



# AGENDA

## ASTORIA PLANNING COMMISSION

June 24, 2014

6:30 p.m.

2<sup>nd</sup> Floor Council Chambers  
1095 Duane Street • Astoria OR 97103

1. CALL TO ORDER
2. ROLL CALL
3. MINUTES
  - a. May 6, 2014
4. PUBLIC HEARINGS
  - a. Conditional Use CU14-07 by Jim Ray, Board President, Astoria Rescue Mission to locate a semi-public use as a two unit family Mission facility in an existing single family dwelling at 64 W Bond in the R-3, High Density Residential zone. Staff recommends approval with conditions.
  - b. Variance V14-05 by Jim Ray, Board President, Astoria Rescue Mission from the required 4 off-street parking spaces to provide zero parking for a two family Mission facility at 64 W Bond in the R-3, High Density Residential zone. Staff recommends approval with conditions.
  - c. 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 21, 2014 at 7:00 p.m. in City Hall Council Chambers. This item was continued from the May 27, 2014 Planning Commission meeting.
5. REPORT OF OFFICERS
6. ADJOURNMENT

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

## ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall  
May 6, 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, Kent Easom, Peter Gimre, and Sean Fitzpatrick

Commissioners Excused: Thor Norgaard

Staff and Others Present: Community Development Director Brett Estes. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

Director Estes noted that Kent Easom was appointed to the Planning Commission earlier today to replace Ron Williams.

### PRESENTATION:

ITEM 3(a): Astoria Downtown Historic District Association (ADHDA) Re: Downtown Planning Initiative

Alana Garner, 486 12<sup>th</sup> Street, Suite H, Astoria, updated the Planning Commission on work plan priorities the ADHDA has been working on over the past year as a result of the Building Blocks for a Successful Downtown. Consultant Michelle Reeves, Oregon Main Street Coordinator Sheri Stuart, and the ADHDA Board of Directors worked together on the Building Blocks Program. She presented the ADHDA's work plan priorities as follows:

- The ADHDA's Business Development Committee has focused on connecting businesses with locals through downtown walking tours, cooperative advertising with the *Daily Astorian* during the holidays, engaging and supporting downtown property owners.
  - Engagement with property owners is done primarily through general meetings, held the first Friday of each month. Regular attendance has been around 50 or 60 people and is growing.
  - Networking and educational events for businesses and property owners include a quarterly Welcome Wagon that welcomes new businesses, providing information about downtown and responding to questions.
- The Organization Committee focuses on a sustainable funding plan and alternative fundraising ideas, volunteer recruiting and regular representation at City Council and other City meetings.
  - Annual volunteer totals are currently being calculated. In 2013, the ADHDA received an estimated 18,000+ volunteer hours.
- The Promotion Committee promotes the ADHDA by hosting events throughout the year, like the Winter Brew Cup held during the winter of 2013 and the recent Jane Barnes Review, the most successful of the last four years.
  - The committee is currently planning the 13<sup>th</sup> Annual Pacific Northwest Brew Cup and is talking with the downtown restaurant owners for promotional ideas for 2015.
- The Design Committee is currently working on storefront improvements, storefront lighting for the holiday season, Riverwalk connectors and way finding from the Riverwalk and Commercial Street gateways.
  - In October 2013, design consultant Sinette Quirkle met with five businesses to discuss façade improvements. This was part of the ADHDA's participation in the Oregon Main Street program.
  - With the help of the Parks and Recreation Department, the entrance signs were refreshed and repainted. The ADHDA and Parks Department are discussing the possibility of having "Thank you for visiting," painted on the back of the signs.
  - The 15<sup>th</sup> Street triangle was enhanced with new vegetation and shrubbery and vacant storefront windows have been dressed with promotional items for ADHDA events and other organizations.
- The downtown area has a 20 percent vacancy rate. In the last 10 months, many businesses have moved in and about 16 businesses have opened, expanded or relocated.



President Nemlowill explained that Commissioner Gimre, who is very active in the ADHDA, brought up a few points at the last meeting and Vice President Innes had suggested the ADHDA be invited to give an overview of the Association's activities and work. She asked Ms. Garner to keep the Planning Commission updated, noting that this will help the Commission make decisions. During the Transportation System Plan update, it was helpful to have the support of the ADHDA and know that local business owners were on board with the decisions the Planning Commission was making.

#### 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 1804 Commercial in the C-4, Central Commercial zone. This item was continued from the April 22, 2014 meeting.

President Nemlowill asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter 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 Gimre declared that his ex parte contacts were the same as he had declared at the last meeting.

President Nemlowill declared that her family has a business that sells alcohol. She planned to make an objective decision.

President Nemlowill called for the Staff report.

Director Estes confirmed that the application number on the Agenda should state "CU14-04". He noted the entire Staff report, which had been reprinted for the Commission, had been presented at the April 22, 2014 meeting. He noted that a memorandum from Deputy Chief Johnston dated May 2, 2014 had been attached to the Staff report, which he briefly reviewed, noting that the Police Department requests an additional condition be added to restrict the presence of minors during the hours that alcohol is being served.

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

Brad Smithart, 1650 9<sup>th</sup> Street, Astoria, stated he planned to open a classic arcade utilizing new technology that interfaces with personal computers (PCs). He has obtained a virtual reality headset called the Oculus Rift, which interfaces with PCs and Macs using open source coding. He explained Minecraft is a video game that requires players to survive by crafting things. Adding the Oculus Rift allows players to see the game through the eyes of their characters. Minecraft has a huge fan base and will bring entertainment to the arcade. He is a beta tester for Minecraft and recently went to Las Vegas to meet the creators.

Mr. Smithart explained that Minecraft uses open source coding and allows players to play in real time. The game involves mining and building. Players can create a worldwide network of at least 128 people, who play together to create a city. The Oculus Rift turns the game into a three dimensional world. All of this is done through free, open source coding. His arcade would have PCs and Macs set up in a corner so the kids can play Minecraft and eventually create their own open source games. The Minecraft Company has shared the coding with him so he can build skins on top of the game. This is like having the engine to a car; all he has to do is add the body because the entire framework is there. His arcade will also have classic games like pinball. He will offer rotating competitions, offering players a chance to win a denim jacket by becoming the highest scorer on a chosen game. The jacket will be embroidered with the player's gamer tag. His arcade will serve sodas, ice cream, and hot dogs during the day and beer, wine, and cider during the evening. He confirmed that he had read the memorandum from Deputy Chief Johnston that proposed restricting the presence of minors during hours that alcohol is served. He wanted to have a great working relationship with the Police Department. The Oregon Liquor Control Commission (OLCC) said he could serve alcohol morning, evening, and night. He wanted to begin serving alcohol at 6:00 pm and have minors leave by 9:00 pm. Whether or not he serves alcohol, he plans to have the minors leave at 9:00 pm. He will not be serving spirits because he is not trying to be a bar. Therefore, he will only serve beer, wine, and cider, like the



bowling alley, Fultano's, and Chuck E. Cheese. He was okay with a conditional use but was concerned about having to adhere to a set time. As a business owner, he would like the ability to adapt to his environment and the market. He would like to serve wine and cider during the Saturday Art Walk while minors are present and without charging.

Commissioner Gimre asked if this arcade would be similar to Ground Kontrol in Portland. He explained that Ground Kontrol was an arcade similar to what he believed Mr. Smithart was planning.

Mr. Smithart said that Ground Kontrol served beer, wine, and cider in the evenings when they first opened. Ground Kontrol also held competitions. People who like classic arcades want to know where to find an unmodified Donkey Kong game. To have the highest score in the nation, judges must approve of the games. He purchased an unmodified Zaxxon so people can come to his arcade to try for a high score. Ground Kontrol currently has 15 of the highest scores in the nation.

Commissioner Gimre said earlier in the day, he went on a walking tour of downtown with Staff and representatives from the Chamber of Commerce and the Trolley Association. As they passed the proposed location for the arcade, someone in the group said they hoped the arcade would be similar to Ground Kontrol because it would get him out of the house and in downtown where he normally would not go. When he first saw the application, he was not sure that an arcade would be appropriate in downtown Astoria. After hearing the comment on the walking tour and the Applicant's testimony, he has become more receptive to the arcade. He had never heard of Ground Kontrol until that day. After visiting their website, he believed Ground Kontrol was similar to what Mr. Smithart was proposing. He said that the Applicant made a good point when noting that other establishments in town served alcohol in the presence of minors. He asked how Mr. Smithart would like to serve alcohol.

Mr. Smithart explained that a mother just getting off work to take her kids the arcade will stay longer to let the kids play if she can have a glass of wine while she is there. He wants to have an area where everyone can congregate, allowing a dad to have a beer while his son has a soda and plays games. His proposal was to serve alcohol with minors present from 6:00 pm to 9:00 pm and have one of his staff dedicated to the floor to monitor the alcohol during that time. At no point would alcohol be served with children there and no alcohol monitor. However, he wants a good relationship with the Police Department, so he would be open to the condition, but is concerned with adhering to a set time. He wants the flexibility of starting alcohol service at 7:00 pm on a Friday, for example.

President Nemlowill noted the memorandum indicated that Mr. Smithart's plan to monitor the alcohol served while minors were present was minimal. She wanted to confirm the facts and asked about the dedicated alcohol monitor.

Mr. Smithart believed that one person to monitor the 4,000 square foot floor was more than adequate to ensure no one under 21 years old consumes alcohol. This is more Staff per square foot than Fultano's, the bowling alley or any other establishment in Astoria that serves alcohol in the presence of minors. The alcohol monitor would mingle with children and adults. He confirmed that the alcohol monitor could be responsible for between 50 and 100 people between 6:00 pm and 9:00 pm. He could have up to 85 machines, depending on the square footage.

Director Estes noted Commissioner Easom would be abstaining from voting on the public hearings, as he received the agenda packet just before the meeting.

President Nemlowill called for testimony in favor of the application.

Dulcye Taylor, 856 11<sup>th</sup> Street, Astoria, spoke in favor of the application, stating she believed putting an arcade downtown was a great idea. The Astoria Downtown Historic District Association (ADHDA) has wanted something for the kids to do downtown other than wandering the streets. She agreed that parents would want to drink alcohol while their kids played games. Parents have the responsibility of supervising their kids. Many places in town serve beer and wine while children are present without alcohol monitors. She did not understand why the arcade would be different and asked Deputy Chief Johnston to explain the difference.

LJ Gunderson, 413 Franklin Avenue, Astoria, agreed with Ms. Taylor's comments. She was concerned with the possibility that large groups of kids would block the sidewalks in front of the arcade, which would be off-putting to older customers. At Fort George, there are children running around playing while beer and wine are being served. She did not have a problem with this. Many customers of Baked Alaska bring children who run from one end to the other. She was unsure if this was allowed by the OLCC, but the establishments keep the situation under control and she has never seen problems with serving alcohol while children are present. She suggested the Applicant speak



with Ground Kontrol in Portland to discuss how they overcame any issues. Part of the ADHDA's goal is to bring young people into the downtown area.

Yvonne Hughes, 1390 Jerome Avenue, Astoria, said she has a 10-year old son who loves Minecraft and will be excited to hear about the 3D option for the game. Astoria does not offer many opportunities for youth. She hopes something interesting will happen with the armory. However, in the interim, having another option for family fun activities is important. She and Ms. Garner, as part of Ford Family Institute's Leadership in the Community Program, have decided to revamp the teen center because there is no positive place for teenagers to go. She has an OLCC card and believed that the ability to serve beer and wine in a family friendly establishment would be conducive to residents and visitors. Allowing alcohol would encourage more parents to be in the arcade with their children, as opposed to dropping the kids off. More parent involvement is important.

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

Commissioner Pearson stated that the Commission is being asked to review criteria they have reviewed many times. He believed there were two proposals; one for an indoor family fun arcade that fills a need in the community, which he fully supported, and a classic video game atmosphere where adults could have beer and play games. Combining the two types of establishments makes the business's goal murky. The business is targeting children and young adults, yet also has a bar. He looked forward to hearing the other Commissioner's comments.

President Nemlowill agreed that the issue was complicated. She did not believe the Commission would take the Police Department's recommendation lightly because feedback from the Department is not typically received. She noted other businesses in town, including her own, where alcohol and minors are present at the same time without any issues. The memorandum indicates the difference is that the arcade targets minors.

Vice President Innes stated she was unsure about this request. Hearing from the community has been extremely helpful and she believed the community made their support of the arcade very clear. She wanted to consider the other Commissioner's comments before making a decision about how to vote.

Commissioner Easom said there was an arcade where he grew up and he believed an arcade was a good place for children. He did not see a problem with serving alcohol with children present and believed alcohol would draw more parents in to the arcade. He believed many parents would likely play games with their children.

Commissioner Gimre said that after learning more about this arcade and hearing public testimony, his was in favor of the arcade. He agreed that serving alcohol encourages parents to be with their children rather than dropping off the children. He noted that when there are baseball tournaments in town, Fultano's is packed with kids. Fultano's does not have an alcohol monitor and there are no issues. He respected Deputy Chief Johnston, but added he would like to allow alcohol to be served until 9:00 pm. He believed Deputy Chief Johnston would monitor the arcade closely and correct any problems that may arise. He was in favor of the original proposal.

Commissioner Fitzpatrick agreed that an arcade in downtown was a good idea. The location is one of the last vacancies in the downtown area and it would be nice to have something for children to do in that location. He did not have an issue with serving alcohol during the proposed time and without a monitor.

Commissioner Gimre moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff reports and approve Conditional Use CU14-04 as proposed by Brad Smithart, with Conditions listed in the Staff reports; seconded by President Nemlowill. Motion passed 4 to 1 to 1. Ayes: President Nemlowill, Vice President Innes, Commissioners Gimre and Fitzpatrick. Nays: Commissioner Pearson. Abstentions: Commissioner Easom.

President Nemlowill read the rules of appeal into the record.

#### ITEM 4(b):

CU14-02                      Conditional Use CU14-02 by the Kurt Englund to locate a tourist oriented retail sales establishment in the west half of the existing commercial building at 101 15<sup>th</sup> in the A-2A, Aquatic Two A Development and S-2A, Tourist Oriented Shorelands 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. She asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare.

Commissioner Fitzpatrick declared that he does business with the Applicant and believed could make an impartial decision. His ex parte contact has been limited to him telling the owners that he believes the location and establishment are a great idea.

President Nemlowill called for the Staff report.

Director Estes reviewed the written Staff report. No correspondence had been received and Staff recommended approval of the request with the Conditions listed in the Staff report.

President Nemlowill noted that this property has been a source of discussion. There were some appeals made when condominiums were proposed. Director Estes confirmed that the permits for the condominiums had expired. He added that possible impact to the Riverwalk was discussed with the Public Works Department. The crossing meets Oregon Department of Transportation (ODOT) rail standards and requirements. This situation has existed for some time and the amount of traffic would be similar to the former Englund Marine property.

Vice President Innes confirmed the entire building had a Division of State Lands (DSL) permit and asked why the Applicant would need to get another DSL permit to use part of the building. Director Estes explained that DSL leases are for specific uses and state how a property would be used. He did not believe a new permit would change anything because the use will remain retail as before; the permit provides verification that the City has ensured that the property owner agrees to the use. He did not believe DSL would consider retail to be different from tourist-oriented retail.

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

Paul Tutor, 3759 Duane Street, Astoria, stated he had talked with Mr. Englund and the recycling and garbage will be kept inside of the building and set out on the day they will be picked up.

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

LJ Gunderson, 413 Franklin Avenue, Astoria, stated she is on the ADHDA Board and Astoria Design Review Committee. She has purchased items from the Applicants adding they are an excellent retailer. The Applicants are an asset to the downtown area and she believed moving to the proposed location was appropriate. The empty building is beautiful and the Applicants turn pieces of history into awesome art and décor items. This establishment will be a visual that Astoria will love. She supported the application.

President Nemlowill called for testimony impartial to, or opposed to the application. Hearing none, she closed the public hearing and called Commission discussion and deliberation.

Commissioner Fitzpatrick was in favor of putting the business in the proposed location. He believed it would be great for downtown and the waterfront because it would extend the downtown retail center to 15<sup>th</sup> Street and bring people out on to the water. As a retired real estate broker, he does not like to see vacant property. This business would be a higher and better use of the property.

Commissioner Gimre supported the application. He added the Applicants are great retailers who are active in the ADHDA.

Commissioner Easom supported the application, but reminded that he planned to abstain from voting.

President Nemlowill believed this decision was easier than the last proposed use for the property, which was very controversial. The Conditional Use moves the use away from being marine dependent. Astoria is changing and this property has been vacant for a long time. She supported the application.

Vice President Innes said she was excited to see the elevation and enhancement of displays of merchandise. The location will enhance the Applicant's ability to draw in tourists and local customers. Knowing how much the community enjoyed the Applicants, she was confident the Applicants would make the best use of the property and be considerate partners. She intended to vote in favor of the application.



Commissioner Pearson believed the business was a great reuse of the building, which is a key piece of waterfront that Astoria has struggled with for a long time.

Commissioner Fitzpatrick asked the Applicant what color he planned to paint the building.

Mr. Tutor replied the building would be white with black trim at the top to prevent the building from fading into the water.

Commissioner Gimre moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU14-02 by Kurt Englund, with the Conditions listed in the Staff report; seconded by Commissioner Fitzpatrick. Motion passed 5 to 0 to 1. Ayes: President Nemlowill, Vice President Innes, Commissioners Fitzpatrick, Pearson, and Gimre. Nays: None. Abstentions: Commissioner Easom.

President Nemlowill read the rules of appeal into the record.

ITEM 4(c):

CU14-05                      Conditional Use CU14-05 by Jeannie Alexander to locate an existing approximate 1,764 square foot party retail and rental facility in an existing industrial building at 4025 Abbey Lane in the GI, General Industrial 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. She asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare. Hearing none, she asked Staff to present the Staff report.

Director Estes reviewed the written Staff report. No correspondence had been received and Staff recommended approval of the request.

President Nemlowill called for questions of Staff.

Commissioner Gimre asked why the Staff report includes the requirement that significant changes or modifications be reviewed by the Planning Commission while the Findings state there were no issues. Director Estes explained this language is typical in Conditional Use permits, especially when there are no conditions of approval. If substantial changes needed to be made over time, the changes would need to be reviewed by the Commission. The Staff report also notes that the Applicant must obtain necessary building permits. This establishment is not proposing to use the building's entire space, unlike the previous Conditional Use application.

Vice President Innes asked if Staff responded to the Applicant's questions about signage. Director Estes said that sign permits were reviewed separate from conditional use permits. He believed the Applicant was referring to A-frame signs. Only a specific number of A-frame signs are permitted per lot, and he was unsure if the maximum number has been reached on this particular lot.

Jeannie Alexander confirmed she had not received a response from Staff to her questions about signage. She explained that she wanted to be clear about the regulations to prevent problems. She did not want her sign to block another sign, but wanted customers to know her business is there.

Director Estes said Staff would need to find out how many A-frame permits have already been issued for that lot. One A-frame sign is allowed per frontage.

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

Jeannie Alexander, 92927 Keller Road, Astoria, stated everyone needs to rent tents, tuxedos, etc. and she is slowly obtaining stock for party supplies. Astoria does not have many places that rent tuxedos. The building has a large counter and space for customers to sit down and discuss what they need. Her staff will do their best to help.

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

Drew Herzig, 628 Klaskanine Avenue, Astoria, spoke impartial to the application, stating he had the same question about signage. He was concerned for the owner because the location was obscure. He suggested a directional sign on 39<sup>th</sup> Street in addition to an A-frame sign. If the conditional use would allow, he also suggested painting the end of the building on the street side to indicate the presence of the party rental business. He was concerned with helping people find the business, as he believed this would become an issue.

President Nemlowill closed the public hearing and called Commission discussion and deliberation.

Commissioner Gimre said the application appears to meet all of the criteria that the Planning Commission had been asked to review and he supported it. President Nemlowill and Vice President Innes agreed.

Commissioner Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU14-05 by Jeannie Alexander; seconded by Commissioner Gimre. Motion passed unanimously.

President Nemlowill read the rules of appeal into the record.

#### REPORTS OF OFFICERS/COMMISSIONERS:

Commissioner Fitzpatrick reported that the Friends of the Astoria Armory received a commitment that Craft 3 will allow the Friends to use the armory facility. A fundraiser will be held on June 28, 2014 with the Roller Dolls. The Friends will make it clear that the public's help will be necessary to get the facility going. He explained that the Friends of the Astoria Armory is a non-profit group of local citizens who want to see the armory building restored as a community asset. Board members include Jennifer Rasmussen, Greg Peterson, Robert Jacob, Robert Stang, Bruce Jones, and himself. He confirmed the City did not want ownership of the building. While Craft 3 does not want ownership of the building, they purchased it from the City after the City purchased the building and parking lot from the Maritime Museum.

Director Estes noted the next regular Planning Commission meeting in May will include the public hearing for Riverfront Vision Plan implementation for the Civic Greenway Area and another permit. Today's special meeting was scheduled to move some items forward rather than scheduling a heavy meeting on the night of the public hearing for the Riverfront Vision Plan.

President Nemlowill confirmed the meeting was scheduled for Tuesday, May 27, 2014 at 6:30 pm. She added it was great to have representatives from the ADHDA and City Council and thanked them for attending.

#### ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:36 pm.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Community Development Director/  
Assistant City Manager



## STAFF REPORT AND FINDINGS OF FACT

June 13, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER



SUBJECT: CONDITIONAL USE REQUEST (CU14-07) BY JIM RAY, ASTORIA RESCUE MISSION, TO LOCATE A TWO-UNIT FAMILY MISSION FACILITY AS A SEMI-PUBLIC USE AT 64 W BOND

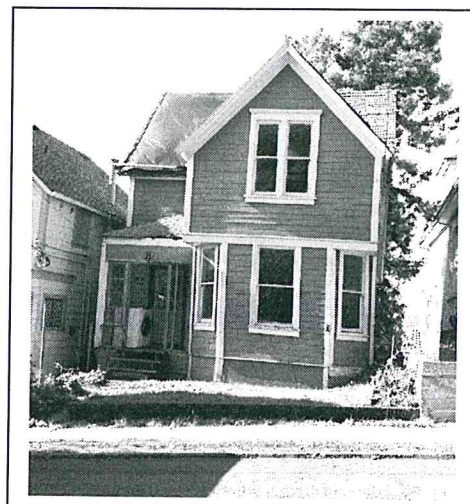
### I. SUMMARY

- A. Applicant: Jim Ray, Board President  
Astoria Rescue Mission  
PO Box 294  
Hammond OR 97121
- B. Owner: Astoria Rescue Mission  
PO Box 114  
Astoria OR 97103
- C. Location: 64 West Bond Avenue; Map T8N R9W Section 7DB, Tax Lot 6000; south 85' of east 27' Lot 20, Block A, Annex to Trullingers Astoria
- D. Zone: R-3 High Density Residential
- E. Lot Size: 27' x 85' (2,295 square feet)
- F. Proposal: To operate a rescue mission for two unit family dwelling as a semi-public use

### II. BACKGROUND INFORMATION

#### A. Site:

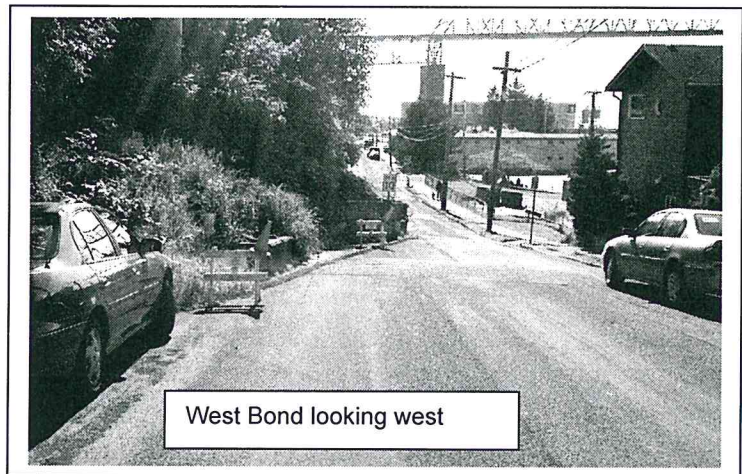
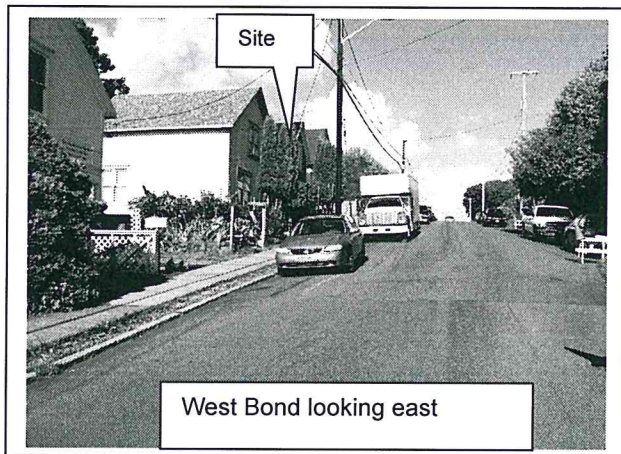
The site is located on the north side of West Bond between Hume and 1st Street. The site slopes steeply down to the north toward West Marine Drive. The 2.5 story with daylight basement building is currently vacant but was previously occupied as a non-conforming two-family dwelling. The non-conformity is due to the substandard lot size for a duplex and insufficient off-street parking.



The Astoria Rescue Mission (ARM) currently operates a men's shelter at 62 W Bond and a women's shelter at 70 W Bond.

B. Neighborhood:

The surrounding area is developed with a variety of single-family, two-family, and multi-family dwellings to the east, south, and west. To the north, facing West Marine Drive is a vacant lot (former Wild Willies car wash) with the TLC Credit Union and Rivershore Motel to the west and east. The area is within the Bond/Commercial Street slide. The West Bond Street Avenue right-of-way is 50' wide with a 30' wide paved road and a sidewalk on the north side. Most properties in the area do not have off-street parking and park within the right-of-way.



C. Proposal:

The owner of the building adjacent to ARM's men's facility recently donated the home to ARM to use as a mission shelter facility. ARM is a non-profit organization that caters to the physical, mental, spiritual, and/or material needs of the homeless or people in need. The applicant is proposing to use the home to house two families in the mission program. Residents would stay between four to six months unless more is needed. The facility would be classified as a semi-public use.

The applicant will need to work with the Building Official to determine any needed upgrades to the building for the proposed use. The use would require four off-street parking spaces but none will be provided. The applicant has submitted a Variance (V14-05) application which will be considered by the APC at the same meeting.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet, excluding rights-of-way, pursuant to Section 9.020 on May 30, 2014. A notice of public hearing was



published in the Daily Astorian on June 17, 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(7) concerning Conditional Uses Permitted in the R-3 Zone allows “Public, semi-public” uses as a Conditional Use.

Section 2.165(2) concerning Lot Size states that *“The minimum lot size for a two-family dwelling will be 6,500 square feet.”*

Section 1.400 concerning Definitions defines the following uses:

*“Semi-public use”* A structure or use intended or used for a semi-public purpose by a church, lodge, club, or any other nonprofit organization, excluding lodges or clubs which have eating or drinking facilities.

Finding: The existing lot is 2,295 square feet which is substandard for a two-family dwelling and there is no off-street parking which makes the use non-conforming with the current code. However, the house has operated as a duplex for many years and therefore may continue as a pre-existing non-conforming use. The applicant intends to operate the two-family dwelling as a family mission facility in conjunction with ARM, a non-profit, church based rescue mission. There will be no State licensing nor treatment, so the use is being classified as “semi-public use” and requires a conditional use permit.

