

A G E N D A
ASTORIA PLANNING COMMISSION

<i>Astoria City Hall Council Chambers, 1095 Duane Street, Astoria</i>

Tuesday, May 27, 2014
6:30 pm

1. CALL TO ORDER
2. ROLL CALL
3. MINUTES
 - a. February 25, 2014
 - b. April 22, 2014
4. PUBLIC HEARINGS
 - a. Conditional Use CU14-06 by Beth and David Fitch to operate a two bedroom bed and breakfast in one unit of an existing three dwelling unit at 1109 Harrison in the R-3, High Density Residential zone. Staff recommends approval with conditions.
 - b. Amendment A14-02 by the City of Astoria Community Development Department to amend the Development Code and Zoning map to implement the Riverfront Vision Plan in the Civic Greenway Area (16th to 41st Streets, Marine Drive to the Columbia River); add Compact Residential zone; add Civic Greenway Overlay zone; add clear and objective design standards for residential development; renumber several zones and overlay zone; misc. related changes with new code references; and rezone the area on the north half of the blocks between Marine Drive and the Columbia River from 30th to 32nd Streets, from the C-3 (General Commercial) zone to CR (Compact Residential) zone. Staff recommends that the Commission recommend adoption by the City Council. The City Council meeting is tentatively scheduled for July 7, 2014 at 7:00 p.m. in City Hall Council Chambers.
5. REPORT OF OFFICERS
6. ADJOURNMENT

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall
February 25, 2014

CALL TO ORDER:

President Nemlowill called the meeting to order at 6:30 p.m.

ROLL CALL:

Commissioners Present: President Zetty Nemlowill, Vice President McLaren Innes, David Pearson, Peter Gimre, and Sean Fitzpatrick

Commissioners Absent: Ron Williams and Thor Norgaard

Staff and Others Present: Community Development Director / Assistant City Manager Brett Estes and Planner Rosemary Johnson; Consultant Matt Hastie, Angelo Planning Group. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

President Nemlowill announced that the Traffic Safety Advisory Committee will now meet quarterly instead of monthly. Although she would take comments on traffic safety issues this evening the next Traffic Safety Committee meeting will be in April 2014.

APPROVAL OF MINUTES:

Director Estes noted that two sets of minutes would be approved at the next meeting, February 27, 2014.

REPORTS OF OFFICERS/COMMISSIONERS: No reports.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 6:32 p.m. to convene the work session.

ITEM 5(a): WORK SESSION: Riverfront Vision Plan – Civic Greenway

Director Estes noted this was the fourth work session with regard to implementation of the Civic Greenway Area of the Riverfront Vision Plan. Draft Code language presented during this work session is based on the issues discussed at prior work sessions. Mr. Hastie is looking for direction on items discussed at the December 2013 work session that the Planning Commission had requested more time to consider.

President Nemlowill noted that the public would be invited to speak after Mr. Hastie's presentation.

Matt Hastie, Angelo Planning Group, presented, via PowerPoint, the proposed Code amendments discussed in his memo dated February 18, 2014 that would implement the Code related recommendations from the Riverfront Vision Plan for the Civic Greenway Area. Other recommendations in the Riverfront Vision Plan not implemented by the Code would need to be implemented through other means. He also presented some recommendations for issues discussed at the December 2013 work session and reviewed next steps.

Discussion and feedback from the Commission was as follows with responses to Commissioner questions as noted:

- Mr. Hastie clarified that communication facilities are currently an allowed use in overwater development in the existing Code. Staff and the Planning Commission did not identify communication facilities as a red flag during the December 2013 work session, so the facilities were not discussed.
 - Planner Johnson explained that a communication facility has a broad definition to include any of the lines that carry communication, like buried cables, telephones, towers, and radio communications offices. The former KVAS station on 15th Street is one example. Structural and height restrictions still apply to these facilities.

- Controversial feedback was received from the public at a prior work session about whether eating and drinking establishments met the intent of the Riverfront Vision Plan and Civic Greenway Area.
 - Eating and drinking establishments were included as allowed uses, but would be limited to those associated with other permitted uses. A marina could have a restaurant, but a stand-alone restaurant would not be allowed. A fish canning or smoking facility could have a restaurant where the canned and smoked fish were served. Mr. Hastie agreed there was controversy about this use, but he believed the draft Code language was consistent with what was discussed.
- Limiting building height to the bank height was a popular idea at previous work sessions; however this would prohibit building anything other than a marina or dock, and essentially eliminate the ability to have any kind of actual building. This could be what people are requesting, but it does not appear to be consistent with the Riverfront Vision Plan. The proposed height limit is 15 feet above the high water mark.
 - Director Estes noted the Riverfront Vision Plan does not state that there would be no development in the Civic Greenway Area, but that development would be limited. The committee that worked on the recommendations for the Plan agreed that small buildings associated with water-dependent and water-related uses would be acceptable in the Civic Greenway Area, such as a bait shop, snack shop, or smoke house. While the committee members had diverse opinions on some issues, this was one issue that the committee seemed to agree on at that time. As a result, Staff believed it was appropriate to allow these types of buildings over the water.
 - Director Estes agreed the Plan does not specifically state anything about building height. The proposed building height limit is a Staff recommendation based on discussions during the development of the Riverfront Vision Plan. The Planning Commission could choose an alternative.
- Codes regulating access to the water would apply to existing structures built over the water after a certain date. The Planning Commission was asked to consider a date that would be applicable to the Civic Greenway Area and possibly other areas. Setting a date would be easy if the codes were intended to not apply to the two existing buildings over the water. However, if a similar requirement is to be applied to other parts of the waterfront, the Commission should think carefully about what date would be appropriate. The next phase of this project is to review the Bridge Vista Area. A different date could be applied to other areas, but it might make sense to have one date that works across several areas. He confirmed that the current overwater structures could be grandfathered in to the existing code, except in the Overlay Zone.
 - This issue seems sensitive because the existing buildings are historic. Applying these standards could be cost prohibitive and the Commission would not want to discourage property owners from restoring these buildings.
 - Mr. Hastie suggested any buildings older than 50 years be exempt from the requirement as an option.
- Mr. Hastie summarized the draft code language by discussing the impact of implementing all of Staff's recommendations for overwater development. Maximum overwater development would cover no more than 17 percent of the waterfront in the Civic Greenway Area. He believed the actual impact would be significantly less, based on the cost-effectiveness and feasibility of building over the water in the Civic Greenway Area. The City or other property owners could lease properties specifically for view protection and determine that nothing be constructed over the water on many of the parcels.
 - Property owners in other parts of the City are leasing over water parcels for view protection. For example, the Ship Inn restaurant on 2nd Street leases the waterfront area from the Division of State Lands to protect the views. The Division of State Lands owns the entire waterfront and upland property owners have the first option to lease the overwater area.
 - Mr. Hastie said the Riverfront Vision Plan noted that where the City is the upland owner, the City has the option to lease the overwater parcels for view protection. This would significantly reduce overwater development in the Civic Greenway Area.
- Fence heights are addressed in the cottage cluster requirements. Limiting shrubs to 3 feet high if fences are allowed to be up to 6 feet tall would definitely not make sense on the river side of the River Trail, but a similar requirement would be appropriate on the land side of the trail. Mr. Hastie would return to the Planning Commission with some suggestions regarding fence heights.
- Landscaping in the proposed Compact Residential Zone is defined as plants and shrubs, which includes ground cover and trees. Residential areas are not currently required to have landscaping, so a property owner could put gravel on their lot.
- The 28-foot height requirement for the proposed Compact Residential Zone would also apply to the Cottage Cluster developments.

Mr. Hastie noted this is the last work session on the Civic Greenway Area, so the draft code amendments will be updated based on tonight's feedback. City Council will be briefed in March or April and adoption hearings with the Planning Commission and City Council will be scheduled for April and May. Once the Civic Greenway Area is complete, the Bridge Vista Area will be reviewed. The City and the Department of Land Conservation and Development (DLCD) must agree to move forward with this second phase of the project, as the DLCD is funding the project through a grant. The Bridge Vista Area will have different code and design issues than the Civic Greenway Area.

President Nemlowill called for a recess at 7:35 p.m. The work session reconvened at 7:41 p.m. and President Nemlowill opened the meeting to public comments.

Shell Cantor, 1189 Jerome, Astoria, said he recalled that the overwhelming majority of comments during discussions of overwater development in November and December 2013 were in favor of restricting new overwater structures to no higher than the riverbank. He believed the majority of the responses from the dais also supported limiting the height to the height of the riverbank. While he agreed with Mr. Hastie and Director Estes that the Riverfront Vision Plan does not specifically state that no new development could occur over the water, he believed what is stated in the Plan is more important than what is not stated in the Plan. Page 68 of the Riverfront Vision Plan specifically states the objectives of the Civic Greenway Area, which includes protecting river vistas in order to maintain physical and visual connections to the Columbia River and encouraging maritime related uses consistent with Astoria's working waterfront such as, docks, piers, marinas, and associated uses that provide jobs and maintain the historic connection to the river. Docks, piers, and marinas are generally no higher than the riverbank. These structures do not have to be built this way, but what is stated in the Plan is more important than what is not stated in the Plan.

- He referred to an article in the *Our Coast* magazine titled "The magic in Astoria is on the River Walk", in which Mayor Van Dusen was quoted as saying, "The true reason our River Walk is so beautiful is because of the Columbia River. We have the most beautiful river in the world right in front of us. So, by putting a River Walk next to it, it makes the River Walk special." and, "But you take that same trolley and go right next to the Columbia River; that's what makes the trolley great. That is what makes the River Walk. It is a spectacular river." He believed very few, if any, Astorians or visitors to Astoria would disagree with the sentiment expressed in the two quotes. To avoid any misunderstanding, he clarified that he interpreted the words "right in front", "next to", and the trolley "right next to" the Columbia River to mean that the river should be unobstructed, as opposed to right in front of buildings or right next to structures which the river is behind. He asked if anyone disagreed with his interpretation of the Mayor's quotes.

Commissioner Fitzpatrick believed the quotes could be interpreted two ways. He interpreted the quotes to mean as a working waterfront. He finds it just as amazing to see the bare river and not an active waterfront, such as from 14th Street west, for example. He did not believe the quotes were about wide open spaces with nothing along the waterfront for the entire length of the trolley line.

Mr. Cantor reminded that this discussion was specific to the Civic Greenway Area. With the possible exception of allowing development outside of the Civic Greenway Area, he believes everyone agrees with the Mayor's adoration of the unobstructed river. There was no justification for allowing permitted or conditional new buildings and structures higher than the riverbank that would hide the river from the River Walk in the Civic Greenway Area, so structures higher than the riverbank should not be allowed.

Floyd Holcom, 100 39th Street, Astoria, said he was unable to attend prior work sessions, but has read some about the work sessions. He challenged people to live on the river for as long as he has. He is on Pier 39 for 14 to 18 hours each day. In the last 18 years, he has spent his time trying to bring as much money and development into Astoria as possible. It challenges him to hear people say they do not want development above the 100-year flood plain, which was the railroad track. The vision of Astoria has been here for over 200 years. The cannery at 39th Street was built in 1875 and it would not exist today if the vision prohibited the development of anything above the flood plain. He was challenged by some of the Civic Greenway Area activities. He believed the Civic Greenway Area should end at Safeway. It is difficult for individuals to consider things that they do not live with every day, but those who live and work on the waterfront every day must purchase their gas at Safeway. The trees in the Safeway parking lot are about 30 feet tall and the riverfront cannot be seen. The Planning Commission implemented these design standards years ago. Design standards for planting trees along the riverfront will result in the tree roots destroying the wall, which is currently disintegrating faster than money can be raised to fix it. He believed Planner Johnson made some inaccurate comments. He recalled Mr. Fenton's

vision about the Ship Inn, which was to build a marina on the waterfront. Mr. Fenton died before the marina was built and Columbia Condos were built next to Ship Inn. The waterfront was not leased at that time to preserve the view corridor, but to build a marina. He noted that in 1972, the Division of State Lands granted tide land property to individuals through the Astoria Act. This is still in dispute today as many property owners still believe they own a lot of waterfront land, because the property was purchased prior to Statehood.

Planner Johnson confirmed that some property owners in Astoria do own their tidelands.

Mr. Holcom noted issues exist with tideland ownership and the development of tidelands. While upland property owners do have first right of refusal, many property owners consider the tidelands as their own. Upland property owners are responsible for the development and protection of the tidelands. Millions of dollars were spent on the steel wave barrier at the east end of Astoria near the East End Mooring Basin, but very little has been spent to recoup the investment in the barrier. It is difficult to use the mean high tides of the Columbia River as an average. At Pier 39, the water almost went over the railroad trestle in earlier years and water is three or four feet from the top of the bank about 30 times each year. So, restricting building heights to the 15-foot water line does not seem appropriate. In the current conditions, houseboats and duck shacks would be at 28 feet. With regard to living and building on the waterfront, the Commission must consider that people cannot control what the tides do. The existing development was built for the railroad at the 100-foot tide line. He noted the issues Warrenton is currently having with the tidelands and wetlands. Some things in the Plan need to be tweaked a bit before the rules are implemented. He suggested the Civic Greenway Area stop at the East End Mooring Basin because most of the East End Mooring Basin has already been developed. People are spending money to increase lighting in an effort to deter vagrants and criminals that hide in the bushes. Citizens have taken on the task of cleaning up the area to make it safer. From 39th Street to 36th Street, the River Walk has been cleaned and brush has been removed. This needs to be done all the way to the Maritime Museum. He noted that ships cannot be seen from the Maritime Museum parking lot because the trees along the River Walk are so big. He asked the Commission to see the forest through the trees with regard to living on the waterfront. A new walkway was created on the west side of Pier 39 because people wanted to see the sea lions and walk around the pier. Many people use this walkway to get beyond the River Walk. Trees listed in the design standards, like the European beech and the Maidenhair will grow above the maximum height requirements, so the height requirements need to be reconsidered. He suggested using the same development criteria for both sides of the railroad tracks and make sure that some of the vessels that come in can comply. The cabs on some boats are over 28 feet and these boats could be as high as 35 feet during high tide. With a design standard of 15 feet on the north side of the River Walk, he was surprised that no fisherman was commenting on how parking their boats would block the views. It is easy to put in an overlay or to implement standards along the entire waterfront, but certain portions of the waterfront need to be protected for other aspects of development. He asked the Planning Commission to be sensitive to his concerns.

President Nemlowill appreciated Mr. Holcom's perspective and noted the provisions in the Civic Greenway Overlay Zone would only apply to new construction or a major renovation on an existing structure. She asked for Mr. Holcomb's thoughts on the options that were discussed, since he owns one of the two existing over water structures in the Civic Greenway Area.

Mr. Holcom stated the applicability for existing structures should be removed. He spends a lot of money on the maintenance of Pier 39 and no one wants to be told how to cut their grass after spending so much money. There are only two overwater buildings in the area and he hoped the requirements for those buildings would be deleted.

Elizabeth Menetrey, 3849 Grand Avenue, Astoria, said that only the Civic Greenway Area is being discussed. The visioning committee, of which Ms. Menetrey was a member, chose the Civic Greenway Area as being an area where over water development would be limited. Other parts of the riverfront will be discussed, like the Bridge Vista Area, which would be more appropriate for over water development. The Planning Commission is not considering the restriction of overwater development along the entire waterfront, just a part of the riverfront that seemed to be the best place to preserve the view. She did not understand much about the tides, but believed she heard from the public that an area that preserved the views was desired. She was happy to see the height limits for overwater development. Boats do not bother her, and Pier 39 and the Cannery Pier Hotel are great because they are far enough out in the water that the view is not blocked. This is different than a building right up against the shore.

Mike Weston, Interim Port Director, said he was representing the Port of Astoria. He agreed with Mr. Holcom that the working waterfront is what makes Astoria great. The attractions to downtown are the breweries that are out on the waterfront and the restaurants. Visitors love taking the trolley, watching the fishing on 7th or 8th Street and seeing the activity and culture that is Astoria. The Port of Astoria is here to keep that momentum going, keep that culture growing, and keep those jobs. Placing restrictions that limit the ability to develop the waterfront and promote economic development hinders the ability to get where the Port wants to be and to enhance the culture that has made Astoria so great. There is currently no height restriction. Since the Hanthorn Cannery (100 39th Street) was built in 1875, there has been no development on that portion of the river because, as John Englund pointed out at the last meeting, development is not possible in this area. Development would involve coordinating with the Department of State Lands to install pilings and there would be so many issues to overcome that development of that area is nearly impossible. He did not see the need for height or size restrictions. If height restrictions must be implemented, 15 feet is a little low. Arch Cape had an 18-foot height restriction for the first story of a building and 28 feet for the second story. A 15-foot height restriction will result in buildings with flat roofs that blow off in a storm. He believed it would be better not to have height restrictions. He believed the Riverfront Vision Plan would be good for the community in the long run, but the height and size restrictions will hinder the possibility of enhancing Astoria's culture.

President Nemlowill asked why the East Mooring Basin was closed.

Mr. Weston explained the stringers underneath the dock, which attach the handrail to the dock, are rotted. Work will continue for the next couple of months to replace the stringers and handrail. The repair work will allow foot traffic in and out of the East End Mooring Basin. However, pile caps must be modified before vehicle traffic will be allowed.

Carol Scott, 3930 Abbey Lane, Astoria, expressed concerns about the lighting of the landscape and cityscape throughout Astoria, which can make a difference in a person's experience. She recalled that someone spoke about lighting at a meeting in October 2013, but at this meeting, lighting was only mentioned during discussion of the Cottage Clusters. She wanted lighting to be considered and studied in depth. Lighting guidelines, restrictions, and suggestions should be written because it can make or break an experience.

Drew Herzig, 628 Klaskanine Avenue, Astoria, thanked the Commissioners for wading through all of the details of the amendments. He recalled Mr. Hastie's comments that indicated everything should be fine as long as no one pushes the guidelines to their maximum limits. He would be concerned about this if he were on the Planning Commission because there are always unintended consequences. Matter always expands to fill the available space. There is always the possibility of taking something to its maximum limits. It is always easier to allow a variance than it is to require a property owner to remove the top 10 feet from a building. He urged the Commission to err on the side of caution with the Code language and thanked them for volunteering so much time on this project. He clarified he had referenced over water height restrictions hypothetically. It would be easier to set a limit and allow for variances than to say the City has changed its mind and require a property owner to remove 10 feet from the height of a building because it does not look good.

Yvonne Hughes, 1390 Jerome Avenue, Astoria, recalled that shrub height would be limited to three feet, but she believed fencing, especially on the water side of the River Trail, needs to be addressed. Walking along the River Walk will not do anyone any good if there is a six foot fence in front of a building along the river front. She has not had time to go through the entire proposal, but wanted to know what bike stations might look like. Bikes are a big mode of transportation in Astoria and there are not many adequate places to lock up a bike. Director Estes explained that bike racks are included in the draft code as one of the streetscape amenities that serve as landscaping credits. The City tries to include bike racks any time new parking lots are constructed. Planner Johnson added that the proposed draft Transportation System Plan (TSP) recommends minimum bike requirements; currently, the City does not have any minimum bike requirements. New development will be required to install bike parking or lockers. Director Estes noted the TSP requirements would be considered at a public hearing on Thursday, February 27, 2014.

President Nemlowill confirmed there were no other comments from the public and asked Mr. Hastie to respond.

Mr. Hastie addressed comments raised during public comment and noted items still requiring the Commission's feedback. His comments and discussion from the Commission are as follows:

- Language on lighting has been proposed for the new Compact Residential Zone. Lighting restrictions would prevent lighting from casting a glare on adjacent properties or projecting light up into the sky. The language may not be as broad as Ms. Scott preferred, but the Planning Commission could request that lighting restrictions be added to the rest of the Code.
 - Vice President Innes recalled seeing examples of walkways lit in a manner that preserved views of the night sky.
 - Mr. Hastie and Staff believed that applying lighting restrictions to the entire Civic Greenway Overlay Zone would be most appropriate. The residential design standards suggested for the Compact Residential Zone could be applied to the entire Riverfront Vision Plan or to a specific area, like the Civic Greenway Area, depending on where the language was included in the Code. Either option would result in the same effect. The same standards should apply to the entire Civic Greenway Area, so Mr. Hastie and Staff would recommend where language should go in the Code.
- Most of the public comments regarded the overwater development standards. The Planning Commission was asked for feedback on the permitted and conditional uses suggested for overwater development.
 - President Nemlowill did not believe eating and drinking establishments should be part of the Civic Greenway Area.
 - Vice President Innes said she was trying to envision what the area would look like in general, with and without buildings; she requested more time to consider the proposed Code language.
 - Commissioner Gimre said he did not share President Nemlowill's issues about eating and drinking establishments because the requirements were pretty restrictive.
 - Commissioners Pearson and Fitzpatrick had no issues with eating and drinking establishments.
 - Mr. Hastie clarified that eating and drinking establishments would have to be part of another development and therefore tied to a water-related use. The development of just an eating and drinking establishment would not be allowed. A marina or fish smoking with an eating or drinking establishment would be allowed. He believed administrative judgment of the requirement would be straight forward.
 - Director Estes explained that this is where the Planning Commission must interpret the goals as adopted in the Riverfront Vision Plan. The Riverfront Vision Plan does not include specific uses, such as eating and drinking establishments within the Civic Greenway Area, but proposes examples of possible uses without identifying prohibited uses.
 - Mr. Hastie reminded that all of the limitations on size, height, and use work together.
 - President Nemlowill said she does not oppose development or a working waterfront, but her interpretation of the Riverfront Vision Plan and the concept of a Blueway Zone with no development does not include eating and drinking establishments out on the water in this area. This is a natural area. The Riverfront Vision Plan clearly states that the intention of the Civic Greenway Area is to protect views and limit development to water-related uses. She understood that the other Commissioners did not agree with her. She believed public comments at all work sessions indicated that the public supported her view.
 - Director Estes responded that Staff and Mr. Hastie were looking for direction from the Planning Commission on Code language in order to move forward with further Code amendments, but things could change as a result of the public hearing.
 - Commissioner Gimre noted that in his 50+ years in Astoria, there has been no development between KVAS and the East End Mooring Basin. He believed it was unlikely that development would occur along this section of the river, agreeing that it would likely be cost prohibitive. He did not anticipate development, regardless of the restrictions. It is good to have code, but he did not believe development would be an issue. Therefore, he had no concerns.
 - Commissioner Fitzpatrick agreed. He believed the proposed height limits would not result in any feasibility issues.
- President Nemlowill reminded that the Planning Commission has not been tasked with predicting what kind of development would occur in the future. The Commission's job is to interpret the Riverfront Vision Plan and implement the Plan into Code. It did not matter if someone built a restaurant in the Civic Greenway Area, but she did not see that the Riverfront Vision Plan allowed for restaurants in the area, nor did she hear support for restaurants in the Civic Greenway Area from those who have addressed the Planning Commission. She was unsure how to proceed with the process because the Planning Commission would not agree on everything. There is no consensus on the issue of eating and drinking establishments. She did not believe it was fair to say that one Commissioner believed one way while the others believed differently without accounting for everyone who gave testimony at the work sessions. The Commission may not come to a

conclusion at this meeting. She understood that she may be outnumbered, but there would be opportunity for more public testimony on this issue.

