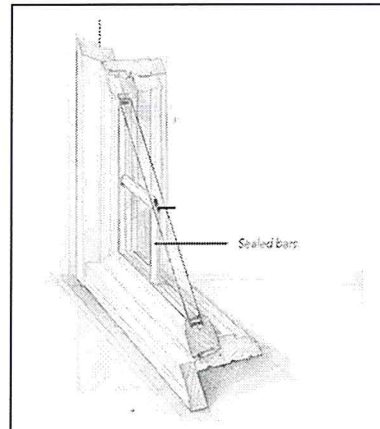


- f. Window detailing. Windows should have casings/trim, sills, and crown moldings. Casings and sills shall create a clear visible distinction and change in depth between the windows and surrounding facade.
- g. Window design discouraged. The follow window design features are discouraged.
 - 1) Applied muntins that have no profile.
 - 2) Smoked, tinted, or frosted glass, except for bathroom windows not on the street-facing facade.
 - 3) Mirrored glass.

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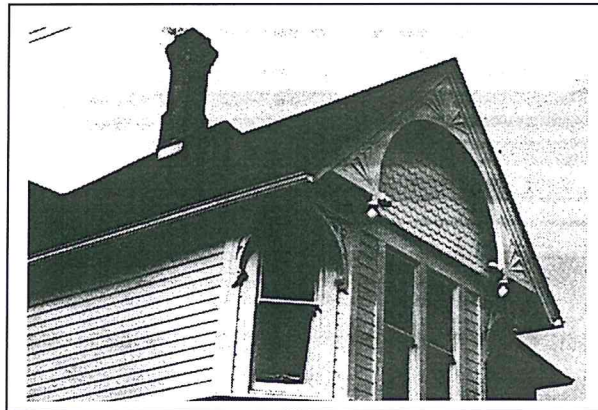
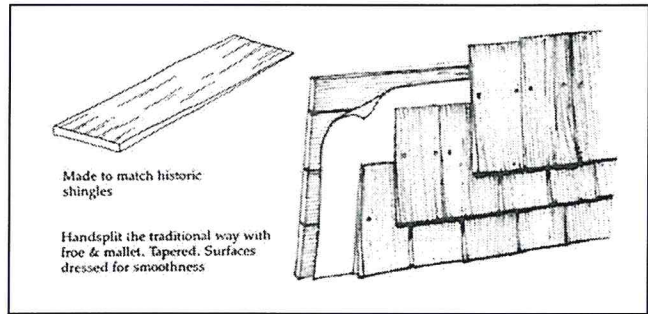
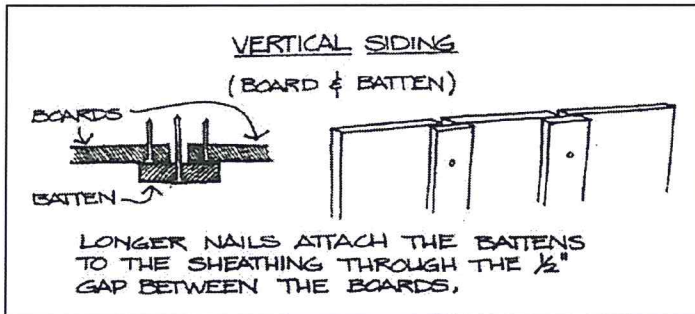
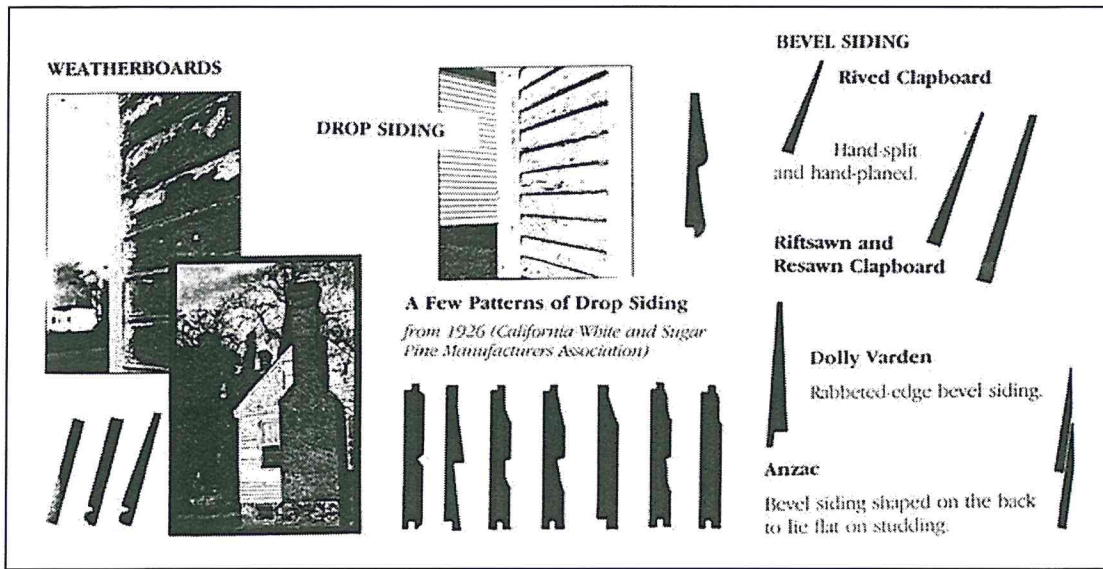
Figure 14.135-4: Window Design Discouraged

Muntins with no profile



3. Exterior Wall Treatments and Materials.
 - a. Exterior walls should be constructed of one or more of the following sets of treatments and materials.
 - 1) Drop siding; or
 - 2) Weatherboard siding; or
 - 3) Clapboard; or
 - 4) Rectangular wood shingle or shake; or
 - 5) Decorative wood shingle or shake; or
 - 6) Board and batten.
 - 7) Fiber cement siding in the treatments noted above may be used but shall have a smooth, not textured, finish.
 - 8) Stucco may be used on non-residential structures in commercially zoned properties.
 - 9) Precast concrete or decorative concrete panels may be used on non-residential structures in commercially zoned properties.
 - b. Horizontal siding should have six inches or less exposure.
 - c. Vertical board and batten should have true battens.