- B. Section 7.100(H) concerning Off-Street Parking requires two off-street parking spaces for each unit.

Section 11.040(A.5) concerning Special Conditions for a Conditional Use states that *“In permitting a conditional use or the modification of an existing conditional use not involving a housing development (e.g. multi-family development, manufactured dwelling park), the Planning Commission may impose, in addition to those standards and requirements expressly specified in this Code, other conditions which it considers necessary to protect the best interest of the surrounding property or the City as a whole. These conditions are: . . . (5) Increasing the required off-street parking spaces. . .”*

Finding: Use of the building for a two-family mission facility is similar to the existing two-family dwelling use. There is no off-street parking for this site. The building has been vacant and the former tenants parked on the West Bond Avenue right-of-way. The building is constructed approximately 10’ from the front property line and therefore the area between the building and paved street is not large enough for a parking space. The proposed use would potentially have less of a parking impact than a two-family dwelling since most of the tenants would not have vehicles.



Since the semi-public facility is being reviewed as a conditional use, the APC may impose additional parking requirements if it is needed. The applicant has asserted that the tenants are not likely to have vehicles, but that is not guaranteed. The applicant has applied for a Variance (V14-05) which will be considered by the APC at the same meeting (Condition 3).

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

1. Section CP.220(5) concerning Housing Policies states that *"Low and moderate income housing should be encouraged throughout the City, and should not be concentrated in one area."*

Finding: The applicant wants to use the existing two-family dwelling close to downtown for a two-family mission facility. The income of the tenants for this housing is not limited to any one income level but are generally low income families in need of assistance.

2. Section CP.250(1) concerning 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."*

Finding: The building is not designated as historic but is over 50 years old. The applicant proposes to continue use of the building as a residence. The building is not well maintained and the applicant proposes to make improvements to the building prior to use.

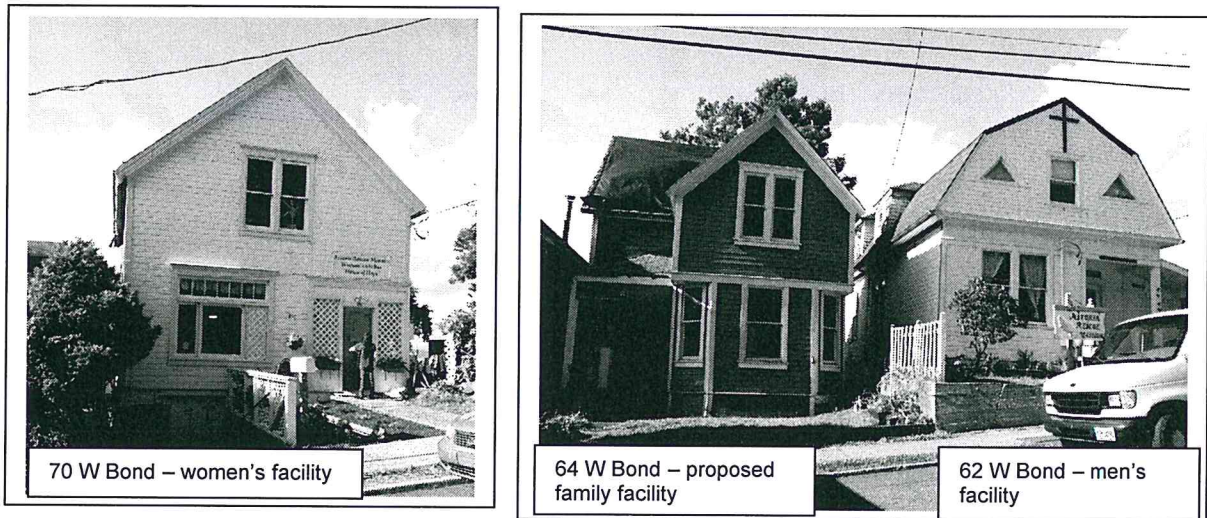
Finding: The request complies with the Comprehensive Plan.

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

Finding: The site is easily accessible to pedestrians, bicyclists, vehicle traffic and those using public transit. The existing building was constructed as a single-family dwelling but has been used for many years as a two-family dwelling. That use would continue under the semi-public use program. The semi-public use for a two-family dwelling would be a conditional use in both the R-2 Zone (Medium Density Residential) and R-3 Zone (High Density Residential) and therefore is allowed in the zone and this type of structure.



The proposed facility would be available to families with immediate needs. The Astoria Rescue Mission is the only facility that offers this type of housing in Astoria with the men's mission at 62 W Bond and a women's mission at 70 W Bond. The proposed location of the family facility in the same block would allow ARM to easily manage all three facilities from one location. Federal laws prohibit discrimination of housing for all populations. There are a few "group homes" in Astoria offering half-way house services for those completing drug rehabilitation. However, ARM caters to all needs including homelessness and not specifically drug rehabilitation. This would be the only facility available for families. The use is appropriate at the proposed location.



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

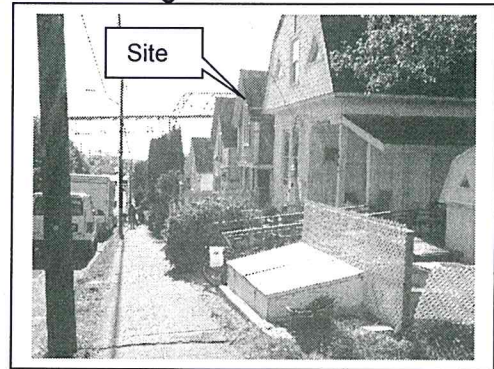
Section 7.100(H) concerning Minimum Parking Space Requirements lists two off-street parking spaces per unit for a two-family dwelling.

Finding: The site is accessible from West Bond Street which is a two-way street that becomes a one-way street just to the west of this site due to the reduction in street width as a result of the Commercial/Bond Street slide. It is proposed in the 2013 Astoria Transportation System Plan that Bond/West Bond Street will eventually be reopened as a two-way street. On-street parking is available on both sides of West Bond except where the slide intrudes into the right-of-way. There is no off-site parking for this property, as well as for most of properties on West Bond. However, the site has been used as a two-family dwelling and the proposed use has the same parking requirements per the



Development Code. Therefore, there is no change in parking use that would require additional parking. The applicant has applied for a Variance (V14-05) which will be considered by the APC at the same meeting.

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



There are no special loading or unloading requirements that are needed for the proposed use. Most tenants would not have vehicles and would not be moving furniture to the site as the facility is fully furnished and generally clients do not have possessions requiring truck loading. However, if a tenant does have a vehicle, ARM has an agreement with Gateway Community Church in Warrenton for parking arrangements should a vehicle need to be parked for greater than 24 hours at a time. Tenants should be advised of this parking alternative (Condition 1). An adequate site layout for transportation activities is available.

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

Finding: The use will not overburden water, sewer, storm drainage, or police and fire protection as it is residential use within a residential building.

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

Finding: No exterior construction is proposed as part of this request. This section does not apply.

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

Finding: The building is existing and encompasses a large portion of the parcel on which the building is located. No additional landscaping requirements will be imposed as part of this request.



## 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. Tenants shall be advised of the prohibition of long term parking and storage of vehicles on a City right-of-way and the availability of alternative parking.
2. Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed by the Astoria Planning Commission.
3. The applicant shall obtain a variance from the parking requirement or provide off-street parking.

The applicant should be aware of the following requirements:

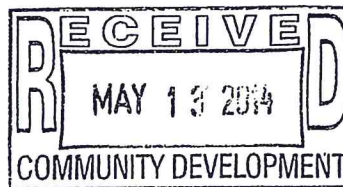
The applicant shall obtain all necessary City and building permits prior to the start of operation.





CITY OF ASTORIA  
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COMMUNITY DEVELOPMENT



No. CU 14-07

Fee: \$250.00

CONDITIONAL USE APPLICATION

Property Address: 64 W Bond.

Lot 385' x 22' L20 Block A

Subdivision Annex to Trullinger's Ast.

Map 7DB

Tax Lot 6000

Zone R-3

Applicant Name: Jim Ray, Board President ARM

Mailing Address: POB 294, Hammond 97121

Phone: 861-5631 Business Phone: Email: 3.rays@charter.net

Property Owner's Name: Astoria Rescue Mission

Mailing Address: POB 114, Astoria

Business Name (if applicable): Same

Signature of Applicant: [Signature]

Date: 5/13/14

Signature of Property Owner: Board Pres.

Date:

Existing Use: SFD

Proposed Use: Semi-public use as a two unit family mission facility

Square Footage of Building/Site: Lot 2,295 sq ft. Bldg 1,500 sq ft

Proposed Off-Street Parking Spaces: 2

to locate a semi-public use as a two unit family mission facility in an existing SFD

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:		Permit Info Into D-Base:	
Labels Prepared:		Tentative APC Meeting Date:	6/24/14
120 Days:			



**FILING INFORMATION:** Planning Commission meets on the fourth Tuesday of each month. Completed applications must be received by the 13th of the month to be on the next month's agenda. A Pre-Application meeting with the Planner is required prior to acceptance of the application as complete. Only complete applications will be scheduled on the agenda. Your attendance at the Planning Commission meeting is recommended.

Briefly address each of the following criteria: Use additional sheets if necessary.

- 11.030(A)(1) 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.

*to be located adjacent to men's and women's missions operated by ARM; easier locating by potential clients due to proximity to other facilities; same director will manage all 3 facilities; semi-public use generally requires a C.U.*

- 11.030(A)(2) 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.

*Existing SFD w/ sidewalks; close to bus service & W Marine; garbage takes only, no dumpster; no parking but few clients will have vehicles; will need pkg variance*

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

*existing SFD increased to 2 unit mission - utilities existing*

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

*No exterior construction proposed.*

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

*Existing SFD w/ landscaping - no add'l proposed.*

- 11.030(B) Housing developments will comply only with standards 2, 3, and 4 above.



**Community Benefits of Astoria Rescue Mission (ARM)**

The Mission is not a tax supported entity

Lives have been saved

Family relationships have been restored

Individuals have been restored to productive members of society  
becoming business owners, managers, employees

Relief to courts, jail, law enforcement officials by receiving  
troubled individuals into ARM

Relieving tax payers and government institutions of paying for  
care of individuals

Litter removal from Commercial and Duane Streets by ARM residents

Renovation and restoration of 62 and 70 West Bond Street structures

Receiving homeless, helpless, hopeless individuals into ARM;  
providing shelter, food, bathing, clothing, acceptance and  
encouragement

Reducing panhandling on the streets of Astoria and surrounding  
community

Reducing crime and blight; thefts, robberies, breaking & entering,  
shoplifting and more serious mischief

The renovation and restoration of 64 West Bond is intended to meet  
the needs of two families at a time by converting it to a duplex  
as shown in revised floor plan drawings

Impact on parking is anticipated to be negligible. Homeless individuals  
typically:

- a) Have never owned a car
- b) Have sold their car for food money or addictive substances
- c) Have had their car impounded and lost

Money management training is provided for residents

Day jobs are intermittently available for able bodied residents

Job skill training is provided for willing participants

The "Reasonable Stewardship" Program teaches residents to "give back"  
in appreciation for housing, acceptance and care





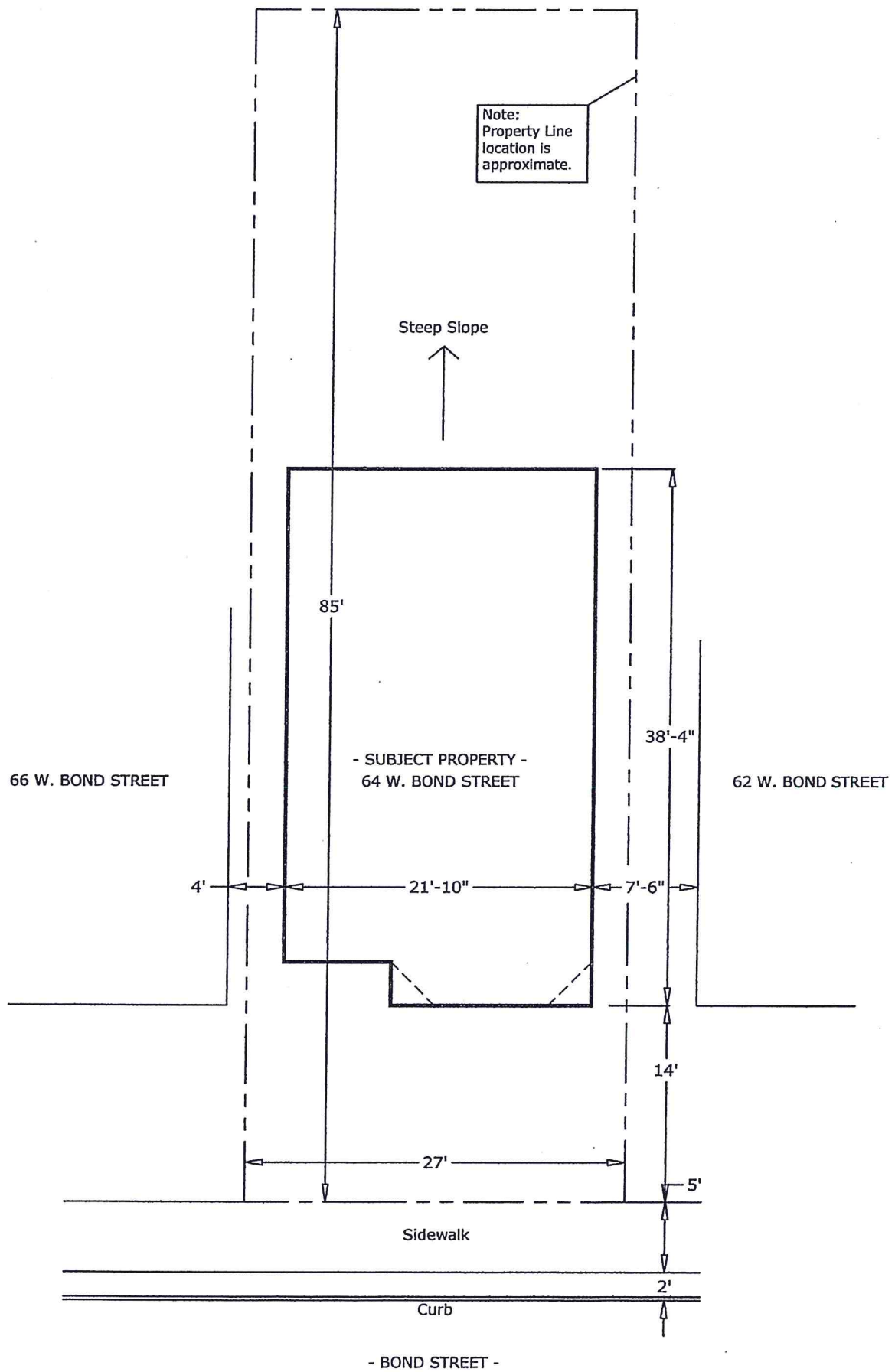
The Astoria Rescue Mission fulfills an *obvious need* in our community.

NOTE:

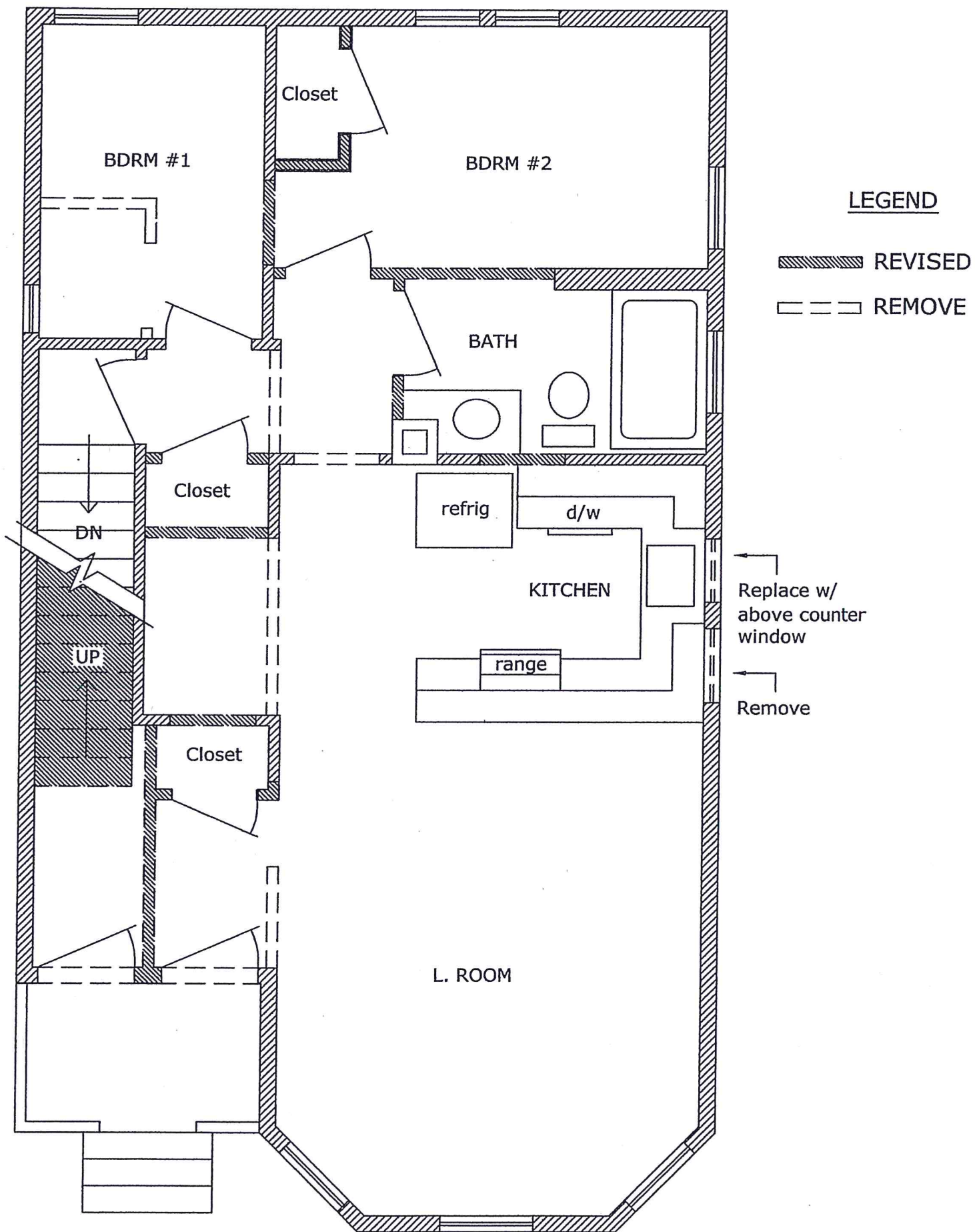
The Pioneer Presbyterian Church which *founded* the Pioneer House was unable to sustain its operation. The costs exceeded the available funding.

The quasi-governmental agencies who accepted responsibility for the house were unable to afford to maintain its operation



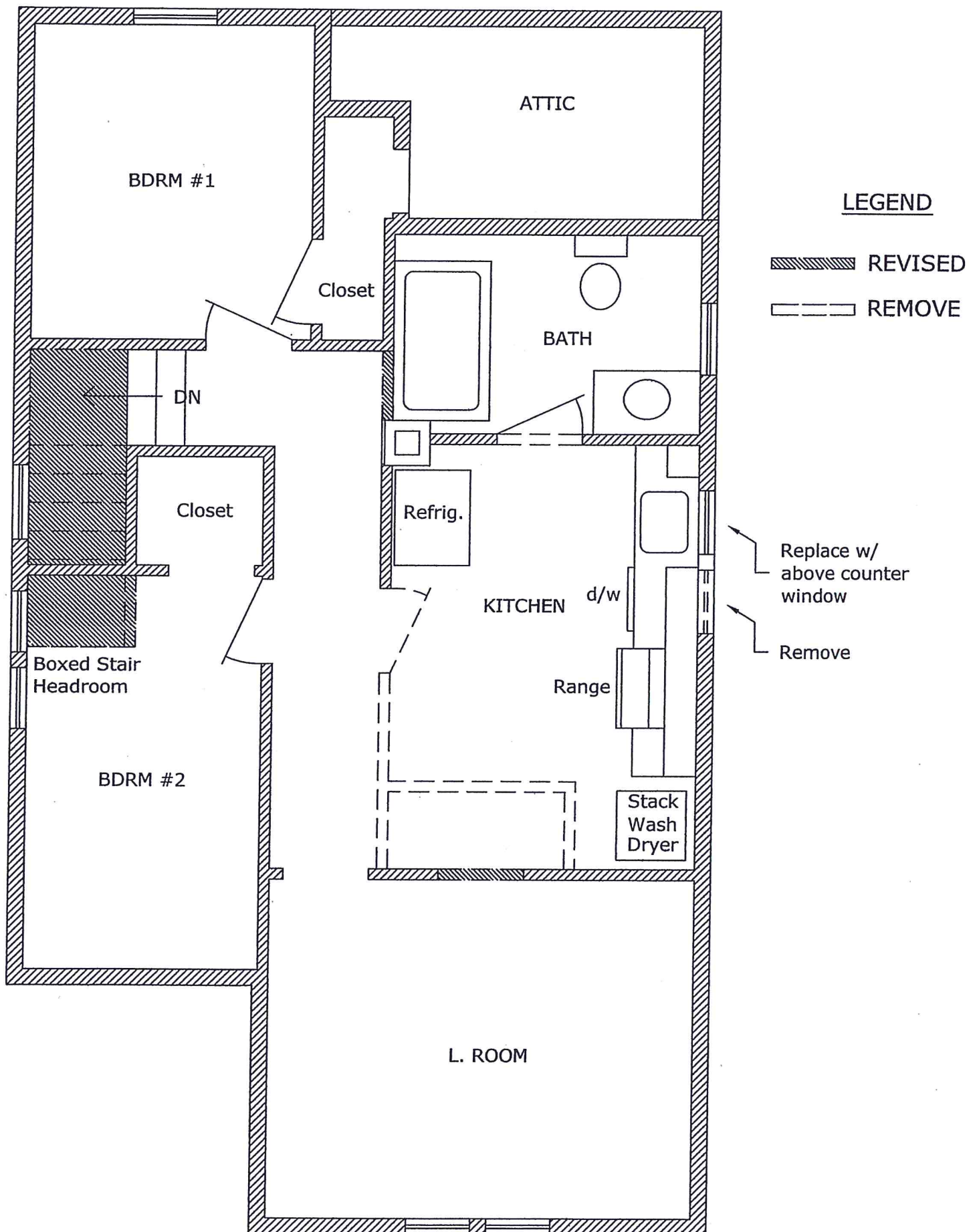


SITE PLAN



MAIN FLOOR (PROPOSED)





UPPER FLOOR (PROPOSED)

## STAFF REPORT AND FINDINGS OF FACT

June 16, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER

SUBJECT: VARIANCE REQUEST (V14-05) BY JIM RAY, ASTORIA RESCUE MISSION, FROM OFF-STREET PARKING REQUIREMENTS TO LOCATE A TWO-UNIT FAMILY MISSION FACILITY AT 64 W BOND WITH ZERO OFF-STREET PARKING

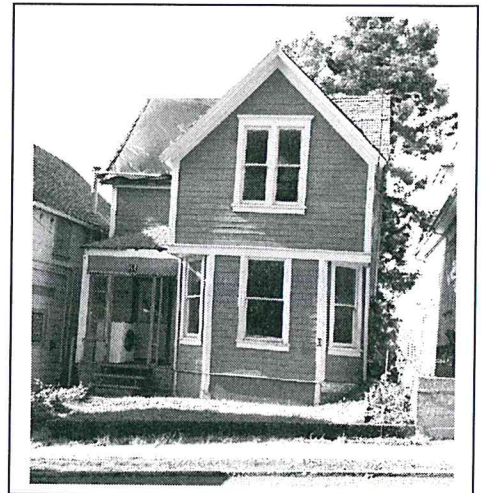
### I. BACKGROUND SUMMARY

- A. Applicant: Jim Ray, Board President  
Astoria Rescue Mission  
PO Box 294  
Hammond OR 97121
- B. Owner: Astoria Rescue Mission  
PO Box 114  
Astoria OR 97103
- C. Location: 64 West Bond Avenue; Map T8N R9W Section 7DB, Tax Lot 6000; south 85' of east 27' Lot 20, Block A, Annex to Trullingers Astoria
- D. Zone: R-3 High Density Residential
- E. Lot Size: 27' x 85' (2,295 square feet)
- F. Proposal: From required four off-street parking spaces to provide zero parking for two unit family dwelling as a semi-public use

### II. BACKGROUND INFORMATION

#### A. Site:

The site is located on the north side of West Bond between Hume and 1st Street. The site slopes steeply down to the north toward West Marine Drive. The 2.5 story with daylight basement building is currently vacant but was previously occupied as a non-conforming two-family dwelling. The non-conformity is due to the substandard lot size for a duplex and insufficient off-street parking.

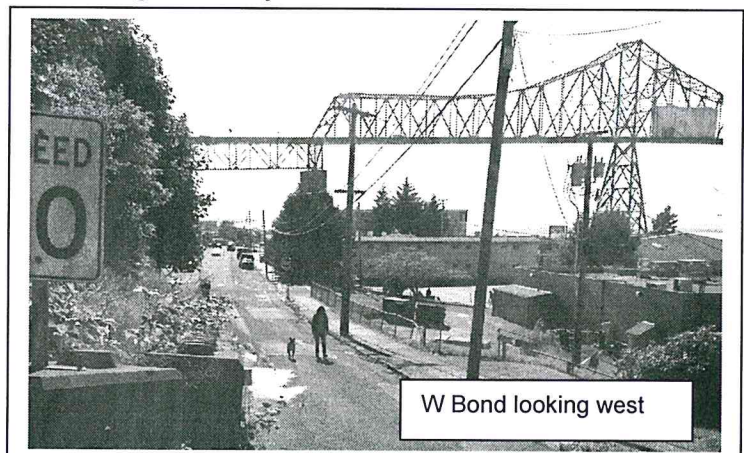
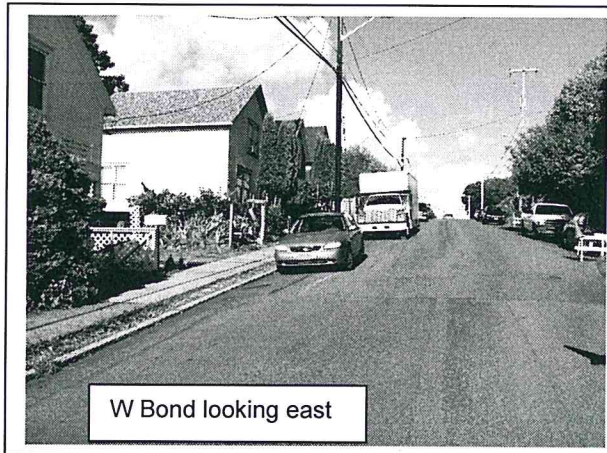




The Astoria Rescue Mission (ARM) currently operates a men's shelter at 62 W Bond and a women's shelter at 70 W Bond.

B. Neighborhood:

The surrounding area is developed with a variety of single-family, two-family, and multi-family dwellings to the east, south, and west. To the north, facing West Marine Drive is a vacant lot (former Wild Willies car wash) with the TLC Credit Union and Rivershore Motel to the west and east. The area is within the Bond/Commercial Street slide. The West Bond Street Avenue right-of-way is 50' wide with a 30' wide paved road and sidewalk on the north side. Most properties in the area do not have off-street parking and park within the right-of-way.