- Mr. Hastie said if there was no consensus, he and Staff would discuss public testimony and feedback from the Commission and decide whether to recommend something different at the adoption hearing. A consensus on every issue is not necessary.
- President Nemlowill noted a consensus would make the process easier. She believed the issues were important. After listening to the public and looking at the Riverfront Vision Plan, she gets the sense that eating and drinking establishments should not be allowed in that context.
- Commissioner Pearson confirmed house boats were not allowed at the Port of Astoria and asked if there were concerns about a floating home community. Director Estes replied that floating home communities were not included in the Code; house boats were not included as a permitted use in the proposed Code. Commissioner Pearson understood floating home communities were prohibited. Mr. Hastie clarified that if a use is not permitted, that use is prohibited. Commissioner Pearson did not agree.
- President Nemlowill reminded that this process is not complete and more discussions would occur. The definition of prohibited can be discussed outside of Planning Commission meetings and revisited if necessary.
- Feedback was requested from the Commission regarding the maximum size and width requirements. Mr. Hastie noted that he and Staff tried to develop size and width requirements that fell in the middle of sizes and widths discussed at the last work session, as they did not have specific direction on numbers. General direction from the Planning Commission indicated that sizes and widths be minimized.
 - President Nemlowill said she was comfortable with the size and width, as long as the water-dependent uses are truly water-dependent. Again, she disagreed with restaurants being a water-dependent use. She did have an issue with the proposed height.
 - The wording about building width in the presentation was different from the wording in the draft code and the difference in the wording resulted in different meanings.
 - Planner Johnson clarified the same message is conveyed in both sets of wording. Maximum building width on a lot 100 feet wide is 25 percent. Lots more than 100 feet wide can have a building no wider than 50 feet. She confirmed that lots less than 100 feet wide did exist.
 - Mr. Hastie added there were about five lots that are about 70 to 80 feet wide; and buildings could be 25 feet wide on these lots. The intention of the Code is to limit building width to the smaller of 25 percent or 50 feet. There are some very wide parcels and 25 percent would be much more than 50 feet.
 - A 1,000-foot wide parcel could be partitioned. However, it would not make sense to have 50 25-foot wide buildings. Therefore, a percentage of lot coverage would be more appropriate.
 - Vice President Innes said she was comfortable with the width and size requirements, but not with the allowance of eating and drinking establishments.
- Feedback was requested on the recommendations for building height. The recommendation was to limit building heights to 15 feet above the mean high water mark.
 - The mean high high water line would not change seasonally as the line marks the highest point the water would go. There are places where the bank is about 15 feet above the water. So, in many areas, buildings would be flush with the bank and in other places, buildings could be 10 feet above the bank. Buildings will not be 15 feet above the River Trail because the bank coming down to the mean high high water line is below the trail. The height is measured from the water line, not from the floor level of the building. Even pilings will be measured from the water line. The top of buildings would be anywhere from even with the shoreline to 10 feet above the River Trail.
 - Director Estes noted the mean high high water line was marked by the vegetation line at the riverbank and used as a base line for these types of calculations.
 - Commissioner Fitzpatrick confirmed Mr. Holcom's comment about there being very high tides in the morning. The area next to the Baked Alaska with the concrete slabs was covered with water. Standing at Baked Alaska, there was at least 10 feet between the water line and the bank.
 - Construction in flood zones would limit development because the base floor must be constructed so many feet above the flood line. In Astoria, the flood line is higher than the mean high high water level. Since the height of the roof line is limited, the height of the building above the flood line would be limited.
 - President Nemlowill understood the Commission is tasked with implementing the Plan. She understood and respected the consultant and Staff's rationale behind the recommendations, but believed the Riverfront Vision Plan stated the views in the Civic Greenway Area needed to be protected while allowing development along other parts of the river. Public comments have indicated the views should be

protected in the Civic Greenway Area. The proposed building height is higher than the bank height. She believed lowering the building height to no higher than the river bank would honor the spirit of the Riverfront Vision Plan. Some Commissioners did not believe building height mattered because development would not occur in the Civic Greenway Area anyway, so, why not lower the building height?

- Vice President Innes advised to be cautious about how the Code language is written to avoid surprises. She wanted to preserve the view and did not want new development in the Civic Greenway Area. She recommended the height be limited to bank height.
- Commissioner Pearson stated it is not the Planning Commission's job to decide what will be developed in the Civic Greenway Area. This area is meant to be the most restrictive in the Riverfront Vision Area, according to the definition of civic and preserved as community space for the good of the community, not commercial property. He agreed with minimizing the impact of buildings out on the waterfront and on the water side of the trail. However, he did not believe this issue was as clear as the Commission would like and suggested looking at other ways of interpreting the height of a single-story building. He wanted to explore the issue more before deciding what height would be appropriate. He did not believe prohibiting development in the Civic Greenway Area would be appropriate, but agreed that restrictions should be set.
- Commissioner Fitzpatrick believed all of the recommendations are extremely restrictive, which would result in minimal development. A 15-foot building would be a shack that rents kayaks and not much else could be built, given the height limit and flood requirement. He supported the 15-foot height limit.
- Commissioner Gimre supported the 15-foot building height limit.
- Regarding the recommendations requiring access to the water, Mr. Hastie recalled the Commission did not want the requirements to apply to existing buildings, as the requirements may prevent buildings from being maintained or remodeled. The Commissioners had no issues regarding these recommendations.
- Discussion and feedback regarding the standards for on-land development was as follows:
 - Commissioner Fitzpatrick said that considering the two, approximately 45-foot tall buildings along Marine Drive, a 45-foot building height is too tall. Even the 35-foot tall house in Mill Pond, which was constructed to the maximum allowable limits, did not fit the spirit of the neighborhood, so 35-feet was also too tall.
 - The proposed 70-foot view corridor and minimum 10-foot step back were appropriate.
 - Commissioner Pearson added the 45-foot building height would restrict the view the Planning Commission is trying to preserve.
 - Director Estes clarified his suggestion to not limit building height below 45 feet in Mill Pond was for the one remaining parcel that is located west of the workforce housing development. Mill Pond was looking for a particular intensity of development with an urban feel along the frontage of Mill Pond. Floor area ratio requirements indicate that the City expects a minimum amount of development. He also considers how a site transitions towards the hospital, where there are additional height requirements. He believed the height limit should remain at 45 feet only on the one parcel. Further east of Mill Pond along Marine Drive, lower height limits would be very reasonable.
 - Concerns were expressed about the height requirements being so out of scale. Director Estes replied it was not a huge issue for him. He was just looking at urban form or the cityscape and what was planned for Mill Pond, which is adjacent to an area that has more intensive development and higher buildings.
 - Commissioner Fitzpatrick said he would not have any issues if the requirement applied to buildings on the south side of the road, but heading west from Safeway or the Police Department, 45-foot tall buildings just did not work.
 - President Nemlowill said she was torn on the height requirements. She agreed with Commissioner Fitzpatrick, but was also considering what would be best overall for the entire community.
 - Commissioner Pearson noted that the buildings being discussed did not have setbacks, which can make a significant difference on the street scape and how it feels at a pedestrian level.
 - Planner Johnson confirmed the view corridor on the corner of 29th Street and Marine Drive, going northwest across the pond, is 70 to 75 feet wide.
 - President Nemlowill noted the view is difficult to find.
 - Commissioner Fitzpatrick stated 45 feet would be appropriate for an embellishment, like a clock tower. The idea in Mill Pond was for the buildings to have a certain look. Some buildings could be 45 feet tall, but were not required to be 45 feet tall. Instead of building to scale with the opportunity to build up to 45 feet to achieve an architectural design, the two buildings in Mill Pond were built as tall as possible. He advised the Planning Commission to err on the side of caution. When considering the 45-foot height limit 10 years ago, he envisioned buildings being built to scale with the possibility of 45-foot tall building

- Director Estes believed there is an opportunity to do something at that corner and confirmed Commissioner Fitzpatrick would be comfortable with the concept of changing the height limit for the property to the west, reducing the majority of the height to a lower limit and allowing a smaller portion of the building to have a higher level that could accommodate a tower element, for example. Part of the building would have a higher height limit with a stepped down height limit on the sides.
- President Nemlowill believed the parcel is zoned differently than the two monolithic complexes being discussed. Planner Johnson confirmed the entire Mill Pond area was zoned for attached housing, which allows commercial and residential uses.
- Vice President Innes stated she was not comfortable with 45 feet, especially for monolithic buildings.
- With regard to the landscaping requirements, Mr. Hastie appreciated public comments about considering the fence heights on the river side of the trail.
 - Riverfronts in other areas have trees right along the edge of the river, but not a wall of trees, which indicated that planting some trees in the Civic Greenway Area should be allowed, while making sure that the view is not blocked. Trees could be pruned up to a certain height so the view from the trail is maintained.
 - Mr. Hastie confirmed the minimum tree spacing of 20 feet could be increased.
 - President Nemlowill said she was okay with the recommendations. Pruning the trees sounds like a good idea, but she was unsure how the requirement would be enforced. There must be an assumption that the trees would not be pruned.
 - Trees distract from the aesthetics of the view and tend to make their way into the water.
 - Vice President Innes said she was concerned about the maintenance of the River Trail, as it progressively slides into the river. Trees would prevent equipment from reaching the River Trail to install barricade rocks.
 - Mr. Hastie understood the Planning Commission wanted to increase minimum spacing if trees would be allowed on the river side of the trail. The Riverfront Vision Plan stated open spaces should be maintained or enhanced with native vegetation.
 - Planner Johnson noted that public comments indicated many people liked the trees because they offer visual variety rather than just a flat waterfront.
- Feedback regarding the Compact Residential Zone included the following discussion items:
 - The Planning Commission agreed with prohibiting bed and breakfasts as a conditional use in the zone.
 - President Nemlowill commented that home stay lodging was touristy for a residential neighborhood, but she did not believe anyone else would agree.
 - The Planning Commission supported the maximum footprint, lot size, and dwelling size requirements.
 - Commissioner Fitzpatrick added that he hoped every unit would not end up being 1,800 square feet. He liked the maximum average size requirement for Cottage Cluster developments. He confirmed the Building Code would reflect the 6-foot minimum between the cottages to address fire and building code issues. He recommended smaller Cottage Cluster units be built closer to the street. Mr. Hastie said this would be included.

Mr. Hastie stated the next step would be to consult with Staff to review the feedback received at this meeting. Additional code revisions will be suggested, City Council would be briefed, and a public hearing with the Planning Commission will be scheduled for late April 2014. He believed only one hearing would be scheduled with the Planning Commission because there has been so much discussion during the work sessions. He asked the Planning Commission to forward any additional comments to Planner Johnson or Director Estes.

President Nemlowill thanked Mr. Hastie, Staff, the audience, and the Planning Commission for participating in such an important issue. She reminded the APC that the next Planning Commission meeting would be on February 27, 2014 at 6:30 pm to work on the TSP.

There being no further business, President Nemlowill adjourned the work session at 9:07 p.m.

ATTEST:

APPROVED:

Secretary

Community Development Director/
Assistant City Manager

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall

April 22, 2014

CALL TO ORDER:

President Nemlowill called the meeting to order at 6:38 pm.

ROLL CALL:

Commissioners Present: President Zetty Nemlowill, Vice President McLaren Innes, Thor Norgaard, Ron Williams, Peter Gimre, David Pearson, and Sean Fitzpatrick.

Staff Present: Community Development Director / Assistant City Manager Brett Estes, Planner Rosemary Johnson, and City Attorney Blair Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

President Nemlowill asked for approval of the minutes of the February 27, 2014 meeting. Vice President Innes moved that the Astoria Planning Commission approve the minutes as presented; seconded by Commissioner Fitzpatrick. Motion passed unanimously.

PUBLIC HEARINGS:

President Nemlowill 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):

CU14-04 Conditional Use CU14-04 by Brad Smithart to locate an arcade as indoor family entertainment in an existing commercial structure at 1084 Commercial in the C-4, Central Commercial zone.

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

Commissioner Gimre declared that he recently received a phone call from the Applicant who invited him to visit the establishment. He stopped by to meet the Applicant on April 21, 2014 and discussed the type business. They also discussed potentially doing business together. He confirmed he would be able to vote impartially.

Commissioner Fitzpatrick declared a potential conflict of interest and an ex parte contact. He and the Applicant are friends and have had ex parte contact at a recent social activity. He previously told Mr. Smithart that they should not speak about the arcade, as it may come before the Planning Commission. He confirmed that he could vote objectively.

Commissioner Williams declared that he is friends with the Applicant, but they have never discussed the arcade. He believed he could be completely objective.

President Nemlowill declared a potential conflict, if alcohol were going to be involved. She was present to serve as an objective Planning Commissioner and make decisions on behalf of the public. She asked Staff to present the Staff report.

Planner Johnson reviewed the written staff report. Since the application was submitted, Mr. Smithart has applied for an OLCC license to serve alcoholic beverages. Alcohol would not be served until 6:00 pm and minors would be prohibited after 9:00 pm. The Police Chief has requested a continuance of the public hearing to the May 6, 2014 Planning Commission meeting to allow the Police Department time to respond to the appropriateness of

this use at this location and hours of operation. She reminded that as a conditional use, the Planning Commission has the authority to limit hours of operation and activities on the site. Staff was going to recommend approval of the request based on the criteria; however, staff now recommends a continuance of the public hearing until the Astoria Police Department has completed their investigation. Correspondence from the Police Department was the only correspondence received regarding the application.

President Nemlowill called for questions of staff.

Vice President Innes noted that the handwritten conditional use application states Don Sloan is the property owner, while the staff report states that Jeffrey and Katherine Bjornsgard are the owners. Planner Johnson believed that was due to the timing in receiving information from the Clatsop County Assessor's Office. She takes ownership information from the County Assessor's records, but she believed Mr. Sloan was the current owner or may be under contract.

Mr. Smithart stated that Mr. Sloan was the realtor. Planner Johnson added the realtor has the authority to sign applications on behalf of a property owner.

President Nemlowill confirmed that certain conditions with regard to the square footage and sale of alcohol had changed since the Staff report was written, which was the justification for the Police Department's request for a continuation of the public hearing. Planner Johnson explained she prepared the staff report after she received notice of the changes, which are addressed in the staff report for zoning purposes. All applications are submitted to the Police, Fire, and Public Works Departments when she first receives them. The Police Department's review of the application was with old information. By the time the Police Chief was aware of the changes, there was not enough time to do research and provide comments at this meeting.

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

Brad Smithart, 1650 9th Street, Astoria, believed there was a misconception about the type of business he would like to open. He is opening a classic arcade, which will consist of pinball machines and 1980s and 1990s Midway Ballys. Hot dogs, ice cream, and soda pop will be served during the day. He applied for an OLCC license, like a restaurant would. If the establishment is not approved to sell alcohol, the business will still be a classic arcade. He is not trying to open a bar; he was opening a classic arcade where kids can play games during the day. However, it is profitable to cater to the over 21 market, otherwise he would close at 9:00 pm as he did not want to be open for children past 9:00 pm.

- The building will have an area for the games. The business will also offer monthly group meetings where the kids will design personal computer (PC) games in a community area to accommodate kids that come during the summer months. Hours will be limited during the winter months so that the arcade is open after school. Although he would like to capitalize on the tourism market in July, August, and September, he hopes to be an area where kids can come and hang out. The interior will be set up with game machines around the outside of the room. There will be no pool or ticket machines, as he would like people to enjoy the classic games without the loud noises or prizes. There will be no air hockey or other competitive games. Monthly competitions will be held to award the highest scorer of a randomly chosen game. The winner will receive a denim jacket embroidered with their name, the name of the video game, and their score. He will also focus on gourmet hot dogs and offer two hot dog specials each day.

Vice President Innes asked if Mr. Smithart planned to offer activities for children who do not have cash. Mr. Smithart stated he would have 15+ games on free play at any given time and a sitting area with PC gaming, which will be free of charge. For example, Minecraft is a PC game on an open source system that allows players to build cities. His son built a replica of his hotel, the Riverwalk Inn, on Minecraft. Players can build a server to host an open source world that accommodates 30 players. Staffing will depend on his ability to serve alcohol. If alcohol is served, he plans to have five or six employees, including a doorman and bartender. He would also have a hot dog steward. Without alcohol, he will have three people on staff. During the summer months, he would like to be open from 10:00 am to 11:00 pm Sunday through Thursday, and from 10:00 am to 2:00 am on Friday and Saturday. He wanted to be open during peak times for the service industry because of the business's location. When people get off work, they will have a place to congregate.

Commissioner Norgaard appreciated Mr. Smithart's explanation of his intentions. He was trying to envision how an arcade would be appropriate in the Downtown Historic District. He asked how a classic arcade was different

from Fun Land in Seaside. Mr. Smithart explained that Fun Land focuses on ticket machines. Children put tokens into the games in an attempt to win prizes. He already has a 1971 pinball machine, a 1959 game, the original Space Invaders, Pong, and Pac Man, which are skill games. One quarter would allow a good player to play the game for an hour and a half before the game crashes. This business will give kids a place to go. Currently, kids have no place to hang out in Astoria when it is raining or after 6:00 pm. He confirmed adults will feel comfortable in his arcade.

Commissioner Norgaard said he was happy to see the application and stated it would be a green property that would implement green recycling solutions and asked for more details. Mr. Smithart explained that being an arcade, there will not be a lot of printed material as everything will be digital or technology based; for example, the menus will be in iPads. The beverage cups and all glassware will be recyclable. The hot dogs will come in a cardboard container, which may also be used themed for décor or contests. He confirmed that garbage cans would be kept inside the building. The business will only utilize a corner section of the top floor of the building.

Commissioner Norgaard said he was concerned with the appropriateness of an arcade in Downtown Astoria given its historic nature; however, this will not be a typical arcade. Fun Land in Seaside sounds like a miniature Las Vegas and he did not believe that would fit in Astoria's downtown area. He asked Mr. Smithart about the sounds in his arcade. Mr. Smithart said he honestly wanted to open the arcade so that he could serve hot dogs. There are no good hot dogs in Astoria and this business will allow him to serve hot dogs. The volume on the machines will be turned down and LED monitors will be used to display multimedia art, which he described.

Planner Johnson confirmed that no correspondence in favor of or opposed to the application had been received.

President Nemlowill called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, she called for closing comments of Staff.

Planner Johnson noted that Condition 2 on Page 7 of the Staff report would be corrected to state, "Prior to use of the building, the applicant shall obtain a building permit and/or change of occupancy permit to be reviewed and approved by the Building Inspector to assure that the services are adequate to accommodate the proposed use."

President Nemlowill believed the Planning Commission should grant the request by the Police Department to continue the public hearing until May 6, 2014. She did not believe the Police Department had ever made such a request, nor was it a trend for stalling business or an attempt to stall business. She supported the Police Department's request because this was an isolated case.

President Nemlowill moved that the Astoria Planning Commission continue the public hearing for Conditional Use CU14-04 by Brad Smithart until May 6, 2014; seconded by Vice President Innes. Motion passed 6 to 1. Ayes: President Nemlowill, Vice President Innes, Commissioners Gimre, Pearson, Fitzpatrick, and Williams. Nays: Norgaard.

Staff reminded the Commissioners to be mindful of their ex parte contacts and discussions with each other about this application, as the hearing has been continued. The May 6th meeting would be held at 6:30 pm at City Hall.

ITEM 4(b):

CU14-03 Conditional Use CU14-03 by the Lower Columbia Preservation Society to locate an approximate 1,000 square foot office with occasional transient lodging as a semi-public use in an existing multi-family dwelling structure at 1030 Franklin, #2 in the R-3, High Density Residential zone.

ITEM 4(c):

V14-02 Variance V14-02 by the Lower Columbia Preservation Society from the required 2 off-street parking spaces for a proposed approximately 1,000 square foot office with occasional transient lodging with zero off-street parking in an existing multi-family dwelling structure at 1030 Franklin, #2 in the R-2 Medium Density Residential zone.

(The public hearings for Conditional Use CU14-03 and Variance V14-02 were heard at the same time.)

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

Commissioner Fitzpatrick declared a possible conflict, as he owns and manages the apartment complex directly across the street from the Applicant's building. He did not believe this would be an issue.

President Nemlowill called for Staff to present the Staff reports for Conditional Use CU14-03 and Variance V14-02.

Planner Johnson reviewed the written Staff reports. No correspondence had been received and Staff recommended approval of both requests with the Conditions listed in the Staff reports.

President Nemlowill called for questions of Staff. Hearing none, she opened the public hearing and called for a presentation by the Applicant.

Ted Osborne, Vice-President of the Lower Columbia Preservation Society (LCPS), 345 Alameda, Astoria, believed Planner Johnson had presented the Staff report well. The LCPS office on Commercial Street is a rental. Moving their office into one of their historic buildings will invite opportunities for workshops. All of the functions in the new office will be enmeshed in a historic building, which is a goal of the LCPS. As the apartments are upgraded, the LCPS will be completely involved in the preservation, which is the intent of the LCPS. The office will be located in Unit 2, which is on the first floor on the east side of the center entrance.

Ann Gyde, President of the LCPS, 398 Alameda, Astoria, confirmed that the LCPS prefers the condition that the permit be limited to guests of the LCPS and not open to the public. Mr. Osborne added that the LCPS would be able to host visitors rather than spending money to lodge them elsewhere.

President Nemlowill called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, she called for closing comments of Staff. There were none. She closed the public hearing and called Commission discussion and deliberation.

Commissioner Fitzpatrick cautioned against moving the office on the second story because it would become a problem for tenants living on the other floors. He would want the approval conditioned that the office use be limited to the LCPS for LCPS business so it does not become a commercial use. There are reasons commercial offices should not be used in residential zones or residential buildings. Over the years, parking on Franklin Street between 10th and 11th Streets has become an issue. The building has eight units and 50 feet of frontage, with no off-street parking and two on-street parking spots. The types of tenants that live in this property tend to walk rather than drive. However, the tenants usually own a car that is parked and remains unused. In the 10 years that he has owned his building, many abandoned cars have been towed. These cars did not belong to his tenants. He strongly believed the cars belonged to tenants in the Francis Apartments. Abandoned cars create parking issues on the street, especially during a funeral procession. He suggested the parking requirements be waived and require the LCPS to actively manage the parking.

President Nemlowill suggested Condition 2 on page 7 of the Staff report be changed to, "The permit shall be limited to the LCPS office use only and guests of the LCPS, not open to the public, such as with a traditional bed and breakfast." Planner Johnson suggested adding new Condition 5 instead, which would state, "Office use shall be limited to semi-public use of LCPS and not for general office use." The classification of a semi-public use covers this and general office is not being approved.

Commissioner Fitzpatrick explained he wanted to ensure LCPS was clear about what uses are permitted in case someone wanted to rent or share the office space.

The Planning Commission consented to add Condition 5 as suggested by Planner Johnson.

Planner Johnson noted anyone could park in the public right-of-way. However, Code limits parking to no more than 24 hours in one location. Any manager of an apartment building has the responsibility to work with their

tenants. Enforcement of parking on a street is done by the police, but apartment managers can advise their tenants of the regulations.

Commissioner Fitzpatrick believed LCPS would be more actively involved if their members and guests had to look for parking each day. He did not want the active management of parking to be a condition of approval.

Commissioner Pearson said he supported both applications. The LCPS has been excellent stewards of multiple properties in the downtown area and he liked to see buildings used as they were intended.

President Nemlowill liked the condition limiting the permit to guests of LCPS. She was concerned about maintaining the character of the neighborhoods in Astoria and supported both applications.

Commissioner Gimre moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU14-03 by the Lower Columbia Preservation Society, with Conditions, including the addition of Condition 5 stating, "Office use shall be limited to semi-public use of LCPS and not for general office use."; seconded by Commissioner Norgaard. Motion passed unanimously.

Commissioner Gimre moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Variance V14-02 by the Lower Columbia Preservation Society, with conditions; seconded by Commissioner Norgaard. Motion passed unanimously.

President Nemlowill read the rules of appeal into the record.

REPORTS OF OFFICERS: There were none.

ITEM 5(a): Amendment A14-01 – Transportation System Plan – Staff will provide a verbal update on the status of the City Council consideration of adoption of this amendment.

Planner Johnson reported City Council unanimously adopted the ordinances implementing the Transportation System Plan (TSP) at their April 21, 2014 meeting. The ordinances will take effect in 30 days. City Council did not make any changes and there was no testimony from the public. The consultants indicated after the meeting that they believed the extensive public review process allowed all of the issues to be resolved prior to the public hearing. This has not been the case in many other TSPs throughout the state. The consultants complimented Staff on their public review process.

ITEM 5(b): APC Special Meeting – May 6, 2014

Planner Johnson reminded that a special meeting has been scheduled for May 6, 2014. There are two items on the agenda, including the continuance of the public hearing for Conditional Use CU14-04. The regular meeting on May 27, 2014 will include a public hearing on the Riverfront Vision Plan. Staff would like to keep the agenda for the May 27th meeting open to allow time for the Riverfront Vision Plan discussion.

Vice President Innes reported that the printed copies of the Transportation System Plan could be returned to Staff for reuse and recycling. The document is beautiful and she appreciated that some of it could be reused.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:27 pm.

ATTEST:

APPROVED:

Secretary

Community Development Director/Assistant City Manager

STAFF REPORT AND FINDINGS OF FACT

May 20, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER

SUBJECT: CONDITIONAL USE REQUEST (CU14-06) BY BETH AND DAVID FITCH TO LOCATE A TWO BEDROOM BED AND BREAKFAST AT 1109 HARRISON AVENUE

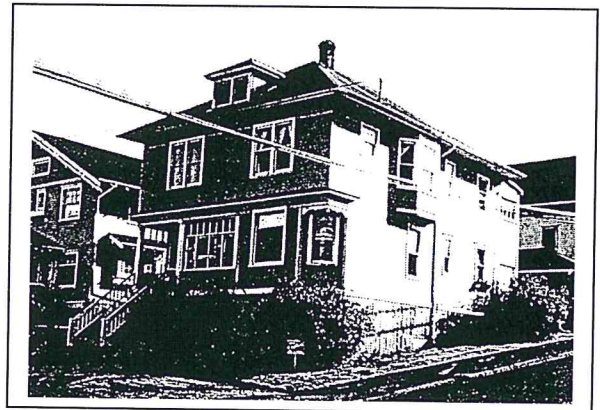
I. SUMMARY

- A. Applicant: Beth Fitch
Dave Fitch
88916 Youngs River Road
Astoria OR 97103
- B. Owner: Fitch Family Revocable Liv Trust
David M Fitch/Bethann Milsovic Fitch Trust
88916 Youngs River Road
Astoria OR 97103
- C. Location: 1109 Harrison Avenue; Map T8N-R9W Section 8CD, Tax Lot 7300; Lot 1, Block 93, McClure
- D. Zone: R-3, High Density Residential
- E. Lot Size: approximately 50' x 100' (5,000 square feet)
- F. Proposal: To operate a one bedroom bed and breakfast in the existing multi-family structure

II. BACKGROUND INFORMATION

A. Site:

The two story building is located on the south side of Harrison Avenue at the corner of 11th Street. It is currently operated as a three unit apartment complex. The structure is designated as historic in the Shively-McClure National Register Historic District.