Figure 14.135-5: Exterior Walls – Encouraged Materials

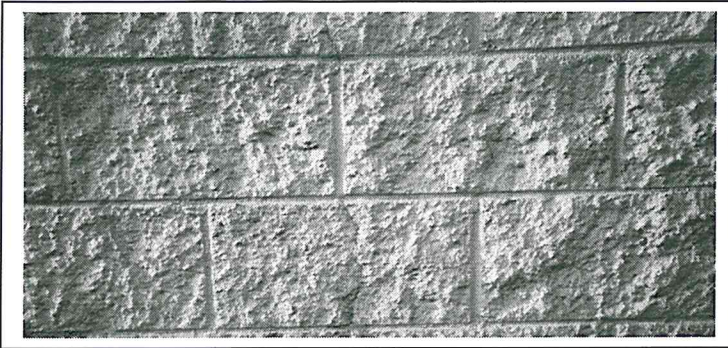


e. Exterior wall treatments and materials discouraged. The following types of treatments and materials are discouraged.

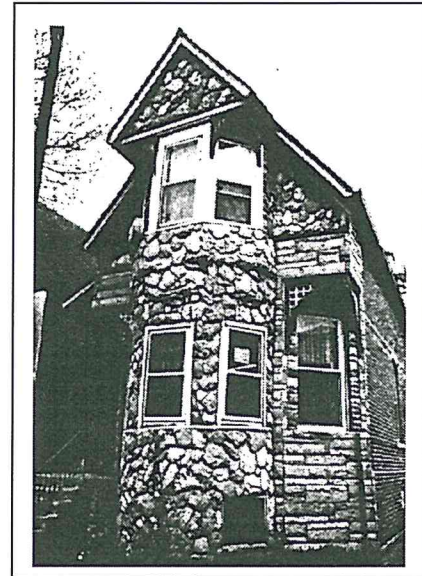
- 1) Exposed textured concrete block.
- 2) Flagstone or other applied stone products.
- 3) Precast concrete or decorative concrete panels, except on non-residential structures in commercially zoned properties.
- 4) Plywood paneling.

Figure 14.135-6: Exterior Wall Treatments and Materials Discouraged

Textured concrete



Applied stone

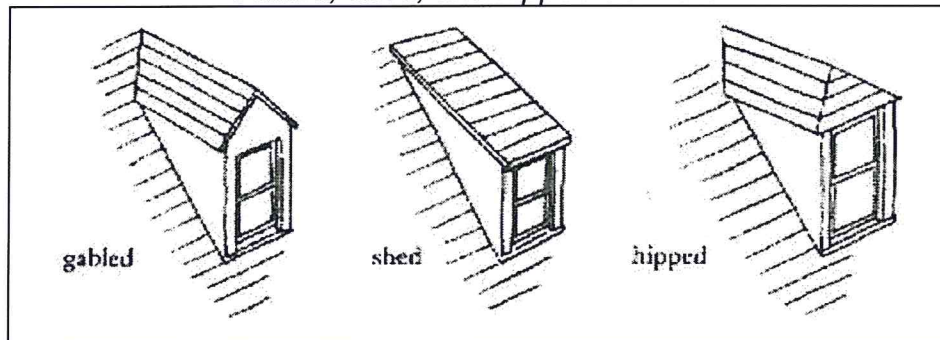


4. Roof Elements.

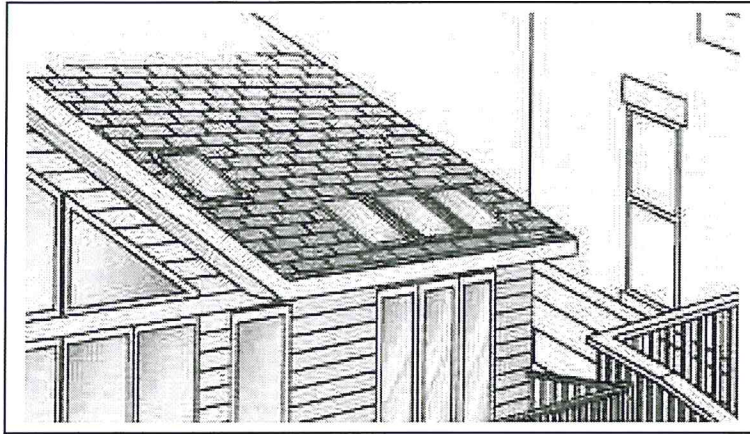
- a. Roof elements encouraged. The following roof design elements are encouraged.
 - 1) Dormers with gable, hip, or shed roofs.
 - 2) Flat panel skylights or roof windows on secondary elevations.

Figure 14.135-7: Roof Elements Encouraged

Gabled, shed, and hipped dormers



Flat panel skylights

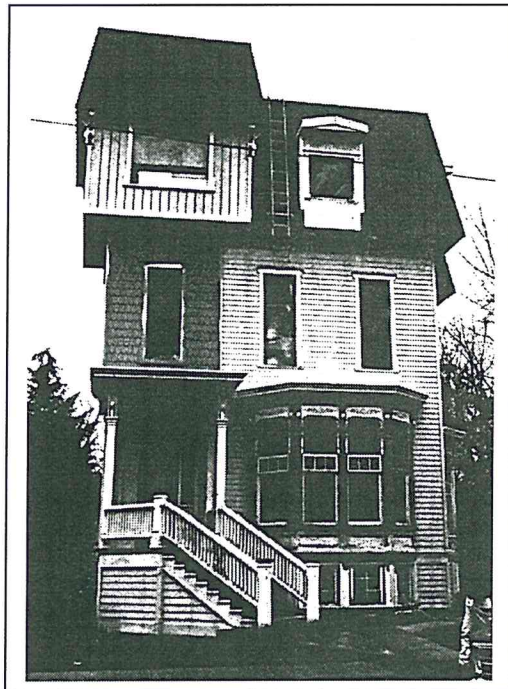


- b. Roof elements discouraged. The following roof design elements are discouraged.

- 1) False mansard or other applied forms.
- 2) Dome skylights.

Figure 14.135-8: Roof Elements Discouraged

False mansard roof



6. Signs.

Signs are subject to the sign provisions in Development Code Article 8.

7. Doors.

- a. Doors should have at least one lite (glass) panel except on non-residential structures in commercially zoned properties.
- b. Sliding doors are discouraged on the ground floor of the front facade except on non-residential structures in commercially zoned properties.
- c. All materials are permitted.
- d. Metal or metal-clad doors should be painted.

14.137. OTHER DEVELOPMENT STANDARDS.

A. The following development standards are applicable within the Neighborhood Greenway Overlay Zone.

1. Exterior lighting.

Outdoor lighting shall be designed and placed so as not to cast glare into adjacent properties. Light fixtures shall be designed to direct light downward and minimize the amount of light directed upward. The Community Development Director may require the shielding or removal of such lighting where it is determined that existing lighting is adversely affecting adjacent properties or contributing to light directed into the night sky.