C. Proposal:

The owner of the building adjacent to ARM's men's facility recently donated the home to ARM to use as a mission shelter facility. ARM is a non-profit organization that caters to the physical, mental, spiritual, and/or material needs of the homeless or people in need. The applicant is proposing to use the home to house two families in the mission program. Residents would stay between four to six months unless more is needed.

The facility would be classified as a semi-public use. The use requires a conditional use permit (CU14-07) and the applicant has applied for the permit which will be considered by the APC at the same meeting. Because the use classification is changing, off-street parking requirements need to be considered. Four off-street spaces are required and the applicant proposes zero parking.

The applicant will need to work with the Building Official to determine any needed upgrades to the building for the proposed use.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet, excluding rights-of-way, pursuant to Section 9.020 on May 30, 2014. A notice of public hearing was published in the Daily Astorian on June 17, 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(7) concerning Conditional Uses Permitted in the R-3 Zone allows “Public, semi-public” uses as a Conditional Use.

Finding: The applicant is proposing a two-family dwelling mission facility as a semi-public use which is a conditional use. An application for the conditional use is being considered by the APC at this same meeting.

- B. Section 7.100(H) requires “two spaces per dwelling unit” for single-family, two-family, or three unit dwelling units.

Finding: The applicant proposes to maintain the two-family dwelling as a semi-public use administered by the Astoria Rescue Mission. The former two-family dwelling required a total of four off-street parking spaces and provided zero. The applicant proposes to provide zero off-street parking spaces for the same number of units but as a semi-public use. A variance is required.

- C. Section 12.040 states that “Variances from the requirements of this Code with respect to off-street parking and loading facilities may be authorized as applied for or as modified by the City Planning Commission, if, on the basis of the application, investigation, and the evidence submitted by the applicant, all three (3) of the following expressly written findings are made:”

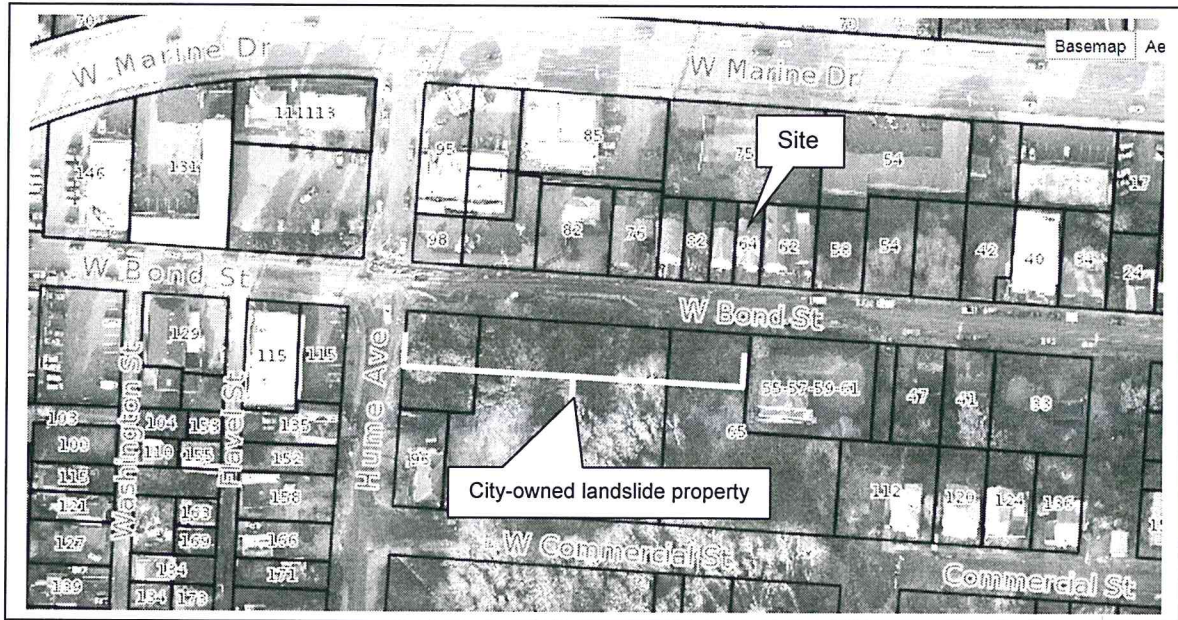
1. That neither present nor anticipated future traffic volumes generated by the use of the site or use of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the requirements of this Code; and

Finding: The present use as a two-family dwelling requires four off-street parking spaces which are not currently provided and are allowed as existing non-conforming. The change to a semi-public use as a two-family mission would generally reduce the number of vehicles at the site as most tenants would not have vehicles. The applicant has submitted information on the actual parking needs for the ARM men’s and women’s facilities for the last five years. The report indicates that there is only an occasional vehicle for either facility. This is a dense residential urban neighborhood with several multi-family apartment buildings with no off-street parking. The applicant has an agreement with Gateway Community Church in Warrenton to accommodate any needed long term parking for the facility. Tenants should be advised of this parking alternative (Condition 1).

The building has been vacant, however, the former tenants parked on the West Bond Avenue right-of-way. The building is constructed approximately 10’ from the front property line and therefore the area between the building and paved street is not large enough for a parking space. The proposed use would potentially have less of a parking impact than a two-family dwelling since most of the tenants would not have vehicles.



The lots across the West Bond Street right-of-way are steep portions of the Bond/ Commercial Street slide, are owned by the City, and will remain undeveloped.



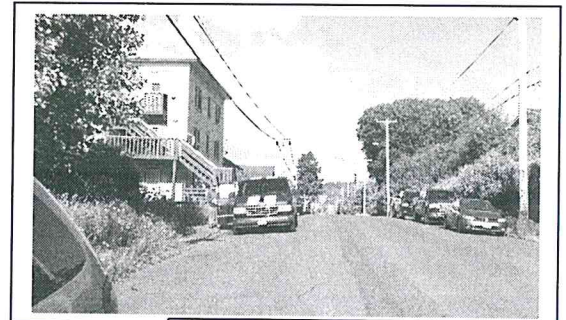
Since the semi-public facility is being reviewed as a conditional use, the APC may impose additional parking requirements if it is needed. The applicant has asserted that the tenants are not likely to have vehicles, and has provided supporting documentation noted above.

With the limited number vehicles anticipated for the use, and the vacant lots across the right-of-way, it appears that there may be sufficient on-street parking to accommodate the proposed facility. A strict interpretation of the requirement is not required.

2. That the granting of the variance will not result in the parking or loading of vehicles on public streets in such a manner as to materially interfere with the free flow of traffic on the streets;

Finding: West Bond Street is 50' wide and developed its full width with street, parking on both sides except where the slide intrudes into the right-of-way, and sidewalks.

West Bond Street is hilly with limited visibility for great distances. However at this site, West Bond is relatively flat sloping down to the west with long distance visibility to the west and about one block visibility to the east. With the sight distances, parking maneuvering should not be a problem.



W Bond looking east at hilltop



Bond / West Bond Street is classified as a “collector” street in the City Transportation System Plan (TSP) . It is a secondary route used by locals in lieu of Marine Drive. Since the Commercial / Bond Street slide in 2007, the west end of Bond Street has been narrowed to one lane with one way traffic which has reduced the amount of traffic on West Bond. However, this portion of West Bond still has a high volume of vehicle usage due to its proximity to downtown. It is proposed in the TSP that the one-way portion of West Bond Street should be reopened to two-way traffic in the future. If reopened to two-way traffic, it would be expected that traffic volumes would return to what they were before the slide.

It is anticipated that the street will be able to accommodate future traffic generated by the two-family dwelling mission facility.

3. That the granting of the variance will not create a safety hazard.

Finding: As noted above, West Bond Street is developed to its full width with parking on both sides except where the landslide has blocked the parking area of the street. There is good visibility toward the west and at least one block visibility to the east. Granting the variance will not create a safety hazard.

## **V. CONCLUSION AND RECOMMENDATION**

The request, in balance, meets all the applicable review criteria and Staff recommends approval with the following conditions:

1. Tenants shall be advised of the prohibition of long term parking and storage of vehicles on a City right-of-way and the availability of alternative parking.
2. Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed by the Astoria Planning Commission.

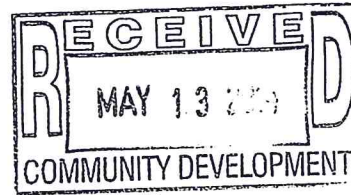
The applicant should be aware of the following requirements:

- The applicant shall obtain all necessary City and building permits prior to the start of operation.





CITY OF ASTORIA  
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COMMUNITY DEVELOPMENT



No. V 14-05

Fee: Administrative-Permit \$150.00  
or Planning Commission \$250.00

fd by  
John  
Solheim  
POB 992,  
Astoria

PARKING VARIANCE APPLICATION

Property Location: Address: 604 W Bond.

Lot 85' x 27' L20 Block A Subdivision Annex to Trullinger's Ast

Map 7DB Tax Lot 6000 Zone R-3 AK

Applicant Name: Jim Ray, Board President, ARM

Mailing Address: POB 294, Hammond 97121

Phone: 861-5631 Business Phone: \_\_\_\_\_ Email: 3.ray@scharter.net

Property Owner's Name: Astoria Rescue Mission

Mailing Address: POB 114, Astoria

Business Name (if applicable): Same

X Signature of Applicant: [Signature] Date: 5/13/14

Signature of Property Owner: Board Pres. Date: \_\_\_\_\_

Existing/Proposed Use: SFD / semi-public use as a 2-family mission facility

What Development Code Requirement do you need the Variance from? (Describe what is required by the Code and what you are able to provide without a Variance.)

4 off-street parking spaces to provide zero.  
from required 4 off-street parking spaces to provide zero parking for a two family mission facility

**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:		Permit Info Into D-Base:	
Labels Prepared:		Tentative APC Meeting Date:	<u>6/24/14</u>
120 Days:			

**FILING INFORMATION:** Planning Commission meets on the fourth Tuesday of each month. Completed applications must be received by the 13th of the month to be on the next month's agenda. A Pre-Application meeting with the Planner is required prior to acceptance of the application as complete. Only complete applications will be scheduled on the agenda. Your attendance at the Planning Commission meeting is recommended.

Briefly address the following criteria to **PARKING RELATED VARIANCES:**

12.040. VARIANCE FROM STANDARDS RELATING TO OFF-STREET  
PARKING AND LOADING FACILITIES.

Variances from the requirements of this Code with respect to off-street parking and loading facilities may be authorized as applied for or as modified by the City Planning Commission, if, on the basis of the application, investigation, and the evidence submitted by the applicant, all three (3) of the following expressly written findings are made:

1. That neither present nor anticipated future traffic volumes generated by the use of the site or use of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the requirements of this Code; and

large percentage of clients will not have vehicles; parking needs should not be much different than current SFO

2. That the granting of the variance will not result in the parking or loading of vehicles on public streets in such a manner as to materially interfere with the free flow of traffic on the streets; and

on-street parking on both sides of W 5th St;  
Posted 25 mph zone; families would generally stay  
4-6 months so loading/moving limited as they would not  
be moving furniture.

3. That the granting of the variance will not create a safety hazard.

No.

**Attach Site Plan**



Astoria Rescue Mission

P.O. Box 114

May 13, 2014

(503) 325 6243

Astoria OR 97103

Personal - Rosemary Johnson, Planner  
City of Astoria, Community Development Department  
1095 Duane Street  
Astoria OR 97103

**Subject:** ARM Parking impact on Bond Street

Thank you, Rosemary, for meeting with John Solheim, Susan Swanby and me today. Your contributions to our application process are extraordinary and greatly appreciated.

I have inquired of our staff and determined that *none* of the individuals currently residing in the Men's Mission have an automobile. Only *one* resident in the Women's (House of Hope) Mission has a vehicle.

In a typical month, of the many clients who are provided a bed, only *three* would have a vehicle. However, such individuals seldom reside for an extended stay. Often, such individuals are only passing through. Their stay would likely be for less than one week and oftentimes, only one night.

As a result, we believe that the approval of ARM's variance and conditional use applications would be negligible.

I have been on the ARM Board since 1999 and often frequent the Mission. I have *never* been without a place to park.

If I can be of any further assistance, please feel free to contact me.

Respectfully,

Jim Ray, Board President  
(503) 861 5631

**Astoria Rescue Mission - On Street Parking Impact Statistics**  
(Vehicles owned by ARM clients)

	<u>Men's Mission</u>	<u>Women's Mission</u>
<b><u>2014 YTD</u></b>		
January	1	0
February	1	0
March	0	0
April	0	0
May	1	0
June	1	0
July	0	0
August	0	0
September	0	0
October	1	0
November	1	0
December	1	0
February	0	0
March	0	0
April	0	1
May	0	1
<b><u>2013</u></b>		
January	0	0
February	1	0
March	0	0
April	0	0
May	1	0
June	1	0
July	0	0
August	0	0
September	0	0
October	1	0
November	1	0
December	1	0



**2012**

January	1	0
February	1	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0

**2011**

January	1	0
February	1	0
March	1	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	1	0
December	1	0

**2010**

January	1	0
February	1	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	1	0
November	1	0
December	1	0



CITY OF ASTORIA  
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COMMUNITY DEVELOPMENT

June 16, 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.



The RVP for the Civic Greenway Planning Area identified Land Use Assumptions and Objectives which state that *"It is expected that large amounts of overwater development will not occur in the Civic Greenway ..."* The objectives include:

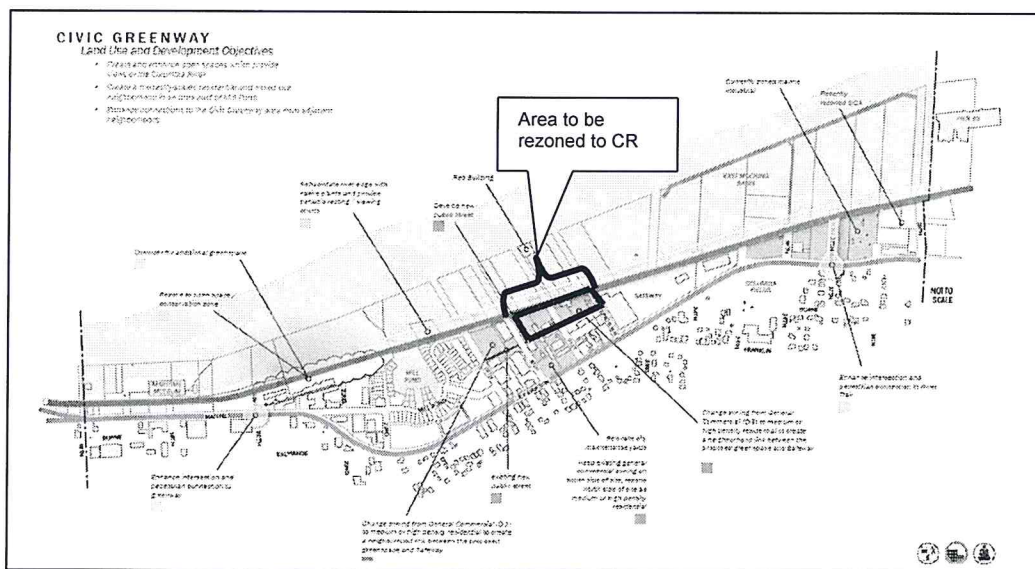
- Protect river vistas to maintain physical and visual connections to the river.
- Create and enhance open spaces which provide views of the river.
- Encourage maritime related uses consistent with Astoria's working riverfront such as docks, piers and associated uses.
- Create a modest scale residential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

Throughout the RVP implementation process, the Planning Commission (APC) focused on these Assumptions and Objectives and did not attempt to change the Vision Plan as adopted. There was discussion and public comment during the work sessions on the interpretation of these objectives.

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.

Proposed map amendments will include:

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 public hearing was opened at the May 27, 2014 APC meeting and was continued to the June 24, 2014 meeting.

The APC's recommendation will be forwarded to the City Council for public hearing tentatively at the July 21, 2014 City Council meeting.

#### B. City Council

Should the APC make a recommendation at their June 24, 2014 meeting, a public notice will be mailed to Neighborhood Associations, various agencies, and interested parties on June 27, 2014 for a public hearing at the City Council meeting on July 21, 2014. In accordance with Section 9.020, a notice of public

hearing will be published in the Daily Astorian on July 14, 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. Structure height, width, and size would be regulated so there would not be large amounts of over water from 16th to 41st Street. It is anticipated that there may be future development at and around the East End Mooring Basin that would be compatible with the Riverfront Vision Plan for this area such as moorage, and other piers and dock activities. However, seafood



industry, and other maritime related buildings would require larger facilities. Therefore, for the established East End Mooring Basin area between 35th Street and 39th Street which is currently owned by the Port and in private ownership, it is proposed that if a structure is located 500' from the shoreline, that it may be 28' high and a maximum width of 150' with no limitation on the square footage of the building. This would allow some development in this area where some overwater and in-water activity has occurred in the past while preserving the broad vistas as viewed from the River Trail and adjacent properties.

The proposed allowable uses within the Civic Greenway Area eliminate some of the non-maritime related uses from the A-1 and A-2 Zones within this area. The allowable uses would support marinas, docks, piers, water-related commercial and industrial uses, and the associated maintenance related uses such as dredging, piling, and utilities. The following is a list of uses proposed to be eliminated from the Civic Greenway Area that are currently allowed in the A-1 and A-2 Zones. These uses would continue to be allowed within the A-1 and A-2 Zones in other portions of the City.

<b>Current Allowable Uses</b>	<b>A-1 Zone</b>	<b>A-2 Zone</b>
Water dependent commercial or industrial use	Outright	Outright
Mining and mineral extraction	Conditional Use	Conditional Use
In-water log dump, sorting operation	Conditional Use	
Aquaculture and water dependent portion of aquaculture facility		Conditional Use
Eating and drinking establishment not associated with a water depended use such as marina/seafood processing		Conditional Use
Hotel, motel, inn, bed and breakfast		Conditional Use
Tourist oriented retail sales		Conditional Use
Indoor amusement, entertainment, and/or recreation establishment		Conditional Use
Professional and business office, personal service establishment, residence, arts and crafts meeting the requirements of Section 2.540.10 (limited to upper stories or 25% max of first floor)		Conditional Use
Conference Center		Conditional Use
Public use in conjunction with the CRMM – <i>removed reference to CRMM and changed to maritime related use</i>		Outright

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.



<b>Estimated Net Land Surplus/(Deficit) by Zoning Designation, Astoria UGB, 2027</b>				
<b>Growth Scenario</b>	<b>Type of Use</b>	<b>Commercial (Office/Retail)</b>	<b>Industrial/Other</b>	<b>Total</b>
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**

<b>Type of Use</b>	<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>AH-MP</b>	<b>Total</b>
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), Uppertown / Alderbrook Subarea Plan, Aquatic and Shoreland Designations states that *"The aquatic area between 29th and 41st Streets is designated Development to the pierhead line, except at the East End Mooring Basin where the designation corresponds to the outer boundary of the pier. East of 41st Street, the aquatic area is designated Conservation."*

*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."*

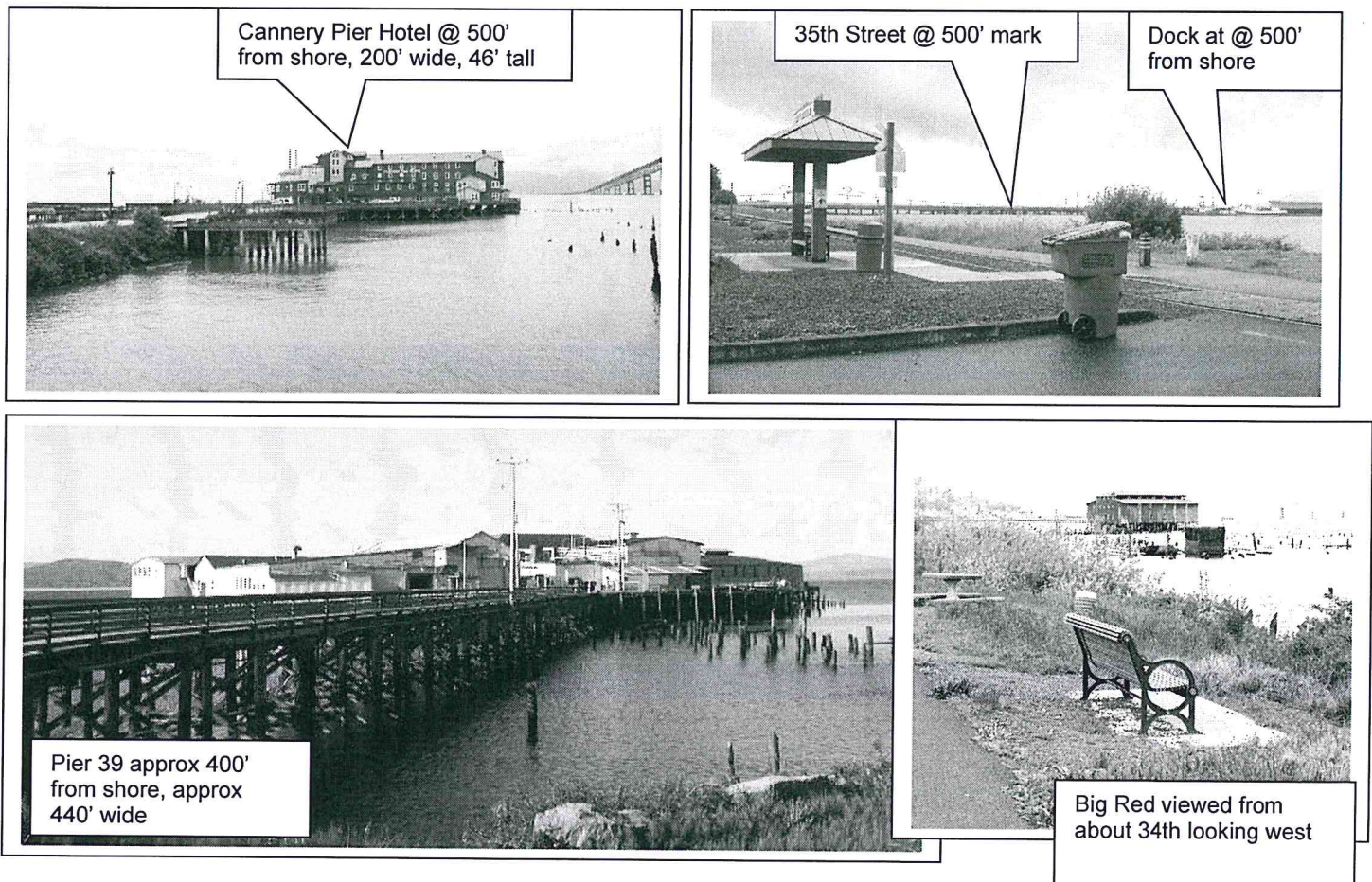
CP.204, Economic Development Goal 5 and Goal 5 Policies, Goal states *"Encourage the preservation of Astoria's historic buildings, neighborhoods and sites and unique waterfront location in order to attract visitors and new industry."* The Policy 1 states *"Provide public access to the waterfront wherever 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 on-land building and landscaping setback and

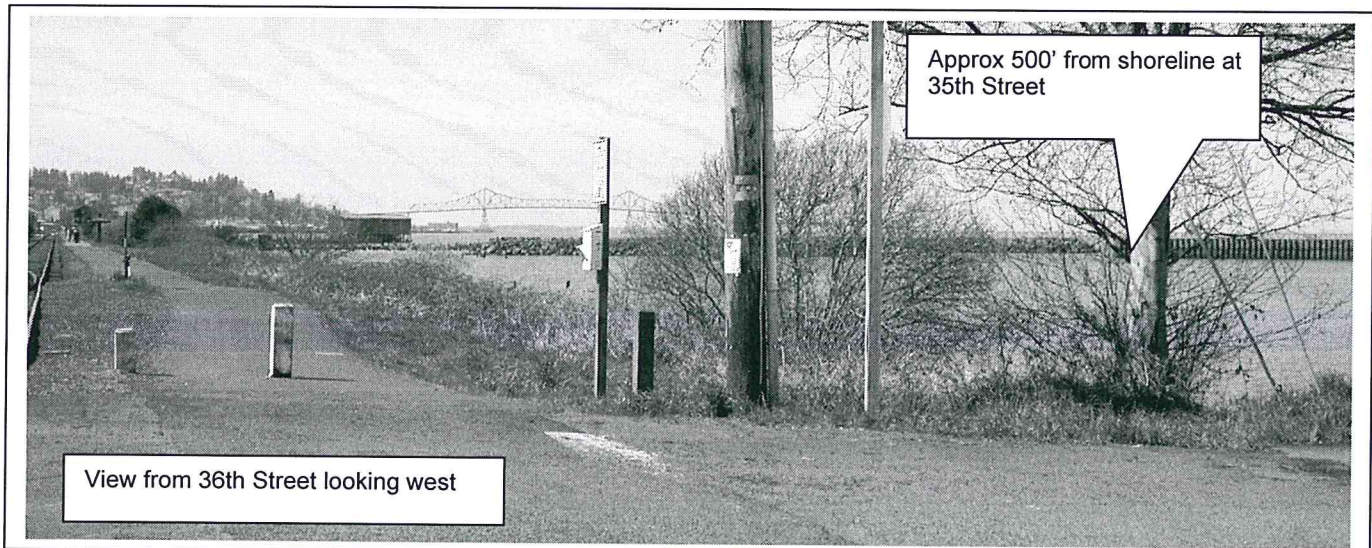
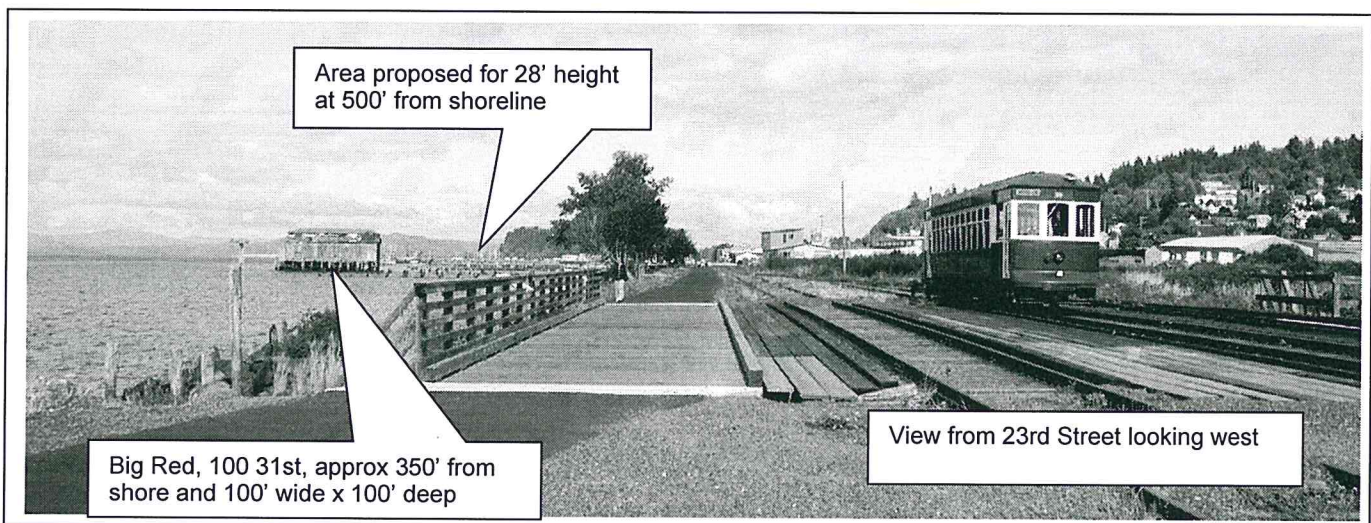
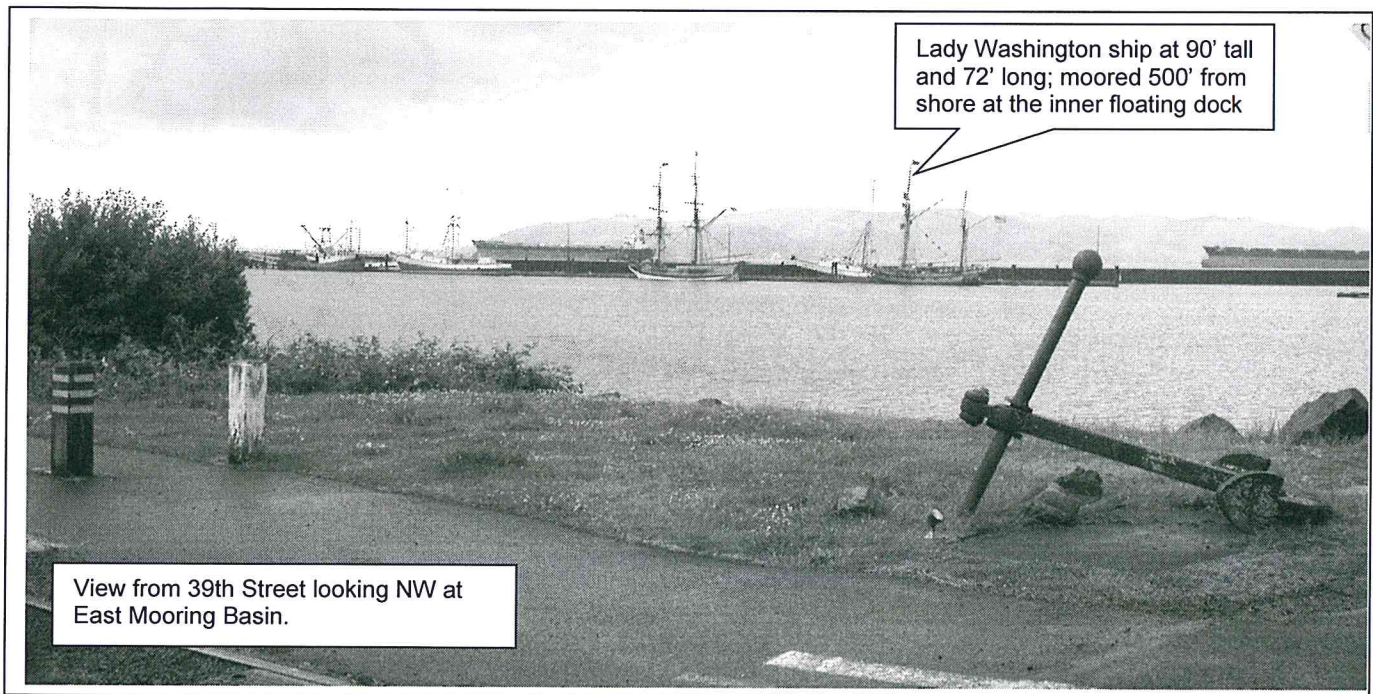


stepbacks create wider view corridors from Marine Drive / Lief Erikson Drive.