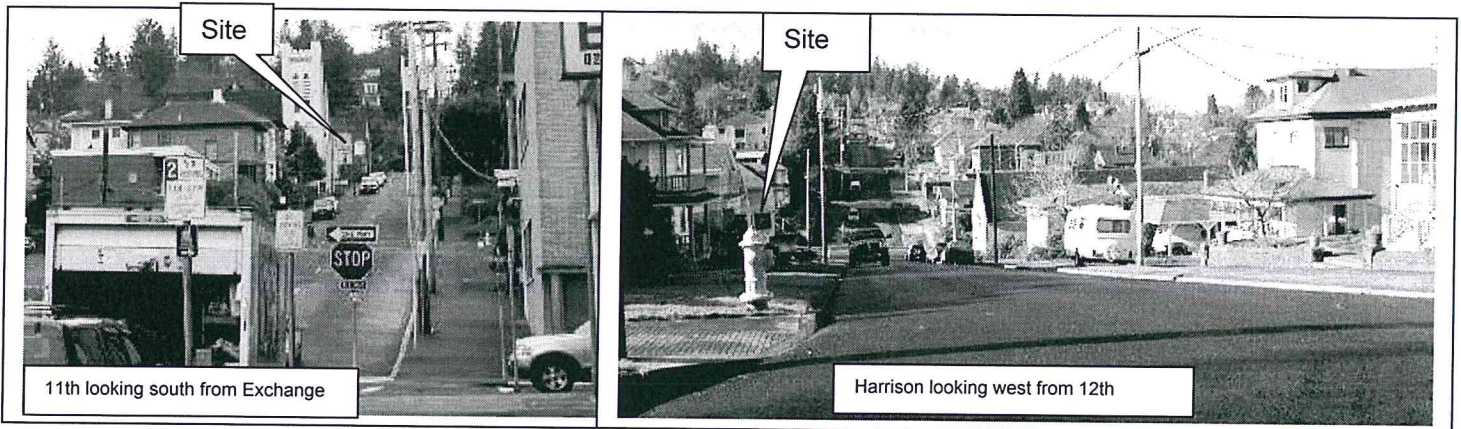
The structure was built as a two-family dwelling and was converted to a three-family dwelling prior to the applicant's purchase of the house in 1988. The lot is 50' x 100' (5,000 square feet) which is sufficient for a single-family dwelling only but the existing use is pre-existing.

B. Neighborhood:

The surrounding area is developed with a variety of uses including single-family dwellings, multi-family dwellings, a church to the north across the Harrison right-of-way, and a church to the east on Harrison.



Harrison Avenue is 60' wide and developed with a 22' wide paved travel lanes, parking on both sides, and sidewalks with green strip on both sides. Harrison Avenue is not a main vehicular route as it dead ends at 12th Street with access to Grand and Irving Avenues. The 11th Street right-of-way is one of the main north-south routes through Astoria to the Downtown area. There is no parking on the east side of 11th Street adjacent to this site.



C. Proposal:

The applicant manages the multi-family building and is proposing to provide one unit with two bedrooms as transient lodging as a bed and breakfast. An on-site manager would be present at the time of the guests.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet pursuant to Section 9.020 on May 2, 2014. A notice of public hearing was published in the Daily Astorian on May 20, 2014. Any comments received will be made available at the Planning Commission meeting.

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: Bed and breakfast facility is allowed in any residential building and is not limited to single-family dwellings. There are three units in the multi-family structure and only one unit would be used for transient lodging. The manager lives in one of the units and would be in residence on the same days as the guests (Condition 1).

- B. 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 1 space per bedroom plus two for the owner/manager unit.

Finding: The multi-family dwelling is existing and off-street parking spaces. The use of one of the units for two bedroom transient lodging in lieu of a full-time tenant would not change the number of parking spaces required. The three-unit dwelling would require two spaces per unit for a total of six spaces. A two-unit dwelling with one transient lodging unit with two bedrooms would require two spaces per dwelling unit and one space per transient bedroom for a total of six spaces. In fact, the proposed B&B would require the same number of off-street parking spaces as the multi-family dwelling requirement.

There is a two car garage in the basement of the house and a two car garage to the south of the house in the rear yard. A driveway between these two buildings provides an area for one parking space. Therefore, the existing

parking is five spaces which is less than the six required for the three unit multi-family dwelling.

Since the bed and breakfast requires a conditional use permit, parking is a consideration. The parking impact of a bed and breakfast with two bedrooms in one unit used on an occasional basis should be less than a full-time tenant of the third unit. The use as a three unit dwelling is existing with less than the required parking and therefore the use of one unit for a bed and breakfast would not change the amount of parking required. No variance is required.

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

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 building was constructed in c. 1905 as a two-family residence and was converted to a three-family residence prior to 1988. There is an increasing need for transient lodging especially ones located near the tourist areas such as Downtown. The building is designated as historic in the Shively-McClure National Register Historic District. Use of a multi-family dwelling at this location as a tourist bed and breakfast supports tourism as part of the economy.

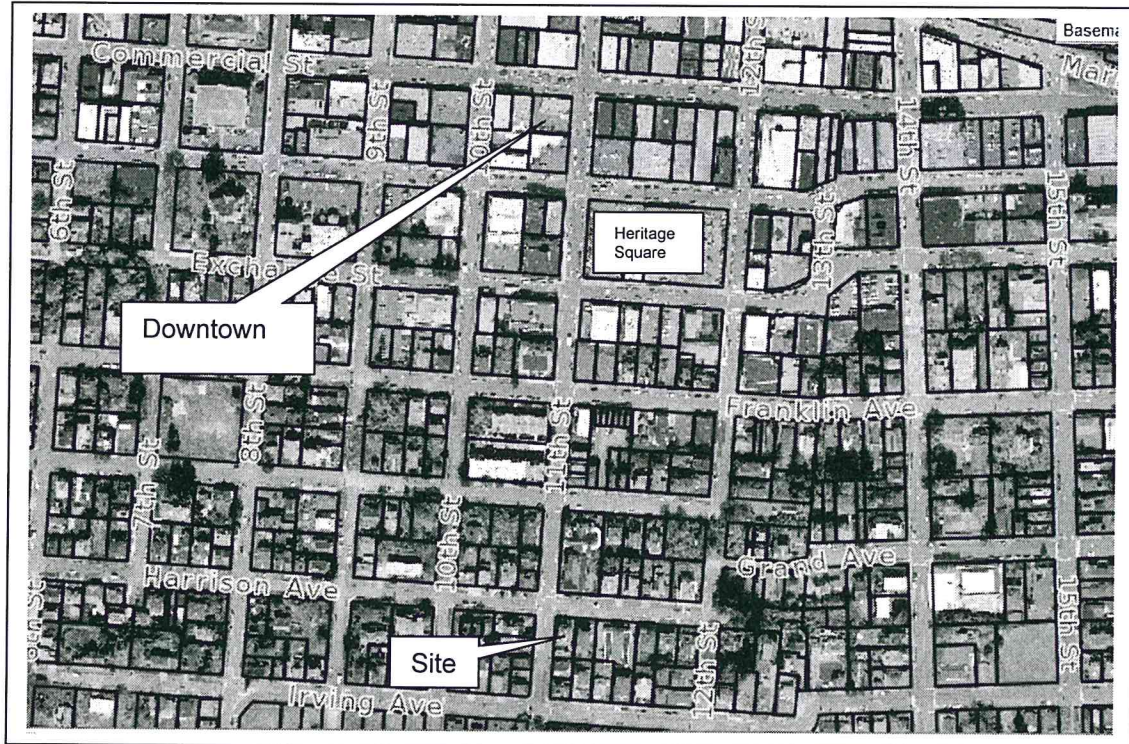
Use of the structure for one unit for tourists would not be an unnecessary intrusion on the residents of the other two units as the tourists would be held to the same standards as the tenants. A manager will be present when there is a guest in the unit. The facility would not be available for rent when the manager is gone.

The request complies with the Comprehensive Plan.

- D. 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 site is easily accessible to pedestrians, bicyclists, vehicle traffic and those using public transit. The existing building was constructed and used

as residences and that use would continue. The zone allows a variety of residential uses as outright. There are few residences located near a commercial zone that would be suitable for transient lodging, and therefore the availability of locations for bed and breakfasts in close proximity to Downtown Astoria is limited. Other transient lodging includes motels and hotels which provide single rooms with limited amenities such as kitchens but do not require that the owner/manager reside in the facility. Bed and breakfast facilities are mostly located in residential zones and provide lodging but, with limited other amenities. This facility would provide lodging with a kitchen amenity which is not normally available with bed and breakfast facilities.

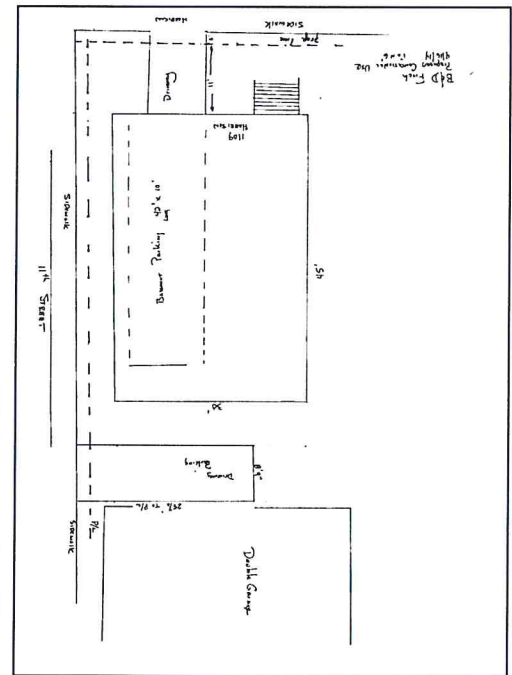
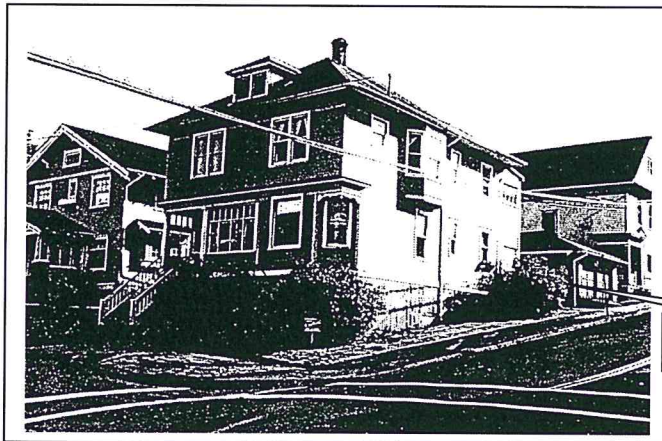


The ground floor apartment would be the one used for transient lodging to provide better access to the guest. The proposed use at this site provides a good location close to downtown and other tourist-related services and attractions. This site is in a good location for this type of transient lodging.

- E. 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 accessible from 11th at Harrison. On-street parking is available on both sides of Harrison Avenue with no parking on the east side of 11th adjacent to the site.

On-site parking is available for five vehicles. Four of those spaces are located within the basement and the garage. These types of parking spaces are not as convenient for guests and it would be advisable to identify the driveway in the rear of the house for the transient guest parking (Condition 2).



garage & driveway

Harrison Avenue is platted 60' wide and improved with a 22' wide paved road, parking on both sides, and sidewalks with green strip. There are two churches in this block. Harrison Avenue is easily accessible but is not major through street as it dead ends into 12th Street to access Grand Avenue. Loading and unloading for guests would be from the on-street parking or the rear driveway.

Sidewalks for pedestrians, bicycle facilities, public transit are in close proximity to the site and vehicle access is readily available to the site to accommodate visitors using various modes of transportation. Garbage collection is provided by Recology (Western Oregon Waste) under contract with the City.

To accommodate transient guests, this may be classified as a change in use for building codes purposes. Therefore, prior to start of operation as a bed and breakfast, the applicant shall work with the City Building Inspector and County Electrical Inspector concerning any needed changes to the facility (Condition 3).

- F. 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 transient guests on these services would be less than the existing 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.

- G. 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 construction is proposed as part of this request. This section does not apply.

- H. 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 encompasses most of the lot. The site is amply landscaped. Additional landscaping is not required.

VI. CONCLUSIONS AND RECOMMENDATIONS

The request meets all applicable review criteria. Staff recommends approval of the request based on the Findings of Fact above with the following conditions:

1. The manager shall reside in the building on the same days as the guests.
2. The applicant shall identify the driveway in the rear of the house for the transient guest parking.
3. Prior to start of operation as a bed and breakfast, the applicant shall work with the City Building Inspector and County Electrical Inspector concerning any needed changes to the facility due to the possible change in occupancy classification.
4. Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed by the Astoria Planning Commission.

The applicant should be aware of the following requirements:

The applicant shall obtain all necessary City and building permits prior to the start of operation, including an Occupational Tax and registering with the City for the Transient Room Tax.



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

CITY OF ASTORIA

APR 17 2014

BUILDING CODES

No. CU 1406

Fee: \$250.00

CONDITIONAL USE APPLICATION

Property Address: 1109 HARRISON

Lot McCloskey lot 1 Block 93 Subdivision McClure
Map 8CD Tax Lot 809 8 CD 7300 Zone R-3 Hist. OK

Applicant Name: BETH AND DAVID FITCH

Mailing Address: 88916 Youngs River Road

Phone: 503-325-8089 Business Phone: 705-0738(c) Email: abdfitch@pacifier.com

Property Owner's Name: BETH AND DAVID FITCH

Mailing Address: 88916 Youngs River Rd ASTORIA, OR 97103

Business Name (if applicable):

Signature of Applicant: [Signature] Date: 4/14/14

Signature of Property Owner: [Signature] Date: 4/16/14

Existing Use: Triplex

Proposed Use: Duplex plus B&B VACATION RENTAL fulltime on-site mgr. 4/14/14

Square Footage of Building/Site: 2500 / 5,000 sq ft

Proposed Off-Street Parking Spaces: 5
to operate a two bedroom bed & breakfast in one unit of an existing three unit dwelling

SITE PLAN: A Site Plan depicting property lines and the location of all existing and proposed structures, parking, landscaping, and/or signs is required. The Plan must include distances to all property lines and dimensions of all structures, parking areas, and/or signs. Scaled free-hand drawings are acceptable.

For office use only:			
Application Complete:	4-28-14	Permit Info Into D-Base:	4-28-14
Labels Prepared:	4-28-14	Tentative APC Meeting Date:	5/27/14
120 Days:			

Conditional Use Application

1109 Harrison

David and Beth Fitch Applicants/Owners

A1: The use is appropriate for the location because it is a residential type use fitting into a location that is a mix of single family housing, duplex/triplex and apartment living, with church use. This is an existing triplex that will continue to have two upstairs month to month apartments, and the proposed vacation rental on the first floor.

A2: Transportation: The existing building has been safely integrated with traffic access, garbage pickup, and emergency vehicle passage for 108 years. There are 5 off street parking spots available for occupants of this building. Sidewalks are in, stairs to the building are 3 steps up at the rear entrance and 14 steps at the front to the vacation rental apartment's re

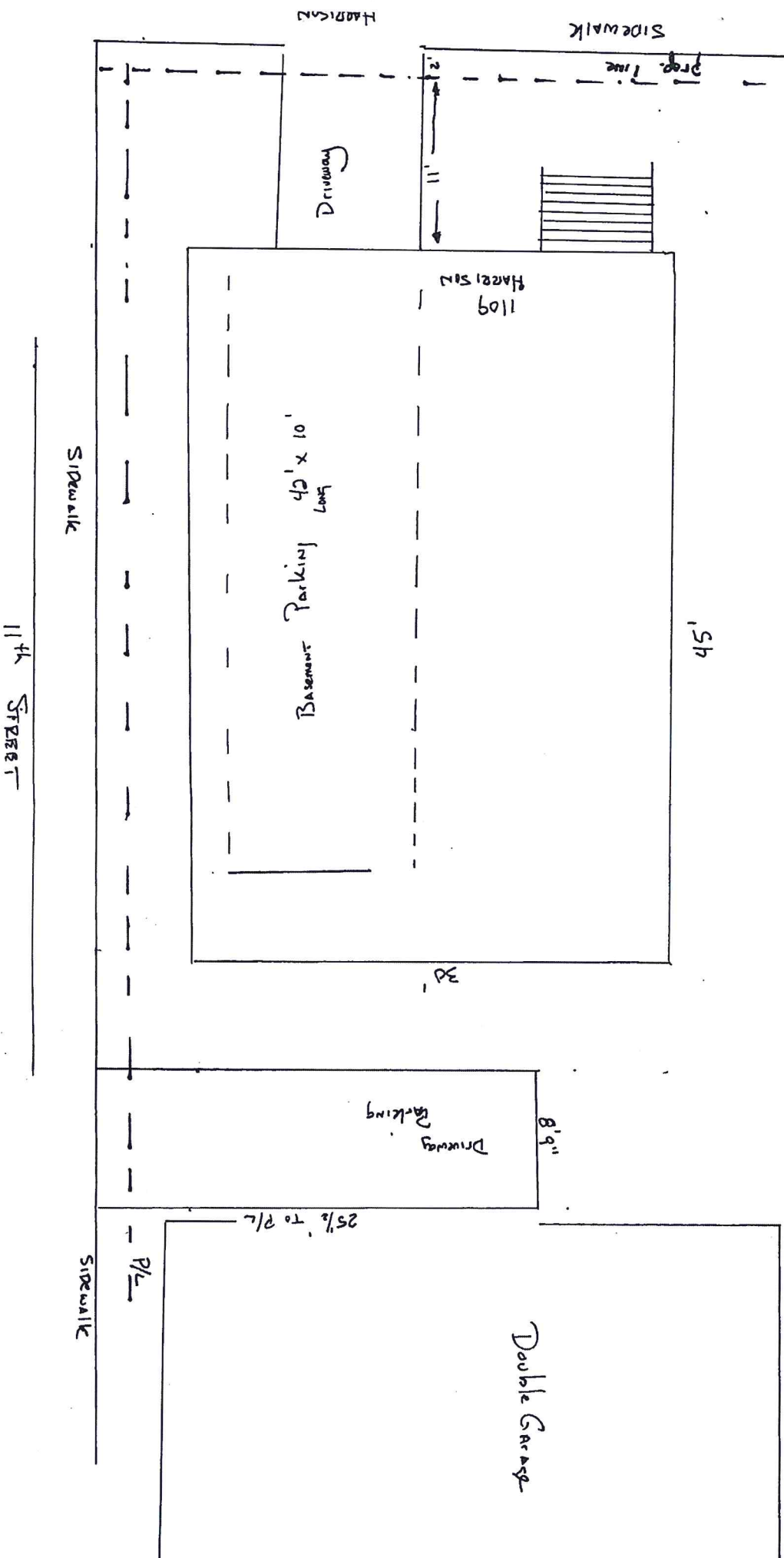
A3: The use will not overburden water/sewer or any other utilities because the use will be intermittent and is likely to show an actual drop in use due to vacancy rates.

A4: The question on topography /soils is not applicable because the building has been in place (and has not moved) since 1906.

A5: The setbacks and landscaping are fairly standard. There is a secluded backyard setting that is separated by a fence from the neighbor to the east and by a garage to the neighbor to the south.



B&D Fitch
Proposed Commercial Use
4/16/14
1"=26'





CITY OF ASTORIA

Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

May 19, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER

SUBJECT: AMENDMENT REQUEST (A14-02) ON RIVERFRONT VISION PLAN
IMPLEMENTATION ORDINANCE

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 Civic Greenway Area (16th to 41st Streets, Marine Drive to the Columbia River); add Compact Residential zone; add Civic Greenway Overlay zone; add clear and objective design standards for residential development; renumber several zones and overlay zone; misc. related changes with new code references; and rezone the area on the north half of the blocks between Marine Drive and the Columbia River from 30th to 32nd Streets, from the C-3 (General Commercial) zone to CR (Compact Residential) zone.

C. Location: City-wide

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 issues 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 (Port/Smith Point 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, and 2013-2014, the City Council set goals to "Implement Riverfront Vision Plan on a Zone by Zone Basis."

At its August 2, 2012 meeting, the City Council approved submittal of a funding application to the Department of Land Conservation and Development (DLCD) to fund code writing activities for up to two areas of the Riverfront Vision Plan. The funding would be a Transportation Growth Management (TGM) grant through the Oregon Department of Transportation (ODOT). On October 22, 2012, the City was notified that the project had been approved for funding. Under the TGM program, no cash is provided to the City and ODOT uses the services of planning firms already under contract with ODOT.

The proposed Code Assistance Project is for the implementation phase of the Astoria Riverfront Vision Plan. Phase 1 of the project would develop land use codes and/or new zones for the Civic Greenway Plan Area. Phase 2 of the project would develop land use codes and/or new zones for the Bridge Vista Plan Area, contingent upon available funds as approved by TGM staff.

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. There would be two separate approval processes for Phase 1 and Phase 2.

As a first step in this process to address the Civic Greenway Plan Area, the project team prepared a Code Evaluation Report summarizing development code issues to be addressed in drafting amendments. The Civic Greenway Plan Area is generally located from Columbia River Maritime Museum to 41st Street at Abbey Lane and the River to Marine / Lief Erikson Drive. After reviewing the Code Evaluation Report, the Astoria Planning Commission and the project team began drafting preliminary code amendment language to address selected code issues for the Civic Greenway Plan Area. The team divided the amendments into three sections to allow for adequate review of the draft code amendments with the Planning Commission and public. The Planning Commission held five public work sessions (October 22, 2013, December 3, 2013, January 7, 2014, January 28, 20, February 25, 2014) 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 or implementation process. A presentation to the City Council on the progress made to date was held on April 7, 2014. The work sessions have been well attended.

- Protect river vistas to maintain physical and visual connections to the river.
- Create and enhance open spaces which provide views of the river.
- Encourage maritime related uses consistent with Astoria's working riverfront such as docks, piers and associated uses.
- Create a modest scale residential and mixed use development east of Mill Pond.
- Architectural design standards or design review is recommended for all future development in this area.

At work sessions through Commissioner feedback and straw votes, the Planning Commission ultimately developed a set of proposed amendments to implement the Civic Greenway Plan Area. Implementation of recommendations from the Riverfront Vision Plan in the Civic Greenway Plan Area will take the form of both map amendments and code amendments.

1. Rezone the northern half of the blocks between 30th Street and 32nd Street from C-3 (General Commercial) to the new Compact Residential Zone (CR).
2. Extend the Gateway Overlay (GO) Zone to cover the Civic Greenway Plan Area.
3. Apply the new Civic Greenway Overlay (CGO) Zone to the Civic Greenway Plan Area.



Proposed text/code amendments will include:

1. Add a new Compact Residential (CR) Zone to allow for smaller cottage cluster development on the land side of the River Trail in the Civic Greenway Area.
2. Add a new Civic Greenway Overlay Zone to address the standards for:
 - over-water and waterfront development including building height, building mass, width of structures, allowable uses, landscaping, and public access to the water, etc.;
 - land side development including building heights, setback, stepback, and landscaping; and
 - river access requirements.
3. Add new provisions for Cottage Cluster Development detailing the location, size, orientation, public open space, etc. for compact residential development.
4. Add new “clear and objective” design standards for residential uses in the Gateway Overlay Zone and Civic Greenway Area.
5. Make “housekeeping” amendments related to the new CR Zone and CGO Zone. This will include renumbering the Gateway Zones to Article 2 and renumbering all Overlay Zones to Article 14.

III. PUBLIC REVIEW AND COMMENT

A. Astoria Planning Commission

A public notice was mailed to Neighborhood Associations, various agencies, and interested parties on May 2, 2014. In accordance with ORS 227.186(5), a notice was mailed on May 2, 2014 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 May 20, 2014. The proposed amendment is legislative as it applies City-wide. Any comments received will be made available at the Astoria Planning Commission meeting.

The APC's recommendation will be forwarded to the City Council for public hearing tentatively at the July 7, 2014 City Council meeting.