2. Fences.

Fences located between the River Trail and the Columbia River shall not exceed a height of three (3) feet.

14.138. LANDSCAPING.

Landscaping is required in the Neighborhood Greenway Overlay Zone in accordance with the provisions in this Section and those in Section 3.120 to 3.125. The provisions in this Section apply to new construction or exterior renovations with a value of at least 20% of the assessed value of the structure, or in the event of installation of new parking areas for multi-family dwellings and/or development other than single-family or two-family dwellings. Single-family and two-family dwellings are not subject to the landscaping standards except as noted.

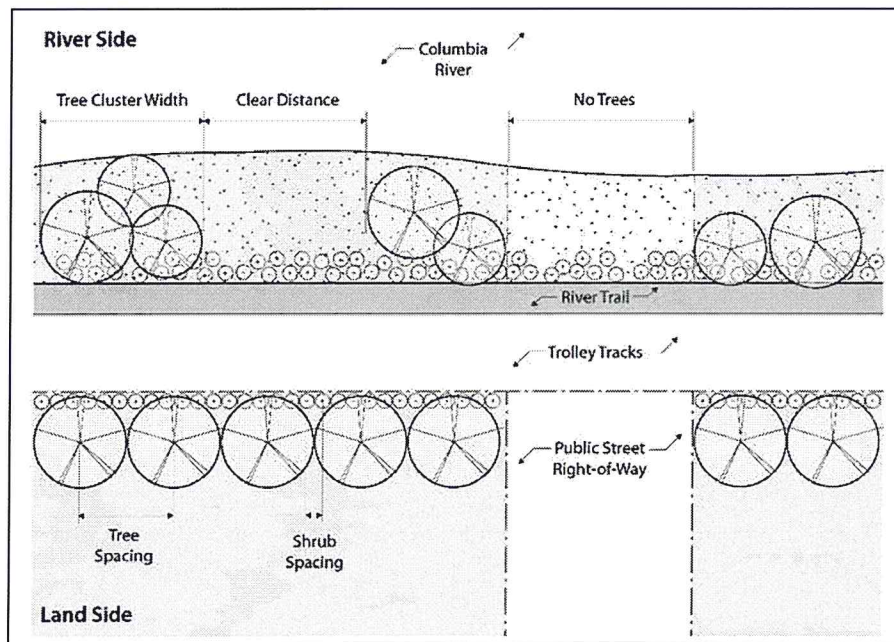
A. River Side or Riparian Standards.

1. Height and Spacing.

- a. Maximum shrub height is 30 inches.
- b. Maximum width of clusters of trees is 30 feet.

- c. Clusters of trees shall have a minimum of 50 feet clear between branches at maturity.
- d. Trees are not permitted to be planted on the river side of the River Trail within the extended public right-of-way or view corridor extending from it for a distance of 70 feet centered on the right-of-way centerline.
- e. Trees shall not exceed 25 feet in height at maturity
- f. Maximum height of fences is three (3) feet.

Figure 14.138-1: River Side/Riparian Landscaping



2. Native Plants.

See Section 3.125 concerning use of native plants and list of recommended native plants.

3. Landscaping Credits for Non-Vegetation Features.

- a. The Community Development Director may approve non-vegetative features to account for up to 40% of required landscaping when the features consist of hardscaped pedestrian-oriented areas (e.g., courtyards, plazas). Permeable paving and other stormwater management techniques are encouraged in the design of these areas.

- b. An application proposing more than 40% of required landscaping be credited by non-vegetative features is subject to approval in accordance with procedures in Article 9 and Article 12.
- c. Non-vegetative features allowed in the public right-of-way and/or on the River Trail in lieu of required landscaping shall be maintained by the applicant. There shall be a maintenance agreement or other City approved agreement. Failure to maintain or loss of the non-vegetative feature will result in the requirement for installation of the landscaping in accordance with the Code at the time of the loss.

2. Parking Area Landscaping.

- a. Landscaping required between parking areas, streets, and sidewalks in accordance with Section 3.120.A.7 shall also be required between parking areas and the River Trail.
- b. Landscaping shall minimize pedestrian exposure to parking lots with a hedge or a decorative fence that is 36" to 42" high.
- c. Maximum tree height and width in parking areas shall be 15 feet at maturity.

3. Landscaping Credits for Non-Vegetation Features.

- a. The Community Development Director may approve non-vegetative features to account for up to 25% of required landscaping when the features consist of the following:
 - (1) Hardscaped pedestrian-oriented areas (e.g., courtyards, plazas); and/or
 - (2) At least one of the following amenities meeting the City approved design within the public right-of-way and/or River Trail right-of-way:
 - (a) bike rack
 - (b) bench
 - (c) table
 - (d) drinking fountain
 - (e) directional or interpretive/information signage
 - (f) trash or recycling container
 - (g) lighting
 - (h) restroom

Permeable paving and other stormwater management techniques are encouraged in the design of these areas.

- ### C. Street Trees.

1. Spacing should be 30 feet on center, depending on species and branching habit.
2. Minimum size of deciduous trees should be 2" caliper, with an upright form.
3. Mature branching height should be a minimum of 15 feet.
4. Required street trees shall be maintained by the adjacent property owner and/or other identified entity. There shall be a maintenance agreement or other City approved agreement."

exceeding 80% of its fair market value as indicated in Section 3.190.D, provided the reconstruction of the building complies with the following standards:

1. The building shall be rebuilt on the same location on the lot, or in compliance with the setback standards for the underlying zone. This does not allow any construction beyond the property lines; and
2. The square footage of the replacement structure and/or replacement uses does not exceed the square footage of the original structure and use classifications by more than 10%; and
3. The height of the building shall be the same or less than the existing building height prior to destruction; and
4. If the property is within an area subject to architectural design review standards, the design of the replacement structure shall comply with those architectural standards; and
5. Substantial construction of the building shall begin within two years of the date of destruction, unless an extension has been granted in accordance with Section 9.100; and
6. All other City and Building Codes relative to construction, including but not limited to, geologic concerns, stormwater management, grading, driveways, sidewalks, etc. shall apply.”