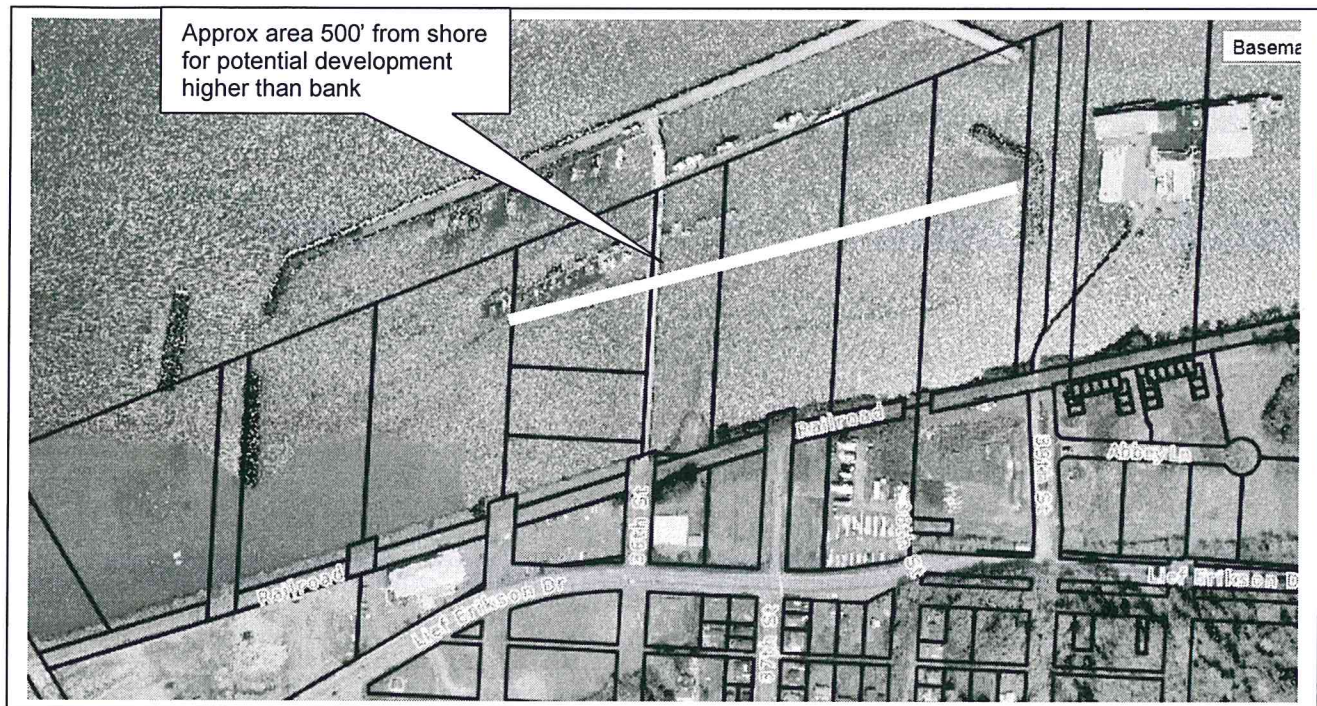
The proposed implementation of the RVP will allow for limited over-water development of maritime related facilities while protecting public visual and physical access to the River. The proposed amendment would limit the size, height, and location of development to minimize the impact on public access. The maximum height of buildings is proposed to be at existing shoreline bank height which would limit the type of development that could occur. However, it is recognized that some development could occur near the established East End Mooring Basin. The draft ordinance includes an exception for the area between 35th and 39th Street to allow 28' high buildings with larger footprint and width if the building is located a minimum of 500' from the shoreline. These standards were based on the visual impacts of the dimensions and site location of the existing Cannery Pier Hotel (10 Basin Street) located on the west end of the River Trail, and two other over-water structures at 100 31st Street (Big Red) and 100 39th Street (Pier 39). Big Red and Pier 39 are located out from the shoreline (approximately 350' and 400' respectively) and are existing historic buildings. Future development in the East End Mooring Basin area would still be subject to allowable uses, design, and other development standards of the proposed Civic Greenway Area Overlay.











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. However, additions to these buildings would be subject to the proposed development standards. The code would also protect the scenic views of the Columbia River waterfront

with 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*.

The Riverfront Vision Plan adopted by the City Council on December 7, 2009, established a goal for the Civic Greenway Area to *“Create a modest scale residential and mixed use neighborhood in an area east of Mill Pond.”* It states that *“A new residential neighborhood is proposed for the area between Mill Pond and Safeway. . .”* The Plan calls for single-family and duplex housing types, pedestrian scaled development in this area. The



area proposed to be rezoned to a CR Zone is the same area identified in the Riverfront Vision Plan.

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 setbacks, 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, public hearings, 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
May 27, 2014	APC public hearing
June 24, 2014	APC public hearing

The City was very conscious of the interest in protection of the Riverfront and the need to have an ordinance that would meet the needs of the citizens, 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.

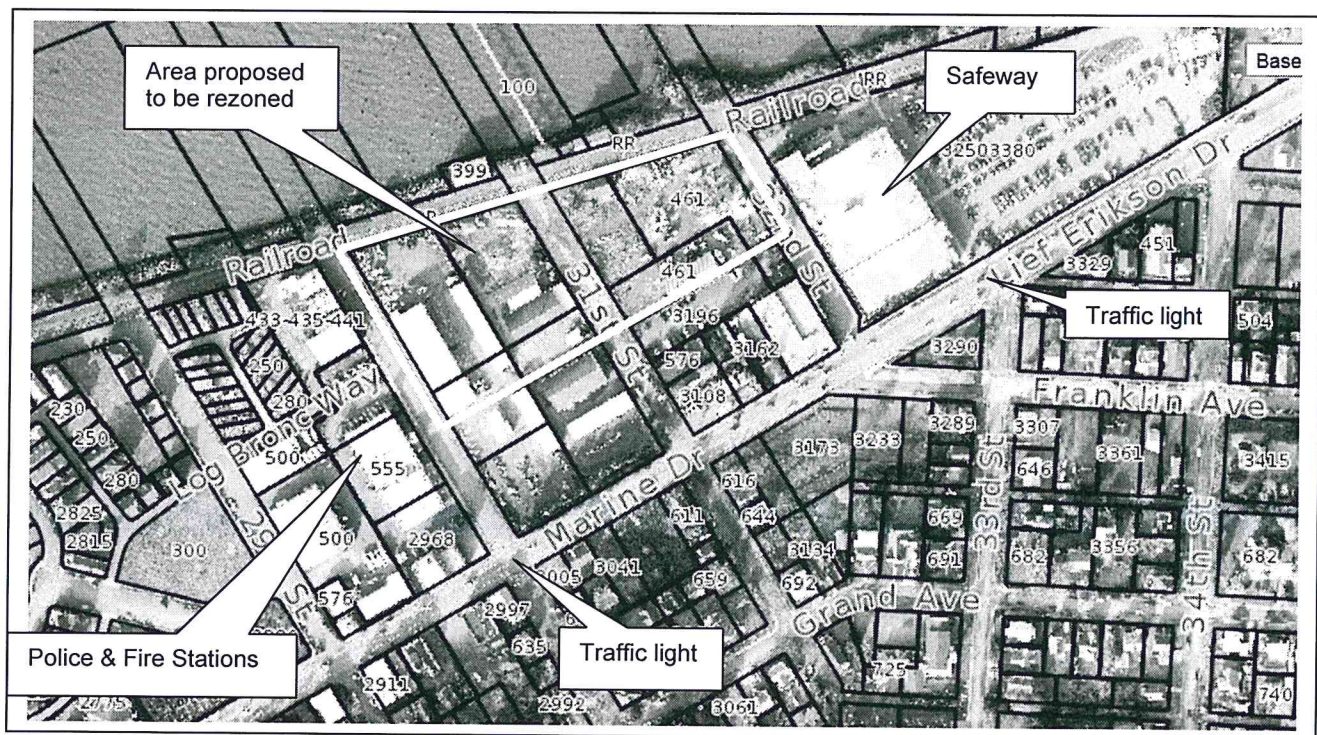
- E. Section 10.070(B.2) concerning Map Amendments requires that *"The amendment will:*  
*a. Satisfy land and water use needs; or*  
*b. Meet transportation demands; or*  
*c. Provide community facilities and services."*

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 (General Commercial).

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 Zone		CR Zone	
	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	
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.

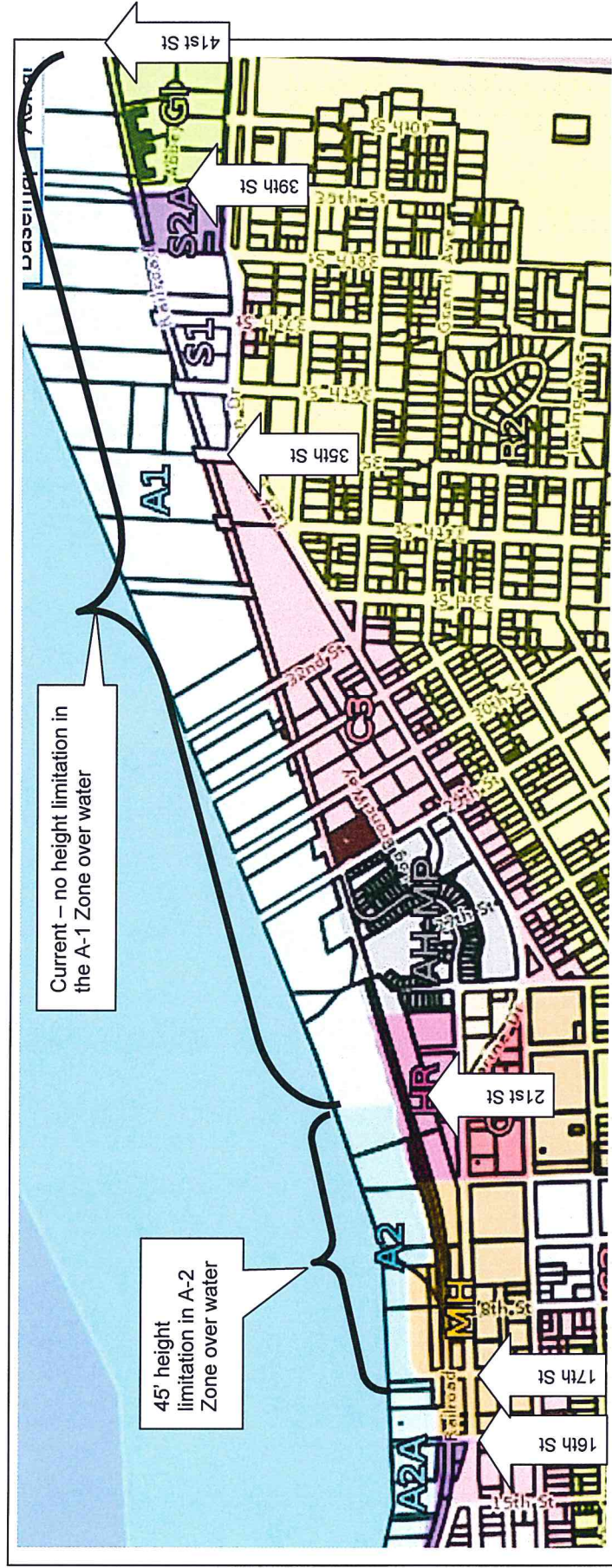
Since the area proposed to be zoned CR is accessed from City streets and not directly from the State Highway, ODOT no longer comments on the TPR review. However, ODOT has been included in the draft amendment review process. From the existing TSP and projected traffic volumes and projected uses, it appears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

# EXISTING OVER-WATER CONDITIONS ZONE AND BUILDING HEIGHT CIVIC GREENWAY AREA

June 16, 2014



This map shows the existing zones and the existing allowable heights in those areas:

- A-2A from 16th to 17th      Building height 28' maximum
- A-2 from 17th to 21st      Building height 45' maximum
- A-1 from 21st to 41st      No maximum building height



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 2.530.12 pertaining to Outright Uses in the A-2 Zone (Aquatic Two Development) is deleted in its entirety and amended to read as follows:

“12. Public use associated with a maritime related use.”

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.”

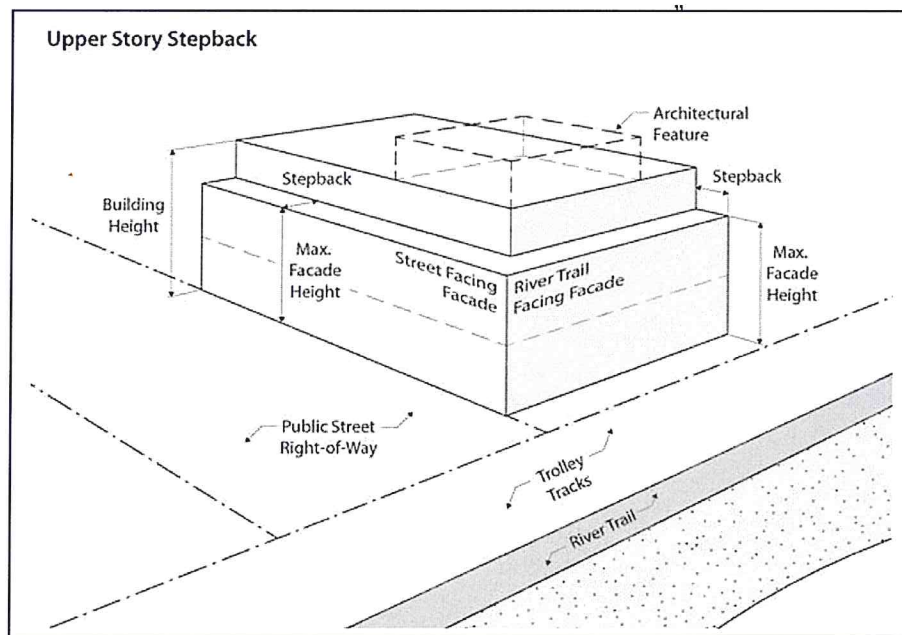
**“CARRIAGE HOUSE DWELLING UNIT:** A dwelling unit on the second floor of a common parking structure.”

**“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, if permitted outright in the base zone for the site, and 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 associated with a maritime use.
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, if permitted as a Conditional Use in the base zone for the site, and 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.

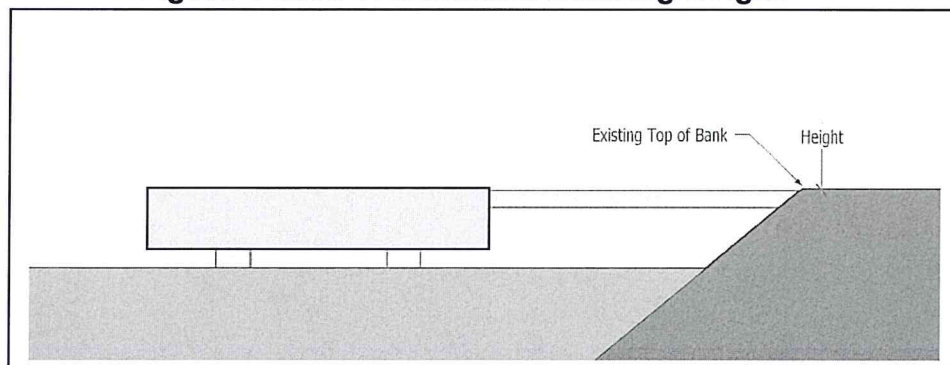
The following development standards apply to overwater development in the Civic Greenway Overlay Zone. In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control.

Maintenance, repair, or restoration of buildings existing prior to 2013 shall be exempt from the standards of this Section 14.055. Additions and/or new construction on these buildings shall be subject to these standards.

A. Height.

1. Maximum building height is one story, with a maximum of 12 feet above shall be the top of the existing adjacent riverbank (unless a variance is granted. OR No variance may be granted for an exception to this height limitation.)

**Figure 14.055-1: Maximum Building Height**



2. 35th to 39th Street Exception.

For buildings located greater than 500' from the shoreline, the maximum height shall be 28'. There shall be a minimum 75' wide, unobstructed view corridor separation between buildings.

**B. Size.**

1. The maximum gross floor area of enclosed structures is 4,000 square feet.
2. 35th to 39th Street Exception.

There shall be no maximum gross floor area for buildings located greater than 500' from the shoreline.

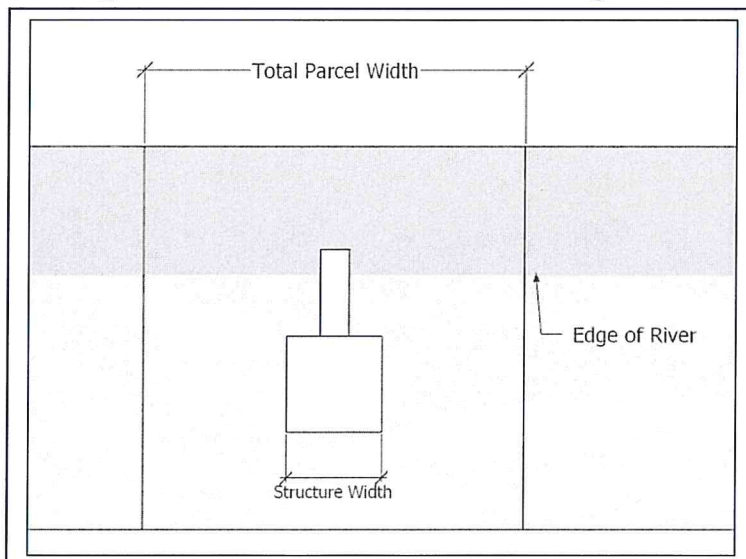
**C. Width.**

1. 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.
2. 35th to 39th Street Exception.

The maximum width of an individual overwater building located greater than 500' from the shoreline shall be a maximum 50% of the total parcel width (measured along the parcel frontage adjacent to the Columbia River) or 150', whichever is greater.

The maximum width of all overwater buildings located greater than 500' from the shoreline and located on a contiguous set of parcels under the same ownership shall be a maximum of 50% of the total width of the combined parcels (measured along the parcel frontage adjacent to the Columbia River).

**Figure 14.055-2: Maximum Building Width**





D. Access to the Columbia River.

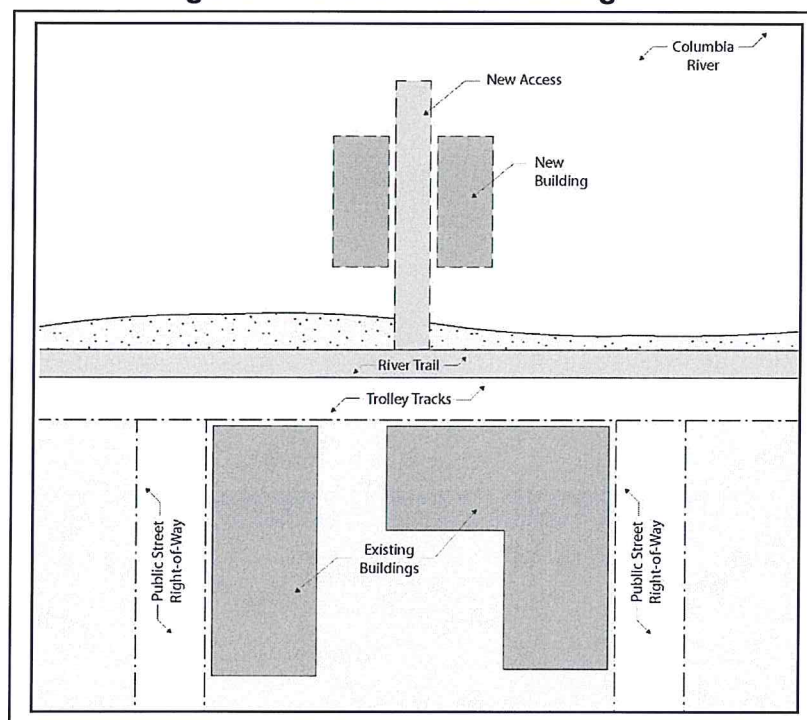
Access to the River shall be provided using piers and/or walkways as part of new construction and major renovations to structures constructed after the year 2013, where major renovation is defined as construction and alterations only to building exteriors valued at 75% or more of the assessed value of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

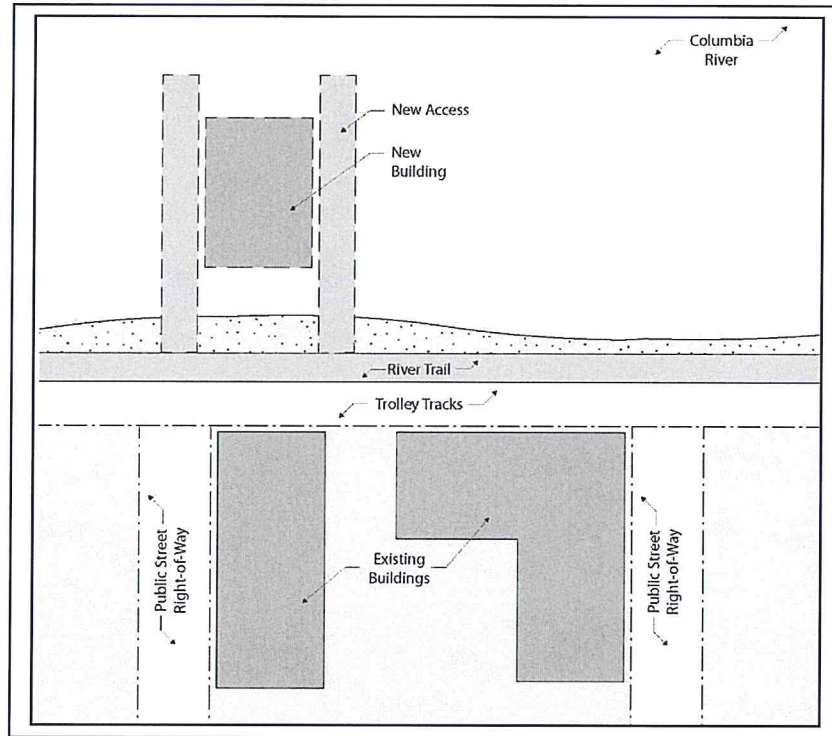
**Figure 14.055-3: Access Design A**



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**

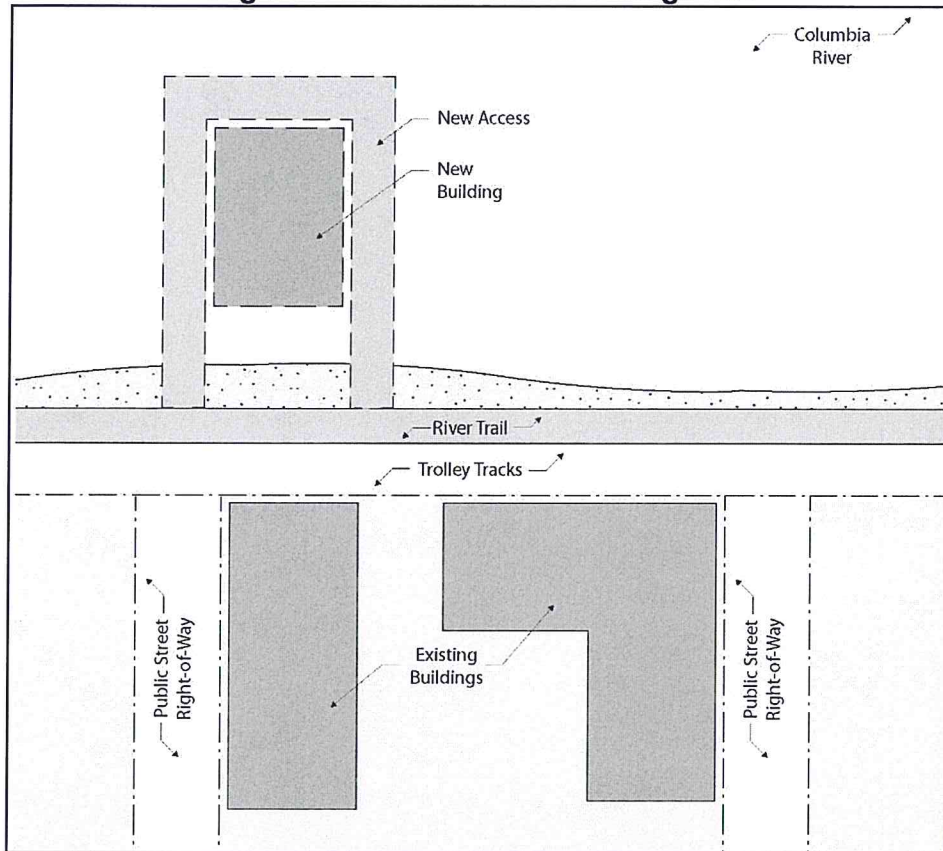


3. Access Design C – "Trail Extension".

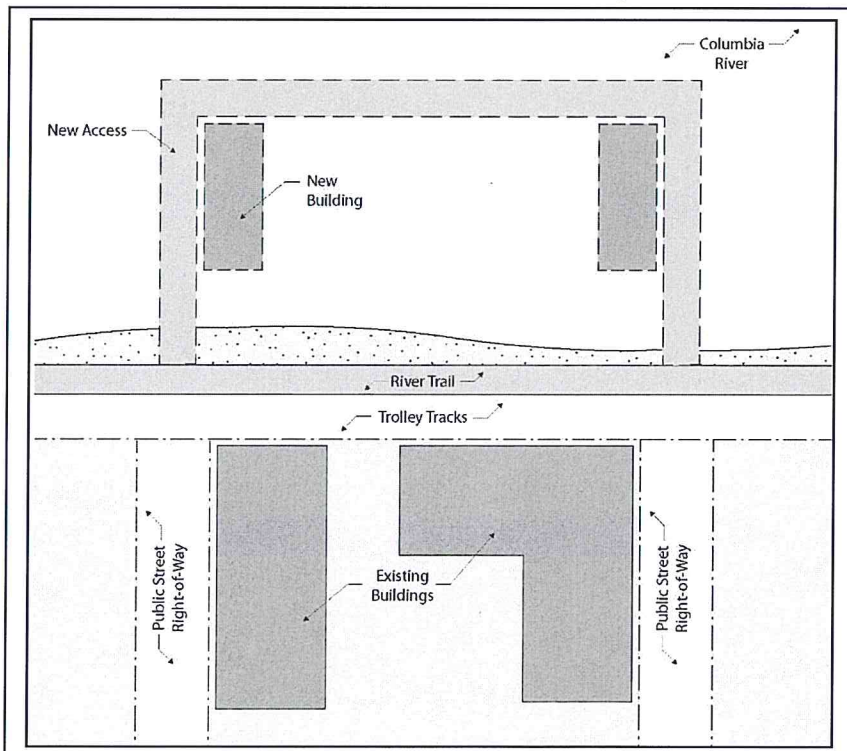
This access design serves as an extension of the River Trail and shall be provided through either existing right-of-way, right-of-way that is created and dedicated to the City, or easements for the piers on the east and west sides of the development. The boardwalk along the north side of the development 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.