B. City Council

Should the APC make a recommendation at their May 27, 2014 meeting, a public notice will be mailed to Neighborhood Associations, various agencies, and interested parties on June 13, 2014 for a public hearing at the City Council meeting on July 7, 2014. In accordance with Section 9.020, a notice of public hearing will be published in the Daily Astorian on June 30, 2014. Any comments received will be made available at the City Council meeting.

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.”*

Finding: The proposed amendment to the Development Code is being initiated by the Community Development Director.

- 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 create a new Compact Residential (CR) Zone. The Code is applicable to a large area of the City. 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 adopted the Riverfront Vision Plan in 2009 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. The renumbering of various sections of the Code creates a more useable format for the Development Code sections.

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 Civic Greenway Area. The amendments include design standards for development, protection of scenic views and vistas, and the development of a Compact Residential Zone and new cluster development standards.

3. CP.010(3), Natural Features states that *“Density of housing developments in a planned unit or cluster subdivision will be consistent with the density of the zone in which it is located; however, a mixture of housing types will be encouraged in order to promote diverse neighborhoods and to preserve open space.”*

Finding: The proposed cluster development standards and new CR Zone allow for a mixture of housing types and encourages a compact neighborhood that preserves communal open space as well as protects the Riverfront open space vistas and views. The density of the CR Zone is less than, but consistent with, the neighborhood due to the location of the CR Zone adjacent to the existing C-3 Zone which allows denser multi-family dwellings.

4. 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 a new Compact Residential Zone and new cluster development standards. 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 along the shoreland in this area, 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.

5. CP.020(2), Community Growth, Plan Strategy, states that *“New small scale industrial growth will be encouraged on the scattered sites identified in the Economic Section of the Plan. Major port development will be encouraged*

at the existing Port docks and at the East End Mooring Basin. North Tongue Point is considered a major deep draft port expansion area for use as a cargo handling and shipping facility. South Tongue Point is primarily designated for multiple water-dependent uses requiring medium draft water access."

CP.020(2), Community Growth, Plan Strategy, states that *"The Columbia River waterfront is considered a multiple use area. The development of this area is to be encouraged in a flexible manner, under the shorelands and estuary section."*

CP.185(A.3), Regional Estuary and Shoreland Policies, Deep Water Navigation, Port and Industrial Development, states that *"Development, improvement and expansion of existing port sites is preferred prior to designation of new port sites."*

CP.185(H.2), Regional Estuary and Shoreland Policies, Fisheries and Aquaculture Policies, states that *"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."*

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."*

CP.210(1), Economic Element, Economic Development Recommendations, states that *"The City should reevaluate its Plan and zoning designation for its waterfront in light of the decline of the fishing industry. The reevaluation should focus on the waterfront's potential for tourist oriented development. Plan policies and implementing measures should be developed to encourage and promote tourist oriented development of the waterfront. Possible rezonings should include the A-1 area between 6th and 10th Streets, and in the vicinity of the former Samuel Elmore Cannery between Columbia Avenue and 1st Street."*

Finding: While the proposed amendments create new design criteria and limit development within the Civic Greenway Area, it does not prohibit development. It would allow flexibility for some limited development. It is anticipated that there may be future Port of Astoria development at the East End Mooring Basin that would be compatible with the Riverfront Vision Plan for this area such as moorage, seafood industry, and other maritime related buildings. As noted in this Comprehensive Plan Section, the North and South Tongue Point areas are the areas identified for deep and medium draft water access development. The East End Mooring Basin is not identified as a "deep water" site and there is limited shoreland space for the supporting facilities for a deep water site. The requirements for shoreland

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

The rezoning of the C-3 Zone adjacent to the River Trail to CR Zone would create a new residential neighborhood that is compatible with the River Trail development and would buffer it from the more intrusive commercial development along Marine Drive. This area is not conducive to maritime related industries as it is not immediately accessible to the waterfront as it sits south of the trolley line and does not abut the River and shoreland. It would not eliminate any shoreland/maritime related zoned land.

6. CP.020(7), Community Growth, Plan Strategy, states that *“Future development of the Gateway Overlay Area should be planned in accordance with the Gateway Master Plan. Special attention should be given to architectural design, landscaping, street frontages, location of parking lots, and other circulation issues. Future uses should serve to complement the Downtown Area.”*

CP.058, Gateway Overlay Area Policies, states that

- “1. *The City will utilize the general vision of the Gateway Master Plan to direct future development in the Gateway Overlay Area. The overall Comprehensive Plan objectives are to:*
 - a. *promote development that complements the Downtown Area;*
 - b. *enhance the primary uses, such as the Columbia River Maritime Museum and Columbia Memorial Hospital, and work to redevelop areas such as the former Plywood Mill Site, which have significant development potential;*
 - c. *promote new land uses complementary to the riverfront and existing development, particularly visitor oriented uses and high density housing;*
 - d. *establish visual and physical linkages within and around the Gateway Overlay Area, with special emphasis on the Columbia River riverfront;*
 - e. *create a pedestrian-friendly environment throughout the Gateway Overlay Area through the careful siting of buildings and parking lots, careful consideration of street frontage design, and extension of the Astoria River Trail; and*
 - f. *create investor interest by promoting complementary land uses and quality development in the surrounding area.*
2. *The City will maintain the Gateway Overlay Area plan element of the Comprehensive Plan through its Development Code, including new planning zones and development standards, and through a design review process.*
3. *The City, through its Development Code, will maintain a set of Design Review Guidelines for the Gateway Overlay Area which address the architecture, landscaping, public and private circulation, signs, lighting, and other aspects of the built environment. The*

guidelines are fundamental principles which are applied to specific projects.”

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.”* Policy 2 states *“The City will use the Gateway Master Plan as the guiding document for redevelopment of the Gateway Overlay Area.”*

Finding: The project includes the Gateway Overlay Area. The proposed amendments draw from the existing Gateway Overlay Area Zone (GOZ) standards and guidelines and expands the GOZ to be applicable to the entire Civic Greenway Area from 16th to 41st Streets. The proposed amendments create increased visual and physical linkages along the Columbia River with limitation on development and special siting standards for buildings and landscaping. The proposed amendments include additional architectural design, landscaping, lighting, and circulation, etc. consistent with the GOZ and Uppertown and Downtown areas.

7. CP.020.9, Community Growth - Plan Strategy, states *“The Buildable Lands Inventory completed in April 2011 identified a deficit of 15.54 net acres of residential buildable lands. In order to address this deficit, OAR 660-24-0050 requires that the City amend the Plan to satisfy the need deficiency, either by increasing the development capacity of land already inside the boundary or by expanding the UGB, or both.”*

Finding: The City conducted a Buildable Lands Inventory which was adopted in 2011. The report states that *“A comparison of need and supply of industrial and other employment lands indicates an overall surplus of approximately 6.7 acres of employment land. While there is sufficient land for industrial uses (27.8 acre surplus), there is a deficit of land zoned for commercial and particularly retail use. However, a portion of the land identified as “Other” can accommodate specific commercial, industrial, and high-density residential development and help meet the need for additional commercial land.”* With other recent amendments to rezone properties, there is an overall deficit of Residential land of 15.84 acres and an excess of Employment land of 7.1 acres. This includes a deficit of 20.7 acres for Commercial and excess of 27.8 acres for Industrial lands.

The area proposed to be rezoned from C-3 (General Commercial) to CR (Compact Residential) is approximately 4.7 acres. Much of the land is currently developed leaving approximately 0.84 acres included in the BLI as buildable lands. The proposed map amendment reduces the Employment Total for Commercial Land Supply by approximately 0.84 acres and increases the Residential Land Supply by approximately 0.84 acres. While it will reduce the amount of Commercial land, the overall Employment land would result in an excess of 6.26 acres and it would reduce the overall deficit of Residential land from 15.84 acres to a deficit of 15.0 acres.

Estimated Net Land Surplus/(Deficit) by Zoning Designation, Astoria UGB, 2027				
Growth Scenario	Type of Use	Commercial (Office/Retail)	Industrial/Other	Total
Medium	Land Need	38.2	11.5	49.7
	Land Supply	17.1	39.3	56.4
Surplus/(Deficit)	Surplus/(Deficit)	(21.1)	27.8	6.7
<i>Source: Cogan Owens Cogan</i>				

Estimated Net Land Surplus/(Deficit) by Zoning Designation, Astoria UGB, 2027

Type of Use	R1	R2	R3	AH-MP	Total
Land Need	115.4	51.2	67.0	2.7	236.3*
Land Supply	25.20	74.99	119.18	1.49	220.86
Surplus/(Deficit)	(90.20)	23.79	52.18	(1.21)	(15.44)*

Source: Wingard Planning & Development Services

** Note: Scrivener's Error in actual figure. BLI shows 236.4 and (15.54) but should be 236.3 and (15.44).*

The proposed map amendment would rezone Employment land to Residential land supply thereby addressing the overall deficit of available Residential buildable land.

8. 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.

9. CP.175 (F) Unnertown / 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."*

Shorelands are designated Development, except for the Water-Dependent Development site west of Alderbrook Cove between 35th and 41st Streets."

Finding: The proposed amendments do not change the zoning in the aquatic areas. The area between 30th and 32nd Streets is zoned C-3 and is not a shoreland designation.

10. 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 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 Civic Greenway Area was identified as an area to allow more visual and public access than the more developed areas to the west (Bridge Vista and Urban Core). The proposed building and landscaping setback and stepbacks create wider view corridors from Marine Drive / Lief Erikson Drive. The proposed implementation of the RVP will allow for limited development of maritime related facilities while protecting public visual and physical access

to the River. The proposed amendment would limit the size, height, and location of development to minimize the impact on public access.

11. 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 proposed amendment allows for minimal over water development and encourages 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

12. CP.204(3 & 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 historic Uppertown area and that is compatible with the existing development within the area. 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 of these buildings. The code would also protect the scenic views of the Columbia River waterfront with standards for height, design, and location of development. It establishes design standards that would protect historic neighborhoods and the many scenic views that bring visitors to the community.

13. CP.218 (1) Housing Element, Housing Goals, states *"Provide opportunities for development of a wide variety of housing types and price ranges within the Urban Growth Boundary."*

CP.220, Housing Element, Housing Policies, states

- "1. Maintain attractive and livable residential neighborhoods, for all types of housing. . .*
- 4. Encourage planned unit and clustered developments that preserve open space, reduce infrastructure and construction costs, and promote variety in neighborhoods.*
- 5. Encourage low and moderate income housing throughout the City, not concentrated in one area. . .*

18. *Zone adequate land to meet identified future housing needs for a broad range of housing types, including single-family attached and detached homes, manufactured homes, two-family dwellings, and multi-family dwellings.”*

CP.223, Housing Element, Housing Tools and Actions, states “*Revise zoning requirements to accommodate a variety of housing types as identified in the City’s Housing Needs Analysis.*”

Finding: The request to rezone approximately 4.7 acres of C-3 Zone to CR to accommodate medium density residential development would allow for smaller, compact housing development. The CR Zone and the proposed cottage cluster development standards would establish maximum square footage for the dwellings encouraging homes that would be more affordable. The compact nature of these developments with smaller lot sizes would provide more options for housing types rather than the standard 5,000 square foot minimum lot size for single-family dwellings. This would also reduce the infrastructure costs associated with a traditional subdivision plan. The proposed amendments also allow for an accessory dwelling above the garage area of the cottage cluster development. The proposed rezone would support the goals of the Comprehensive Plan to find alternative ways to address the need for housing identified in the *City’s Housing Needs Analysis*.

14. 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 the public views and vistas in the Civic Greenway Area. The proposed amendments address the design, location, size, height, etc. for development on both the water and land side of the River Trail. Setbacks, building stepbacks, and landscape view corridors are

proposed to allow street end visual access to the River. 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 building size and height, and reduction in allowable uses along the waterfront would protect the waterfront park from incompatible intrusions. The City owns several of the lots within the Civic Greenway Area and there are numerous street ends. These properties would be protected as public access areas.

15. 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 five work sessions over the last year 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 and newspaper articles concerning the draft ordinance:

October 22, 2013 APC
December 3, 2013 APC
December 4, 2013 Daily Astorian article
January 7, 2014 APC
January 28, 2014 APC
February 25, 2014 APC
April 7, 2014 City Council presentation

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, 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 Civic Greenway Area of the River Trail. The proposed amendment limits the allowable development in this area thereby reducing some of the impacts associated with a more intensive development. Most of the area is zoned A-1 (Aquatic One Development) and A-2 (Aquatic Two Development) which have limited allowable development, most of which is maritime related. 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. As noted in Section C.7 above concerning the BLI, 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:*
- a. Satisfy land and water use needs; or*
 - b. Meet transportation demands; or*
 - c. Provide community facilities and services.”*

Finding: As noted in Section C.7 above concerning the BLI, the proposed map amendment will reduce the deficit of Residential lands while maintaining an excess in Employment lands.

The site is located on the north side of and halfway between Marine Drive and the Riverfront. It is currently partially developed with the City Public Works Shops and Bee-Line Roofing yard area. The site fronts the River Trail and the Civic Greenway Area of the Riverfront Vision Plan. Other development in the general area include the Mill Pond and Columbia Landing housing areas, City Police and Fire Station to the west; gas station, veterinary, animal grooming, and Education Service District offices to the south; and Safeway retail store to the east. The developed area to the south facing Marine Drive would remain zoned C-3.

There is a traffic light at 30th 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 following is a comparison of some of the uses for both the existing and proposed zones.

Uses	C-3		CR	
	Outright	CU	Outright	CU
Business Service	X			
Commercial laundry or dry cleaning	X			
Communication service	X			
Construction service	X			
Educational service	X			
Family day care center	X		X	

Uses	C-3		CR	
	Outright	CU	Outright	CU
Day care center		X		X in community building only
Motel, hotel, bed & breakfast, home stay, or other tourist lodging		X		X home stay lodging only
Multi-family dwelling	X			
Personal service	X			
Professional service	X			
Repair service	X			
Retail sales	X			
Single-family and two-family dwelling	X with limitations		X	
Arts & crafts studio			X	
Commercial or public parking lot.	X			
Transportation service		X		
Indoor family entertainment		X		
Temporary use meeting the requirements of Section 3.240		X		X
Animal hospital or kennel		X		
Automotive repair, service, and garage; gas station		X		
Hospital		X		
Light manufacturing; wholesale trade; warehousing		X		
Public or semi-public use	X			X

The zone change to CR Zone will provide for less variety of uses within the approximate 4.7 acre site, decreasing most of the commercial uses while retaining the single and two-family dwelling and associated uses. All of the uses proposed in the CR Zone are currently allowed in the C-3 Zone except for the addition of arts and craft studio. Therefore the traffic impact would be reduced due to the elimination of some of the heavier commercial uses. All City utility services are available to the area. The nature of the traffic would be more private vehicles versus the larger commercial trucks and patron/client vehicles associated with the commercial uses. 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.

The site is relatively flat and there are no designated wetlands.

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 property proposed for rezone is located on Marine Drive between 30th and 32nd Streets. These intersections were not identified in the TSP as having any major concerns. Project D3 identifies "Marine Drive Coordinated Signal Timing Plans" as a project for this area. Bike

lanes are proposed to be enhanced in this general area with Project B48. Project D27 identifies Log Bronc Way, a frontage road parallel to Marine Drive, to be extended from 30th to 32nd Street within the area to be rezoned. Project D31 identifies US Highway 30 Safety Enhancement with the addition of a center turn lane/median between 27th and 33rd Street. Redevelopment of this area for residences would support and be consistent these projects.

Since the area proposed to be zoned CR is accessed from City streets and not directly from the State Highway, ODOT no longer comments on the TPR review. However, ODOT has been included in the draft amendment review process. From the existing TSP and projected traffic volumes and projected uses, it appears that the transportation facilities in this area are sufficient to accommodate the uses allowed in the proposed CR Zone.

V. CONCLUSION AND RECOMMENDATION

The request is consistent with the Comprehensive Plan and Development Code. Staff recommends that the Astoria Planning Commission forward the proposed amendment to the City Council for adoption.

ORDINANCE NO. 14-_____

AN ORDINANCE AMENDING THE ASTORIA LAND USE AND ZONING MAP BY REZONING AN AREA BETWEEN 30TH AND 32ND STREETS AND NORTH OF MARINE DRIVE FROM C-3 (GENERAL COMMERCIAL) TO CR (COMPACT RESIDENTIAL).

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. The 1992 Astoria Land Use and Zoning Map is amended to rezone the following area from C-3 Zone (General Commercial) to CR Zone (Compact Residential) as indicated on the map:

The area from the mid block south of Marine Drive to the trolley/railroad property between 30th and 32nd Streets; Map T8N-R9W Section 9BC, Tax Lots 1000 & 1100; Section 9BD, Tax Lots 800, 901, 1000; Section 9CB, portion of Tax Lots 7700 & 7600; north 75' Lots 1 through 6, Blocks 148 & 149, Shively; unnumbered lots fronting Blocks 148 & 149; 461 32nd Street; portion of 550 30th Street; and portion of 555 31st Street.



Section 2. 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 _____, 2014.

APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2014.

ATTEST:

Mayor

Brett Estes, City Manager Pro Tem

ROLL CALL ON ADOPTION: YEA NAY ABSENT

Commissioner LaMear
 Hertz
 Mellin
 Warr

Mayor Van Dusen

ORDINANCE NO. 14-_____

AN ORDINANCE AMENDING THE ASTORIA DEVELOPMENT CODE PERTAINING TO IMPLEMENTATION OF THE ASTORIA RIVERFRONT VISION PLAN

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Astoria Development Code Sections 2.750 to 2.760 pertaining to Columbia River Estuary Shoreland Overlay District is hereby deleted and renumbered as follows with the text to remain the same:

“CRESO: COLUMBIA RIVER ESTUARY SHORELAND OVERLAY DISTRICT

- 14.500. PURPOSE AND AREAS INCLUDED.
- 14.505. PERMITTED AND CONDITIONAL USES.
- 14.510. DEVELOPMENT STANDARDS AND PROCEDURAL REQUIREMENTS.”

Section *. Astoria Development Code Sections 2.800 to 2.825 pertaining to Flood Hazard Overlay is hereby deleted and renumbered as follows with the text to remain the same:

“FHO: FLOOD HAZARD OVERLAY ZONE

- 14.520. PURPOSE AND OBJECTIVES.
- 14.525. DEFINITIONS.
- 14.530. GENERAL PROVISIONS.
- 14.535. ADMINISTRATION.
- 14.540. GENERAL PROVISIONS FOR FLOOD HAZARD REDUCTION.
- 14.545. SPECIFIC PROVISIONS FOR FLOOD HAZARD REDUCTION.”

Section *. Astoria Development Code Sections 2.890 to 2.920 pertaining to Planned Development Overlay is hereby deleted and renumbered as follows with the text to remain the same:

“PD: PLANNED DEVELOPMENT OVERLAY ZONE

- 14.560. PURPOSE.
- 14.565. PERMITTED BUILDINGS AND USES.
- 14.570. DEVELOPMENT STANDARDS.
- 14.575. PROCEDURE - PRELIMINARY DEVELOPMENT PLAN.
- 14.580. PROCEDURE - FINAL APPROVAL.
- 14.585. MAPPING.
- 14.590. ADHERENCE TO APPROVED PLAN AND MODIFICATION THEREOF.”

Section *. Astoria Development Code Sections 2.930 to 2.940 pertaining to Sensitive Bird Habitat Overlay Zone is hereby deleted and renumbered as follows with the text to remain the same:

“SBHO: SENSITIVE BIRD HABITAT OVERLAY ZONE

- 14.600. PURPOSE AND AREA INCLUDED.
- 14.605. GENERAL PROVISIONS.
- 14.610. USES PERMITTED OUTRIGHT AND CONDITIONAL USES.”

Section *. Astoria Development Code Sections 2.950 to 2.960 pertaining to Management Plan for the Youngs Bay – Brown Creek Great Blue Heron Rookery is hereby deleted and renumbered as follows with the text to remain the same:

“MANAGEMENT PLAN
FOR THE YOUNGS BAY/BROWN CREEK GREAT BLUE HERON ROOKERY

- 14.620. DEFINITIONS.
- 14.625. BACKGROUND SUMMARY.
- 14.630. DEVELOPMENT STANDARDS AND PROCEDURAL REQUIREMENTS.”

Section *. Astoria Development Code Sections 14.040 to 14.070 pertaining to Maritime Heritage Zone is hereby deleted and renumbered as follows with the text to remain the same:

“MH: MARITIME HERITAGE ZONE

- 2.890. PURPOSE.
- 2.892. USES PERMITTED OUTRIGHT.
- 2.894. CONDITIONAL USES PERMITTED.
- 2.896. LOT COVERAGE.
- 2.898. LANDSCAPED OPEN AREA.
- 2.900. HEIGHT OF STRUCTURES.
- 2.902. OTHER APPLICABLE USE STANDARDS.”

Section *. Astoria Development Code Sections 14.075 to 14.105 pertaining to Family Activities Zone is hereby deleted and renumbered as follows with the text to remain the same:

“FA: FAMILY ACTIVITIES ZONE

- 2.904. PURPOSE.
- 2.906. USES PERMITTED OUTRIGHT.
- 2.908. CONDITIONAL USES PERMITTED.
- 2.910. LOT COVERAGE.
- 2.912. LANDSCAPED OPEN AREA.
- 2.914. HEIGHT OF STRUCTURES.
- 2.916. OTHER APPLICABLE USE STANDARDS.”

Section *. Astoria Development Code Sections 14.110 to 14.150 pertaining to Attached Housing – Health Care Zone is hereby deleted and renumbered as follows with the text to remain the same:

“AH-HC: ATTACHED HOUSING/HEALTH CARE ZONE

- 2.918. PURPOSE.
- 2.920. USES PERMITTED OUTRIGHT.
- 2.922. CONDITIONAL USES PERMITTED.
- 2.924. YARDS.
- 2.926. DENSITY.
- 2.928. LOT COVERAGE.
- 2.930. LANDSCAPED OPEN AREA.
- 2.932. HEIGHT OF STRUCTURES.
- 2.934. OTHER APPLICABLE USE STANDARDS.”

Section *. Astoria Development Code Sections 14.155 to 14.185 pertaining to Health Care Zone is hereby deleted and renumbered as follows with the text to remain the same:

“HC: HEALTH CARE ZONE

- 2.936. PURPOSE.
- 2.938. USES PERMITTED OUTRIGHT.
- 2.940. CONDITIONAL USES PERMITTED.
- 2.942. LOT COVERAGE.
- 2.944. LANDSCAPED OPEN AREA.
- 2.946. HEIGHT OF STRUCTURES.
- 2.948. OTHER APPLICABLE USE STANDARDS.”

Section *. Astoria Development Code Sections 14.190 to 14.225 pertaining to Education-Research-Health Care Campus Zone is hereby deleted and renumbered as follows with the text to remain the same:

“CA: EDUCATION/RESEARCH/HEALTH CARE CAMPUS ZONE

- 2.950. PURPOSE.
- 2.952. USES PERMITTED OUTRIGHT.
- 2.954. CONDITIONAL USES PERMITTED.
- 2.956. LOT SIZE.
- 2.958. LOT COVERAGE.
- 2.960. LANDSCAPED OPEN AREA.
- 2.962. HEIGHT OF STRUCTURES.
- 2.964. OTHER APPLICABLE USE STANDARDS.”

Section *. Astoria Development Code Sections 14.230 to 14.260 pertaining to Hospitality-Recreation Zone is hereby deleted and renumbered as follows with the text to remain the same:

“HR: HOSPITALITY/RECREATION

- 2.966. PURPOSE.
- 2.967. USES PERMITTED OUTRIGHT.
- 2.968. CONDITIONAL USES PERMITTED.

- 2.969. LOT COVERAGE.
- 2.970. LANDSCAPED OPEN AREA.
- 2.971. HEIGHT OF STRUCTURES.
- 2.972. OTHER APPLICABLE USE STANDARDS.”

Section *. Astoria Development Code Sections 14.265 to 14.295 pertaining to Local Service Zone is hereby deleted and renumbered as follows with the text to remain the same:

“LS: LOCAL SERVICE

- 2.975. PURPOSE.
- 2.976. USES PERMITTED OUTRIGHT.
- 2.977. CONDITIONAL USES PERMITTED.
- 2.978. LOT COVERAGE.
- 2.979. LANDSCAPED OPEN AREA.
- 2.980. HEIGHT OF STRUCTURES.
- 2.981. OTHER APPLICABLE USE STANDARDS.”

Section *. Astoria Development Code Sections 14.300 to 14.340 pertaining to Attached Housing – Mill Pond Zone is hereby deleted and renumbered as follows with the text to remain the same:

“AH-MP: ATTACHED HOUSING/MILL POND

- 2.984. PURPOSE.
- 2.985. USES PERMITTED OUTRIGHT.
- 2.986. CONDITIONAL USES PERMITTED.
- 2.987. YARDS.
- 2.988. DENSITY.
- 2.990. LANDSCAPED OPEN AREA.
- 2.991. HEIGHT OF STRUCTURES.
- 2.992. OTHER APPLICABLE USE STANDARDS.”