Section 4. Section 3.180.D pertaining to Nonconforming Uses is added to read as follows:

“D. Reestablishment of Existing Non-Conforming Uses in Overwater Buildings

Nonconforming uses in overwater buildings located between 16th and 41st Street within the Civic Greenway Overlay Area existing prior to 2013, and between 41st and approximately 54th Street within the Neighborhood Greenway Overlay Area existing prior to 2015 may be reestablished if the building housing the use is unintentionally destroyed by any means to an extent exceeding 80% of its fair market value as indicated in Section 3.190.D, provided the reconstruction of the building complies with the standards in Section 3.190.F and reestablishment of the use occurs within one year of the completion of construction. Completion of construction shall be determined by issuance of a temporary and/or final Certificate of Occupancy from the Building Official.”

Section 5. The 1992 Astoria Land Use and Zoning Map is amended to apply the Neighborhood Greenway Overlay (NGO) Zone as indicated on the map shown as Attachment A and further described below:

The area is generally described as 41st Street to 54th Street north of Lief Erikson Drive to the pier head line.

Section 6. The 1992 Astoria Land Use and Zoning Map is amended to rezone the following area from A-3 (Aquatic Conservation) to A-4 (Aquatic Natural) as indicated on the map shown as Attachment B and further described below:

The water area generally described as 41st Street to approximately 53rd Street north of the shoreline to the pier head line.

Section 7. Section 9.100.B, Permit Extensions, is amended to read as follows:

“Permit extension may be granted for all land use permits. Extensions may also be granted for time limits applicable to non-conforming buildings and/or non-conforming uses located over water between 16th and 41st approximately 54th Streets as described in Sections 3.180.D and 3.190.F. One year extensions may be granted in accordance with the requirements of this Section as follows.”

Section 8. Astoria Development Code Section 14.015.A, Gateway Overlay Zone, General Provisions, map exhibit only is deleted in its entirety.

Section 9. Astoria Development Code Section 14.010, Definitions, is renumbered as follows:

“14.001. DEFINITION.

As used in Article 14, unless the context requires otherwise, the following words shall have the meaning indicated:

“SHOULD: A requirement, unless it can be shown that to comply with the requirement would be unreasonable, impractical, or unfeasible. Economic hardship alone shall not be justification for noncompliance with the requirement, but may be considered in conjunction with other reasons for noncompliance.”

“ADJACENT: Any lot abutting the subject parcel (including all tax lots included as part of the subject parcel development) excluding rights-of-way.”

Section 10. Effective Date. This ordinance and its amendment will be effective 30 days following its adoption and enactment by the City Council.

ADOPTED BY THE COMMON COUNCIL THIS ____ DAY OF _____, 2015.

APPROVED BY THE MAYOR THIS ____ DAY OF _____, 2015.

Mayor

ATTEST:

Brett Estes, City Manager

ROLL CALL ON ADOPTION: YEA NAY ABSENT

Commissioner Nemlowill
 Herzig
 Price
 Warr

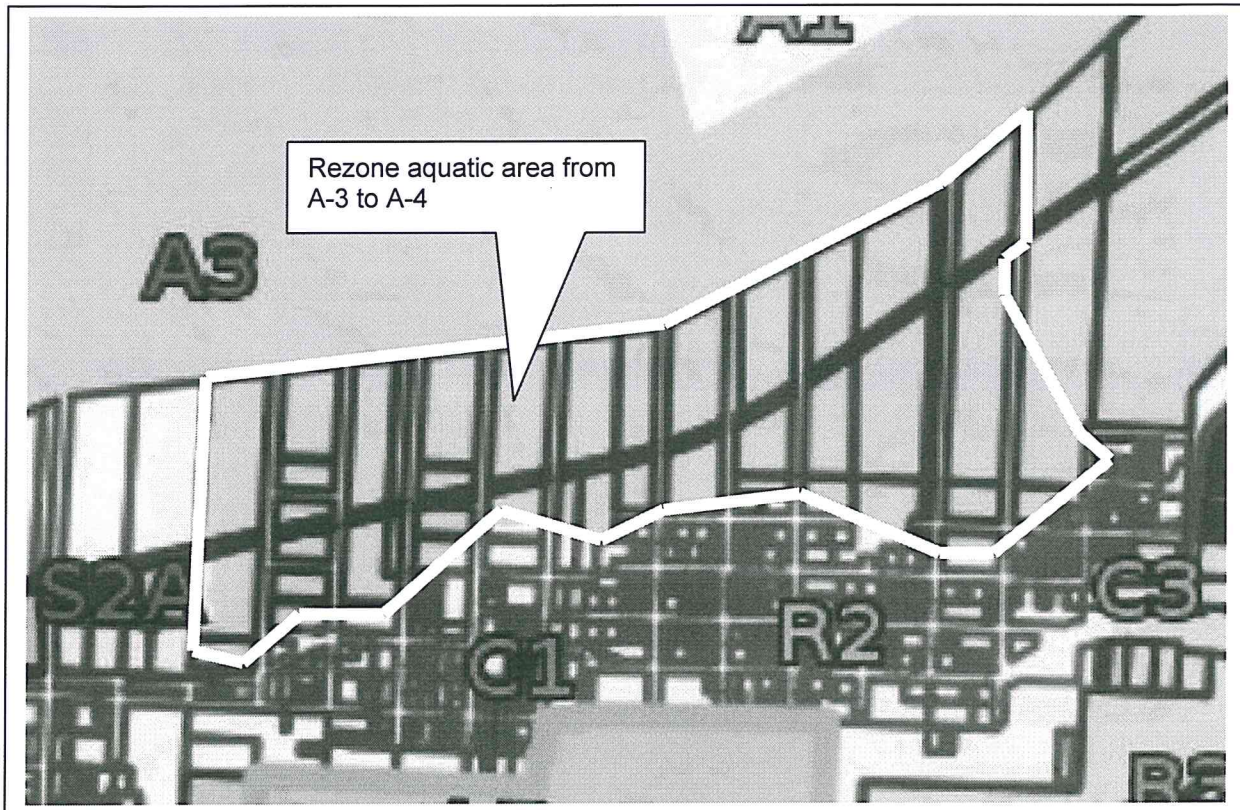
Mayor LaMear

NEIGHBORHOOD GREENWAY OVERLAY ZONE



Ordinance 14-____ - Attachment B

A-3 (Aquatic Conservation) to A-4 (Aquatic Natural) Zone



ORDINANCE NO. 15-_____

AN ORDINANCE AMENDING THE ASTORIA COMPREHENSIVE PLAN PERTAINING TO IMPLEMENTATION OF THE ASTORIA RIVERFRONT VISION PLAN FOR THE NEIGHBORHOOD GREENWAY PLAN AREA

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Astoria Comprehensive Plan Section CP.080, Alderbrook Area, is deleted in its entirety and hereby amended to read as follows:

“CP.080. Alderbrook Area.