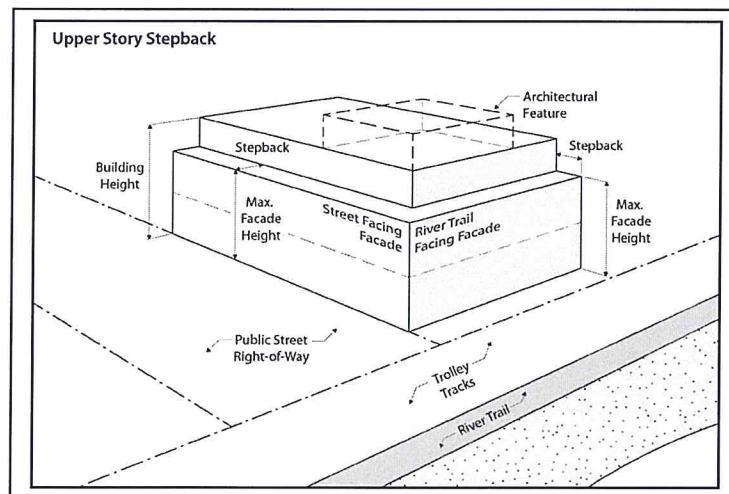
1. Purpose.

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**



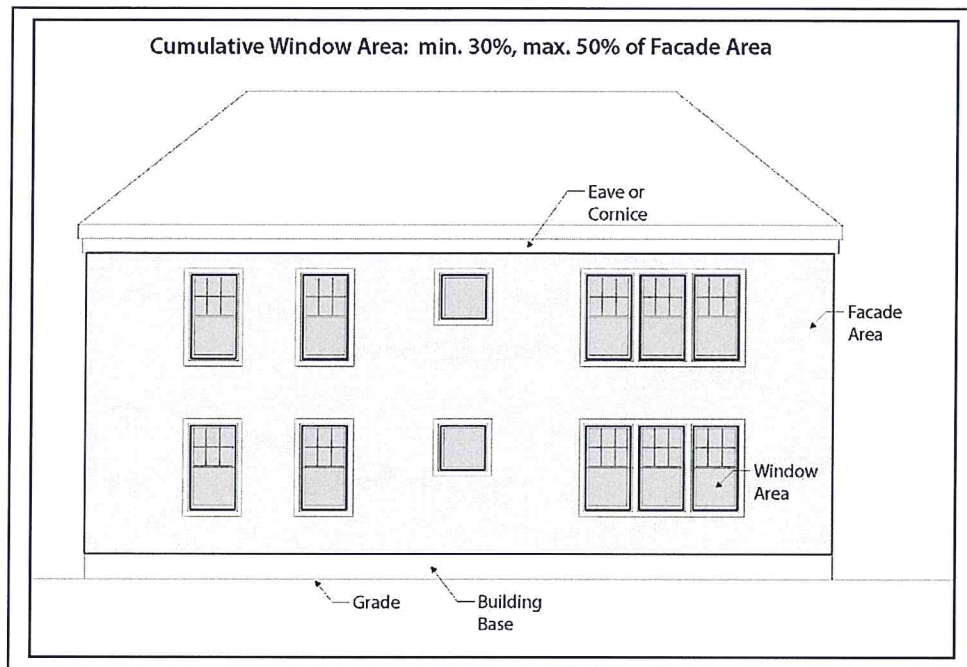
2. Window Design.

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.



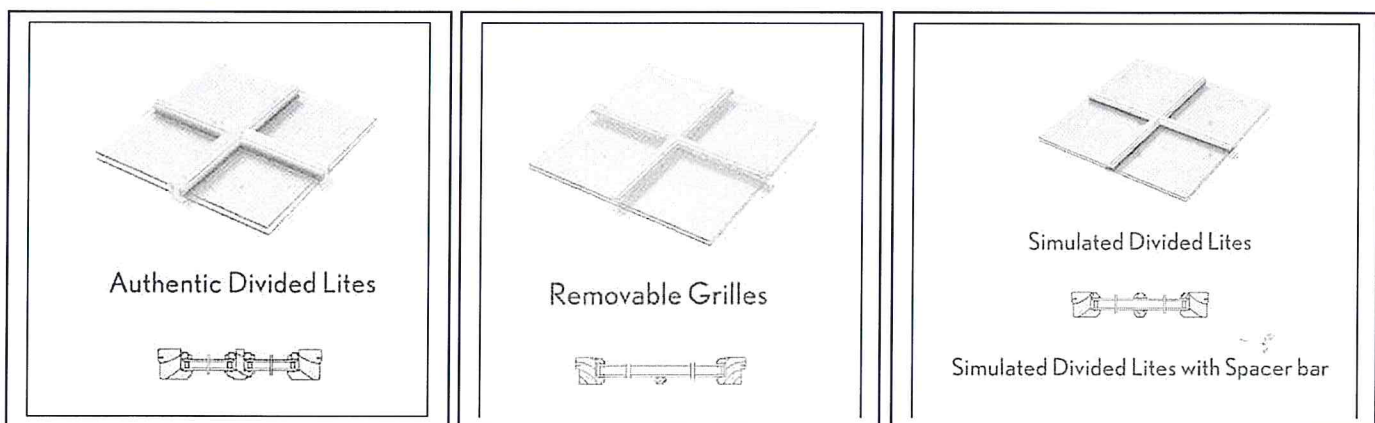
**Figure 14.065-2: Window Area**



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**

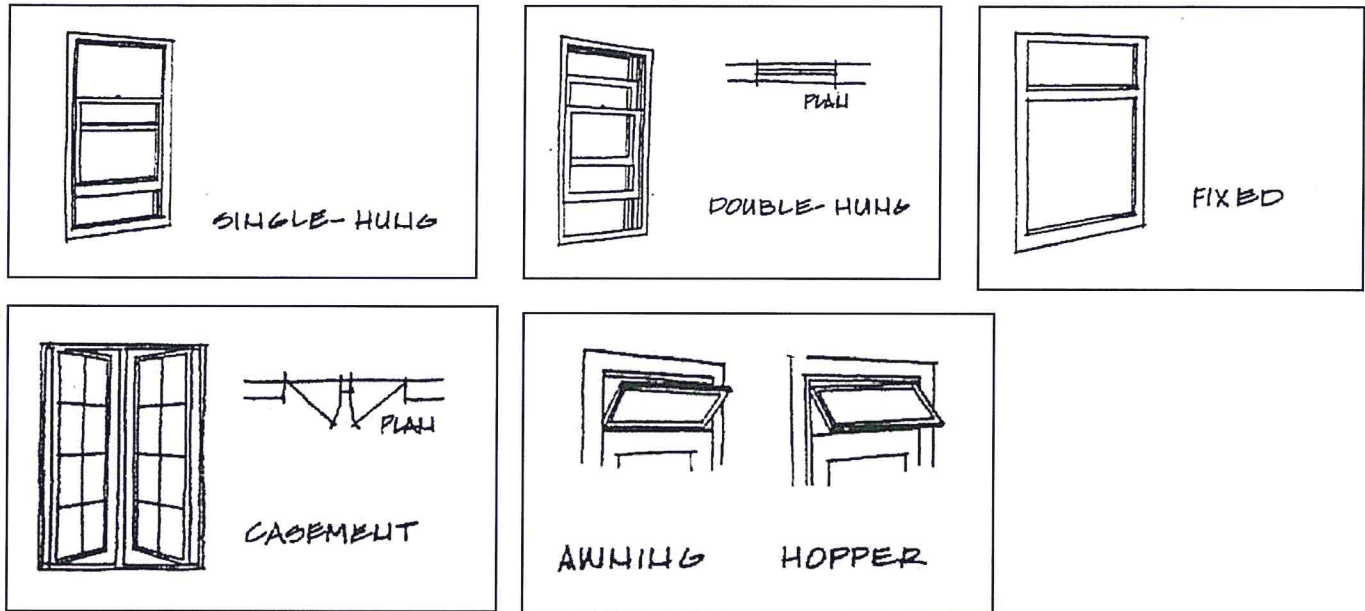


d. Windows shall be fixed or open in one of the following configurations:

- 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**

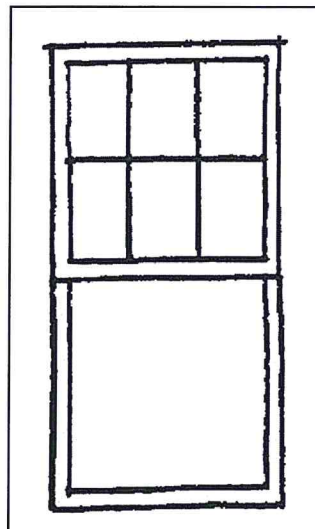


e. Window shape. Window shape shall be one of the following:

- 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.

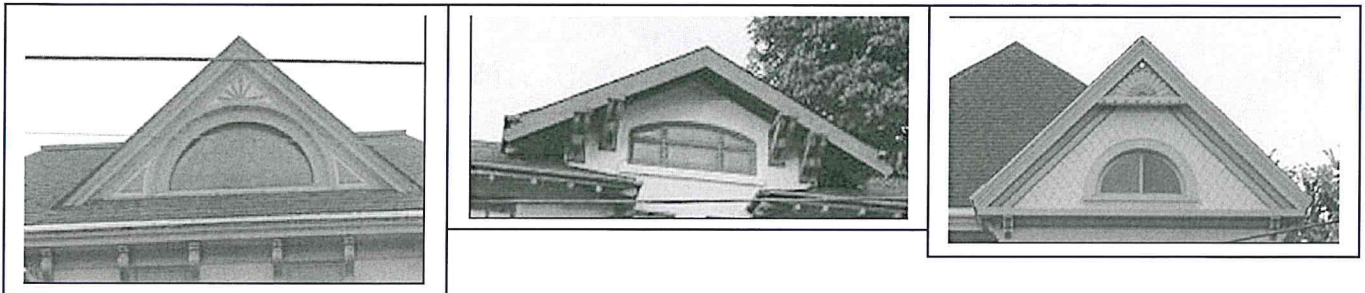
**Figure 14.065-5: Window Shapes**

*Vertical rectangular window*



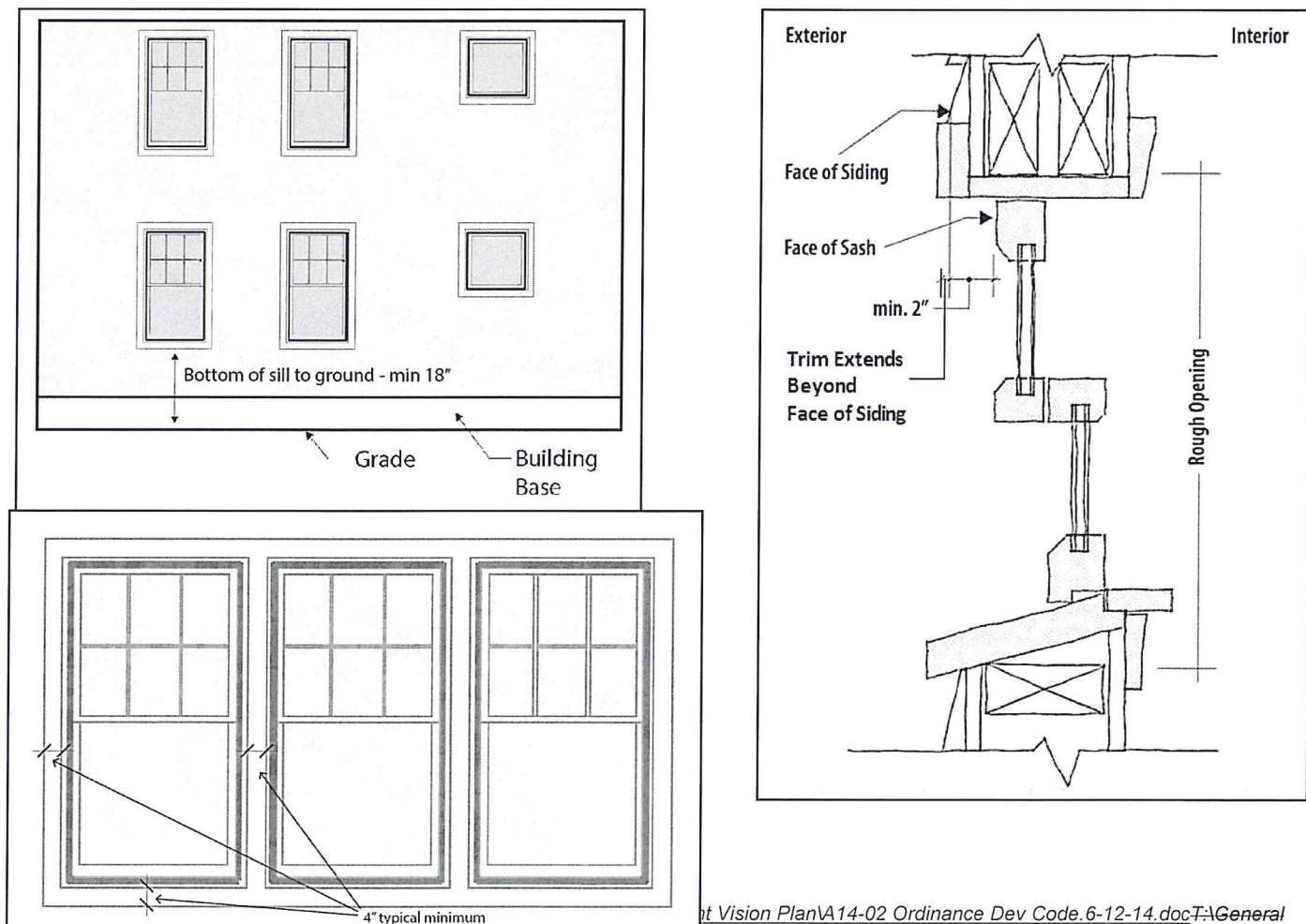


### Examples of arched or decorative windows



- 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**



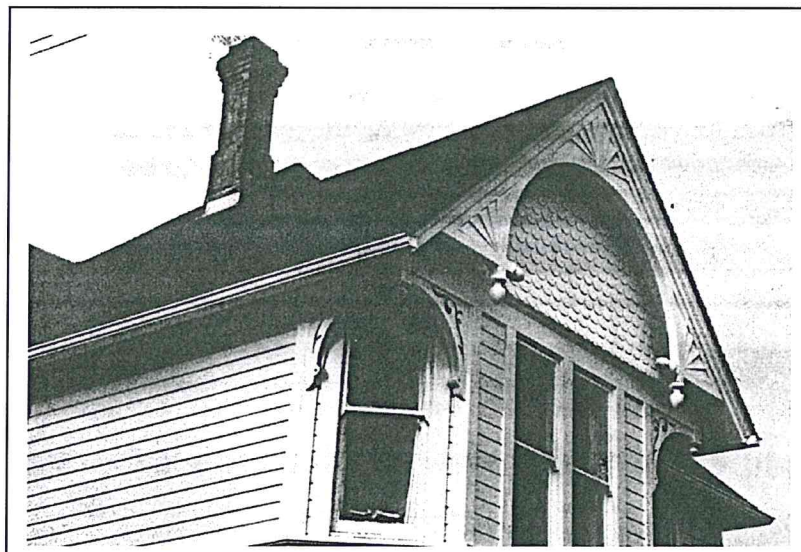
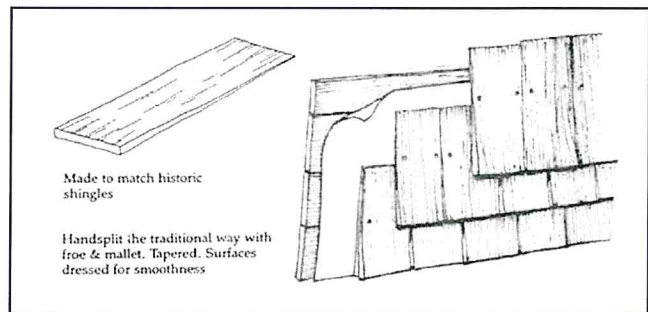
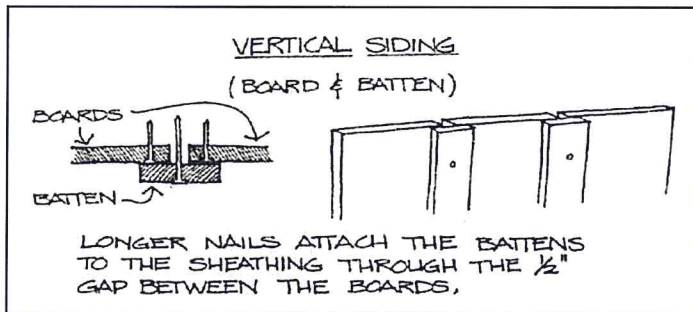
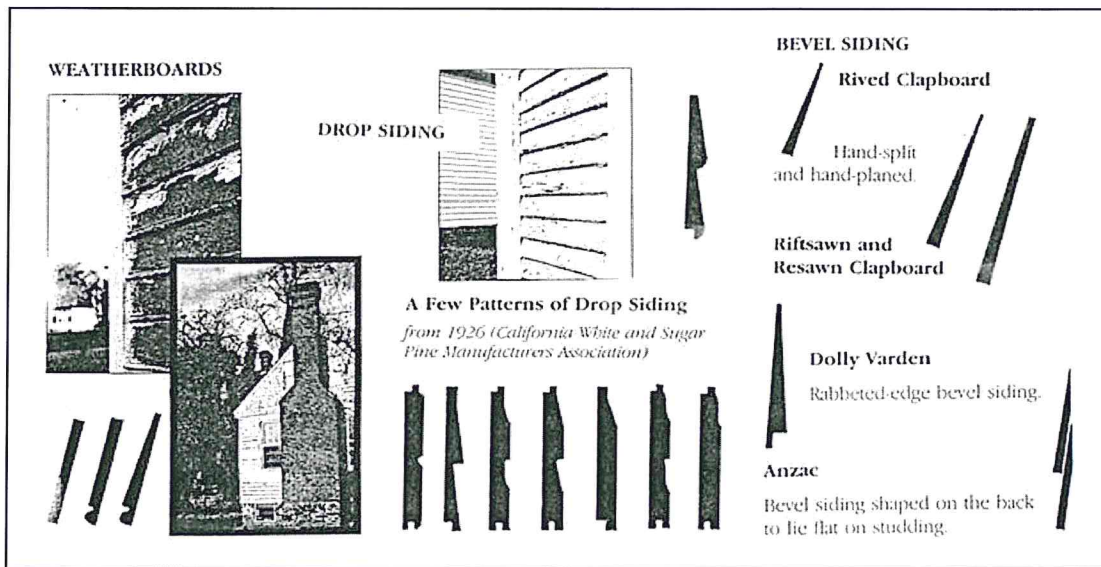
3. Exterior Wall Treatments and Materials.

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.

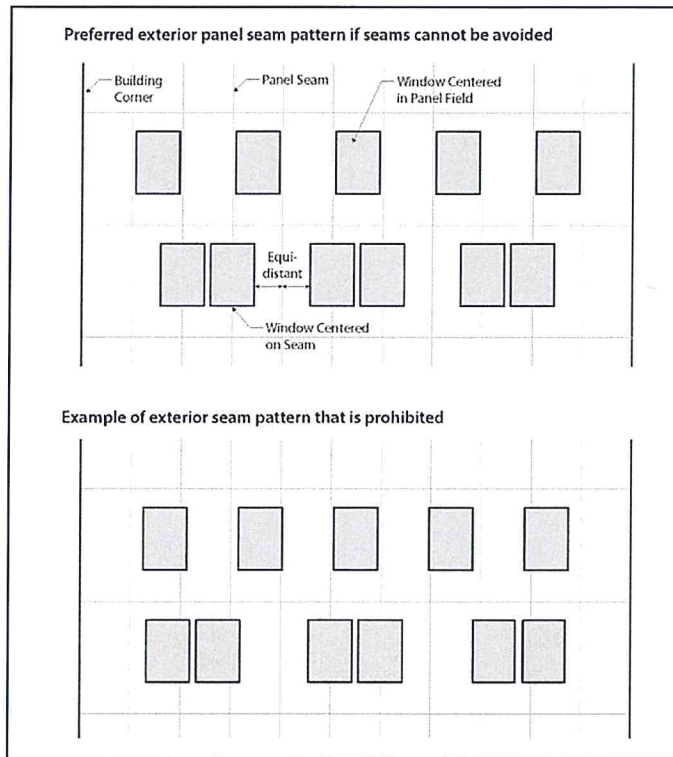


Figure 14.065-8: Exterior Walls – Permitted Materials

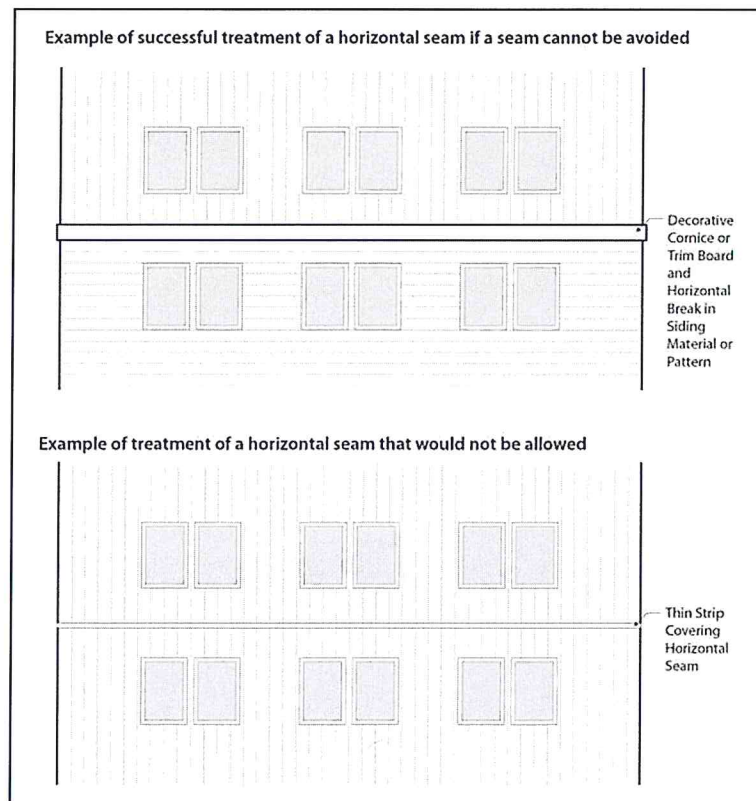


- d. Paneled material shall be applied in a manner which avoids the occurrence of seams along the wall plane. Where seams cannot be avoided, they shall be located in a manner that relates logically to windows and other architectural features of the façade. Horizontal seams shall be covered by a trim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

**Figure 14.065-9: Exterior Walls – Seam Treatment**



**Figure 14.065-10: Exterior Walls – Horizontal Seam Treatment**



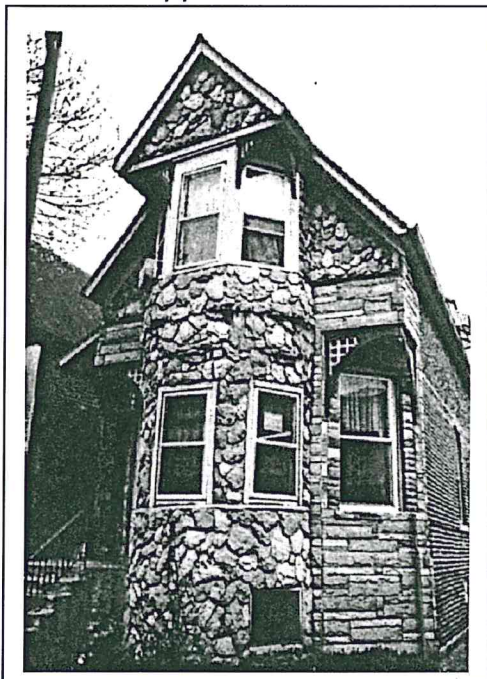


e. Exterior wall treatments and materials prohibited. The following types of treatments and materials are prohibited.

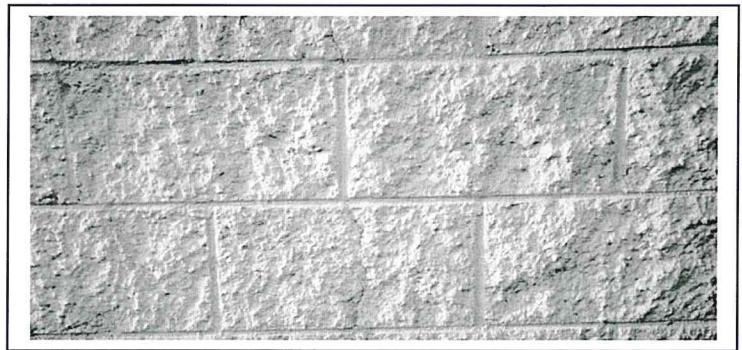
- 1) Exposed textured concrete block.
- 2) Flagstone or other applied stone products.
- 3) Precast concrete or decorative concrete panels.
- 4) Wood shakes.
- 5) Plywood paneling.