Section *. Section 2.965 pertaining to Gateway Overlay Area Zones is deleted in its entirety.

Section *. Section 1.400 pertaining to Definitions is amended by the addition to read as follows:

“ACCESSORY STRUCTURE IN A COTTAGE CLUSTER DEVELOPMENT: Includes shared accessory structures such as parking or storage buildings; and individual accessory structures such as garages attached to cottages, which may not face the common open space.”

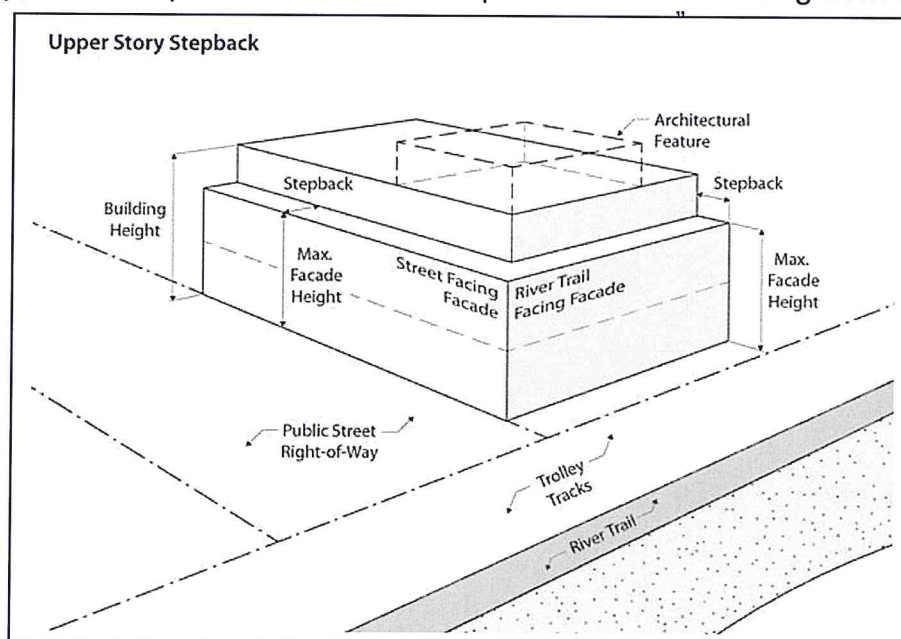
“CARRIAGE HOUSE DWELLING UNIT: A dwelling unit on the second floor of a common parking structure.”

“COMMON OPEN SPACE: An area improved for recreational use or gardening that all owners in the development own and maintain in common through a homeowner’s association, condominium association, or similar mechanism.”

“COTTAGE: A detached, site-built, single-family or two-family dwelling unit that is part of a cottage cluster development.”

“COTTAGE CLUSTER: A group of four (4) to 12 cottages, arranged around a common open space.”

“STEPBACK: Building stepbacks are stepped or progressive recessions in a building’s face as the building rises higher. Stepbacks are designed to reduce building mass to allow views around the building from above and/or from a distance, to allow more light down to the adjacent rights-of-way, and to improve the aesthetic experience of the building from adjacent rights-of-way.



Section *. Section 2.200 through 2.235 pertaining to Compact Residential Zone is added to read as follows:

“CR: COMPACT RESIDENTIAL ZONE

2.200. PURPOSE.

The purpose of the Compact Residential (CR) Zone is to provide opportunities for modest scale residential development, including single-family homes on smaller lots, two-family homes, and cottage cluster development, incorporating open space between homes and with a strong orientation to the Columbia River and adjacent commercial and other residential areas.

2.205. USES PERMITTED OUTRIGHT.

The following uses and their accessory uses are permitted in this CR Zone if the Community Development Director determines that the uses will not violate standards referred to in Sections 2.215 through 2.230, additional Development Code provisions, the Comprehensive Plan, and other City laws:

1. Arts and crafts studio.
2. Family day care center.
3. Home occupation, which satisfies the requirements of Section 3.095.
4. Single-family dwelling.
5. Two-family dwelling.
6. Carriage house dwelling, meeting the requirements of Section 3.050.
7. Cottage cluster development meeting the requirements of Section 3.050.
8. Residential home.

2.210. CONDITIONAL USES PERMITTED.

The following uses and their accessory uses are permitted in the CR Zone if the Planning Commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in Sections 2.215 through 2.230, additional Development Code provisions, the Comprehensive Plan, and other City laws:

1. Day care center, only in the community building of a cottage cluster development meeting the requirements of Section 3.050.
2. Home stay lodging.
3. Public or semi-public use.
4. Temporary use meeting the requirements of Section 3.240.

2.215. SETBACKS.

Uses in the CR Zone will comply with the following minimum setback requirements or the setback requirements of applicable overlay zones, whichever requirements are greater.

1. The minimum front setback shall be 10 feet. Front steps are permitted to encroach into front setbacks.
2. The minimum side setback shall be five (5) feet, except on corner lots where the side setback on the street side shall be a minimum of 10 feet.

3. The minimum rear setback shall be 15 feet, except on corner lots where the rear setback shall be a minimum of five (5) feet.
4. Uses in the CR Zone that are part of a cottage cluster development will comply with the setback requirements in Section 3.050.

2.220. LOT SIZE AND DENSITY.

Uses in the CR Zone shall meet the following lot size requirements that are applicable to the particular use:

1. The minimum lot size for a single-family dwelling is 2,500 square feet. The maximum lot size for a single-family dwelling is 4,000 square feet.
2. The minimum lot size for a two-family dwelling is 4,000 square feet. The maximum lot size for a two-family dwelling is 6,000 square feet.
3. Uses in the CR Zone that are part of a cottage cluster development shall have a maximum density of 24 units/acre.

2.220. BUILDING SIZE.

Buildings in the CR zone shall meet the following building footprint and floor area requirements.

1. The maximum footprint for a primary building is 1,000 square feet. The maximum footprint for a dwelling unit and a garage is 1,400 square feet.
2. The maximum gross floor area for a primary building is 1,800 square feet.
3. Uses in the CR Zone that are part of a cottage cluster development are subject to the building size requirements in Section 3.050.

2.225. LANDSCAPED OPEN AREA.

1. Minimum landscaping for individual lots in the CR Zone shall be 20%, except for cottage cluster development.
2. Cottage cluster development shall be subject to common open space and private open space requirements in Section 3.050.
3. All landscaping shall meet the requirements of Sections 3.105 through 3.120 and applicable overlay zones.

2.230. HEIGHT OF STRUCTURES.

No structure will exceed a height of 28 feet above grade, except where applicable overlay zones allow otherwise.

2.235. OTHER APPLICABLE STANDARDS.

1. Access to garages, carports, or other parking areas shall be from an alley or from the street adjacent to the side yard of a corner lot. Driveways shall have a minimum depth of 16 feet.
2. Outdoor storage areas will be enclosed by appropriate vegetation, fencing, or walls.
3. All uses will comply with access, parking, and loading standards in Article 7, with the following exceptions:
 - a. Parking requirement for single-family, two-family, and carriage house dwelling units shall have at least:
 - 1) one parking space for each unit with a gross floor area of 700 feet or less (rounded up to the nearest whole number);
 - 2) 1.5 parking spaces for each unit with a gross floor area of 701 square feet or more (rounded up to the nearest whole number).
 - b. Parking in the CR Zone is permitted on a separate lot provided it is within 100 feet of the development. An easement or other acceptable document shall be recorded to assure that the separate lot for parking remains with the units it services.
4. Where feasible, joint access points and parking facilities for more than one use should be established.
5. Access drives and parking areas should be located on side streets or non-arterial streets.
6. Conditional uses will meet the requirements in Article 11.
7. Signs will comply with requirements in Article 8 and specifically, residential uses will comply with the specific regulations in Section 8.160.
8. All structures will have storm drainage facilities that are channeled into the public storm drainage system or a natural drainage system approved by the City Engineer. Developments affecting natural drainage shall be approved by the City Engineer.

9. Where new development is within 100 feet of a known landslide hazard, a site investigation report will be prepared by a registered geologist. Recommendations contained in the site report will be incorporated into the building plans.
10. All uses will comply with the requirements of applicable overlay zones."

Section *. Section 14.035 through 14.065 pertaining to Civic Greenway Overlay Zone is added to read as follows:

"CGO: CIVIC GREENWAY OVERLAY ZONE

14.035. PURPOSE.

The purpose of the Civic Greenway Overlay Zone is to implement the land use principles of the Astoria Riverfront Vision Plan, dated December 2009, as they pertain to the Civic Greenway Plan Area. The Civic Greenway Overlay (CGO) Zone is intended to protect views of and access to the Columbia River, provide for an enhance open space and landscaping, support water-dependent uses consistent with Astoria's working waterfront, and encourage modest scale housing in areas recommended for residential use. The CGO Zone extends from approximately 16th Street to 41st Street and between Marine Drive and the Columbia River as depicted on the City's Zoning Map.

14.040. APPLICABILITY AND REVIEW PROCEDURES.

The provisions of the Civic 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 Section.

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

A. Residential Development.

Applications may be reviewed administratively subject to the Design Review Standards in Section 14.065 or through the public design review process subject to the Design Review Guidelines in Section 14.025.

B. Non-Residential and Mixed Use Development.

Applications shall be reviewed through the public design review process subject to the Design Review Guidelines in Section 14.025.

14.045 USES PERMITTED OUTRIGHT.

The following uses and activities and their accessory uses and activities are permitted in the Civic Greenway Overlay Zone, subject to the other appropriate development provisions of this Section.

1. Small boat building and repair.
2. Water-dependent facilities including dock, moorage, pier, terminal, transfer facility and marina for commercial and recreational marine craft, for passengers, or for waterborne commerce.
3. Public pier.
4. Public use in conjunction with the Columbia River Maritime Museum.
5. Navigational structure.
6. Shoreline stabilization.
7. Flowlane disposal of dredged material.
8. Pipeline, cable, and utility crossing.
9. Storm water and treated wastewater outfall.
10. Communication facility.
11. Temporary dike for emergency flood protection limited to 60 days subject to State and Federal requirements.
12. New dike construction.
13. Maintenance and repair of existing structure or facility.
14. Dredging and filling, pursuant to the applicable standards in Section 4.050 and 4.070, for any of the permitted uses 1 through 10 listed above.
15. The following water-related commercial and industrial uses:
 - a. Boat and/or marine equipment sales;
 - b. Fish or shellfish retail or wholesale outlet;
 - c. Charter fishing office;
 - d. Sports fish cleaning, smoking, or canning establishment;
 - e. Retail trade facility for the sale of products such as ice, bait, tackle, gasoline or other products incidental to or used in conjunction with a water-dependent use;
 - f. Eating and drinking establishment that provides a view of the waterfront, and that is in conjunction with an associated water-dependent use such as a marina or seafood processing plant;

- g. Cold storage and/or ice-processing facility independent of seafood processing facility.
- 16. Navigation aid.
- 17. Piling and pile supported structure as necessary for any of the permitted uses 1 through 16 listed above, or as necessary for any use permitted in the adjacent shoreland.

14.050. CONDITIONAL USES PERMITTED.

The following uses and activities and their accessory uses and activities are permitted in the Civic Greenway Overlay Zone as Conditional Uses when authorized in accordance with Article 11, Conditional Uses. These uses and activities are also subject to the other appropriate development provisions of this Section. It must also be shown that these uses and activities are consistent with the purpose of the Civic Greenway Overlay Zone.

- 1. Active restoration.
- 2. Bridge crossing and bridge crossing support structure.
- 3. Water-dependent or water-related recreational use not listed elsewhere in this zone.
- 4. A use for which an exception to the Estuarine Resources Goal has been adopted as an amendment to the Astoria Comprehensive Plan.
- 5. Fill in conjunction with any of the conditional uses 1 through 4 listed above pursuant to the applicable standards in Section 4.050.
- 6. Dredging and filling, pursuant to the applicable standards in Section 4.050 and 4.070, for any of the conditional uses 1 through 5 listed above.
- 7. Dredged material disposal at sites designated for dredged material disposal in the Comprehensive Plan.
- 8. Dredged material disposal at sites not designated for dredged material disposal in the Comprehensive Plan, provided the dredged material is utilized as a source of fill material for an approved fill project.
- 9. Water-related commercial or industrial use other than those listed under Section 14.045(15) of this zone.
- 10. Piling as necessary for any of the conditional uses 1 through 9 listed above.
- 11. Temporary use meeting the requirements of Section 3.240.

12. Non-water dependent and non-water related uses may be located in existing, under-utilized buildings provided the use does not preclude future water-dependent or water-related uses.

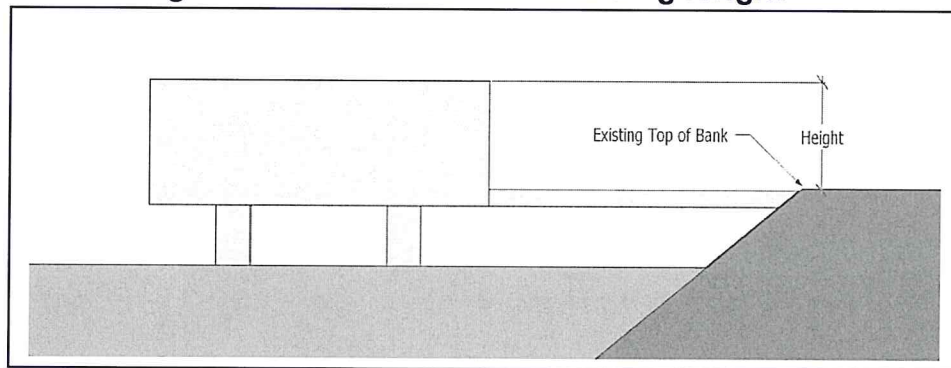
14.055. STANDARDS FOR OVERWATER DEVELOPMENT.

The following development standards apply to overwater development in the Civic Greenway Overlay Zone. In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control.

A. Height.

Maximum building height is one story, with a maximum of 12 feet above the top of the existing adjacent riverbank.

Figure 14.055-1: Maximum Building Height



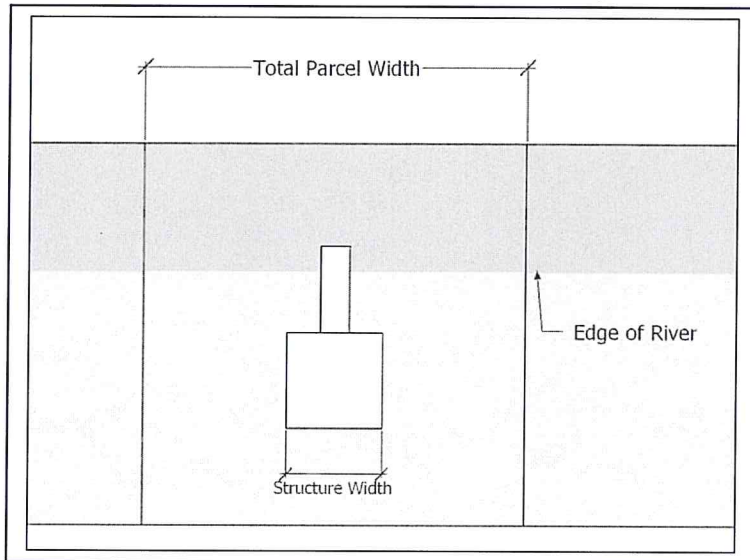
B. Size.

The maximum gross floor area of enclosed structures is 4,000 square feet.

C. Width.

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

Figure 14.055-2: Maximum Building Width



D. Access to the Columbia River.

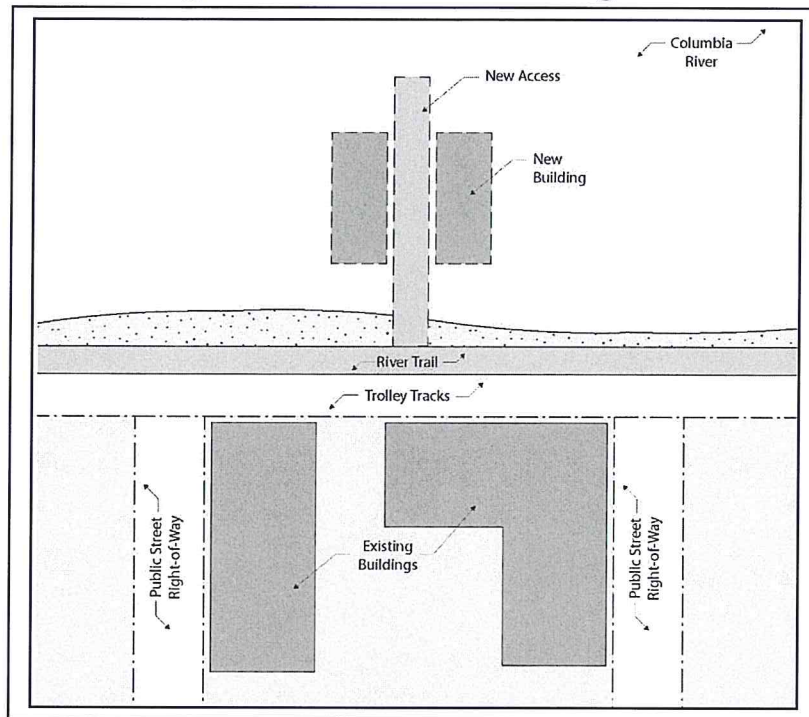
Access to the River shall be provided using piers and/or walkways as part of new construction and major renovations to structures constructed after the year 2013, where major renovation is defined as construction and alterations only to building exteriors valued at 75% or more of the assessed value of the existing structure.

Piers and walkways shall be constructed in accordance with Access Design A, Access Design B, or Access Design C, as shown and described below.

1. Access Design A - "Mid-Site Access".

This access design shall be provided in a public access easement provided through the middle of the development or structure.

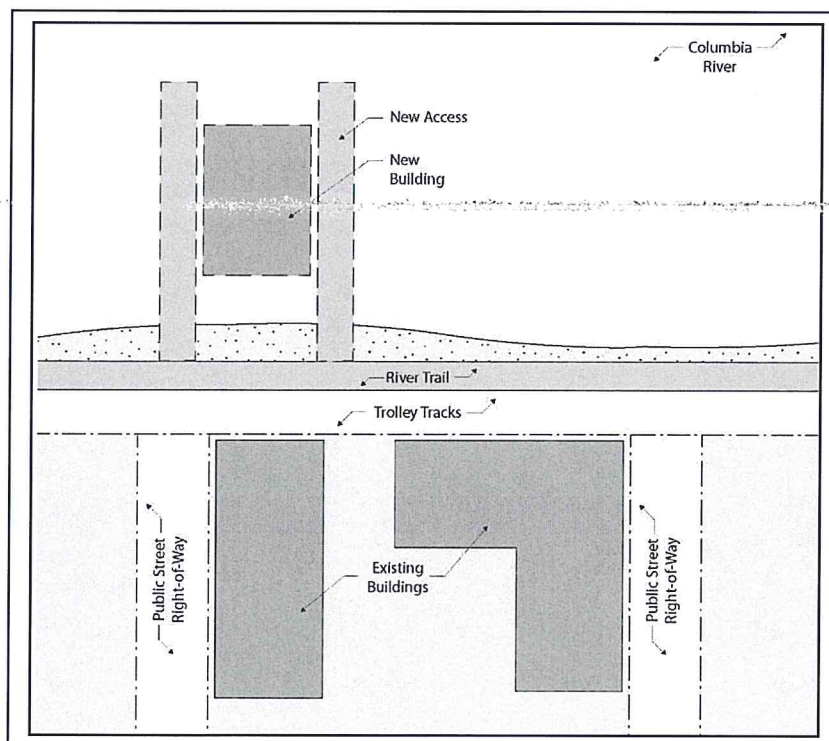
Figure 14.055-3: Access Design A



2. Access Design B - "Viewpoints".

This access design shall be provided through either existing right-of-way, right-of-way that is created and dedicated to the City, or a public access easement.

Figure 14.055-4: Access Design B



3. Access Design C – “Trail Extension”.

This access design serves as an extension of the River Trail and shall be provided through either existing right-of-way, right-of-way that is created and dedicated to the City, or easements for the piers on the east and west sides of the development. The boardwalk along the north side of the development shall be provided in a public access easement. *[Note: Two possible scenarios are illustrated in the following figures for this option.]*

Figure 14. 055-5: Access Design C.1

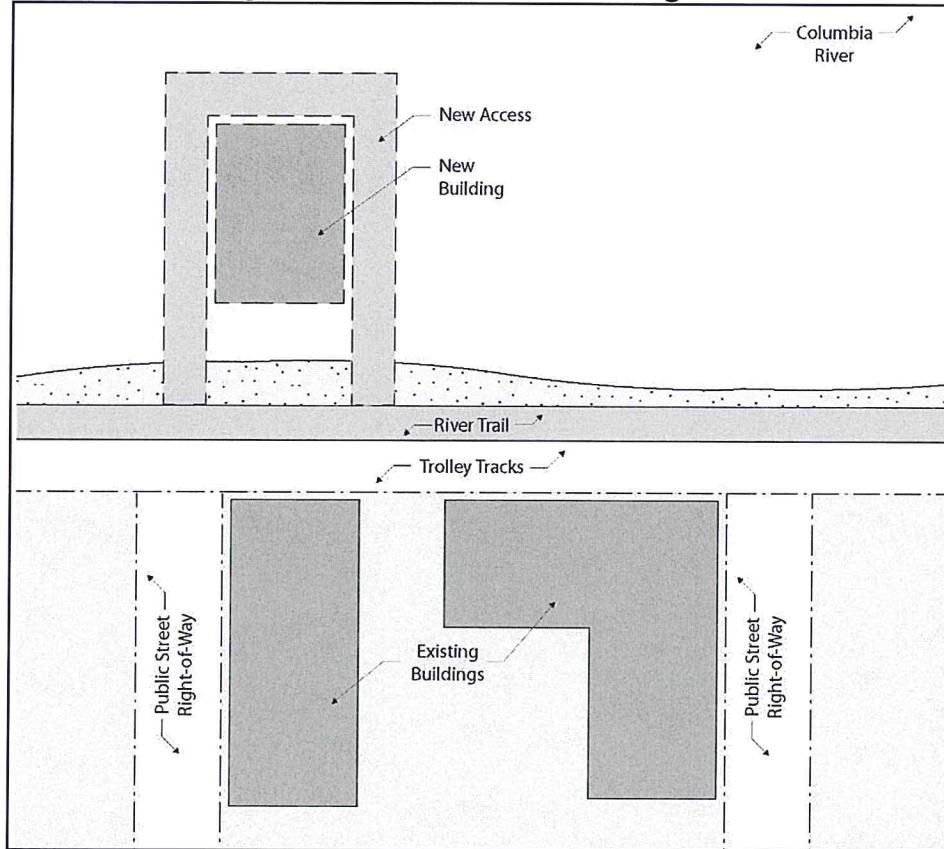
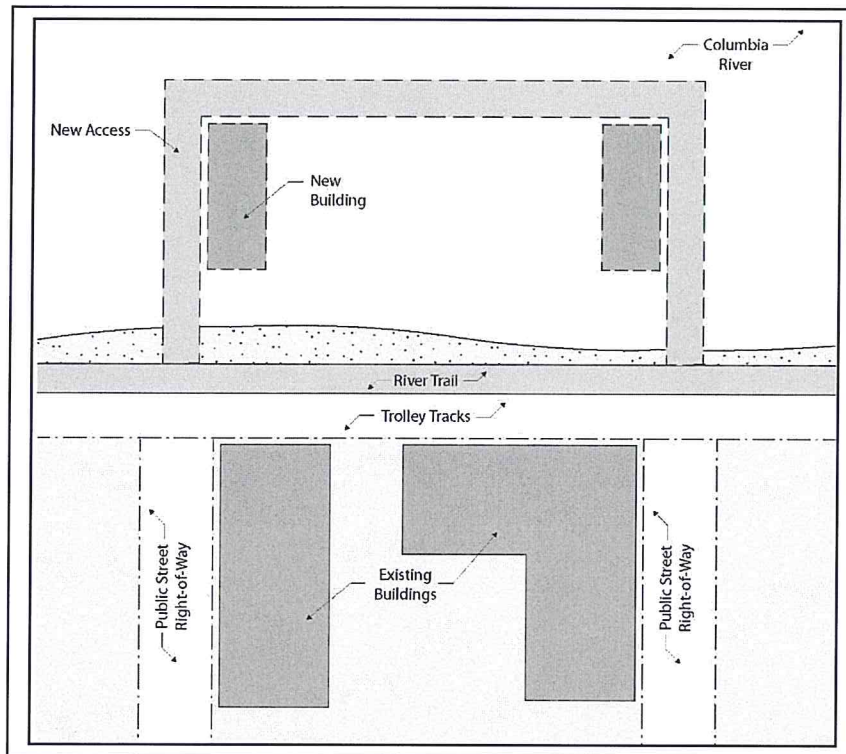


Figure 14.055-6: Access Design C.2



4. Pier and Walkway Width.

Minimum pier and walkway width is 10 feet if one side of the pier or walkway is developed with overwater structures. Minimum pier and walkway width is 14 feet if both sides of the pier or walkway are developed with overwater structures.