The Alderbrook Area generally lies between Lief Erikson Drive and the pier head line, and from ~~42nd~~ 41st to 54th Streets. It is an area of primarily older, single-family homes, with a few scattered duplexes. The area is topographically low, and some of it is in the 100-year floodplain. There are ~~two~~ four small parks ~~on~~ at Alderbrook Hall and Park ~~one on~~ at 4509 Lief Erikson Drive; LaPlante Park in the 4500 Block Cedar Street; Birch Street Ball Field at 49th and Birch Street; and Alderbrook Lagoon Beach at the foot of 53rd Street~~the other on Birch Street~~. The only commercial uses ~~are is the~~ a small business on Lief Erikson Drive, a motel at 54th and Lief Erikson Drive, and a construction business at 49th and Ash Streets. A commercial fishing facility was located on the waterfront between 49th and 50th Streets; however this facility is currently being converted into an art studio/retreat. The Area also overlaps with the Astoria Riverfront Vision Plan “Neighborhood Greenway” area which extends along the Riverfront from 41st Street to the east side of the Alderbrook neighborhood at approximately 54th Street and between Lief Erikson Drive and the pier head line of the Columbia River as depicted on the City’s Zoning Map.

Alderbrook Area is the only older neighborhood directly on the waterfront, and this is discussed in the shorelands/estuary section. The area has historically been zoned Medium Density Residential (R-2). The adjacent Blue Ridge and Emerald Heights areas are zoned High Density Residential (R-3), and are primarily multi-family housing areas. The majority of structures in the Blue Ridge area were demolished prior to 2007 and the land is mostly vacant pending redevelopment. The adjacent motel is zoned General Commercial (C-3). The City limits line stops east of Blue Ridge and includes North Tongue Point industrial area and South Tongue Point, but excludes North Tongue Point Job Corps Center and the US Coast Guard station, although this area is in the City's Urban Growth Boundary.

Advantages of the Alderbrook Area are the proximity to the waterfront, the lack of through traffic (away from Lief Erikson Drive), the neighborhood hall and neighborhood character, and the availability of lower cost housing. However, the limited access into the Alderbrook Area from Lief Erikson Drive creates concerns with increased traffic to the area with no secondary vehicular outlets. Disadvantages include the flooding potential, the traffic along Lief Erikson Drive (a problem when crossing to the playground), and the distance to school.”

Section 2. Astoria Comprehensive Plan Section CP.085.2, Alderbrook Area Policies, is deleted in its entirety and hereby amended to read as follows:

"The residential character of Alderbrook will be protected through the designation of the aquatic area from 41st Street to Tongue Point as ~~conservation~~natural, and by the present zoning pattern. Development in the 100-year flood area shall be subject to the requirements of the City's Flood Hazard Overlay Zone."

Section 3. Astoria Comprehensive Plan Section CP.085.3, Alderbrook Area Policies, is deleted in its entirety and hereby amended to read as follows:

"3. ~~Light industrial~~water-dependent / water-related development consistent with the ~~conservation~~natural estuary designation (such as commercial fishing operation) may be allowed so long as it does not conflict with the residential area and is consistent with the City's Riverfront Vision Plan."

Section 4. Astoria Comprehensive Plan Section CP.085.6, Alderbrook Area Policies, is deleted in its entirety and hereby amended to read as follows:

"6. The property west of the sewer lagoons is ~~presently~~ designated as a ~~potential park site~~ and is the current (2015) east terminus of the River Trail; it is zoned Institutional (IN) Medium Density Residential (R-2). However, the site's use as a regional park raises problems of traffic generation on residential streets. The local community must be involved in any future decision regarding this area."

Section 5. Astoria Comprehensive Plan Section CP.085.8, Alderbrook Area Policies, is hereby amended by the addition to read as follows:

"8. Extension of the trolley service to the Alderbrook neighborhood should be investigated and considered.

Section 6. Astoria Comprehensive Plan Section CP.175.F, Uppertown / Alderbrook Subarea Plan, Aquatic and Shoreland Designations, is hereby deleted in its entirety and hereby amended to read as follows:

"The aquatic area between 29th and 41st Streets is designated Development to the pierhead line, except at the East End Mooring Basin where the designation corresponds to the outer boundary of the pier. East of 41st Street, the aquatic area is designated ~~Conservation~~Natural."

Section 7. Astoria Comprehensive Plan Section CP.150.B, Permitted Uses in Columbia River Estuary Aquatic and Shoreland Designations, Natural Aquatic, is hereby amended by the addition to read as follows:

"20. In pile supported buildings existing as of October 1, 2002, non-water dependent and non-water related uses."

Section 8. Effective Date. This ordinance and its amendment will be effective 30 days refollowing its adoption and enactment by the City Council.

ADOPTED BY THE COMMON COUNCIL THIS ____ DAY OF _____, 2015.

APPROVED BY THE MAYOR THIS ____ DAY OF _____, 2015.

Mayor

ATTEST:

Brett Estes, City Manager

ROLL CALL ON ADOPTION:		YEA	NAY	ABSENT
------------------------	--	-----	-----	--------

Commissioner	Nemlowill
	Herzig
	Price
	Warr

Mayor LaMear

Public Comment Summary

Town Hall, August 20, 2015

Astoria Riverfront Vision Code Assistance

Phase 3: Neighborhood Greenway Area

Introduction/Overview

This report provides a summary of public comments received related to the Town Hall meeting held on Thursday, August 20, 2015, at the beginning of Phase 3 for the Neighborhood Greenway area. The report categorizes the comments according to topic areas and, in some cases, summarizes responses to the comments.

Public comments came from the following sources:

- Verbal comments made by participants during the meeting
- Comment sheets that were provided at the meeting and then were completed and returned by participants
- Emails sent to City staff following the meeting

Notes of the verbal comments, completed comment sheets, and emails sent to the City are included with this summary as Attachment A.

Comment Summary

Wayfinding, Signs, and Maps

- Provide signs for guiding people through neighborhood and to the River Trail. (*City staff response: The City is pursuing grants for wayfinding signs.*)
- Provide a map at the Alderbrook Park trailhead.

River Trail

- Keep trails on public land.
- Who owns the trail/trestle? Are there plans to modify the trestle to allow for bigger boats? (*City staff response: As a Rails to Trails project, the City is interim owner, not permanent owner. There are no plans to modify the trestle.*)
- The new paved trail is appreciated.