**Figure 14.065-11: Exterior Wall Treatments and Materials Prohibited**

*Applied stone*



*Textured concrete*



4. Roof Elements.

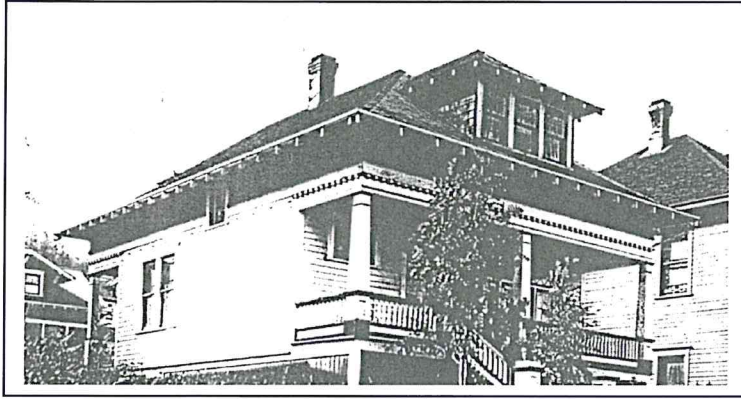
The following design standards apply to all dwelling unit types.

a. Roof design shall be one of the following:

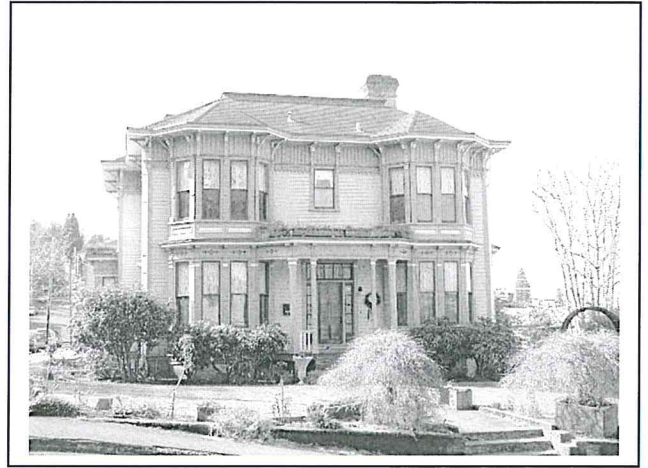
- 1) Steep (minimum 5:12 pitch) gable with broad (minimum 1 foot) eaves;
- 2) Steep (minimum 5:12 pitch) hip with broad (minimum 1 foot) eaves; or
- 3) An "Italianate" style hip, gable, or cube roof with a minimum roof pitch of 4:12 and broad (minimum 1 foot) eaves.

**Figure 14.065-12: Roof Design Permitted**

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



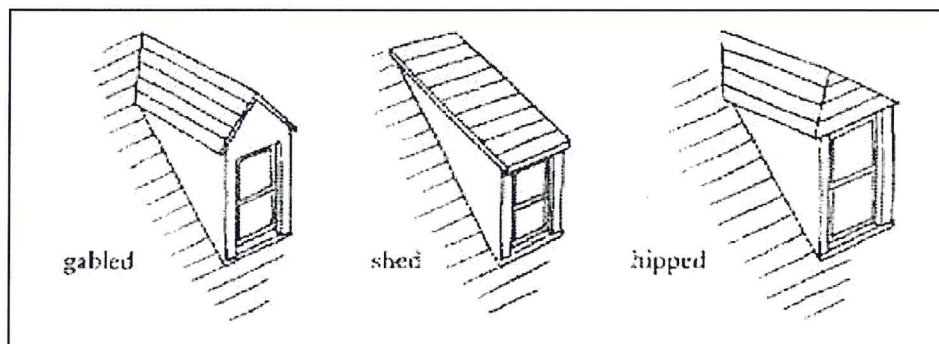
*Italianate Roof*



- 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.

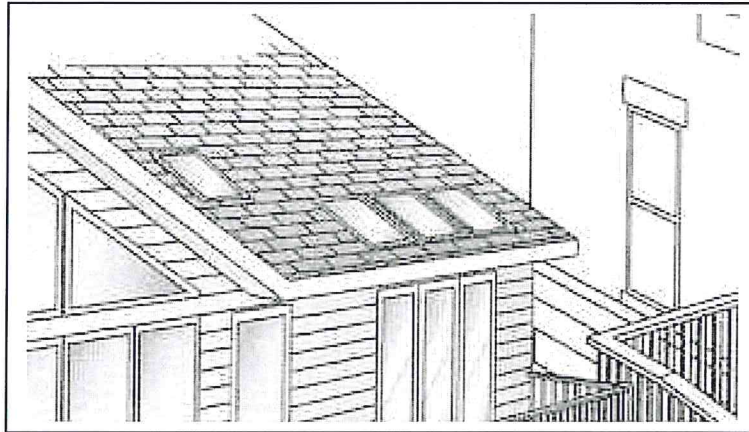
**Figure 14.065-13: Roof Elements Permitted**

*Gabled, shed, and hipped dormers*





*Flat panel skylights*

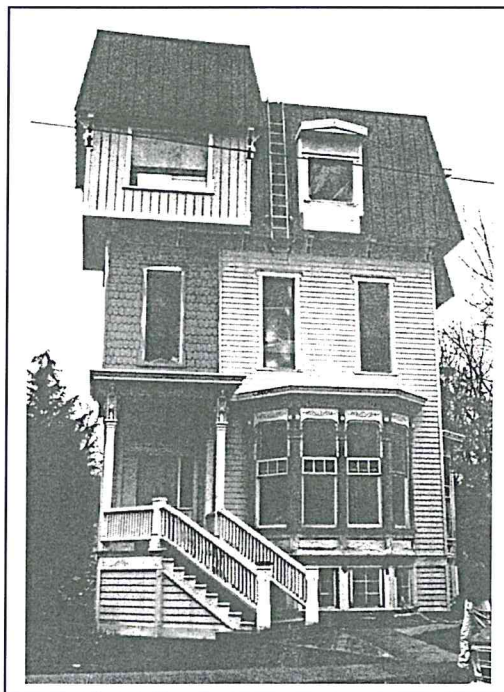


c. Roof elements prohibited. The following roof design elements are prohibited.

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

**Figure 14.065-14: Roof Elements Prohibited**

*False mansard roof*

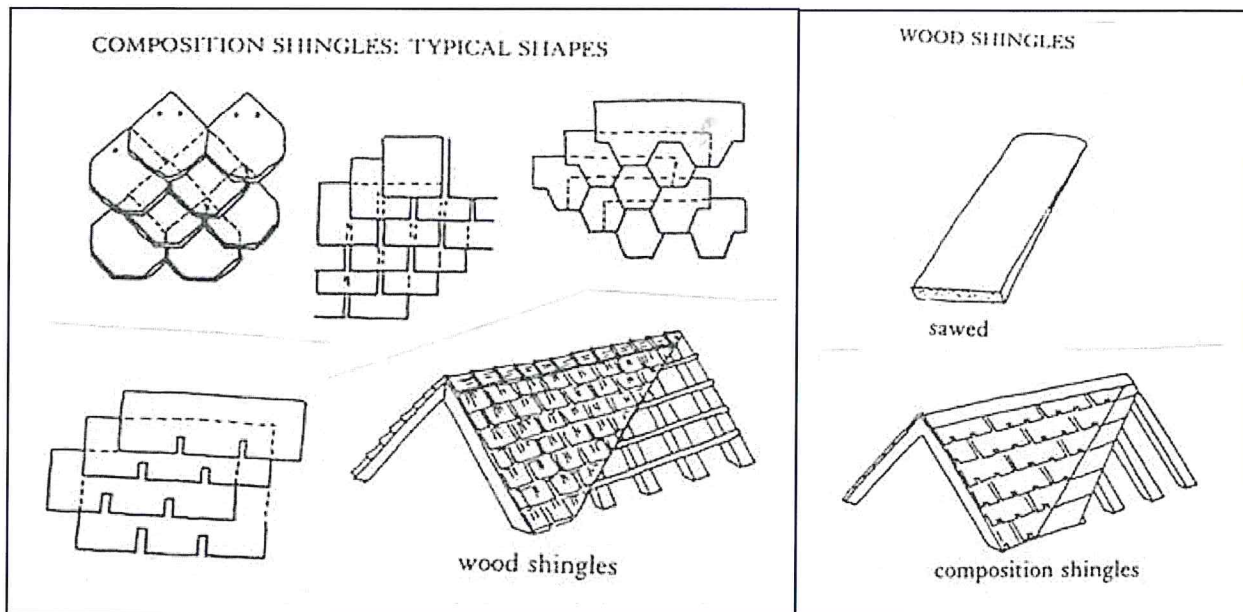


5. Roofing Materials.

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.

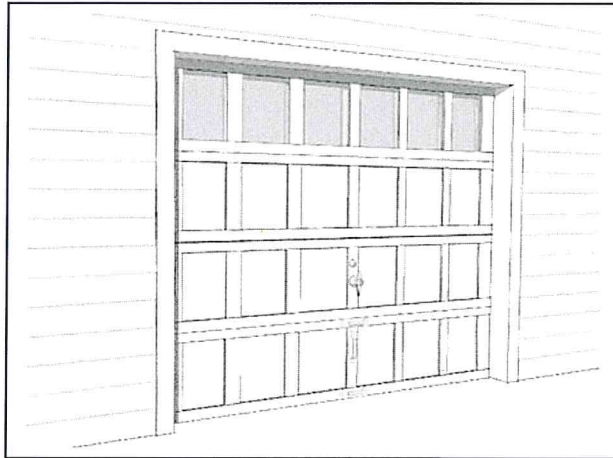
- a. Doors shall have at least one light (glass) panel.
- b. Sliding doors are not permitted on the ground floor of the front façade.
- c. All materials are permitted.
- d. Metal or metal-clad doors shall be painted.

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.**

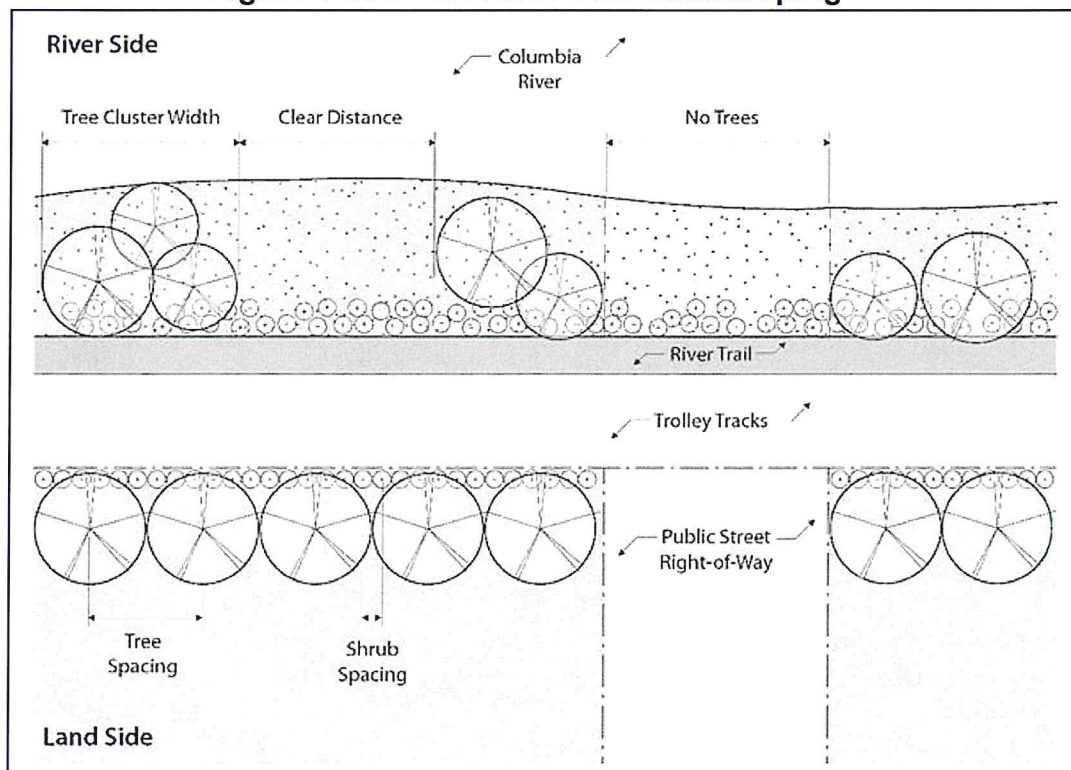


The following standards apply to required landscaping in the area between the River Trail and the shoreline, which is defined as the landward limit of Columbia River aquatic vegetation or, where aquatic vegetation is absent, the Mean Higher High Water.

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  
*Comus 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 amarella* 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* - Clasping-leaved 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.

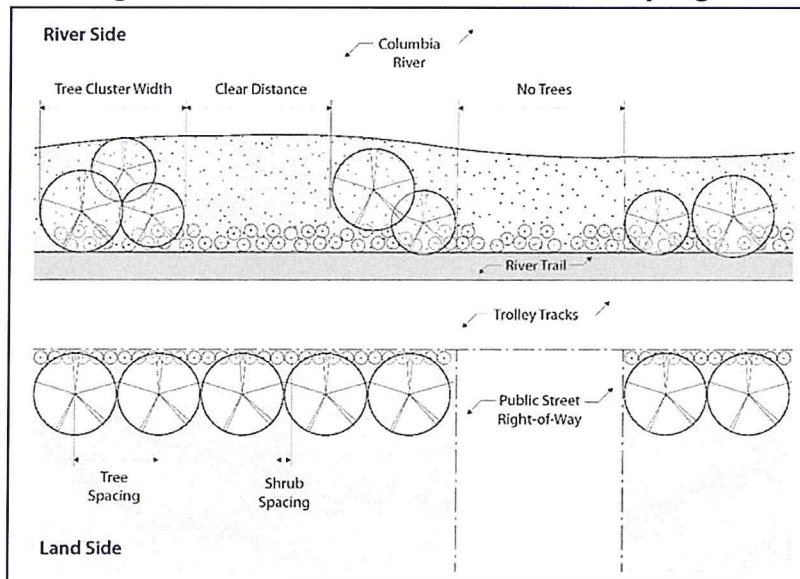
The following standards apply to required landscaping along the frontage of parcels abutting the River Trail to the south.

### 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.

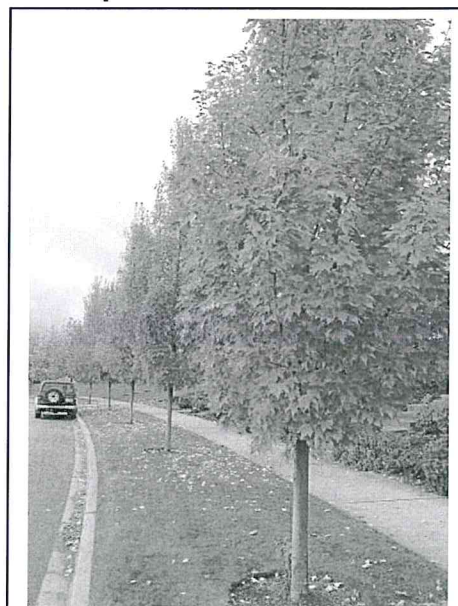
Street trees are required to be planted within the right-of-way along both sides of the street in the Civic Greenway Overlay Zone in accordance with the provisions in this Section and those in Section 14.030(D).

- 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**

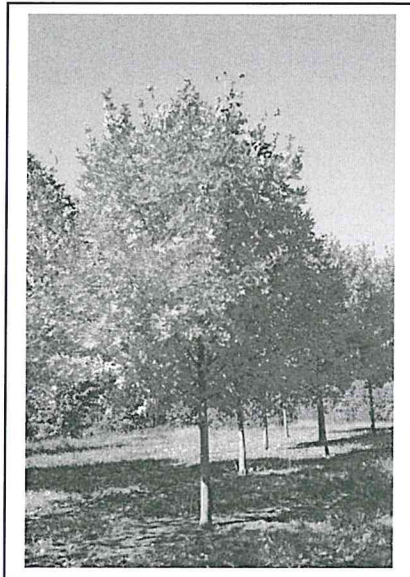






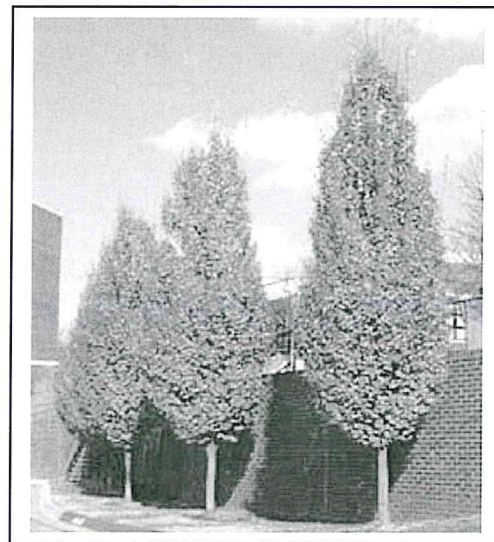
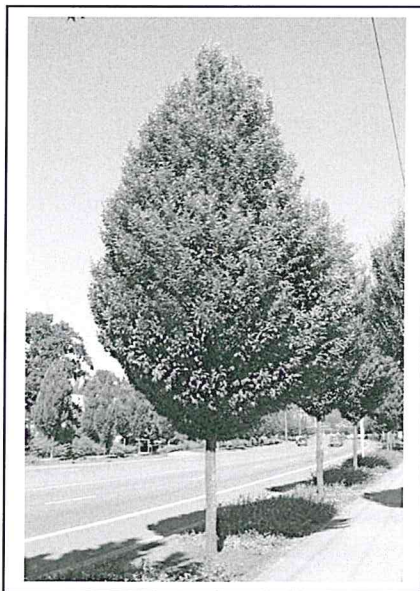
2) *Acer saccharum* – Sugar Maple

**Figure 14.065-21: Sugar Maple**



3) *Carpinus betulus* – European Hornbeam

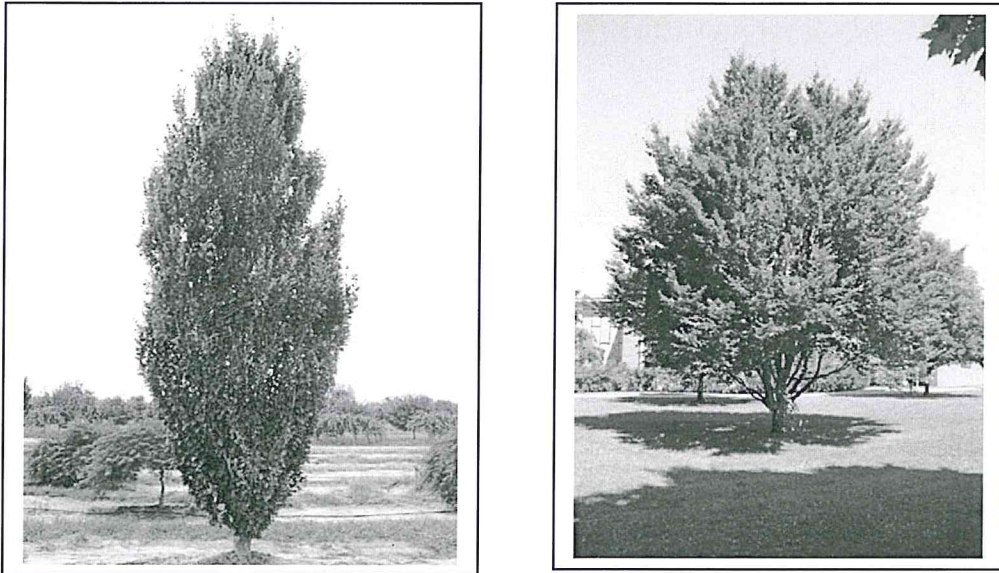
**Figure 14.065-22: European Hornbeam**





- 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.

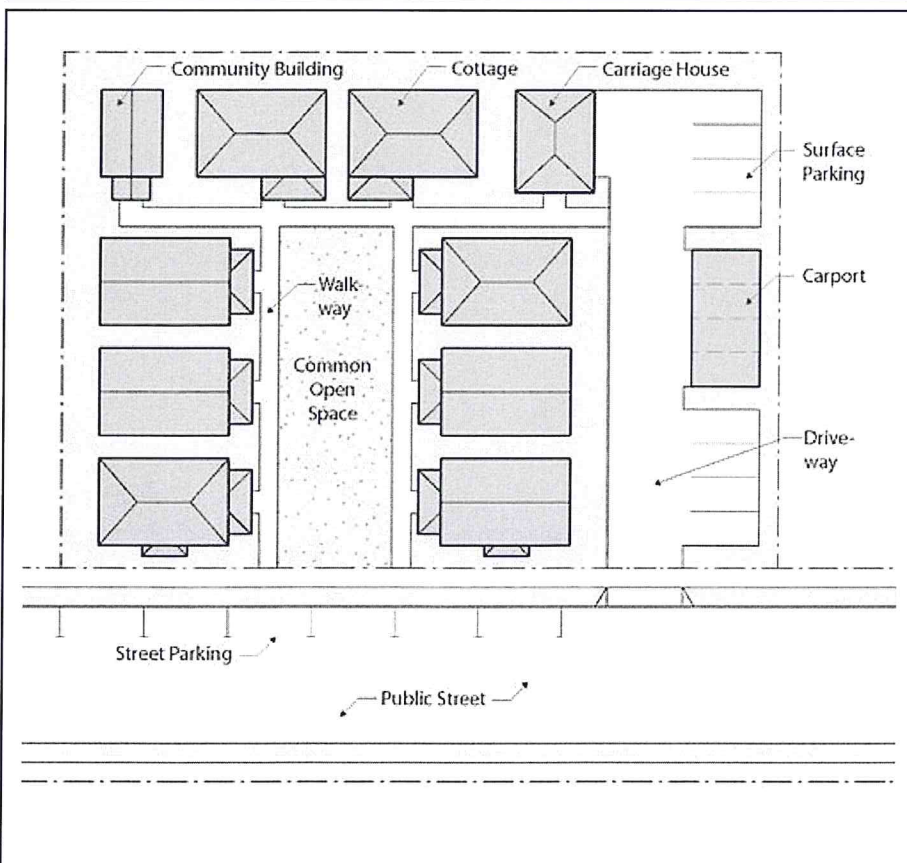
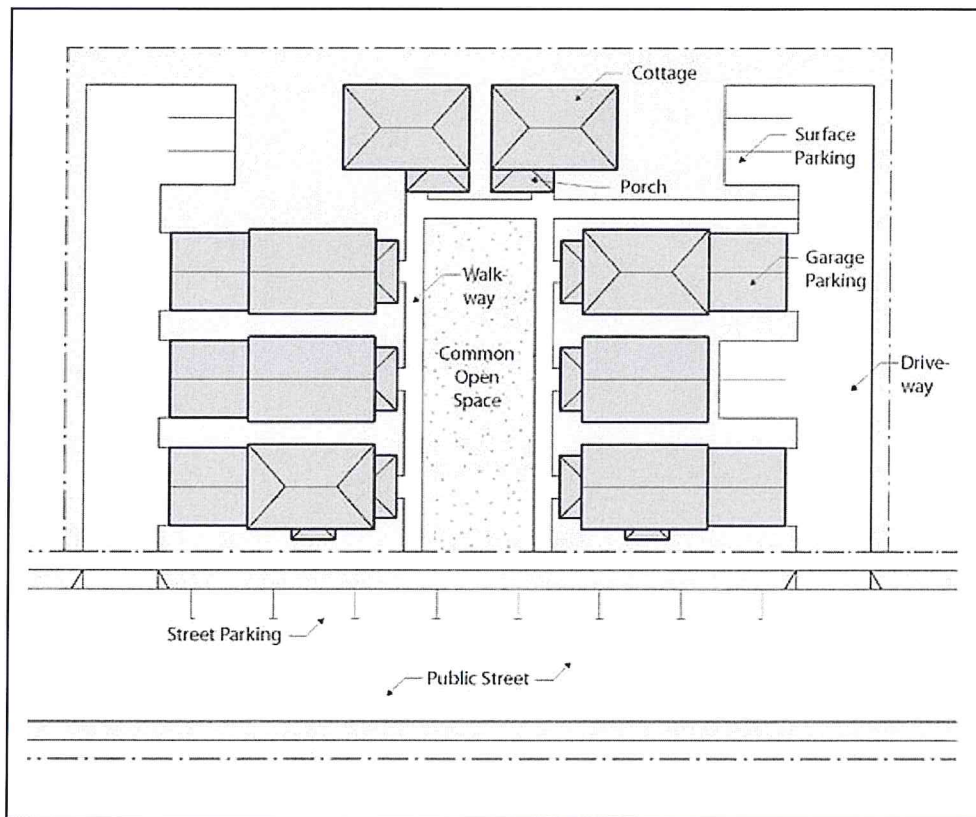
4. Community buildings.

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



## CITY OF ASTORIA

Founded 1811 • Incorporated 1856

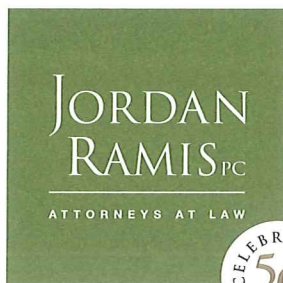
### COMMUNITY DEVELOPMENT

June 20, 2014

RE: Amendment A14-01 concerning Riverfront Vision Plan

The City has received documentation from Attorney Ted Ramis representing the Port of Astoria regarding the Riverfront Vision Plan. The attached material has been presented to the Astoria Planning Commission for their consideration at the June 24, 2014 public hearing.



**Lake Oswego**

Two Centerpointe Dr., 6th Floor  
Lake Oswego, OR 97035  
503-598-7070  
[www.jordanramis.com](http://www.jordanramis.com)

**Vancouver**

1499 SE Tech Center Pl., #380  
Vancouver, WA 98683  
360-567-3900

**Bend**

360 SW Bond St., Suite 400  
Bend, OR 97702  
541-647-2979

June 18, 2014

Zetty Nemlowill, President  
Astoria Planning Commission  
1095 Duane Street  
Astoria OR 97103

Re: **Development pathways in Civic Greenway**  
*Zoning and Land Use*

Our File No. 43046-72920

Dear President Nemlowill and Planning Commissioners:

The Port of Astoria appreciates the opportunity to discuss a pathway for the Planning Commission to adopt the Riverfront Vision Plan ("RVP") in the future civic greenway.

As we have previously testified, the Port asks that the City avoid inhibiting nearly all overwater development in a future civic greenway. Instead, the Port requests that the City adopt text and findings that acknowledge the substantial public investment in properties within and around the east mooring basin.

The Port is the largest economic engine in the Astoria community. The Port's activity produces over 1,900 jobs, providing workers with \$157 million in labor income. The multiplier effect of this labor results in \$437 million of economic output to Clatsop County.