5. Pier and Walkway Length.

Piers and walkways shall extend beyond the north face of the overwater development a minimum length of 10 feet to ensure that the river is visible beyond the adjacent structure(s).

6. Hours of Access.

Access on overwater piers and walkways may be restricted during hours specified in City Code Section 5.926 to 5.928.

7. Maintenance Responsibility.

Responsibility for maintenance of the piers and walkway shall be established through a recorded maintenance agreement acceptable to the City.

E. Other Development Standards.

The Other Applicable Use Standards of the Gateway Overlay Zones (MH, FA, CA, HC, AH-HC, HR, LS, AH-MP) do not apply to overwater development in the Civic Greenway Overlay Zone.

14.060. STANDARDS FOR ON-LAND DEVELOPMENT.

The following development standards apply to on-land development in the Civic Greenway Overlay Zone. In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control.

A. Height.

1. Maximum building height is 28 feet.
2. Building height up to 35 feet is permitted when building stories above 28 feet are stepped back at least 10 feet in accordance with Section 14.060(C)(2).
3. Exceptions to building height restrictions may be granted through provisions in Section 3.075.

B. Setbacks.

A minimum view corridor width of 70 feet, centered on the right-of-way centerline, shall be provided on north-south rights-of-way between Marine Drive/Lief Erikson Drive and the Columbia River. Buildings shall be set back in order to achieve the 70-foot view corridor.

C. Stepbacks.

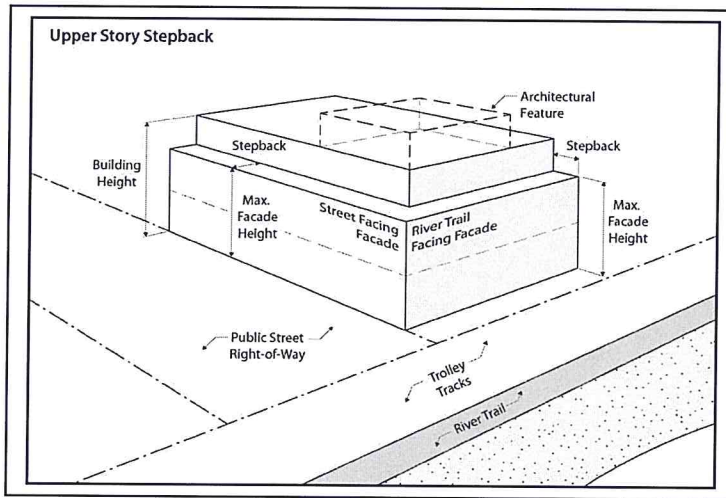
1. Purpose.

The purpose of a stepback is to allow for less obstructed views from above the building and to create a less imposing building scale as viewed from the street or parallel/adjacent trail. A stepback is also designed to allow more light down to the adjacent or fronting street, sidewalk, or trail.

2. Additional Building Height.

Where the height of a building or building addition is proposed to exceed 28 feet, at least that portion of the building exceeding 28 feet, shall provide a stepback of at least 10 feet from the front plane of the proposed building or building addition that faces the street or the River Trail.

Figure 14.060-1: Building Stepbacks



14.065. RESIDENTIAL DESIGN STANDARDS.

A. Residential Design.

Residential development proposed in the Civic Greenway Overlay Zone may be reviewed in accordance with one of two review options: (1) pursuant to design review procedures and the design review guidelines applicable to all building types established in Article 14; or (2) pursuant to procedures for administrative review by the Community Development Director established in Article 9 and the following design review standards for residential development.

The following design standards apply to the administrative review of residential development and apply to all dwelling unit types (single-family, two-family, and multi-family dwelling unit buildings), unless specified otherwise.

1. Building Forms.

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

Figure 14.065-1: Residential Building Form

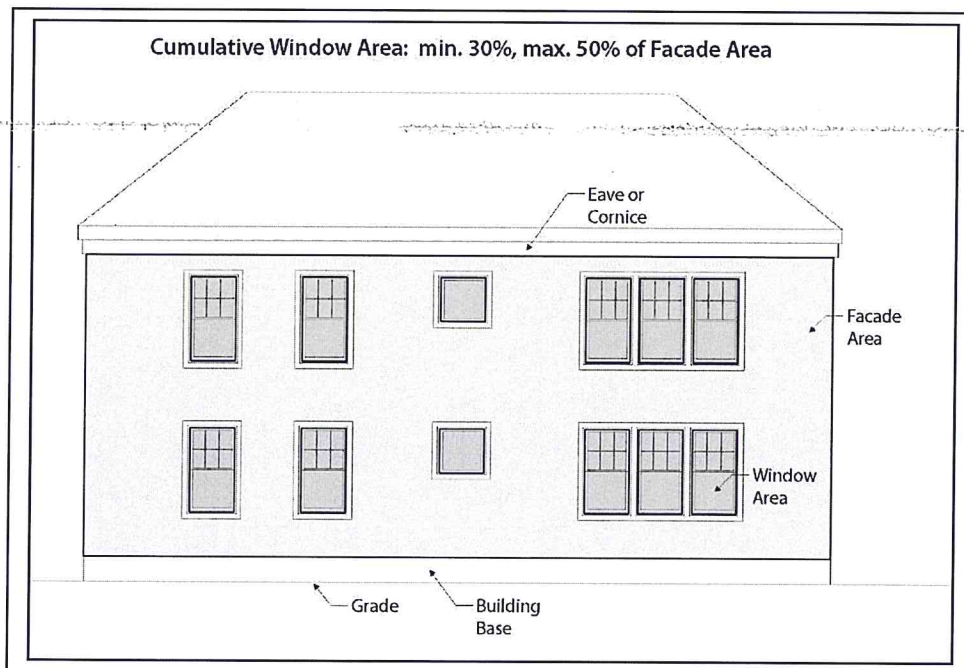


2. Window Design.

The following design standards apply to all façades for all dwelling unit types.

- 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.

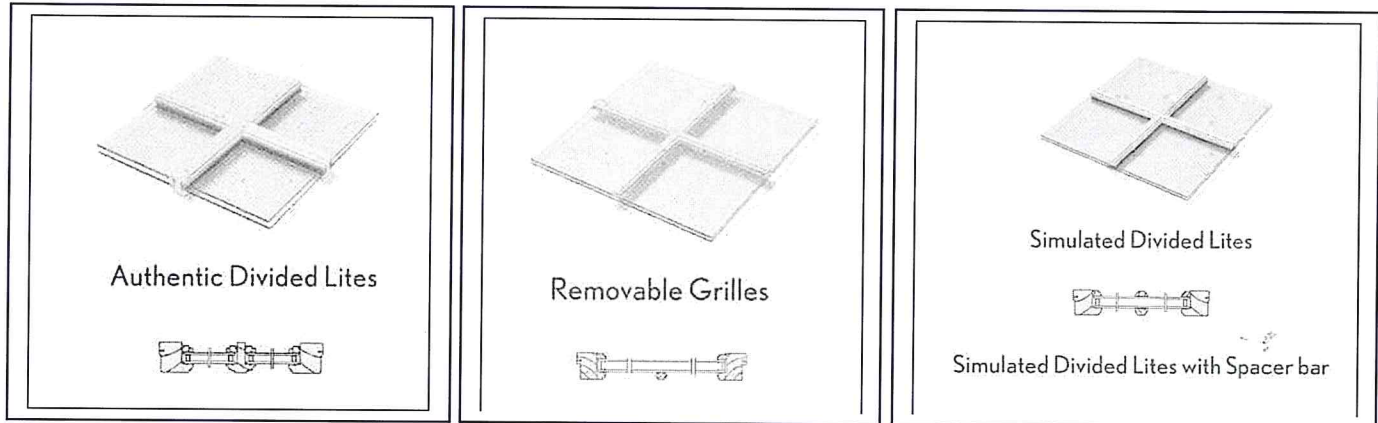
Figure 14.065-2: Window Area



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.

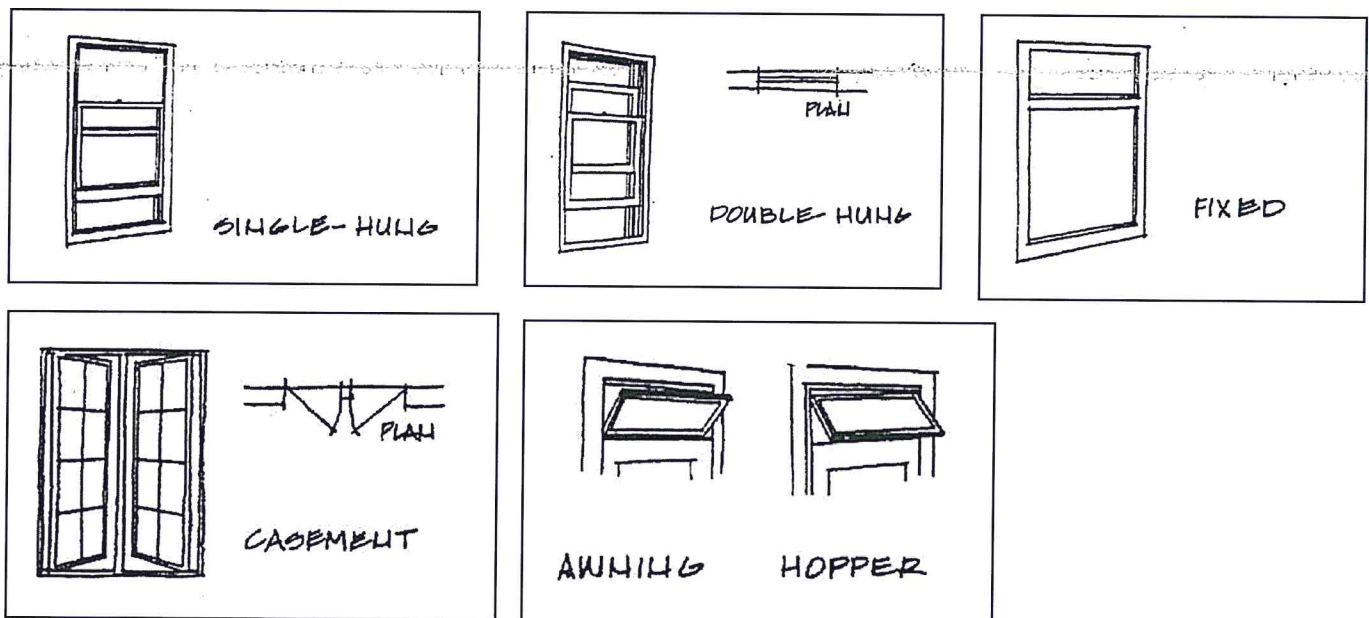
Figure 14.065-3: Window Lites



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 14.065-4: Fixed and Opening Windows

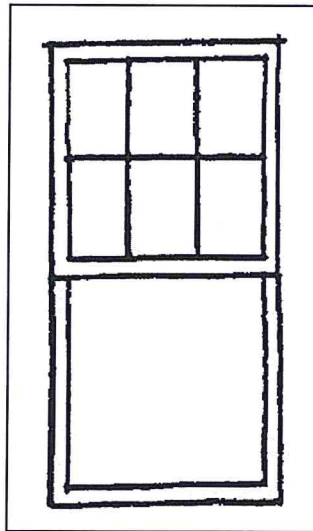


e. Window shape. Window shape shall be one of the following:

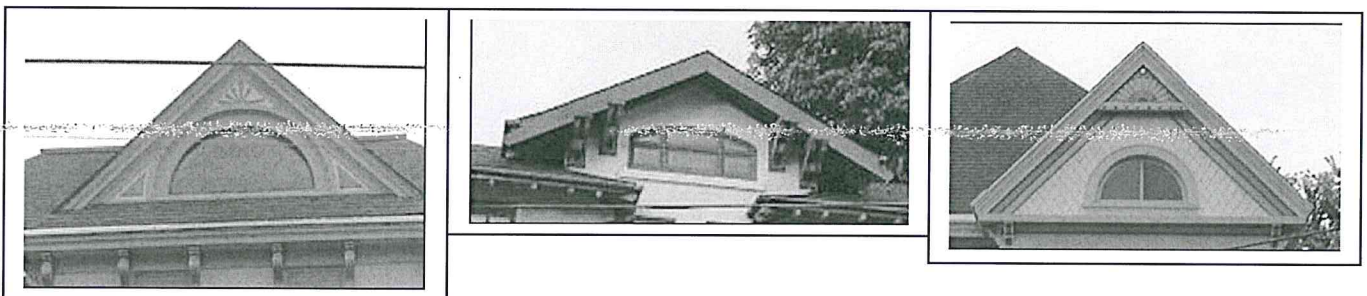
- 1) Vertical rectangle; or
- 2) Square.
- 3) Arched or decorative windows are permitted but should not exceed more than 30% of the total window coverage on all facades of the building.

Figure 14.065-5: Window Shapes

Vertical rectangular window



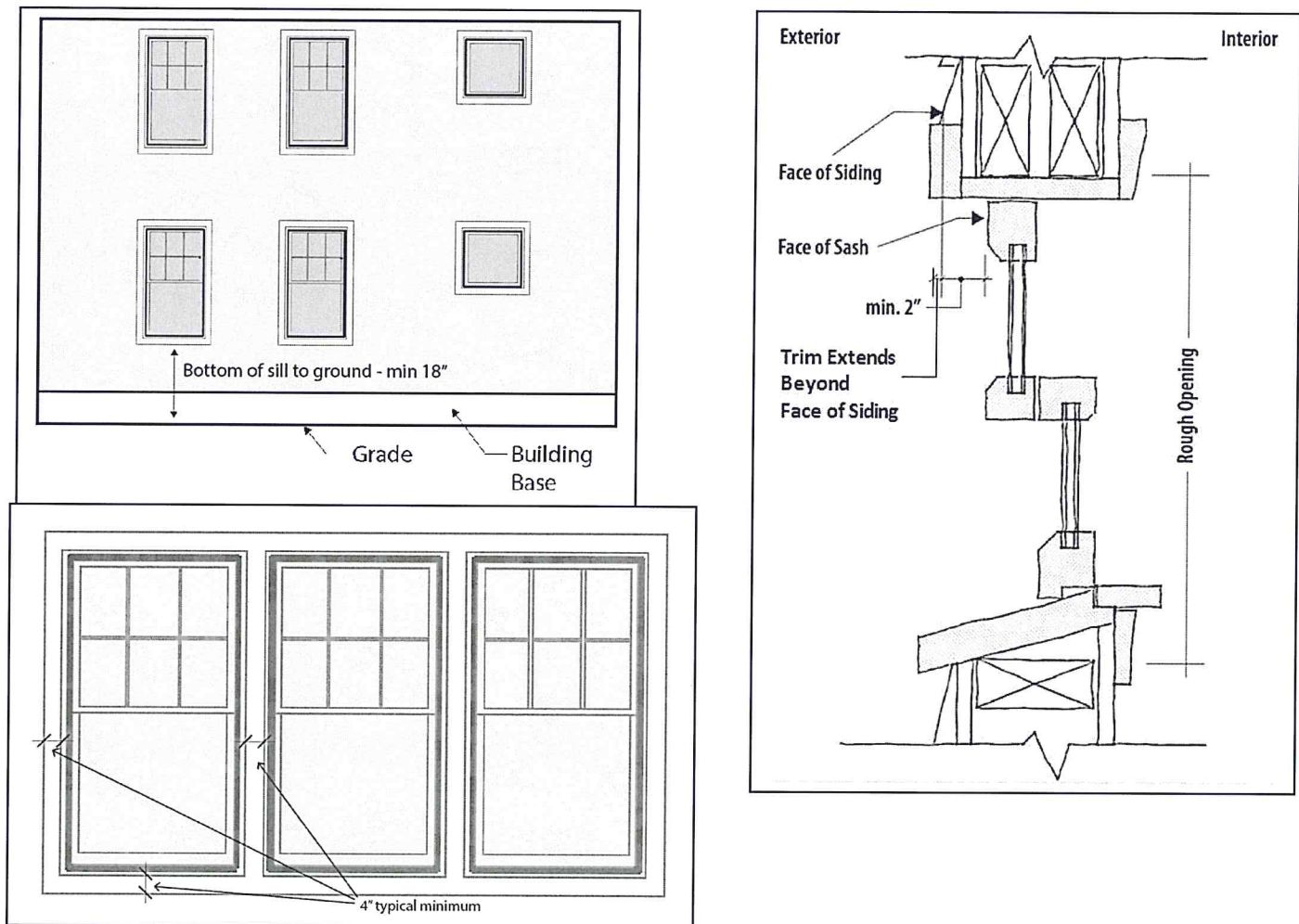
Examples of arched or decorative windows



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.
- 3) The bottom of the sill shall be a minimum of 18 inches above the ground or floor elevation.

Figure 14.065-6: Window Detailing – Trim and casement location and dimensions

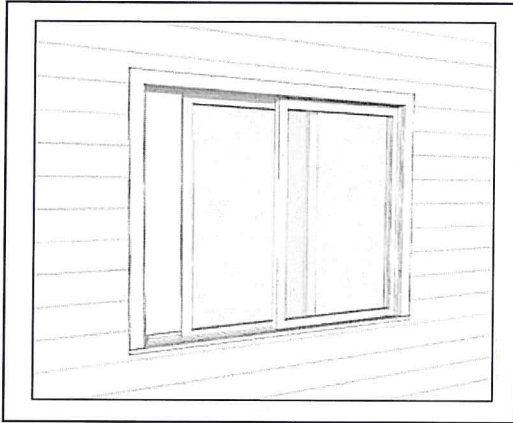


g. Window design prohibited. The follow window design features are prohibited.

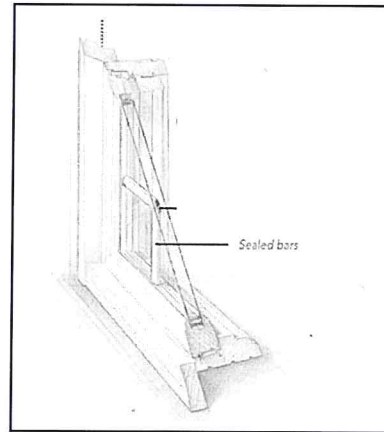
- 1) Applied muntins that have no profile.
- 2) Smoked, tinted, or frosted glass, except for bathroom windows not on the street-facing facade.
- 3) Mirrored glass.
- 4) Horizontal sliding windows.
- 5) Aluminum frame windows.

Figure 14.065-7: Window Design Prohibited

Horizontal sliding window



Muntins with no profile

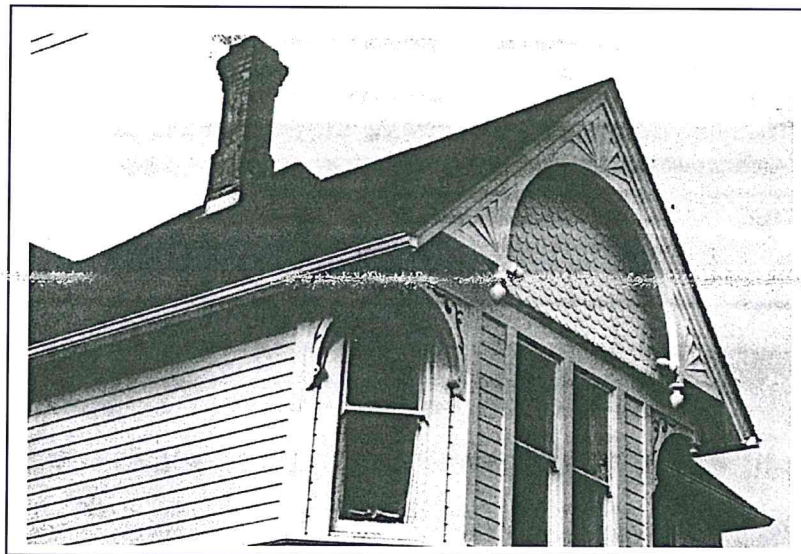
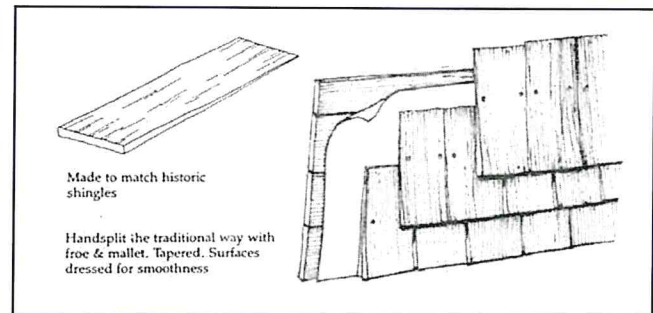
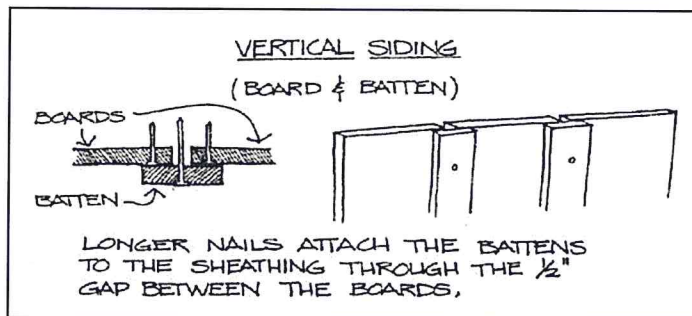
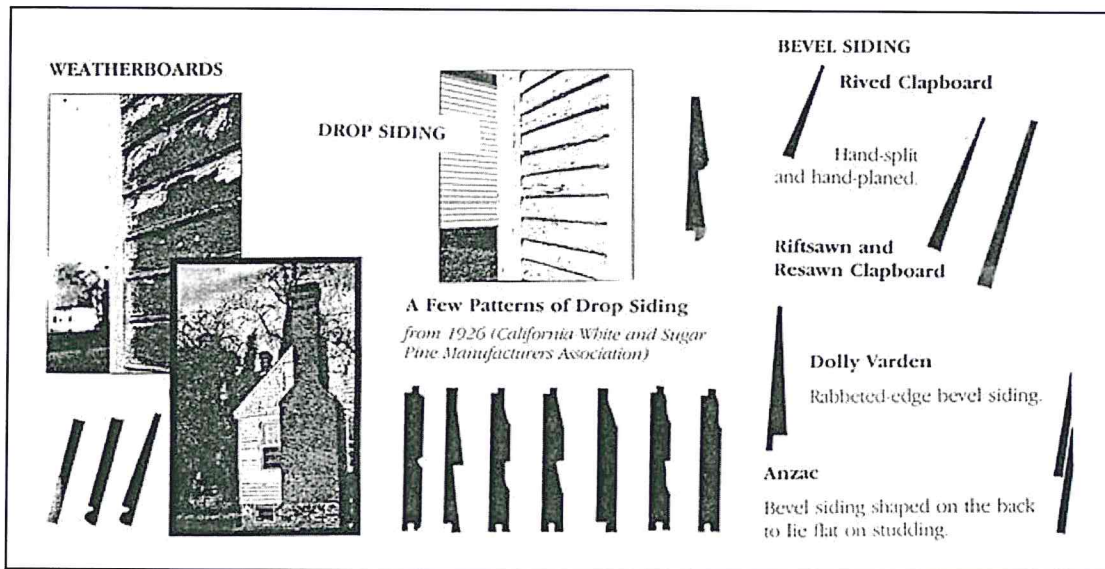


3. Exterior Wall Treatments and Materials.

The following design standards apply to all dwelling unit types.

- 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
 - 5) Decorative wood shingle; 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 14.065-8: 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 façade. Horizontal seams shall be covered by a trim board or cornice piece.