Landscaping

- Private property should not be further restricted in the area, particularly additional landscaping regulations. Issues like landscaping should be worked out and reflect common respect between neighbors.
- Can trees be removed in the Neighborhood Greenway area? There are particular concerns about dead trees near 45th/46th and Cedar. (*City staff response: Contact the City about regulations and procedures related to tree removal.*)

Development Restrictions

- Alderbrook is valued as it is, and either no change in regulations or no more restrictive regulations are wanted to preserve it.
- Can overwater/in-water uses be restricted in the area, e.g., dredging, private docks, covered marinas? *(City staff response: Uses could be further regulated by rezoning to another more restrictive City zone (e.g., A-4 zone) or by adding regulations related to uses that are specific to the Neighborhood Greenway area.)*
- Could the existing IN zoning in the area (Alderbrook Park) be changed to a more restrictive conservation zone?
- Are concentrations of uses regulated? *(City staff response: To an extent, existing development regulations limit the density of a use or uses on a site and conditional use criteria require a proposed use to demonstrate how it is compatible with surrounding uses including the cumulative impact of development.)*
- Is development permitted and, if so, can this development be limited on private overwater parcels? *(City staff response: Very few uses are permitted in the overwater (A-3) zone in this area, and these are primarily river-oriented or water-dependent uses. The few parcels with private rights of first refusal are mapped (shown on a poster on display at the meeting). Limits such as restricting height of this development to top-of-bank can be considered.)*
- Is height restricted in the neighborhood? *(City staff response: Buildings may generally be a maximum of 28 feet in the R-2 zone under current regulations. Other height restrictions can be considered as part of this project.)*
- There are concerns about large pole barns and garages. *(City staff response: Restrictions can be considered for these accessory structures.)*
- Would new development regulations be retroactive? *(City staff response: New regulations would not generally be retroactive. However, they would apply to redevelopment or rebuilding on a property, except as otherwise specified.)*

Park Facilities

- It is preferred that Alderbrook Park remain as a natural, passive recreation space. *(City staff response: This can also be addressed through the upcoming Parks Master Plan process.)*
- Can restrooms be provided near LaPlante Park? If so, regulate hours of use. Consider water-less facilities like those at Fort Clatsop. Also do not use port-a-potties with doors that slam shut.
- There are concerns that providing restrooms at parks in the neighborhood will draw even more people, traffic, and noise. However, there are also concerns with inappropriate use of grounds in lieu of use of restrooms.
- There are concerns about park security. Limit hours of operation of/access to parks. *(City staff response: Park hours are currently 6:00 a.m. to dusk. Other park regulations can be considered during the upcoming Parks Master Plan process.)*
- Restrict noise in the parks (e.g., motorized bikes, drones and model aircraft). *(City staff response: There are existing municipal code provisions that can be enforced to help address this.)*
- Do not use the name “Stinky Beach.”

Other Issues

- Identify City property on future maps.
- Are there (deed) restrictions on land owned by/leased to the City in the Neighborhood Greenway area? Does the City have plans to develop the land? *(City staff response: There are currently no plans to develop City land. If proposals arise in the future, those proposals would need to go through a public review process.)*
- What are the historical connections to the river in the area? *(City staff and participant response: There was fishing industry (e.g., fish net repair loft) and a lumber mill in Alderbrook.)*

Issues Outside Project Area and Scope

- There are concerns about stream area east of the lagoon being developed, especially given concerns about protecting salmon and steep hillsides (the possibility for landslides) in the area. *(City staff response: This area (Blue Ridge) is outside the project area. However, any development permitted under current zoning in the area*

would need to provide geotechnical and other environmental reporting to demonstrate that building could occur safely and could mitigate impacts.)

- Regulate jet skis in Alderbrook Lagoon (*Participant response: Natural conditions, including lagoon water levels, should limit the use of motorized water craft.*)
- There are concerns about people camping in Alderbrook, trash, and not feeling safe. (*City staff response: Regulations are now stricter about clearing camps. Homelessness and camping are complex issues faced by cities nationwide. The City has formed a task force to address homelessness in Astoria.*)
- There are concerns about tent caterpillars along the River Trail. (*City staff response: These concerns are being forwarded to the Parks Director and to the Columbia River Estuary Study Task Force.*)
- Do not allow Fire Department use Alderbrook Park for fire practice/training.
- There are concerns about the dry dunes vegetation and fire hazard.

Transportation and Traffic

- Extend trolley to LaPlante Park.
- There are concerns about additional traffic through the area, including vehicle traffic and pedestrian traffic if trails provide access to Tongue Point. There is high-speed, loud traffic in particular near the end of 54th Street, late at night.
- Control types and sizes of vehicles (larger vehicles such as tour buses) in neighborhood.
- Can speed limit signs be installed in the neighborhood? (*City staff response: The City typically does not post signs on local streets where it should be understood that the speed limit is 25 mph. Posting signs can be considered.*)
- The intersection at Crest Motel feels unsafe, arrows directing turns are faded. More clearly divide traffic in the driveway. (*City staff response: Refer to Transportation System Plan (TSP) in hard copy here at the meeting or on the City's website to see whether improvements for that intersection are planned. Engineering Department staff will look into it further.*)
- Can a light be installed at 45th Street? (*City staff response: Check the TSP for a project at that location. It is a State highway under the jurisdiction of ODOT.*)
- Will the Bypass be built? (*City staff response: The Bypass is recommended in long-range plans but is expensive, will require a lot of process and permitting, and is currently not expected to be funded and built in the next 20 years. However, an alternative route through the Clatsop Forest is being investigated for emergency use.*)

Attachment A:
Public Comment Notes, Comment Forms, and
Emails

N60

Rosemary Johnson

From: Rosemary Johnson
Sent: Friday, August 21, 2015 1:21 PM
To: 'Kit Ketcham'
Cc: Kevin Cronin; Sherri Williams; Angela Cosby; rcrater@columbiaestuary.org
Subject: RE: tent caterpillars along the Riverwalk

Thanks for your comments. I am forwarding your question on the caterpillars to our Parks Director to see if she has dealt with this yet. Since it is also along the estuary, I'm forwarding it to CREST to see if they have any input on what to do. We will add your email to the comments from last night. Hope to see you at future work sessions on this issue. Rosemary

Rosemary Johnson, Special Projects Planner
City of Astoria
1095 Duane Street
Astoria OR 97103
503-338-5183
rjohnson@astoria.or.us
www.astoria.or.us

From: Kit Ketcham [<mailto:lilyloosy4@gmail.com>]
Sent: Friday, August 21, 2015 10:47 AM
To: Rosemary Johnson
Subject: tent caterpillars along the Riverwalk

Dear Rosemary (the Wonder Woman of Astoria's Special Projects!),

One compliment and one thing I forgot to bring up at last night's meeting:

You definitely are a wonder! You did a great job last night helping us sort through the many issues potentially affecting Astoria's beloved Alderbrook neighborhood. Thanks for your encyclopedic knowledge of the background and legal matters/ordinances that are part of the situation. You were skilled at repeating people's comments accurately---really important! The meeting was informative and helpful for this fairly new Alderbrook resident.