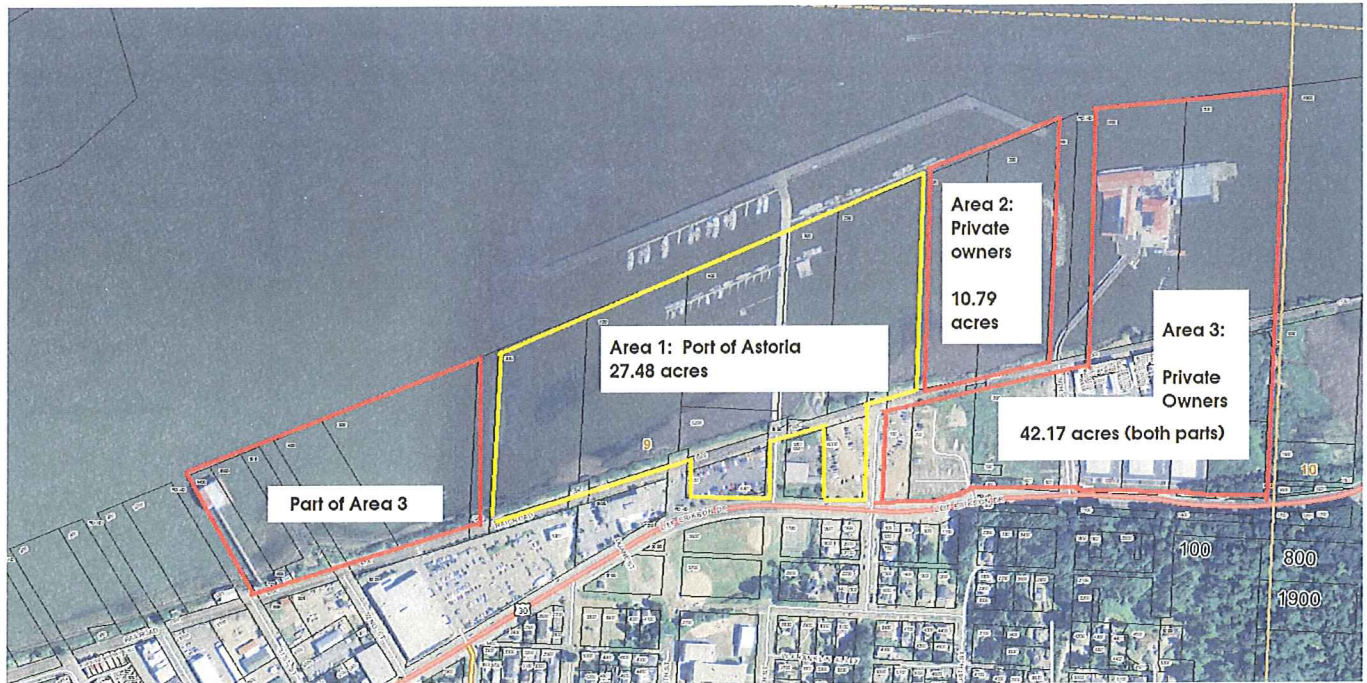
While much of this activity occurs in the Port's central waterfront, the Port is one of the largest single property holders in the future civic greenway area. Its parcels in this area are owned or controlled with public funds and possess untapped economic potential. The graphic at the top of the next page illustrates property in the civic greenway controlled by both the Port and nearby private parties.

**I. What do the Port and other stakeholders see as their vision in the area?**

To help the Planning Commission understand the Port's vision for the east basin area, we have broken the commercial and other employment type land into three areas.

Property within Area 1 is either controlled or owned by the Port. These properties constitute approximately 27.48 acres of upland and overwater property. Area 2 consists of privately-held or controlled overwater property, and includes about 10.79 acres. Finally, Area 3 represents property that is mostly built, for instance: the Pier 39 development, the Hampton Inn, Comfort Suites, condominiums, an RV park, industrial flex buildings that contain uses such as auto repair shops, and other uses.

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Area 3 “bookends” the general east basin area with overwater development. The overwater and on-land properties within Area 3 total around 42.17 acres. Importantly, Areas 1 through 3 together constitute merely part of the future civic greenway. Indeed, most of the civic greenway is not affected by the interests explained in this letter.

We would like to highlight three future development scenarios that are planned to occur within the east basin subarea.

1. Port of Astoria cruise ship terminal or other uses—Area 1

The Port plans to intensify the marina use of the property in Area 1 to accommodate additional boat moorages and uses that support a marina. The Port’s twin responsibilities to operate shipping facilities, and generate economic development, position it to create jobs that capitalize on Astoria’s position as a destination. In this capacity, the Port envisions creating a cruise ship terminal out of the current mooring basin facility. Exhibit A to this letter includes images that illustrate integrated cruise ship and upland facilities.

While some of the facilities are not the scale that is appropriate in Astoria, the themes of the facilities directly support what the City is trying to accomplish. Take, for example, Seattle’s Bell Street terminal which is Study No. 1 in the Exhibit. The construction uses building stepbacks to observe the City of Seattle’s view corridor rules, which apply both to upland and overwater properties, even right in the middle of Downtown Seattle. Moreover, the Bell Street facility allows tourists to walk into the vibrant Belltown neighborhood.



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As another theme important to Astoria, the facilities in Studies 3 and 5 supply pedestrian access around the entire perimeter of the structures. This allows pedestrians unparalleled access to views of the water; no other design concept would place pedestrians as close to the water.

The cruise ship terminal is an opportunity of critical significance to the City of Astoria and Clatsop County. Currently, the Port averages 18 cruise ships per year. These landings allow 40,000 people to arrive in the area, and these visitors spend approximately \$150.00 per couple. This results in a total spending of \$3 million. The Port believes an economic circulation factor of 7 is appropriate for this spending, meaning that our visitors provide a \$21 million stimulus to the Clatsop County area.

Along with adding a second a cruise ship terminal to further stimulate this activity, the Port could devote land to a cold storage facility, and simultaneously devote land to a public-private partnership to develop a "Fisherman's Wharf" concept in the immediate vicinity of the east basin. A future cruise terminal could require a 45 foot building height on shore, and an overwater building that could rise to 38 feet. The average cold storage facility requires a building between 28 and 48 feet. All these uses could reasonably coexist in the east basin area within the next decade.

Adding a terminal in the east basin area would immediately increase economic activity, and not just in terms of cash money infused by visitors as noted above. The economic increase could include between 24 and 50 full-time employment jobs on a sustained basis at the terminal. Cold storage could add about 30 full-time positions, plus offshoot employment. Add to that about 100 jobs that could be created in restaurants and tourist shops developed in a "Fisherman's Wharf" concept. . Importantly too, the increase includes the very activity the City seeks in this text amendment: pedestrian activity on, in, and in view of, the Columbia River and its upland greenway.

It is important to realize the consequences of failing to consider the public investment in the east basin area. Under the current marine industrial zoning the Port could develop a grain terminal, coal or oil terminal, LNG facility, cold storage, or anything else that depends on a marine location. These are among the highest and best uses, and the zoning code and comprehensive plan support these uses and acknowledge that they should be constructed regardless of their size and scope. The proposed text amendment would render the Port's holdings essentially useless for these purposes.

This is not mere talk. The lost potential output of the property could reach several millions of dollars, and several hundred jobs, especially if the property was filled and used as a shipping yard. The economic multiplier effect generated by these losses could cause losses to reach hundreds of millions of dollars, a diminishment to taxpayers throughout Clatsop County.

It is also vitally important to realize that development naturally goes hand-in-hand with water views. Cruise terminals are an ultimate hive of waterfront pedestrian activity because the visitors must walk off the ship and often continue their walkarounds within waterfronts and downtown areas, if any are available to them (which would be the case at East Mooring Basin). Essentially all such walking areas could be constructed to provide views of the Columbia River—and could in fact celebrate the river.

Identically, a "Fisherman's Wharf" concept would include viewing platforms for pedestrians to view the river, walkways to visit restaurants while viewing the river, and view the river while making way along one or more causeways for a more casual bite to eat or to shop for any number of souvenirs or necessary items.

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All these uses would provide Columbia River views almost heuristically—what waterfront developer in his or her right mind would fail to provide and capitalize on this ultimate amenity? The City does not need to require view corridors as such corridors are less apt to code descriptions and more apt to the architect's pen. Open space between buildings will be the rule, not the exception, and a reasonable way to legislate this may be to provide viewing platforms between buildings. This is because to be usable such platforms will cause developers to create public access to and within the property.

2. A "Fisherman's Wharf" type development—Area 2 and potentially part of Area 1

The private sector also represents significant economic opportunity in the civic greenway area. It is possible to use the overwater parcels in Area 2, possibly assembled with Port property, or other upland property, to create a development with the look and feel of a "Fisherman's Wharf" type development that harkens to its namesake in San Francisco, California. Such a development could include commercial uses, employment uses, other offices, an eatery, and could operate in tandem with existing hotel development which is a part of Pier 39 and other premises in Area 3.

There are at least 10.79 acres of privately-held land that could be recruited to serve a "Fisherman's Wharf" type development. Owners of these parcels would like the opportunity to explore public-private partnerships by potentially recruiting part of the Port's overwater acreage into service of such a development. Without changes to the proposed text amendment, the City will cause dramatic, instantaneous reductions to the investment-backed positions of these private owners. The City gains nothing by preventing development of properties already zoned and imagined for development. Similarly, the city loses much if it hands its voters the financial responsibility for causing these economic losses.

Again, the Port and private interests desire to create a positive regulatory environment. Recall our photo studies of design types that integrate development and river views. The interior picture for Study 4 illustrates how the internal retail environment of a structure can draw pedestrians to the building, through an atrium or other interesting walkway, to final locations at the water to obtain views of the Columbia River.

The exterior picture for Study 4 illustrates possible connections between boat moorages, overwater walkways, and upland buildings, adding even more pedestrian traffic to points along—and upon—the Columbia River. It also illustrates how an upland component of a development could be limited to three stories.

Finally, Study 5 illustrates how an overwater expression of a "Fisherman's Wharf" development can be constructed. Stepbacks suggested in the design can be devoted to promote views of the river from upland points. Study 5 also offers desired--and ample—pedestrian walkways adjacent to the water around the entire building. The placement of the yellow tent suggests construction of a pier end with open space that magnifies the pedestrian experience, adding possibilities to conduct social gatherings, or find solitude alone or among the intimacy of a small group.

3. Developed property—Area 3 plus Loft area (31st street)

Materials in the record identify Pier 39 and the red loft building as developed properties. However, this passing mention misses several points of critical significance. First, there are upland areas adjacent to the overwater construction that can be developed or that currently function, and the City should



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consider the interplay of overwater and upland uses in this text amendment. The amendment, as currently written, essentially cuts off overwater development and leaves upland activity to wither.

Second, the loft building is an object of community support so that it can become a functioning building now and into the future. It—like other overwater premises—should be protected by the code. It should be allowed to become useful and, over time, to become a location where pedestrians may obtain views of the Columbia River.

We also disagree with statements in the record that development of overwater parcels is difficult. The Port is in the business of operating maritime uses, many of which occur—and must employ—overwater facilities such as piers and docks. The Port is a specialized developer in this regard, and has the experience and know-how to obtain all permits necessary to take an overwater development plan from concept to construction.

Moreover, private owners are also qualified to marshal capital and obtain entitlements to develop in sensitive areas. For example, the Hampton Inn developers obtained entitlements for that development that hewed to the City of Astoria's development code and produced development, with river views, in the very part of the City in which the Planning Commission desires to establish river views.

Finally, the regulations as currently proposed would render overwater uses nonconforming. This is the bluntest, least imaginative tool in the planning toolkit, and ignores the hard work and financial investments made by private property owners in the greenway area. The damaging consequences of this approach are illustrated starkly by overwater development such as Pier 39, and development upland from Pier 39. It is shocking to us that the text amendment lacks an economic analysis of the impacts to such existing development. For example, unless the text amendment is enhanced in one of the ways we suggest below, Pier 39 will become a nonconforming use.

It is wrong to overlook this. Nonconforming status is a ticking time bomb—it impairs the use of property for security interests, discourages mutually-supportive development in the vicinity, and reduces the financial position of private property owners by reducing opportunities to raise capital. It is these and other owners who take the risks necessary for employment and commercial uses to become established within Astoria. And as we set forth in the next section, the City has long-standing policies that encourage economic uses of the waterfront.

## **II. Can the properties approximated as Areas 1 through 3 be treated differently than other properties in the future civic greenway?**

Yes, because both the Riverfront Vision and the Comprehensive Plan already affect properties within the future civic greenway area differently. The following provisions illustrate this.

First, the City's most inclusive and fundamental land use policies recognize the diverse and divergent uses of Astoria's waterfront. Notably:

- There are different special qualities along the waterfront—from “scenic views” to “water-dominant uses.” The City is committed to protecting and promoting all these uses. CP.015.5.
- The City recognizes that it must simultaneously “protect[] the estuary environment,” and “promote the best use of the City's shorelands.” CP.015.4.

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- Any Riverfront Vision policies implemented by the City must coexist beside other policies to encourage "major Port development" at both the Port docks and at the Port's east mooring basin. CP.020.2.
- Mixed uses are development goal along the Columbia River. CP.020.3. Moreover, development must occur "in a flexible manner." Id.

Second, the City's CREST policies suggest that commercial and other employment uses on the one hand will coexist with view-preserving uses on the other hand. These policies include but are not limited to the following:

- The City should distinguish coastal shorelands necessary for water-dependent uses such as ports and recreation, from shorelands that offer scenic qualities. See, CP.130.
- The City supports improvements to the Port's east basin, along with vacant land between 35th and 41st streets that can be devoted to support use of the east basin. CP.175.D. In fact, the City acknowledges that the Port's east basin is underutilized at present. CP.175.E.
- The east mooring basin is already built out into the deep water (i.e. to water depths greater than 22 feet). Accordingly, the area is already poised for "water-dependent, recreational, commercial, industrial, or port development." CP.185.A.1.
- The City has already acknowledged that even with full development of the Port's water-dependent shoreline uses, the cumulative impact of such development "is expected to be minor." CP.186.C.1.

Third, the City's economic development policies support economic activity even while preserving access to shoreline areas. Such policies include the following:

- Currently, land available for water-dependent uses is underutilized. Moreover, because of changing economic conditions many areas formerly used for water-dependent uses are not longer needed for that purpose. See, CP.190. Accordingly, in an area such as the future civic greenway, where there were former canneries (amongst other uses), some shoreline property can remain in use for water dependent uses such as a "Fisherman's Wharf," while other shoreline property is devoted to other service, such as to provide parks or open space.
- The City encourages water-dependent uses to locate where there is deep water, such as at east basin. See, CP.203. By extension, other waterfront property is available for other uses, including public access and viewing.
- As the City implements its Riverfront Vision, it should focus on the shoreline's "potential for tourist-oriented development," CP.210.1, and encourage and promote such uses. Tourist income is a significant component of the City of Astoria's long term sustainability.

Finally, the Riverfront Vision Plan itself recognizes that the City may evaluate properties within Areas 1 through 3 differently than other parcels in the future civic greenway. This stems from reasons such as the following:



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- The RVP balances public and private investment on the one hand, with quality of life on the other hand. RVP p. 1.
- The City encourages a mix of economic uses while enhancing the river trail. Id.
- The RVP seeks to reduce—not prohibit—overwater development in the civic greenway. RVP p. 2. Directing overwater development towards some parcels but not others is one way to accomplish this goal.
- The RVP encourages use of design review, or new design review standards. Id. One reason to create new standards is to integrate new structures into the natural environment.
- The RVP recognizes that view corridors and public access to points offering Columbia River views are techniques to balance development with opens pace and view preservation. RVP p. 15.
- The principal open space amenity in the future civic greenway will be a large green open space or park between 20th and 23rd Streets. RVP p. 64. Development to the east, approximately between 31st and 41st streets, does not intrude upon this vision.

### **III. What regulations would make sense to implement policies from the Riverfront Vision Plan?**

The proposed ordinance before the Planning Commission restricts development in the civic greenway to such a degree that the Port would be required by its fiduciary obligations to legally challenge the ordinance. The Port of Astoria and private stakeholders believe that a better result is to help the City of Astoria adopt text and findings that acknowledge significant financial investments in civic greenway properties, support the city's economic development policies, and embody the city's desire to provide pedestrian access to views of the Columbia River.

We offer two concepts for inclusion within the ordinance. The first concept includes revised design review criteria, accomplished by excising the most meritorious standards of Section 14.055 and distributing them into Section 14.060, with focus on a new subsection, 14.060.D. This concept accomplishes the following principal objectives:

- Creates design review criteria for overwater development, instead of width, height, and size limits that reduce approvable development to almost nil;
- Clarifies allowance of restaurants;
- More effectively carries out the Riverfront Plan's intent to stimulate adoption of design review criteria;
- Recognizes public and private investment in properties in and near the East Mooring Basin;
- Requires development to supply pedestrian access to areas where pedestrians may obtain views of the Columbia River.

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The second concept adds text that creates an opportunity to create a master plan for development in the vicinity of the east mooring basin for the owners. It accomplishes this by designating the vicinity as a plan design district called the East Basin Plan District. Within the district, owners may collaborate with the City, and each other, to propose development standards for the East Basin Plan District, and obtain conditional use master plan approval under those standards.

Importantly, the master plan process is an alternative to traditional permit approval. A master plan would allow stakeholders to obtain development that is evaluated in a more global way, for longer term or perhaps multi-phased development. A master plan process accomplishes the following objectives:

- Designates an "East Basin Plan District" consisting of the approximate geographic area around the East Mooring Basin, which are properties with recognized development potential;
- Recognizes financial investment in properties in and near the East Mooring Basin;
- Clarifies allowance of restaurants;
- Recognizes development that is either constructed, funded, or forecast;
- Requires the city to approve regulations for development within the East Basin Plan District and add those to the development code prior to rezoning property in the east basin area.

My staff and I, along with the Port and other stakeholders in the area, will be present at your June 24th meeting. We will be happy to answer any questions.

JORDAN RAMIS PC



Timothy V. Ramis  
*Admitted in Oregon*  
tim.ramis@jordanramis.com  
OR Direct Dial (503) 598-5573



Enclosures

cc w/encs: Port of Astoria

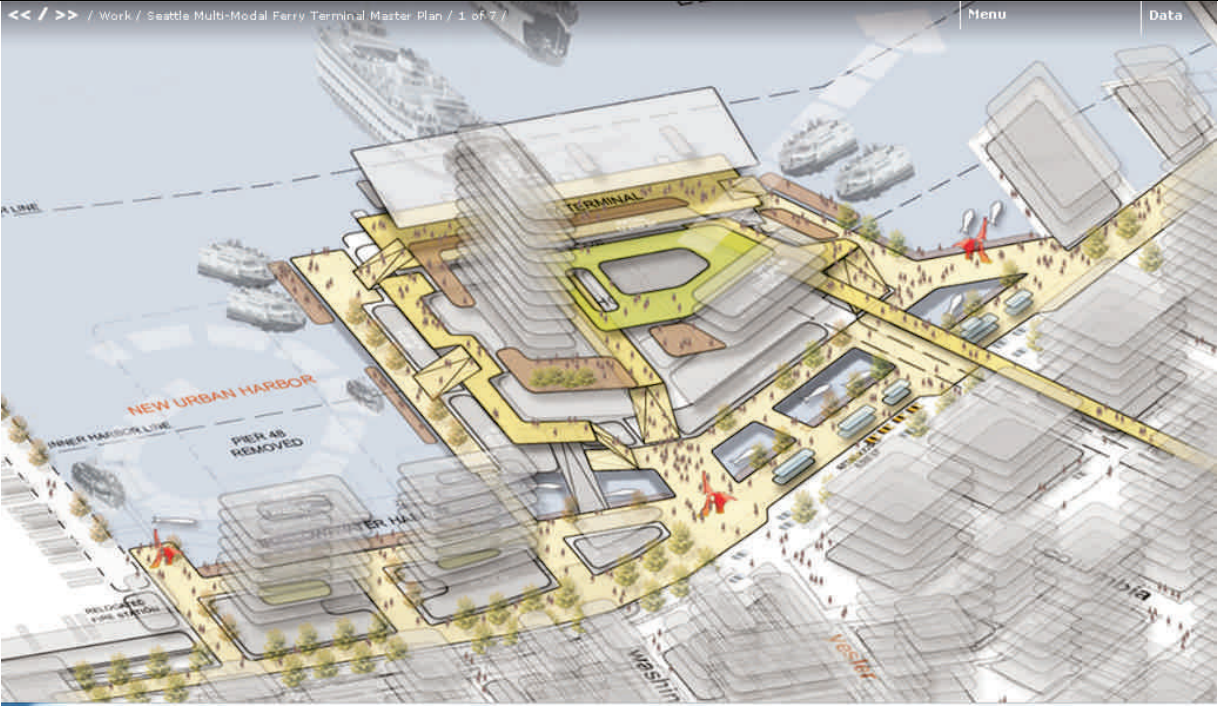



Exhibit A—photo studies



Port of Astoria  
Photographic examples of development potential in the east basin area


Item	Source	Importance	Images
<p><b>Study No. 1</b></p> <p><b>Bell Street Cruise Terminal, Pier 66</b></p> <p><b>Port of Seattle, WA</b></p>	<p>Port of Seattle, <a href="http://www.portseattle.org/Cruise/Explore-Terminals/Pages/default.aspx">http://www.portseattle.org/Cruise/Explore-Terminals/Pages/default.aspx</a></p>	<p>This 11-acre facility brings cruise ship passengers into a neighborhood adjacent to the central downtown area. Passengers can walk from this terminal to attractions.</p> <p>Building heights are stepped both on the upland structures, and on the overwater structures. Dock facilities must provide access to passengers who disembark through ship hatches built above the waterline.</p>	
<p><b>Study No. 2</b></p> <p><b>Carnival cruise ship terminal near the Queen Mary</b></p> <p><b>Port of Long Beach, CA</b></p>	<p>Carnival Cruise Lines, <a href="http://www.carnival.com/Funville/forums/t/288552.aspx">http://www.carnival.com/Funville/forums/t/288552.aspx</a></p>	<p>The cruise ship is at the right, below, in this image. The overwater facility that serves the ship is not extensive. At some point, in the design, an accessway must reach the passenger doors on the ships although this design also uses an elevated walkway from ship to shore that would not be needed in Astoria.</p>	



<div>Study No. 3</div> <div>Conceptual design for passenger ferry terminal master plan</div> <div>Seattle, WA</div>	<div>LMN Architects, <a href="http://lmnarchitects.com/work/seattle_multi_modal_ferry_terminal_master_plan">http://lmnarchitects.com/work/seattle_multi_modal_ferry_terminal_master_plan</a></div>	<div>This image was submitted by the LMN firm, for the Seattle Multi-Modal Ferry Terminal master plan in 2008.</div> <div>The image shows a good example of stepping-down elevations of overwater facilities to the water's edge. In this image, the left side of the building makes particularly good use of stepped-down surfaces to preserve views from upland areas, for example views from the multi-story buildings on the edge of the proposed urban harbor.</div>	<div></div>
<div>Study No. 4</div> <div>Ferry Building (interior)</div> <div>San Francisco, CA</div>	<div>Interior view: Jetting Around, <a href="http://www.jettingaround.com/wp-content/uploads/2013/02/San-Francisco-Ferry-Building-Marketplace-3.jpg">http://www.jettingaround.com/wp-content/uploads/2013/02/San-Francisco-Ferry-Building-Marketplace-3.jpg</a></div>	<div>The image to the right shows the interior of the iconic Ferry Building in San Francisco, which is located upland from the bay. We offer the ideas embodied in this development as pertinent themes for Astoria officials. The building offers unique pedestrian experiences, and such interest is vital for generating and holding pedestrian traffic at levels that serves public policies. The pedestrians move and shop within a structure that offers pedestrians views of the water. The building also embodies creation of economic activity in the form of produce and other market stalls, restaurants, and cafes.</div>	<div></div>



<div><div>Study No. 4</div><div>(continued)</div><div>Ferry Building</div><div>(from water)</div><div>San Francisco,</div><div>CA</div></div>	<div>Bay view: Trip Advisor, <a href="http://www.tripadvisor.com/LocationPhotoDirectLink-g60713-d1651521-i26122492-San_Francisco_Sailing_Company-San_Francisco_California.html#26122491">http://www.tripadvisor.com/LocationPhotoDirectLink-g60713-d1651521-i26122492-San_Francisco_Sailing_Company-San_Francisco_California.html#26122491</a></div>	<div>The image on the next page shows the Ferry Building from the bay. The Commission can see that overwater facilities consist of minimal passenger facilities to serve this building. The facilities are modest yet they must reach higher than 12 feet to serve passengers.</div> <div>Notably, too, from upland vistas within the Ferry Building and beyond, views of the water change as ships enter and leave this facility. This variety of watercraft is a source of visual interest to pedestrians on the shore.</div>	
<div><div>Study No. 5</div><div>Pier 57, Seattle,</div><div>Washington</div></div>	<div>Donna Moore, Redbubble: <a href="http://www.redbubble.com/people/donnamoore/works/3646044-pier-57-in-historic-seattle-waterfront">http://www.redbubble.com/people/donnamoore/works/3646044-pier-57-in-historic-seattle-waterfront</a></div>	<div>As seen from the water in this image, Seattle's Pier 57 is an overwater building with stepped down elevations. This image demonstrates one way that overwater buildings can be constructed more or less perpendicular to the shore, with techniques to mitigate impacts on views.</div>	

<p><b>Study No. 6</b> <b>Navy Pier,</b> <b>Chicago, Illinois</b></p>	<p>Navy Pier, <a href="http://blog.navypier.com/wp-content/uploads/2012/08/Navy_Pier_Photo_134.jpg">http://blog.navypier.com/wp-content/uploads/2012/08/Navy_Pier_Photo_134.jpg</a></p>	<p>Chicago’s navy pier—while at an overall scale beyond Astoria’s needs—premises over 50 acres of development on the availability of pedestrian access along and through the entire developed space.</p> <p>The interior spaces are developed with region-wide attractions such as art museum uses, shops, eateries, amusement uses, and amenities.</p>	
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## Exhibit B—Proposed changes to draft ordinance

p. 1

ORDINANCE NO. 14-\_\_\_\_\_

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

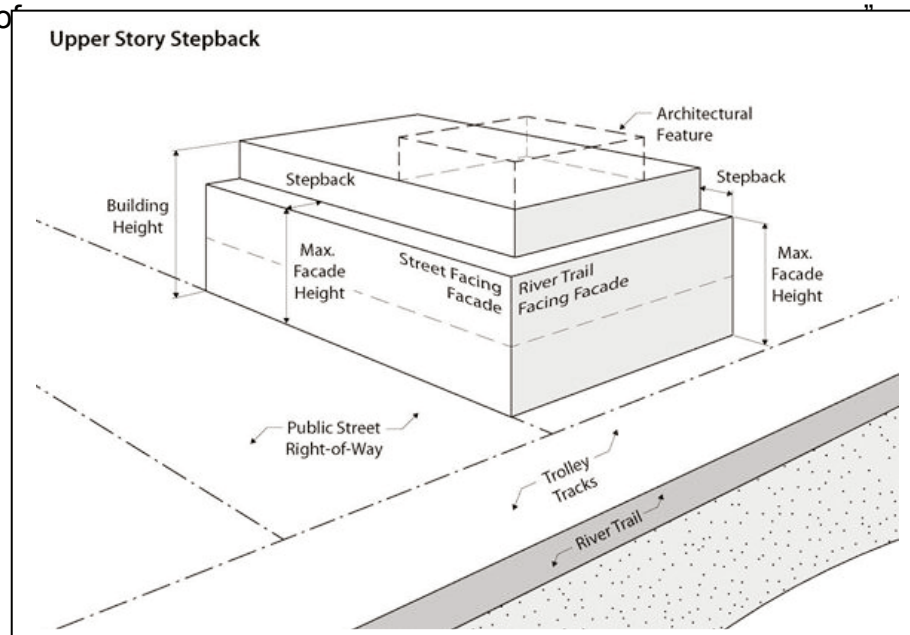
THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

....