Figure 14.065-9: Exterior Walls – Seam Treatment

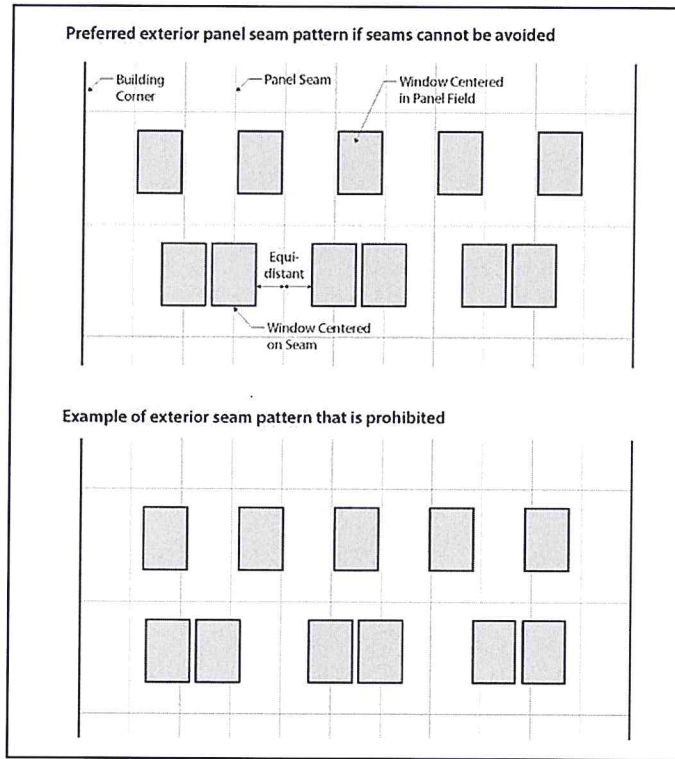
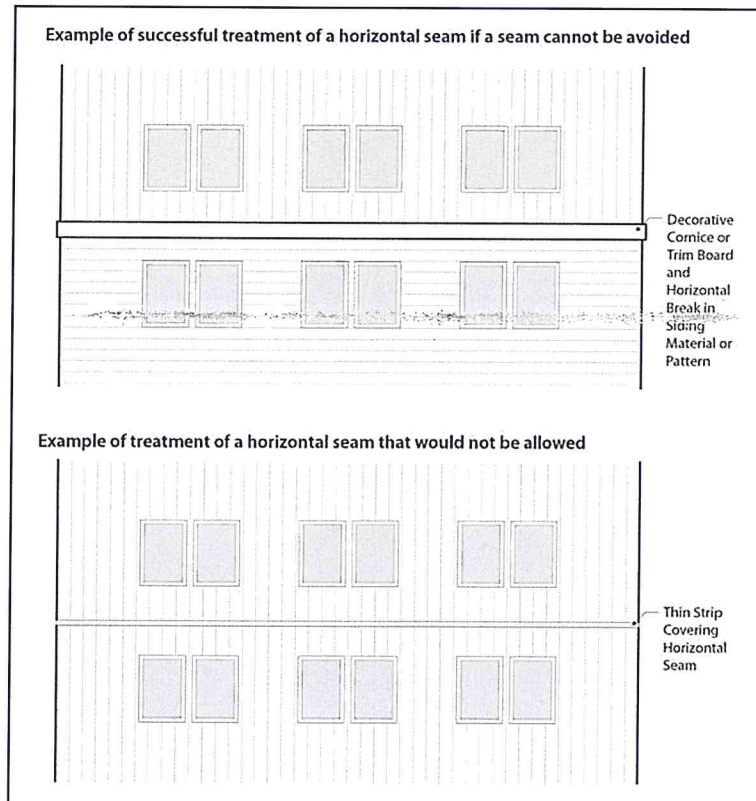


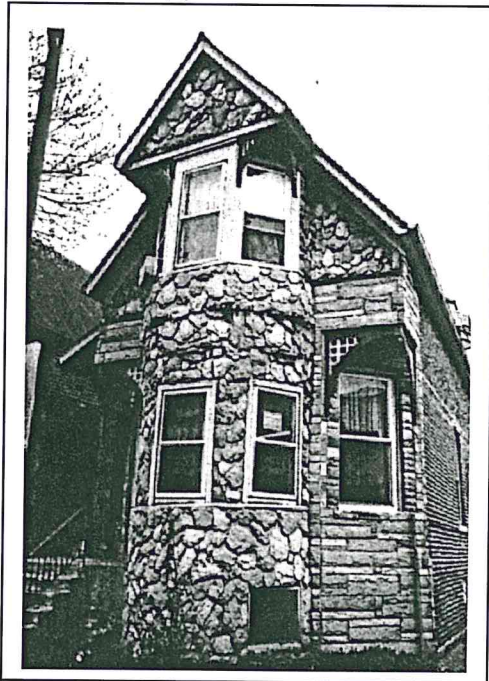
Figure 14.065-10: Exterior Walls – Horizontal Seam Treatment



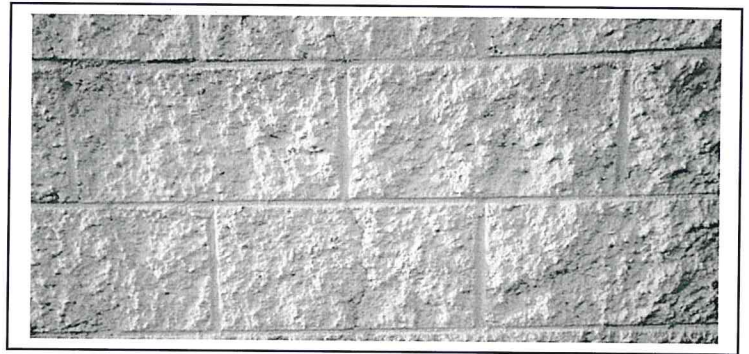
- e. Exterior wall treatments and materials prohibited. The following types of treatments and materials are prohibited.
- 1) Exposed textured concrete block.
 - 2) Flagstone or other applied stone products.
 - 3) Precast concrete or decorative concrete panels.
 - 4) Wood shakes.
 - 5) Plywood paneling.

Figure 14.065-11: Exterior Wall Treatments and Materials Prohibited

Applied stone



Textured concrete



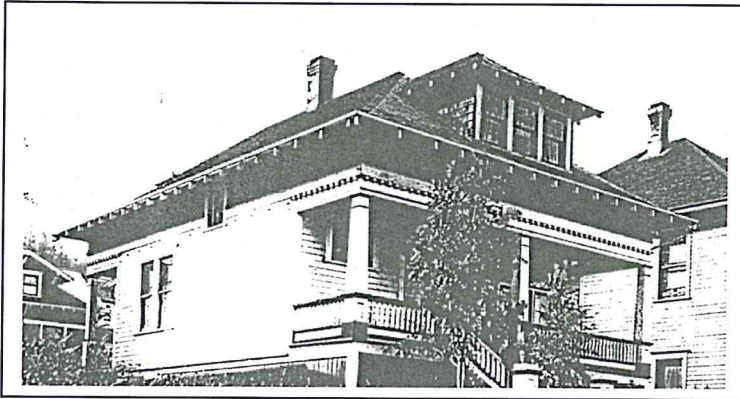
4. Roof Elements.

The following design standards apply to all dwelling unit types

- a. Roof design shall be either one of the following:
- 1) Steep (minimum 5:12 pitch) gable with broad (minimum 1 foot) eaves;
 - 2) Steep (minimum 5:12 pitch) hip with broad (minimum 1 foot) eaves; or
 - 3) An "Italianate" style hip, gable, or cube roof with a minimum roof pitch of 4:12 and broad (minimum 1 foot) eaves.

Figure 14.065-12: Roof Design Permitted

*Steep pitched hip roof with
broad eaves and dormer elements*



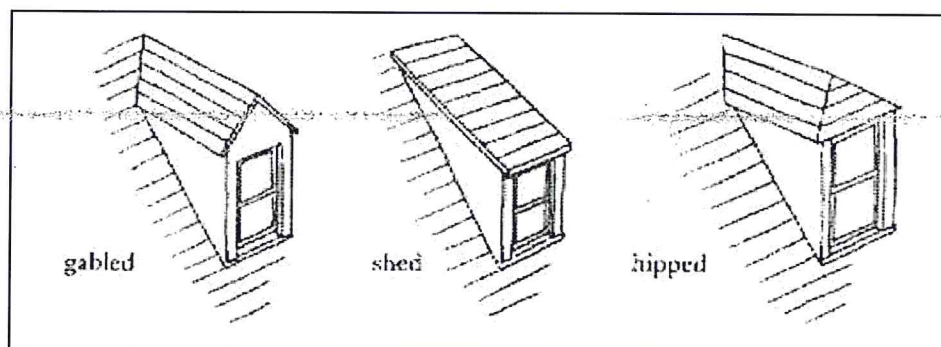
Italianate Roof



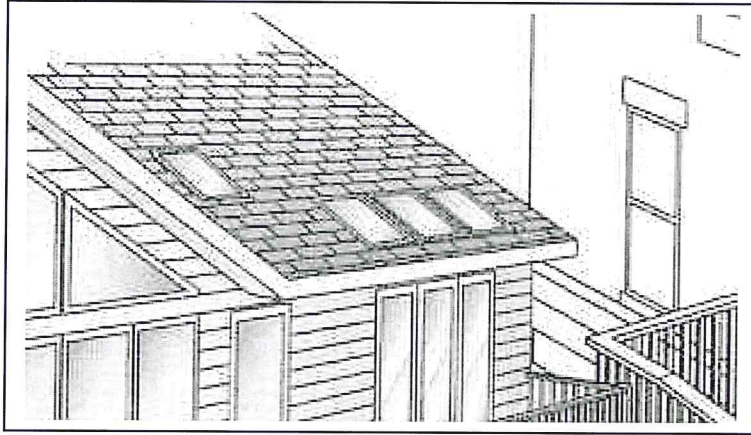
- 4) A roof may consist of sections of flat roof for up to 75% of the roof area.
- b. Roof elements permitted. The following roof design elements are permitted.
 - 1) Dormers with gable, hip, or shed roofs.
 - 2) Flat panel skylights or roof windows on secondary elevations.

Figure 14.065-13: Roof Elements Permitted

Gabled, shed, and hipped dormers



Flat panel skylights

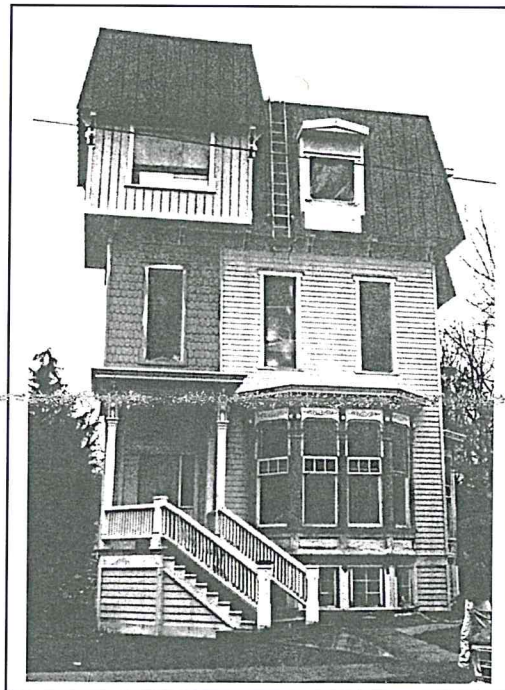


c. Roof elements prohibited. The following roof design elements are prohibited.

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

Figure 14.065-14: Roof Elements Prohibited

False mansard roof



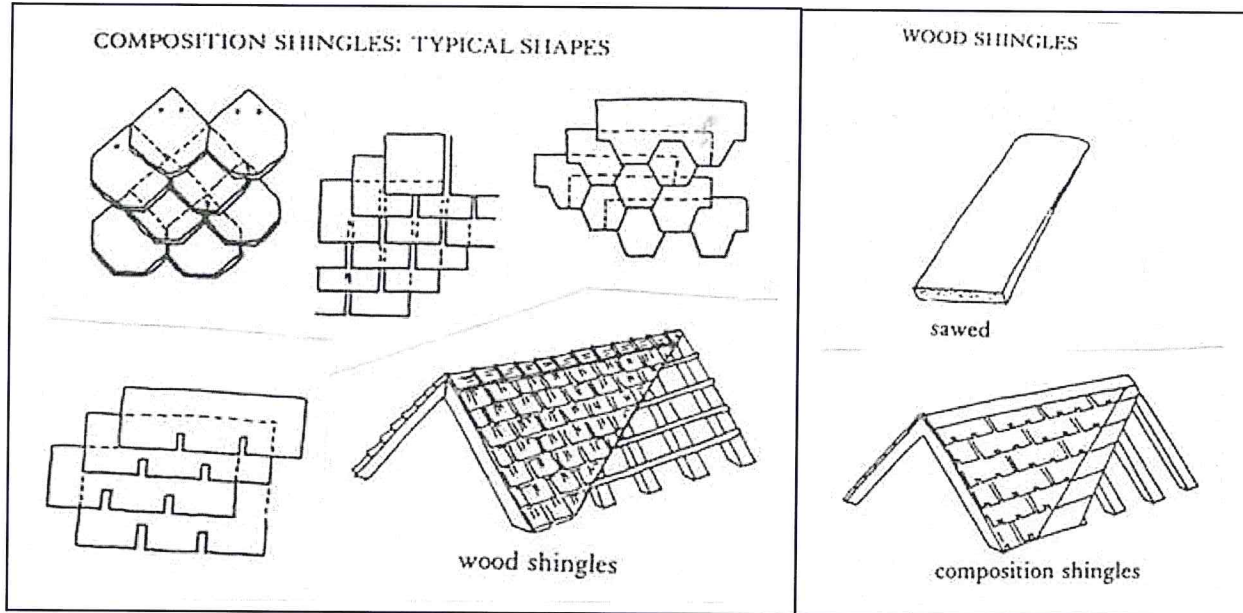
5. Roofing Materials.

The following design standards apply to all dwelling unit types.

- a. Roofing material. Roofing shall be one of the following materials:

- 1) Wood shingle; or
- 2) Composition roofing; or
- 3) Metal with no-profile seams or low-profile seams (less than 1/4 inch x 1 1/4 inch).

Figure 14.065-15: Roofing Material Permitted



- b. Roofing material color. Roofing material shall be gray, brown, dark green, black, or deep red. Other subdued colors may be approved by the Community Development Director.
- c. Roofing materials prohibited. The following roofing materials are prohibited.
 - 1) High profile standing seam (1/4 inch x 1 1/4 inch or greater) metal roof
 - 2) Brightly colored roofing material, as determined by the Community Development Director.

Figure 14.065-16: Roofing Material Prohibited

High profile metal seam roof



6. Signs.

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

7. Doors.

The following design standards apply to all dwelling unit types.

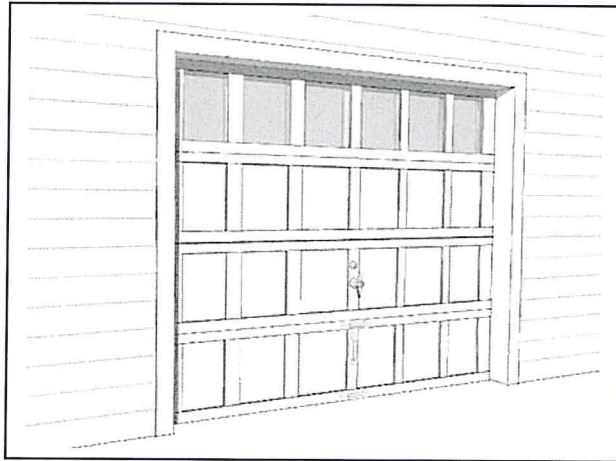
- a. Doors shall have at least one light (glass) panel.
- b. Sliding doors are not permitted on the ground floor of the front façade.
- c. All materials are permitted.
- d. Metal or metal-clad doors shall be painted.

8. Garage Doors.

The following design standards apply to attached and detached garages:

- a. Each garage door shall be a maximum of ten (10) feet in width and seven (7) feet in height.
- b. A minimum of 10% of each garage door shall be window panels, raised trim, or other architectural details.

Figure 14.065-17: Garage Doors Permitted



B. Other Development Standards.

1. Floor area ratios.

Floor area ratio and height standards in Section 14.030(B)(1) and Section 14.030(B)(2) of the Gateway Overlay Zone do not apply to on-land development in the Civic Greenway Overlay Zone. Other use standards in Section 14.030 apply.

2. 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.

3. Fences.

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

C. Landscaping.

Landscaping is required in the Civic Greenway Overlay Zone in accordance with the provisions in this Section and those in Section 3.120. 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

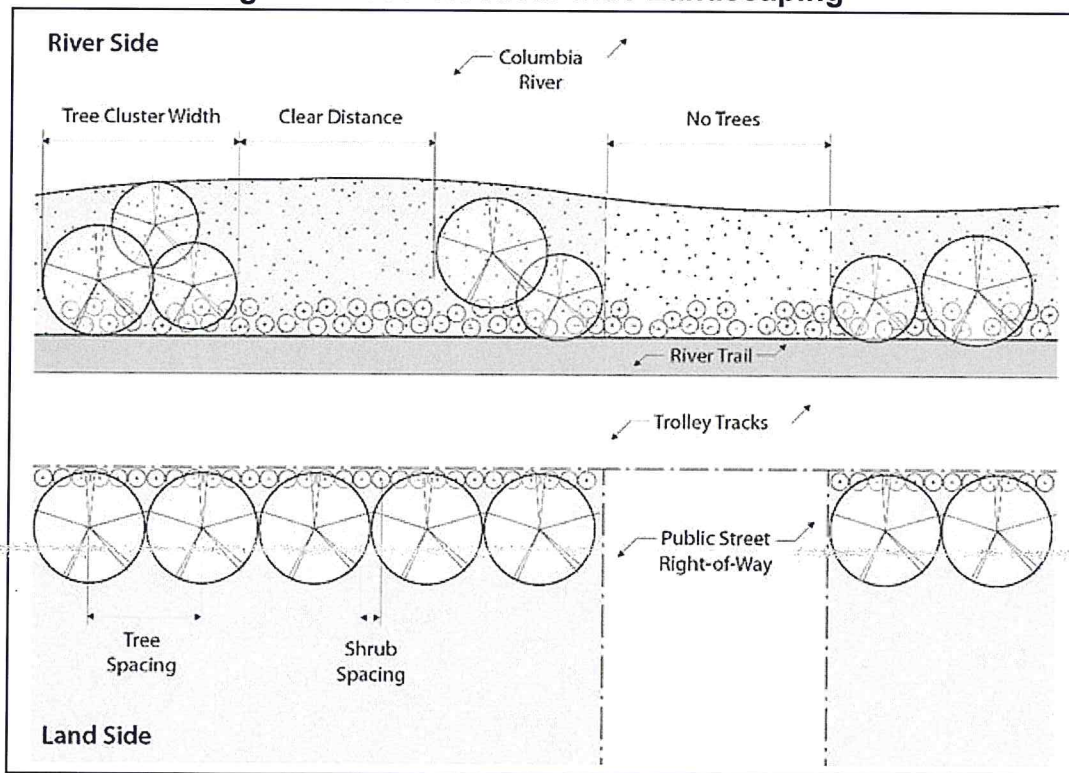
1. River side.

The following standards apply to required landscaping in the area between the River Trail and the shoreline, which is defined as the landward limit of Columbia River aquatic vegetation or, where aquatic vegetation is absent, the Mean Higher High Water.

a. Height and spacing.

- 1) Maximum shrub height is 30 inches.
- 2) Maximum width of clusters of trees is 50 feet.
- 3) Clusters of trees shall have a minimum of 50 feet clear between branches at maturity.
- 4) 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' centered on the right-of-way centerline.
- 5) Trees shall not exceed 35 feet in height at maturity
- 6) Maximum height of fences is three (3) feet.

Figure 14.065-18: River Side Landscaping



b. Native plants.

Landscaping shall consist of native plants from the list of recommended native trees, shrubs, grasses and groundcover below, or that are otherwise determined to be native plants. (*Flora of the Pacific Northwest* (1973) by Hitchcock & Conquist or a comparable document

recommended by the City staff will be the reference for determining other native plants.)

The Community Development Director, or designee, may approve plants that are not native if it is determined that the plant better addresses environmental constraints, habitat value, transparency, height, resilience, and maintenance needs.

Recommended Native Plant List

1) Trees

Abies grandis - Grand Fir
Acer macrophyllum – Big-Leaf Maple
Alnus rubra - Red Alder
Crataegus suksdorfii - Black Hawthorn
Fraxinus latifolia - Oregon Ash
Populus balsamifera var. *trichocarpa* - Black Cottonwood
Populus tremuloides - Quaking Aspen
Prunus emarginata - Bitter Cherry
Salix lucida ssp. *lasiandra* - Pacific Willow
Salix scouleriana - Scouler Willow
Rhamnus purshiana - Cascara
Salix rigida var. *macrogemma* - Rigid Willow
Salix fluviatilis - Columbia River Willow
Salix hookeriana - Piper's Willow
Salix sessilifolia - Soft-Leafed Willow
Salix sitchensis - Sitka Willow
Taxus brevifolia - Pacific Yew
Thuja plicata - Western Red Cedar
Tsuga heterophylla - Western Hemlock

2) Shrubs

Amelanchier alnifolia - Western Serviceberry
Cornus sericea ssp. *sericea* - Red-osier Dogwood
Oemleria cerasiformis - Indian Plum
Malus fusca - Western Crabapple
Physocarpus capitatus - Pacific Ninebark
Prunus virginiana - Common Chokecherry
Ribes lobbii - Pioneer Gooseberry
Ribes sanguineum - Red Currant
Rosa gymnocarpa - Baldhip Rose
Rosa nutkana - Nootka Rose
Salix fluviatilis - Columbia River Willow
Salix hookeriana - Piper's Willow
Salix sessilifolia - Soft-leafed Willow
Salix sitchensis - Sitka Willow

Sambucus cerulea - Blue Elderberry
Sambucus racemosa - Red Elderberry
Spiraea douglasii - Douglas' Spirea
Symphoricarpos albus - Common Snowberry

3) Herbaceous Grasses and Groundcover Plants

Adiantum pedatum - Northern Maidenhair Fern
Alopecurus geniculatus - Water Foxtail
Aquilegia formosa - Red Columbine
Angelica arguta - Sharptooth Angelica
Arnica amplexicaulis var. *piperi* - Claspig Arnica
Aruncus sylvestris - Goatsbeard
Aster Aruncus subspicatus - Douglas' Aster
Athyrium filix-femina - Lady Fern
Blechnum spicant - Deer Fern
Boykinia occidentalis - Slender Boykinia
Bromus carinatus - California Brome-grass
Bromus sitchensis - Alaska Brome
Cardamine oligosperma - Little Western Bittergrass
Carex deweyana ssp. *leptopoda* - Dewey's Sedge
Carex unilateralis - One-sided Sedge
Chrysosplenium glechomaefolium - Pacific Water-carpet
Cinna latifolia - Woodreed
Claytonia perfoliata or *Montia perfoliata* - Miner's Lettuce
Corydalis scouleri - Western Corydalis
Cyperus aristatus - Awned flatsedge
Cyperus erythrorhizos - Red-Rooted flatsedge
Cyperus strigosus - Straw-colored flatsedge
Dicentra formosa - Pacific Bleedingheart
Dicentra formosa ssp. *oregana* - Oregon Bleeding Heart
Elymus glaucus - Blue Wildrye
Epilobium angustifolium - Fireweed
Epilobium ciliatum spp. *glandulosum* - Common Willow-reed
Epilobium ciliatum spp. *watsonii* - Watson's Willow-reed
Equisetum arvense - Common Horsetail
Festuca occidentalis - Western Fescue-grass
Festuca subuliflora - Coast Range Fescue-grass
Festuca subulata - Bearded Fescue-grass
Fragaria vesca var. *bracteata* - Wood Strawberry
Fragaria vesca var. *crinita* - Wood Strawberry
Galium trifidum - Small Bedstraw
Gentianella americana spp. *acuta* - Northern Gentian
Geum macrophyllum - Oregon Avens
Heracleum lanatum - Cow-parsnip
Heuchera glabra - Smooth Alumroot
Heuchera micrantha - Smallflowered Alumroot
Juncus ensifolius - Dagger-leaf Rush

Lupinus rivularis - Stream Lupine
Mertensia platyphylla - Western Bluebells
Mitella pentandra - Five-stamened Mitrewort
Montia sibirica - Candy Flower
Oplopanax horridus - Devil's Club
Oxalis trilliifolia - Trillium-leaved Wood-sorrel
Petasites frigidus var. *palmatus* - Palmate Coltsfoot
Polypodium glycyrrhiza - Licorice Fern
Polystichum munitum - Sword Fern
Pteridium aquilinum - Bracken Fern
Pyrola asarifolia - Wintergreen
Ranunculus flammula - Creeping Buttercup
Ranunculus occidentalis - Western Buttercup
Ranunculus uncinatus - Little Buttercup
Ranunculus orthorhyncus - Straightbeak Buttercup
Rubus ursinus - Pacific Blackberry
Scirpus cyperinus - Woolly Sedge
Streptopus amplexifolius - Claspingleaved Twisted-stalk
Tellima grandiflora - Fringecup
Thalictrum occidentale - Western Meadowrue
Tiarella trifoliata - Laceflower Trillium
Trillium ovatum - Western Trillium
Trisetum cernuum - Nodding Trisetum
Urtica dioica - Stinging Nettle
Vancouveria hexandra - White Inside-out Flower
Viola glabella - Stream Violet

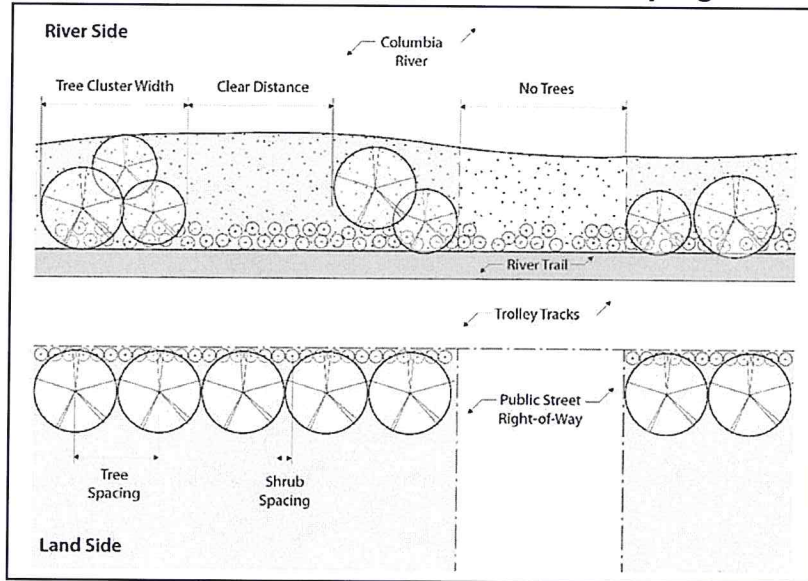
2. Land side.