What I would like to add to the commentary is a question: is there a plan for taking steps to control the tent caterpillars that have begun to infest the alders along the path? I moved to the North Coast from Whidbey Island, which had a huge problem with tent caterpillars several times while I was there. I'm not sure of the best method for dealing with them; they're mostly ugly, I think, but can damage trees irreparably under some circumstances.

Anyhow, just wanted to throw in another two cents worth and offer kudos on how you handled the meeting last night. Thanks.

Kit Ketcham (who now lives at 5360 Alder St., just steps from the Riverwalk entrance.)

--

Kit Ketcham
Minister Emerita, Unitarian Universalist Congregation of Whidbey Island



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

To Shayna 8/20/15
**Riverfront Vision Plan Implementation
Neighborhood Greenway Area
Town Hall Meeting 8/20/15**

Comment Form

Your comments will be considered in updating the City's development code to implement the Riverfront Vision Plan for properties in the Neighborhood Greenway area.

Leave Alderbrook alone thank you

Limitations on private property development.

I had a view of the River for 23 yrs
til my new neighbor in front of me corner
47th & Birch built a huge Shop. The City
allowed this without neighbors permission.

Keeping the land as natural as possible
guarding the wildlife, birds fish etc

Optional - Name & email:

Cheryl

Krwi_chick 49@yahoo.com

Address:

Thank you for your comments! Please leave this completed comment form with one of the project team members before you leave the meeting, or return it to:

City of Astoria, Community Development Department, 1095 Duane Street, Astoria OR 97103;
or email comments to rjohnson@astoria.or.us.



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

Riverfront Vision Plan Implementation Neighborhood Greenway Area Town Hall Meeting 8/20/15

Comment Form

Your comments will be considered in updating the City's development code to implement the Riverfront Vision Plan for properties in the Neighborhood Greenway area.

We really need a park^{w/ restrooms} or just restroom facility @ LaPlante
in the alderbrook neighborhood. Or at least
on the East end of the Riverwalk.
Don't have to have water —
Like the ones at Ft Clatsop would
be adequate. But
Please, no Porta Pottys.

Optional - Name & email: Jennifer Parsons

Address: 365 53rd ST

Thank you for your comments! Please leave this completed comment form with one of the project team members before you leave the meeting, or return it to:

City of Astoria, Community Development Department, 1095 Duane Street, Astoria OR 97103;
or email comments to rjohnson@astoria.or.us.



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

Riverfront Vision Plan Implementation Neighborhood Greenway Area Town Hall Meeting 8/20/15

Comment Form

Your comments will be considered in updating the City's development code to implement the Riverfront Vision Plan for properties in the Neighborhood Greenway area.

Not blocking housing views
Putting bathrooms at LaPlante Park
that are auto-locked from 8pm-8am

Extending the Trolley down to
LaPlante Park so Alderbrook
residents can make use of Trolley

No private residential Docks
No covered marinas which would
block any homeowners view
change A3 zone to A4 zone

Optional - Name & email: _____

Address: _____

Thank you for your comments! Please leave this completed comment form with one of the project team members before you leave the meeting, or return it to:

City of Astoria, Community Development Department, 1095 Duane Street, Astoria OR 97103;
or email comments to rjohnson@astoria.or.us.

To Shayna 8/24/15

Sherri Williams

From: Rosemary Johnson
Sent: Friday, August 21, 2015 1:21 PM
To: Kit Ketcham
Cc: Kevin Cronin; Sherri Williams; Angela Cosby; rcrater@columbiaestuary.org
Subject: RE: tent caterpillars along the Riverwalk

Thanks for your comments. I am forwarding your question on the caterpillars to our Parks Director to see if she has dealt with this yet. Since it is also along the estuary, I'm forwarding it to CREST to see if they have any input on what to do. We will add your email to the comments from last night. Hope to see you at future work sessions on this issue. Rosemary

Rosemary Johnson, Special Projects Planner
City of Astoria
1095 Duane Street
Astoria OR 97103
503-338-5183
rjohnson@astoria.or.us
www.astoria.or.us

From: Kit Ketcham [<mailto:lilyloosy4@gmail.com>]
Sent: Friday, August 21, 2015 10:47 AM
To: Rosemary Johnson
Subject: tent caterpillars along the Riverwalk

Dear Rosemary (the Wonder Woman of Astoria's Special Projects!),

One compliment and one thing I forgot to bring up at last night's meeting:

You definitely are a wonder! You did a great job last night helping us sort through the many issues potentially affecting Astoria's beloved Alderbrook neighborhood. Thanks for your encyclopedic knowledge of the background and legal matters/ordinances that are part of the situation. You were skilled at repeating people's comments accurately---really important! The meeting was informative and helpful for this fairly new Alderbrook resident.

What I would like to add to the commentary is a question: is there a plan for taking steps to control the tent caterpillars that have begun to infest the alders along the path? I moved to the North Coast from Whidbey Island, which had a huge problem with tent caterpillars several times while I was there. I'm not sure of the best method for dealing with them; they're mostly ugly, I think, but can damage trees irreparably under some circumstances.

Anyhow, just wanted to throw in another two cents worth and offer kudos on how you handled the meeting last night. Thanks.

Kit Ketcham (who now lives at 5360 Alder St., just steps from the Riverwalk entrance.)

--

Kit Ketcham
Minister Emerita, Unitarian Universalist Congregation of Whidbey Island

RFU

Sherri Williams

From: Rosemary Johnson
Sent: Thursday, August 20, 2015 5:10 PM
To: dhweber@gmail.com
Cc: Sherri Williams
Subject: Re: Neighborhood Greenway comments

Will add you to our mailing list and touch base with you later. Thanks

Sent from my iPhone

On Aug 19, 2015, at 10:06 PM, David Weber <dhweber@gmail.com> wrote:

Hi, Rosemary.