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

....

“STEPBACK: Building setbacks are stepped or progressive recessions in one or more of a building’s faces as the building rises higher. Setbacks 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-



....

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.

## Exhibit B—Proposed changes to draft ordinance

p. 2

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.

#### C. Conditional Use Master Plan

Persons may apply to establish or amend the East Basin Plan District text under Section 10.050.A. Owners of land within the East Basin Plan District may apply for conditional use master plan approval under Section 9.010.

### 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.



## Exhibit B—Proposed changes to draft ordinance

p. 3

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 ~~area or the Columbia River, 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.



## Exhibit B—Proposed changes to draft ordinance

p. 5

13. Buildings with heights in excess of the figures set forth in Section 14.060.A(1) and (2) before any exception under Section 14.060.A(3) is applied.
14. Development that is approved under a conditional use master plan.

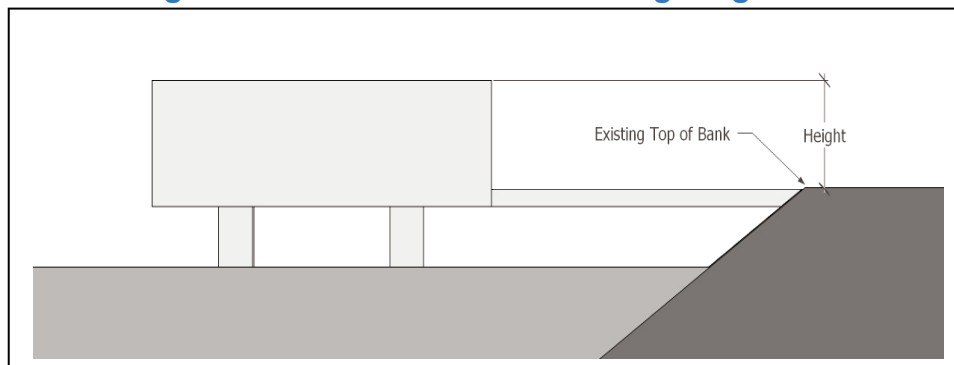
### 14.055. STANDARDS FOR OVERWATER DEVELOPMENT.

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**



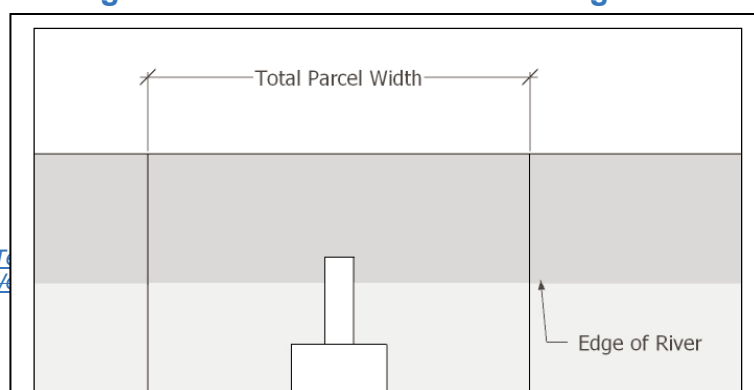
#### B. Size.

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.~~

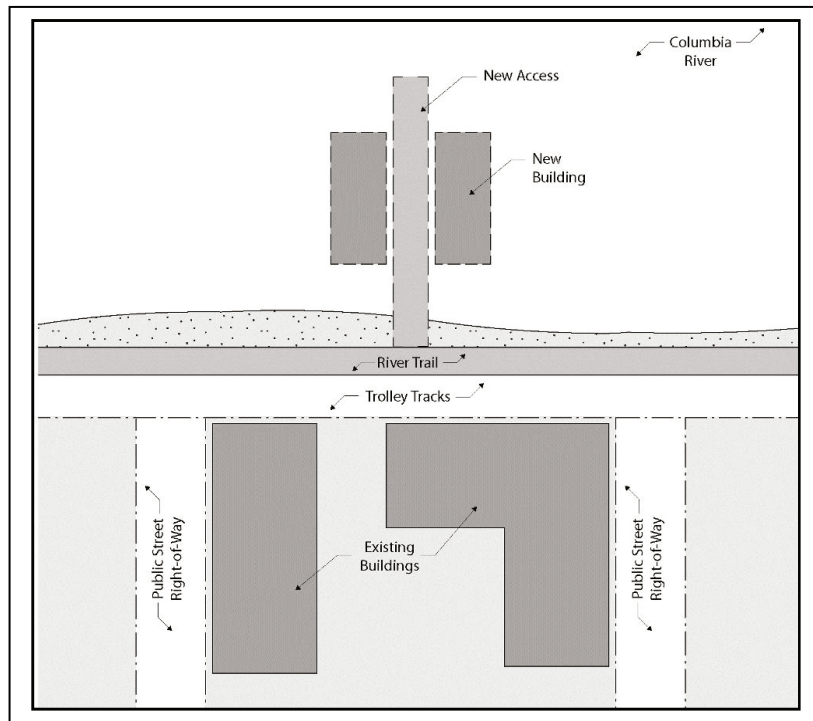
~~Piers and walkways shall be constructed in accordance with Access Design A, Access Design B, or Access Design C, as shown and described below.~~

~~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.~~



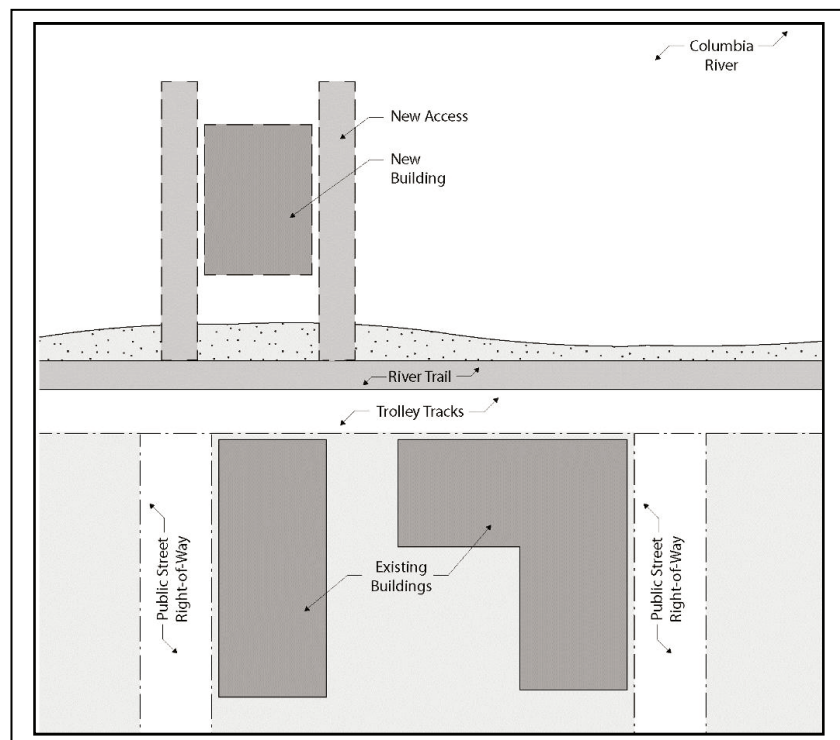
**Figure 14.055 3: Access Design A**



**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.~~

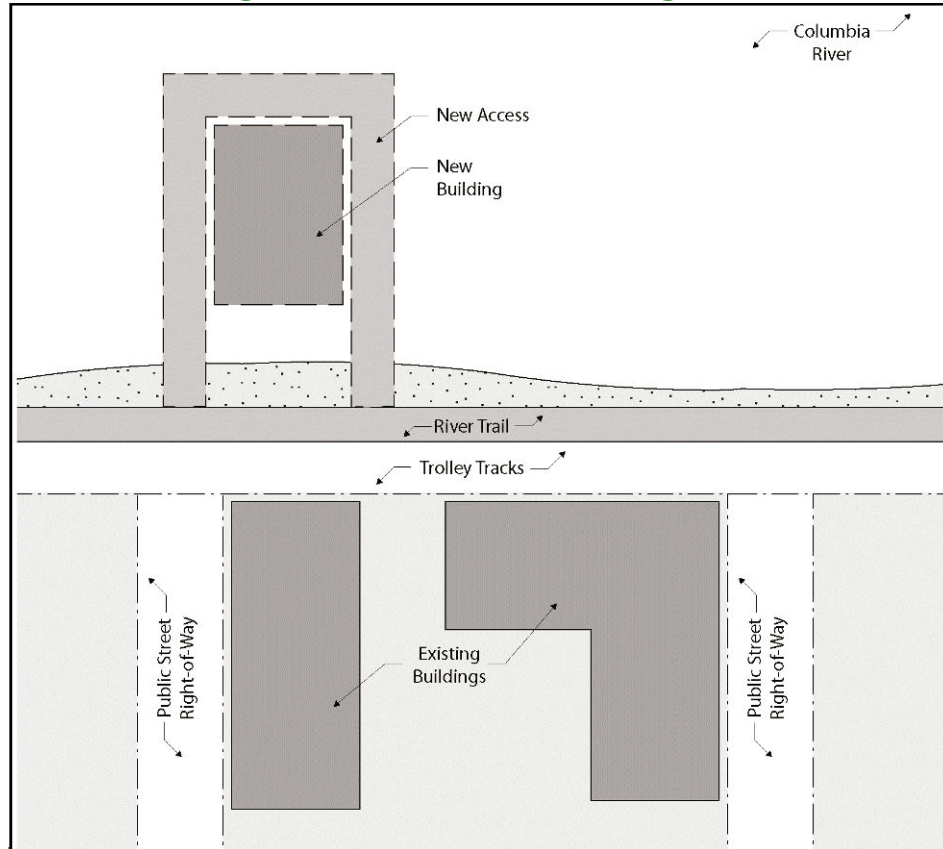
**Figure 14.055 4: Access Design B**



3. ~~Access Design C “Trail Extension”.~~

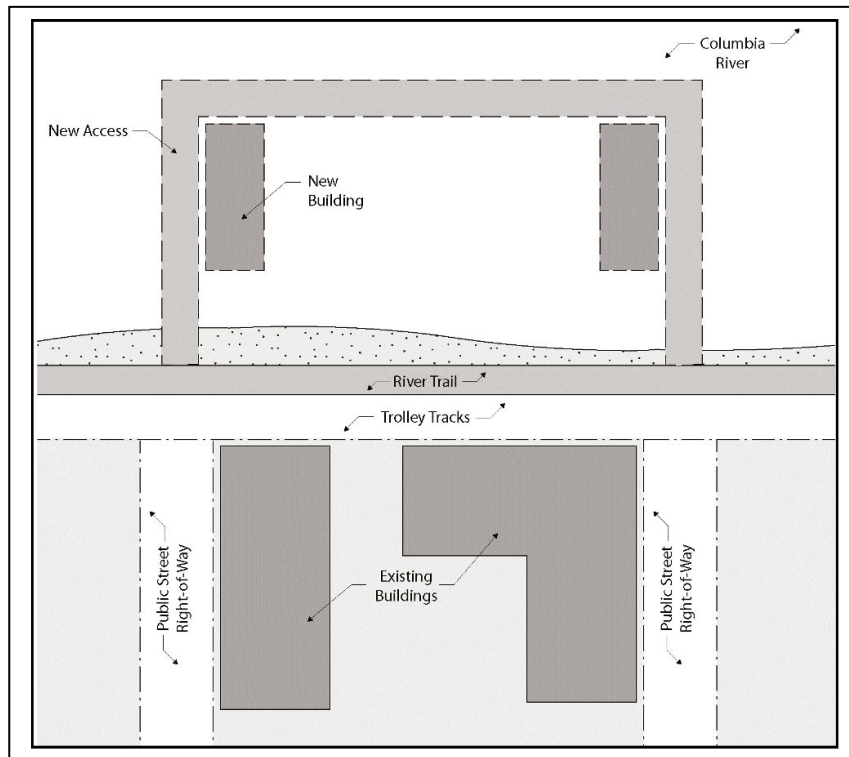
~~This access design serves as an extension of the River Trail and shall be provided through either existing right of way, right of way that is created and dedicated to the City, or easements for the piers on the east and west sides of the development. The boardwalk along the north side of the development 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, HG, HR, LS, AH, MP) do not apply to overwater development in the Civic Greenway Overlay Zone.~~

14.060. STANDARDS FOR ON-LAND AND OVERWATER DEVELOPMENT.

The following development standards apply to on-land and 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.

1. Maximum overwater building height is 38 feet and maximum on-land building height is 45 feet~~building height is 28 feet.~~
2. Building height up to 35 feet is permitted when b~~Building stories above 28 feet are must be~~ stepped back at least 10 feet in accordance with Section 14.060(BG)(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.~~

BG. Stepbacks.

1. Purpose.

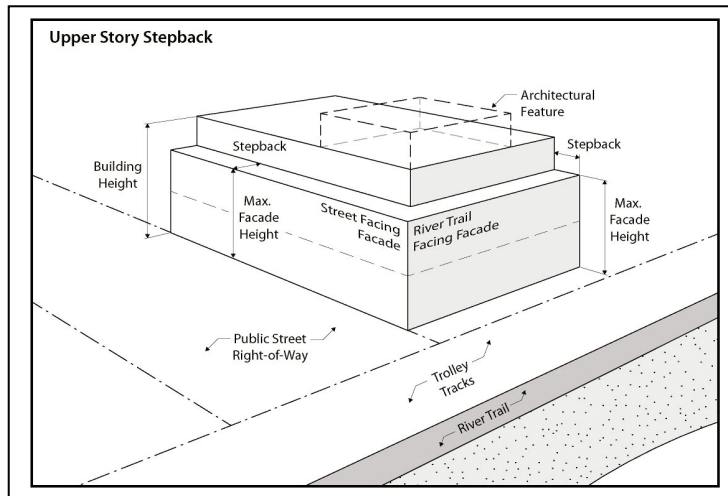
The purpose of a stepback is to allow for less obstructed views from above the building and to create a less imposing building scale as viewed from the street or parallel/adjacent trail. A stepback is also designed to allow more light down to the adjacent or fronting street, sidewalk, or trail.

2. Mandatory stepback~~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



3. Setbacks. A minimum view corridor width of 70 feet. Stepbacks between adjacent on-land buildings, 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. Such stepbacks shall be constructed with viewing platforms or other physical elements that allow persons to obtain views of the Columbia River. Buildings shall be set back in order to achieve a 70-foot view corridor.

C. Special Standards for Overwater Development

1. Design and building standards.

The following design and building standards shall guide overwater development in the civic greenway. The standards shall be interpreted and applied to promote development that supplies pedestrian access to views of the Columbia River, and to promote a pedestrian-friendly environment.

a. Construction at lot lines

Building facades adjacent to a lot line separating the overwater sections of two lots shall employ building stepbacks at each such façade. Such stepbacks shall have the effect of mitigating building mass and shall assist the building to achieve a design that provides pedestrian access to locations at which pedestrians may obtain views of the Columbia River.

b. Facades adjacent to a pedestrian facility

When a structure above 28 feet in height abuts a sidewalk, the River Trail, or other publicly-owned pedestrian access, the building shall, at 28 feet in height from finished grade, and at each story above 28 feet, be

constructed with one or more of the following features, in addition to stepbacks, to reduce the perceived mass and height to a more human scale:

- (1) Trellis
- (2) Lower roof overhang
- (3) Horizontal projection that has a mitigating effect
- (4) Awning
- (5) Balcony
- (6) Other feature that allows pedestrian access
- (7) Other feature that reduces building height and mass

c. Required pedestrian access inside buildings.

The first story of an overwater building must be constructed such that ten (10) percent of the buildable square footage constitutes a publicly-accessible area where pedestrians may obtain views of the Columbia River.

d. Required pedestrian access outside of buildings

Each overwater structure must provide a pedestrian accessway that connects the River Trail to a point at or beyond the most northerly building elevation. The accessway must supply a view of the Columbia River or terminate in an area on the property that provides access to a view of the Columbia River. Pedestrian facilities that satisfy one of the Access Designs supplied by Section 14.060.D(2), below, are presumed to satisfy this requirement.

2D. 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.

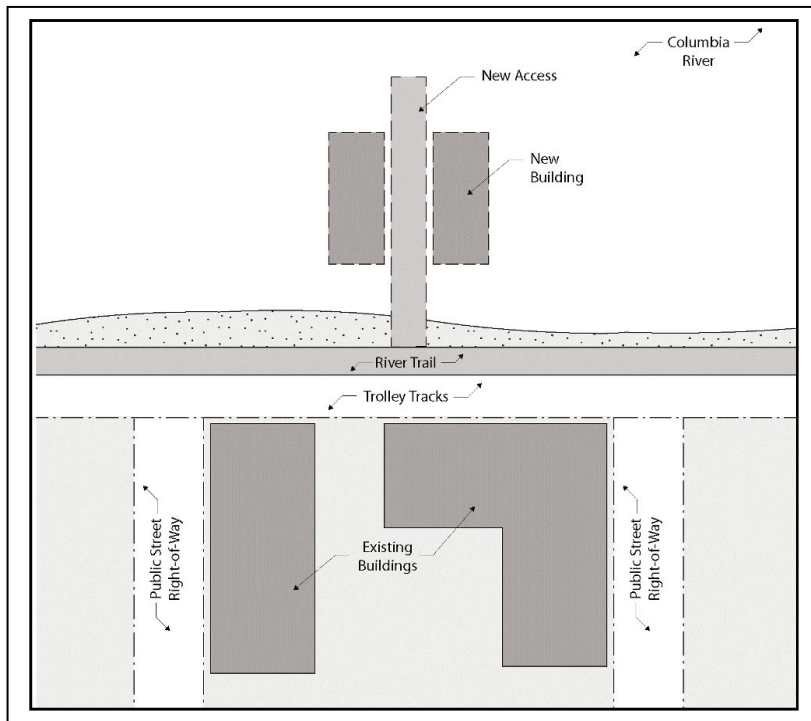
Piers and walkways shall be constructed in accordance with Access Design A, Access Design B, or Access Design C, as shown and described below.

a4. 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.



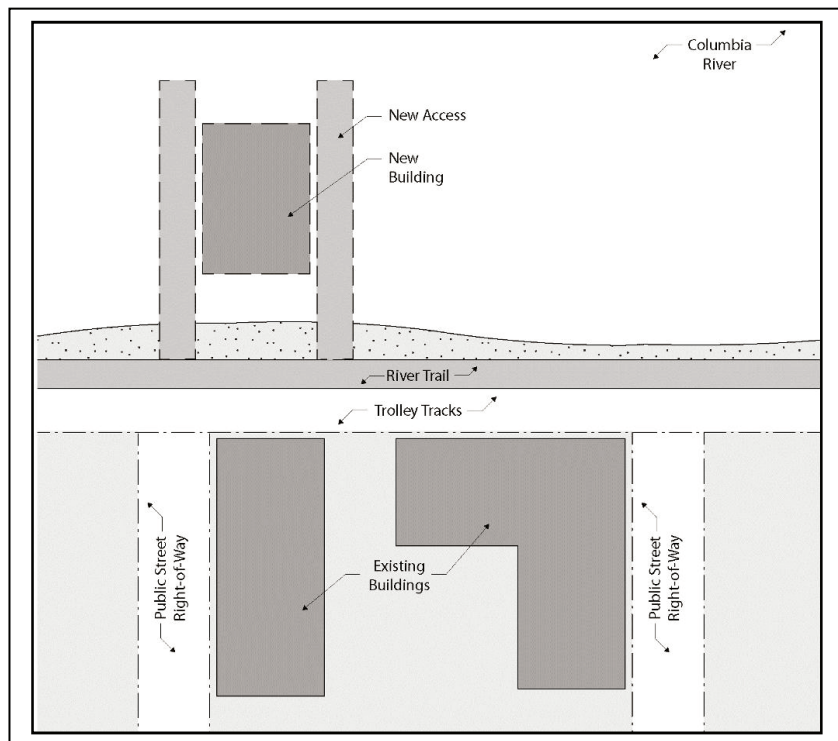
**Figure 14.060-2055-3: Access Design A**



**b2. 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 14.060-3055-4: Access Design B**



c3. 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. 060-4055-5: Access Design C.1**

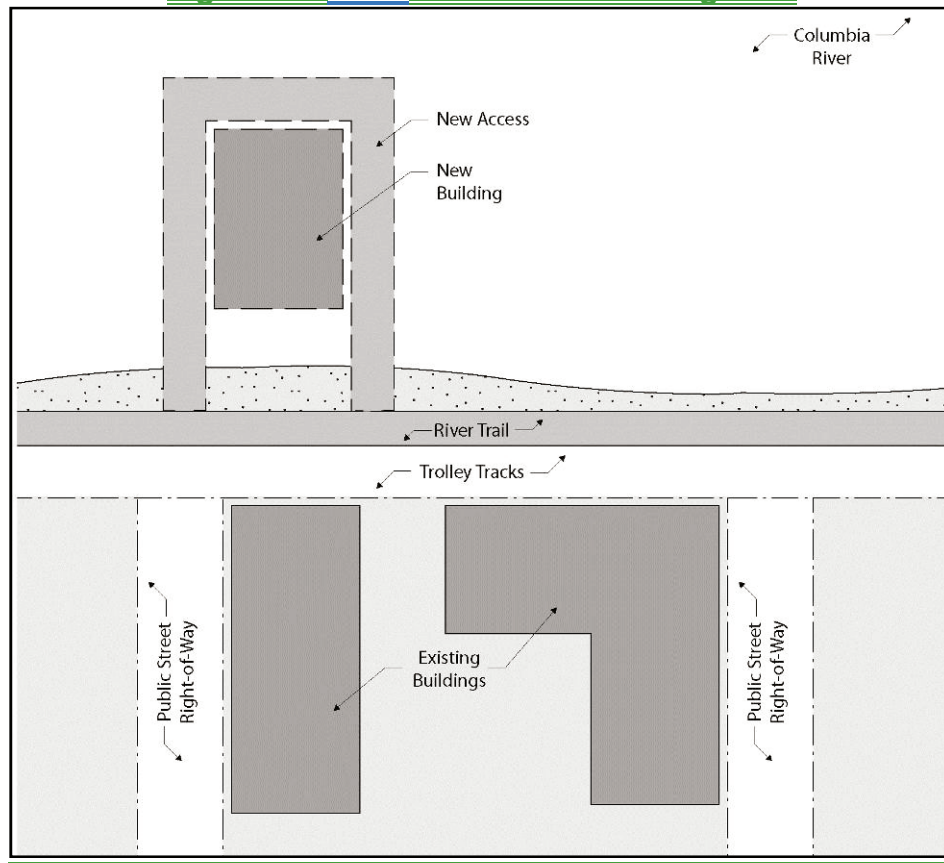
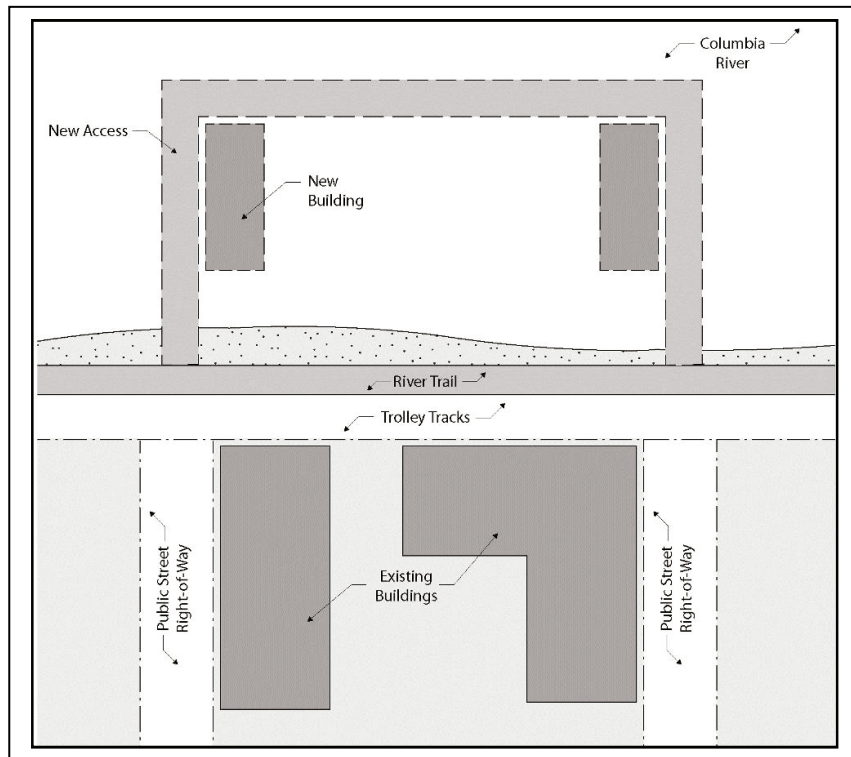




Figure 14.060-5055-6: Access Design C.2



d4. 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.

e5. 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).

f 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.

g7. Maintenance Responsibility.

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

2E. 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.

14.061 EAST BASIN AREA PLAN DESIGN DISTRICT

Prior to applying the CGO overlay to properties located approximately between 28th Street to the West, 41st Street to the East, the pierhead line to the north, and Marine Drive/Lief Eriksen Drive to the South, the city will create a plan district for the area. This plan district may be referred to as the East Basin Plan District.

A. Purpose

Properties within the East Basin Plan District share one or more of the following traits:

1. Currently developed;
2. Held for development by stakeholders with responsibility over public or privately-funded investments;
3. Development of the property is consistent with the policies of the Comprehensive Plan.

Accordingly the purpose of the East Basin Plan District is to supply development regulations that respond to the needs of this district in ways that the civic greenway overlay zone does not meet.

B. Scope

Regulations for the East Basin Plan District will be applied in conjunction with the base zoning, and the civic greenway overlay, but in lieu of development standards within the civic greenway overlay.

C. Plan district adoption criteria

The City shall establish design standards for the East Basin Plan District with legislative findings that address the following criteria:

1. The area proposed for the plan district has special characteristics or problems of a natural, economic, historic, public facility, or transitional land use or development nature which are not common to other areas of the civic greenway area;



## Exhibit B—Proposed changes to draft ordinance

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2. The legislative process may identify and address any additional uses that need to occur in the civic greenway zone to address the special characteristics or problems.
3. The boundaries of the proposed plan district and regulations that apply within it result from land use policy studies and economic analysis that document the special characteristics of the area and explain how a plan district will address relevant issues; and
4. The regulations of the plan district conform with the Comprehensive Plan, continue to meet the general purpose and intent of the base zoning, and harmonize with the purpose of the civic greenway overlay zone.

### D. Review

The planning commission should periodically review the East Basin Plan District and its regulations to determine the impacts on development, the usefulness and usability of the regulations, and the public need for any amendments to the regulations.

### E. Mapping

The boundaries of the East Basin Plan District should be illustrated on a map that City Council includes as part of an enacting ordinance, and that is reflected in the city's zoning map.

### F. Application

1. The City or any other person may apply for approval of a text amendment to establish development standards for the East Basin Plan District.
2. A property owner may apply for a conditional use master plan under permit approval standards established for the East Basin Plan District within Section 14.063. Development approved under such a conditional use master plan will be deemed to comply with the Sections 14.040, 14.050, and 14.060.

### 14.063 EAST BASIN AREA PLAN DISTRICT DEVELOPMENT GUIDELINES AND APPROVAL CRITERIA

(Reserved)