The following standards apply to required landscaping along the frontage of parcels abutting the River Trail to the south.

a. Height and spacing.

- 1) Maximum spacing of trees is 20 feet on center.
- 2) Maximum spacing of shrubs is five (5) feet on center.
- 3) Ground cover landscaping is required in between shrubs and trees.
- 4) Trees shall not exceed 35 feet in height at maturity

Figure 14.065-19: Land Side Landscaping



b. Parking area landscaping.

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.

c. Landscaping credits for non-vegetation features.

- 1) The Community Development Director may approve non-vegetative features to account for up to 10% of required landscaping.
- 2) The Community Development Director may approve installation of non-vegetative features within the public right-of-way and/or River Trail to account for up to 25% of required landscaping when the non-vegetative features include at least one of the following amenities meeting the City approved design:
 - (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
- 3) An application proposing more than 25% of required landscaping be credited by non-vegetative features is subject to approval in accordance with procedures in Article 9 and Article 12.

- 4) 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.

3. Street Trees.

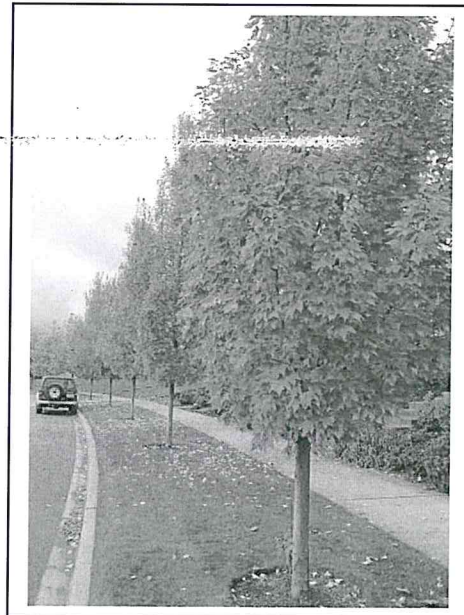
Street trees are required to be planted within the right-of-way along both sides of the street in the Civic Greenway Overlay Zone in accordance with the provisions in this Section and those in Section 14.030(D).

- a. Maximum height for street trees along north-south streets between Marine Drive and the Columbia River is 45 feet.
- b. Street trees along north-south streets between Marine Drive and the Columbia River shall have narrow profiles and/or be pruned to a maximum width of 15 feet.
- c. Street trees along north-south streets between Marine Drive and the Columbia River shall be one of the columnar species listed below, unless otherwise approved by the Community Development Director.

Deciduous Broadleaf Trees

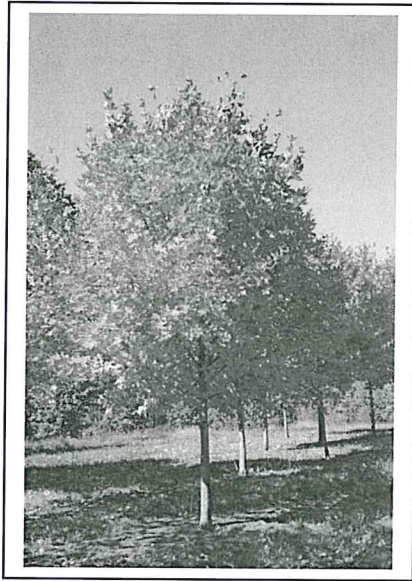
- 1) *Acer rubrum* – Red Maple

Figure 14.065-20: Red Maple



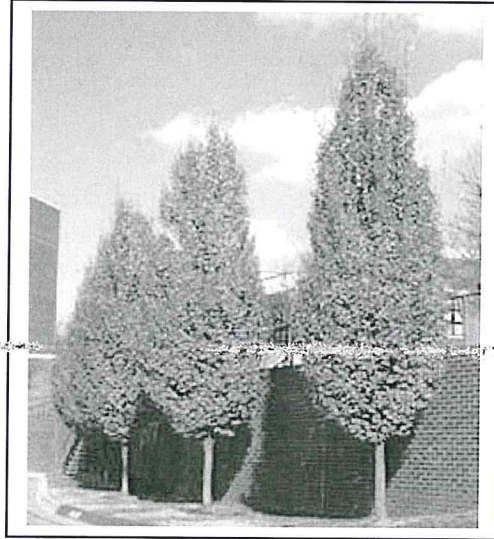
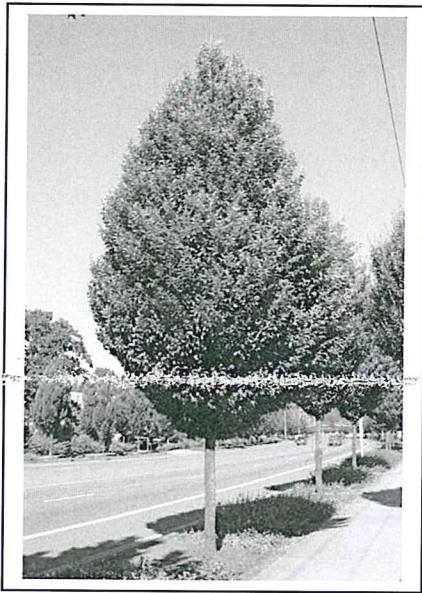
- 2) *Acer saccharum* – Sugar Maple

Figure 14.065-21: Sugar Maple



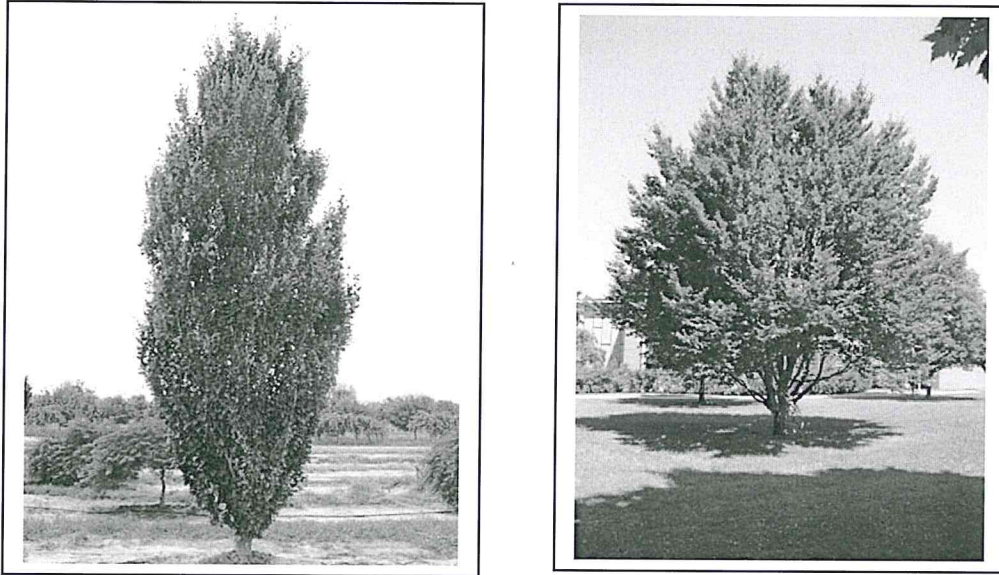
- 3) *Carpinus betulus* – European Hornbeam

Figure 14.065-22: European Hornbeam



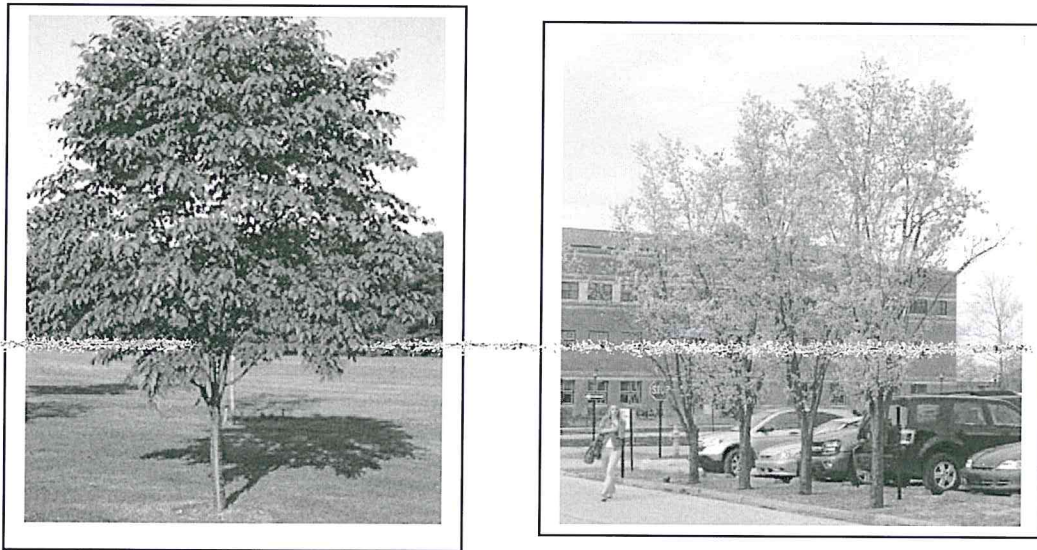
- 4) *Fagus sylvatica* – European Beech

Figure 14.065-23: European Beech



- 5) *Prunus sargentii* – Sargent Cherry

Figure 14.065-24: Sargent Cherry



- d. 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.

Section *. Astoria Development Code Section 3.090 pertaining to Cottage Cluster Development is added to read as follows:

“3.090. COTTAGE CLUSTER DEVELOPMENT.

A. Purpose.

A cottage cluster development is a small cluster of dwelling units appropriately sized for smaller households and available as an alternative to the development of typical detached single-family and two-family homes on individual lots. Cottage cluster development is intended to address the changing composition of households, and the need for smaller, more diverse, and often, more affordable housing choices. Providing for a variety of housing types also encourages innovation and diversity in housing design and site development, while ensuring compatibility with surrounding single-family residential development.

B. Ownership and Parcelization.

Cottage cluster developments may be sited on one commonly owned parcel with individual cottages owned in a condominium, cooperative, or similar arrangement, or cottages may be on individual lots with shared amenities and facilities owned in common. Applicants must submit proof that a homeowner's association or other long-term management agreement will be established to ensure the maintenance of development elements in common ownership.

C. Review Procedures.

1. Applications for cottage cluster development on a single lot will be reviewed by the Community Development Director.
2. Applications for cottage cluster development involving creation of multiple lots shall be reviewed in accordance with Article 13, Subdivision.

D. Standards.

Cottage cluster developments are subject to the following standards:

1. Density.

Cottages may be built up to the density established for cottage cluster development in the underlying zone.

2. Number of cottages.

A cottage cluster development is composed of four (4) to twelve (12) dwelling units.

3. Cottage design.

The cottages in a cottage cluster development are subject to the following standards:

- a. Maximum floor area.

The gross floor area of each cottage shall not exceed 1,250 square feet.

- b. Maximum footprint:

The footprint of each cottage unit shall not exceed 800 square feet, or 1,200 square feet including a garage. A communal garage or parking structure is permitted, and is not subject to the maximum footprint requirements for cottages.

- c. Average size.

The average size of all dwellings combined within a cottage cluster development will be less than 1,050 square feet.

- d. Maximum height.

The height of each cottage shall be the same as required by the underlying zoning and applicable overlay zoning.

- e. Placement.

If cottages differ in size, smaller cottages shall be located adjacent to or in closer proximity than larger cottages to the adjacent public street or River Trail to which the development is oriented.

- f. Setbacks.

The setbacks from adjacent property lines along the perimeter of the cottage cluster development shall be the same as required by the underlying zone. The minimum distance between all structures, including accessory structures, shall be in accordance with building code requirements (at least six (6) feet spacing between buildings)

- g. Private open space.

Each cottage may have private open space for the exclusive use of the cottage residents. Private open space does not count towards the required common open space.

- h. Orientation of cottages.

Cottages shall be clustered around the common open space. Each cottage shall have a primary entrance and covered porch oriented to the common open space. All cottages shall be within 10 feet from the common open space, measured from the façade of the cottage to the nearest delineation of the common open space.

Lots in a cottage cluster development are not required to abut a public right-of-way, except that the parent parcel shall have frontage on a public right-of-way in accordance with Subsection D.8.a of this Section.

i. Common Open Space.

The design of the common open space shall not use unusable lot area or projections to meet the requirement for common open space. Unusable lot area includes, but is not limited to, foundation landscaping, enlarged or enhanced parking strips or sidewalks, narrow strips of land, or small dead zones of the lot.

j. Public street facing facades.

Cottages abutting a public right-of-way or River Trail shall have a secondary entrance or a porch, bay window, or other major architectural feature oriented to the public right-of-way or the River Trail. Garage or carport entrances may not face a public right-of-way or the River Trail.

k. Porches.

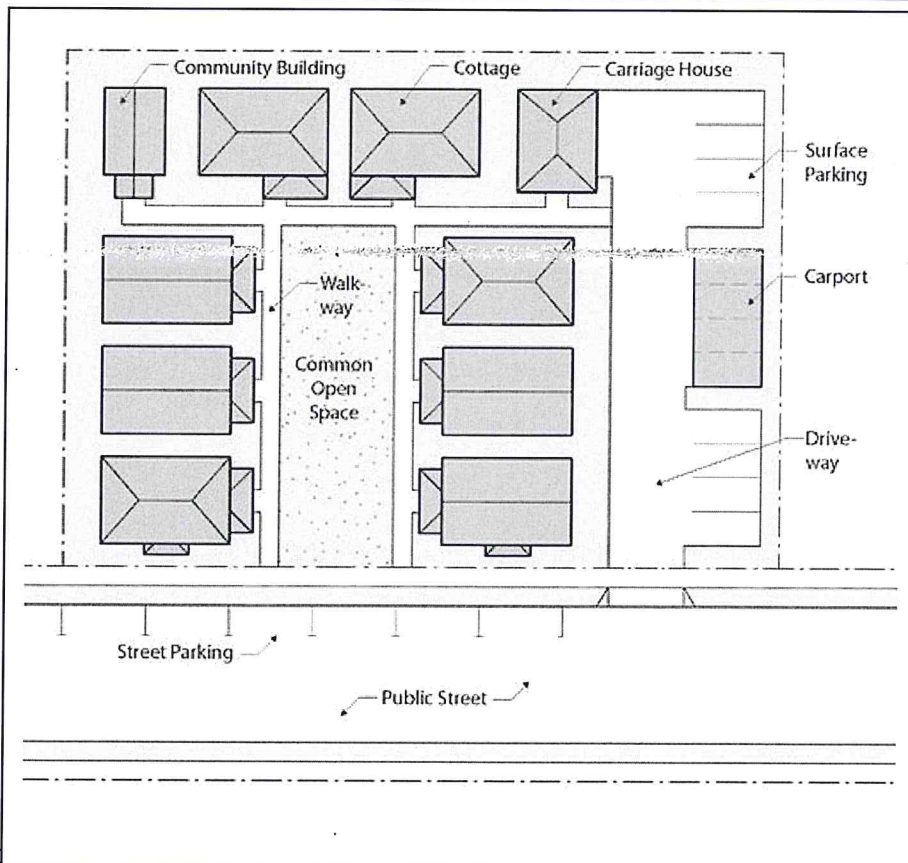
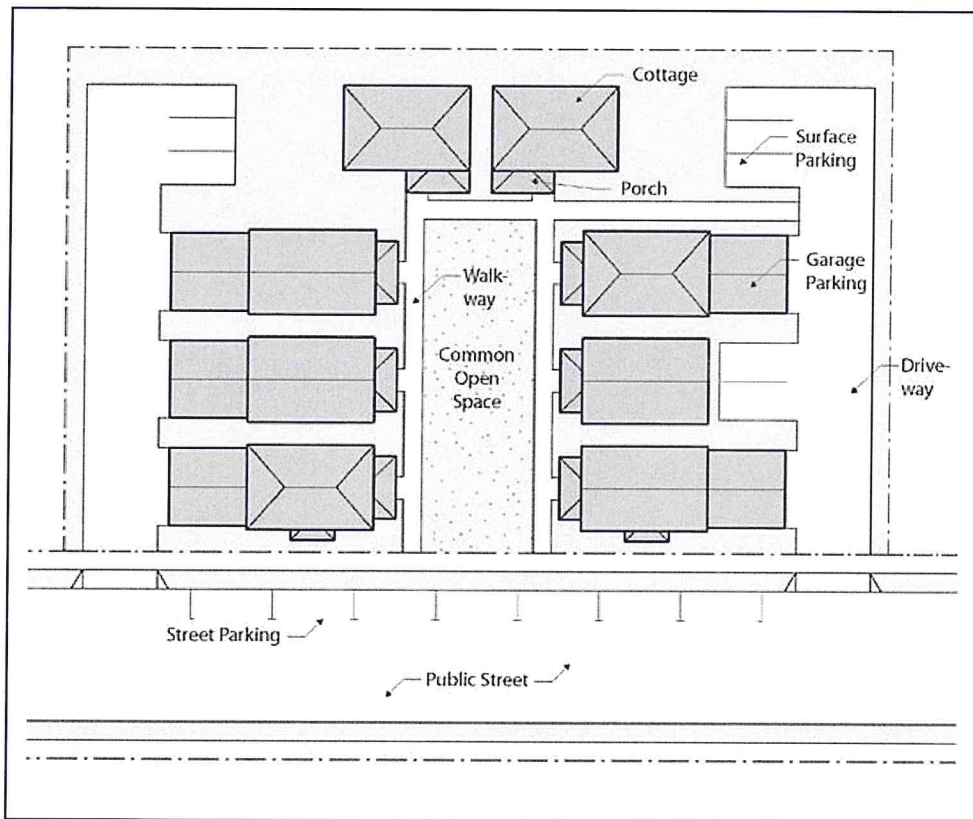
Each cottage shall have a covered open porch that shall be oriented toward the common open space and that shall be at least six (6) feet in depth measured perpendicular to the abutting building facade and at least 60 square feet in area.

4. Community buildings.

Cottage cluster developments may include community buildings that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. They shall have a footprint of no more than 800 square feet and may not exceed one story in height. Their design, including the roof lines, shall be similar to and compatible with that of the cottages within the cottage cluster development.

Figure 3.090-1: Cottage Cluster Development Layout

[Note: Two alternative layouts are included to illustrate key elements of the Cottage Cluster requirements.]



5. Common open space.

Cottage cluster developments shall have a common open space in order to provide a sense of openness and community of residents. Common open space is subject to the following standards:

- a. Each cottage cluster development shall contain a minimum 2,000 square feet of common open space regardless of the number of cottages in the cluster, and not less than 400 square feet of common open space per cottage.
- b. The common open space shall be in a single, contiguous, useable piece.
- c. Cottages shall abut the common open space on at least two sides of the open space.
- d. Parking areas, required yards, private open space, and driveways do not qualify as common open space.

7. Parking. Parking for a cottage cluster development is subject to the following standards:

- a. Minimum number of parking spaces.

Cottage cluster developments shall have at least one parking space for each unit with a gross floor area of 700 feet or less and 1.5 parking spaces for each unit with a gross floor area of 701 square feet or more (rounded up to the nearest whole number).

- b. Guest parking.

Cottage cluster developments shall have at least 0.5 additional guest parking spaces for each cottage in the development, rounded up to the nearest whole number. These spaces shall be clearly identified as being reserved for guests.

- c. Reduction in number of required parking spaces.

The required number of guest parking spaces may be reduced by the number of on-street parking spaces on public streets adjacent to and immediately abutting the cottage cluster development.

- d. Clustering and parking structures.

Parking areas may be arranged in clusters limited to no more than five contiguous spaces. Clustered parking areas may be covered. Up to two (2) carriage house dwelling units are permitted on the second floor of a parking structure, with a maximum of one (1) carriage house dwelling

unit per four (4) cottages (rounded to the nearest whole number).
Parking structures may or may not be located on the same lot as the cottage they serve. Parking structures shall not be located within a common open space and are required to be screened from view from common open space areas.

e. Parking access.

Parking areas shall be accessed only by a private driveway or public alley. No parking space may access a public street directly. No parking space may be between a public street and cottages abutting the public street.

f. Design.

The design of garages, carports, and parking structures, including the roof lines, windows, and trim, shall be similar to and compatible with that of the cottages within the cottage cluster development.

g. Screening.

Landscaping or architectural screening at least three feet tall shall separate parking areas and parking structures from the common area and public streets. Solid fencing (e.g., board, cinder block) shall not be allowed as an architectural screen.

h. Location.

Parking can be grouped and located on a separate lot within 100 feet of an edge of the cottage cluster development.

8. Frontage, access, and walkways.

a. Frontage

The parent parcel shall have frontage on a public street. If individual lots are created within the cluster development, each lot shall abut the common open space, but is not required to have public street frontage.

b. Access.

No part of any structure shall be more than 150 feet, as measured by the shortest clear path on the ground, from fire department vehicle access, unless the building has a fire suppression system.

c. Walkways.

A cottage cluster development shall have sidewalks abutting all public streets. A system of interior walkways shall connect each cottage to the common open space, parking areas, private driveways, any community buildings, the sidewalks abutting any public streets bordering the cottage cluster development, and other pedestrian or shared use facilities such as the River Trail. Sidewalks abutting public streets shall meet the width requirements established in the Astoria Engineering Design Standards, and interior walkways shall be at least four (4) feet in width.

9. Interior fences.

Fences on the interior of the cottage cluster development shall not exceed three (3) feet in height and shall not consist of solid (e.g., board, cinder block) fencing.

10. Existing structures.

On a lot or parcel to be used for a cottage cluster development, an existing detached single-family dwelling that may be nonconforming with respect to the requirements of this section may remain, but the extent of its non-conformity may not be increased. Such dwellings shall count towards the number of cottages allowed in the cottage cluster development.

F. Conflicts.

In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control.”

Section *. Astoria Development Code Section 1.300 pertaining to Establishment of Zones is hereby amended with the addition to read as follows:

“Civic Greenway Overlay
Compact Residential

CGO
CR”

Section *. Astoria Development Code Section 8.160, pertaining to Sign Regulations is hereby deleted in its entirety and replaced to read as follows:

“8.160. R-1, R-2, R-3, CR, AH-MP, AND PD ZONES SIGN REGULATIONS.

For all uses and sites in the R-1 (Low Density Residential), R-2 (Medium Density Residential), R-3 (High Density Residential), Compact Residential (CR), AH-MP (Attached Housing - Mill Pond for residential uses), and PD (Planned Development) Zones, the sign regulations of Table 1 apply. All allowed signs must also be in conformance with the sign regulations of Sections 8.070 through 8.080.”

Section *. Astoria Development Code Section 14.015 pertaining to General Provisions in the Gateway Overlay Zone is hereby amended with the addition to read as follows:

- "9. Civic Greenway Overlay Zone (CGO)
10. Compact Residential Zone (CR)"

Section *. 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 _____, 2014.

APPROVED BY THE MAYOR THIS ____ DAY OF _____, 2014.

ATTEST:

Mayor

Brett Estes, City Manager Pro Tem

ROLL CALL ON ADOPTION:

YEA

NAY

ABSENT

Commissioner LaMear
 Herzig
 Mellin
 Warr

Mayor Van Dusen