This is David Weber at 4623 Ash St. in Alderbrook. I just read the notice on the city website about accepting comments on the Neighborhood Greenway project tomorrow night. Unfortunately, I'm traveling this week and won't be able to attend.

I'm very interested in anything that affects the greenway and have approached the city engineering folks about allowing an extension of the walking path from Violet Laplante park through the greenway and through the back of my property to Birch St. If I can help in any way, please let me know.

Thanks,
David

dhweber@gmail.com
+1.512.377.9090

8/21/15 Email to Shaina, RD & KC

Sherri Williams

From: Elizabeth Ketcham <kitketcham@me.com>
Sent: Friday, August 21, 2015 12:20 PM
To: Sherri Williams
Subject: alderbrook comments

I am concerned that additional comments pertaining to last night's Alderbrook town hall are to be sent to Rosemary Johnson at this address. However, one gets an immediate message saying that Rosemary is retired and we should contact somebody else.

The handout that we received last night is in error, because it specifically directs additional comments to Ms. Johnson. It seems that this could have been corrected before the erroneous information was put in writing on the handout.

But having found your email address, I will submit this comment: the tent caterpillars are starting to infest the trees along the Riverwalk path. They can defoliate trees quickly if they get a foothold in an area.

Having moved here from Whidbey Island in WA, I am painfully aware of the damage tent caterpillars can do and I urge the city to take protective and preventative measures to limit the damage.

Sincerely,
Elizabeth Ketcham
5360 Alder St.

Sherri Williams

From: Dolores Skillstad <four.doves@live.com>
Sent: Tuesday, September 01, 2015 3:49 PM
To: Sherri Williams
Subject: Removal of Youngs River/Bay from Vision Plan



To: Planning Commission
From: Dolores Skillstad

Dear Commissioners

As discussed with Sherri Williams yesterday, I make this formal request to please remove the reference and enclosure of Youngs River/Bay in the Waterfront Vision Plan since it has never had any prior mention or discussion or approval or acceptance of Youngs River/Bay on the South Slope in the Waterfront Vision Plan.

Thank you.

Dolores A. Skillstad

MEETING SUMMARY

Astoria Neighborhood Greenway Code Amendments Planning Commission Work Session September 1, 2015

City staff and Matt Hastie of Angelo Planning Group conducted a work session with the Astoria Planning Commission on September 1, 2015.

Rosemary Johnson and Matt Hastie gave a brief PowerPoint presentation summarizing a proposed set of code amendment recommendations related to the following topics which are described in more detail in a memo provided to the Planning Commission in advance of the meeting.

- Potential rezoning of the overwater area from the A-3 to the A-4 zone (Aquatic Conservation) with a more limited set of allowed uses in this area.
- Restrictions on the height of new overwater structures to be no higher than the adjacent river bank.
- No changes to the base zones on land within the area.
- Addition of new design standards and/or guidelines for future development, with the exception of single-family and two-family residential structures.
- Landscaping standards which would apply to new development, including areas adjacent to the river.

Rosemary and Matt also noted that the amendments responded to feedback from citizens at the Town Hall meeting with Neighborhood Greenway residents and property owners and other Astoria citizens on August 20 to review and seek feedback on planning issues and Astoria Riverfront Vision goals for the area. After the presentation, community members provided comments, followed by Planning Commission discussion and recommendations. Comments are summarized below.

Public Comments

Comments included the following.

- Alderbrook residents love the area for its quirky nature and scenic beauty. They generally mind their own business, work issues out amongst themselves and do not believe any new regulations are needed. They generally want to be left alone.
- It will be impractical for most overwater uses to occur, including marinas or fishing docks, given tidal conditions in the area. The new requirements seem unnecessary.
- Consider changing the area zoned as Institutional to a Shoreland zone. People visit this area because of its natural resources and peaceful nature. The River Trail offers opportunities for walking, picnicking, swimming, etc. Any changes to the regulations should be intended to keep things the way they are.
- What does the River Trail have to do with development in Alderbrook? What does the City have planned for this area and what is the point of the proposed code changes? The City should not regulate roof types in this area.
- There are some instances where people might want or need large accessory structures (e.g., pole barns to hold recreational vehicles or boats). Lots of people here don't have issues with those types of structures and if I or my neighbor want to build one, that should be OK.

In responding to public comments, Rosemary and Matt noted the following:

- The City does not have any development plans for the area. The code amendments would address potential future development proposals submitted by property owners or developers. There are no current proposals but they are a possibility in the future.
- The point of the code amendments is to implement recommendations from the Riverfront Vision Plan for this part of Astoria. There was strong participation in the Vision Plan by Alderbrook and other City residents. The general intent of the recommendations is to retain the current character and conditions in Alderbrook, consistent with comments provided at this meeting. Current code provisions allow types of development that could change the character of the area. The point of most of the proposed code amendments is to retain the area's character.
- The design standards or guidelines proposed for the area would be applied to a relatively limited set of uses – commercial, institutional or multi-family structures – which represent larger scale uses that could affect the character of the area. They would not be applied to single-family or two-family residential homes.
- Potential requirements associated with accessory structures (e.g., pole barns, garages, etc.) are intended to address land use issues previously raised by area residents, particularly the height, scale, and design of such structures.
- The City's Institutional zone allows for community uses such as schools, parks or similar uses that would otherwise be allowed only as conditional uses in a given area. This zone also includes specific standards for such uses. Changing the existing Institutional zone to a Shoreland zone could cause issues for future park-related structures in this area in terms of their design and permitting (e.g., restrooms, pedestrian bridges, etc.).

Planning Commission Discussion and Direction

Planning Commissioners provided the following comments:

- Commissioners generally voiced support for most of the recommendations and concepts presented by staff.
- The City should pursue changing the overwater zoning from A3 to A4. A majority of people who attended and spoke at the Town Hall meeting supported that proposal.
- No size restrictions are recommended for accessory structures; similarly design review should not be required for those structures.
- Guidelines and standards are appropriate for multi-family residential development (where State laws requires clear and objectives standards but where guidelines may be used as an alternative path). Other types of uses (e.g., commercial or institutional) should just use design guidelines to provide more flexibility.
- Design guidelines are important for the types of uses proposed by staff in that they will allow residents to speak to the character of specific development proposals.
- Some standards for roof types should be considered.

Staff will incorporate direction from the Planning Commission and public into a draft set of draft code amendments for review and discussion at a subsequent Planning Commission work session and hearing. The next work session is scheduled for September 16 and the hearing is scheduled for October 27.