



AGENDA

ASTORIA PLANNING COMMISSION

September 24, 2019

6:30 p.m.

2nd Floor Council Chambers

1095 Duane Street • Astoria OR 97103

1. CALL TO ORDER
2. ROLL CALL
3. MINUTES
 - a) August 6, 2019
4. PUBLIC HEARINGS
 - a) Conditional Use Request (CU19-09) by Stephen and Karen Allen to locate a one-bedroom transient lodging facility on the second floor of an existing commercial building at 80 11th Street and a two-bedroom transient lodging facility on the second floor of an existing commercial building at 77 11th Street, in the A-2 and CRESO Zones.
5. WORK SESSION
 - a) Riverfront Vision – Urban Core Draft Code
6. REPORT OF OFFICERS
7. STAFF/STATUS REPORTS
 - a) Save the Date:
 - i. Tuesday, October 22, 2019 @ 6:30 p.m.
8. PUBLIC COMMENT (Non-Agenda Items)
9. ADJOURNMENT

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall

August 6, 2019

CALL TO ORDER:

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

ROLL CALL:

Commissioners Present: President Sean Fitzpatrick, Jennifer Cameron-Lattek, Patrick Corcoran, Cindy Price, and Brookley Henri.

Commissioners Excused: Vice President Daryl Moore and Commissioner Chris Womack.

Staff Present: City Manager Brett Estes, Contract Planner Rosemary Johnson, and Contract Planner Mike Morgan. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

No new minutes to review.

PUBLIC HEARINGS:

President Fitzpatrick 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):

A19-05 Amendment Request (A19-05) by Community Development Director to amend the Astoria Comprehensive Plan to adopt the Uniontown Reborn Master Plan (URMP), addendum to 2004 Astoria Transportation System Plan (TSP), amend Uniontown Area and Policies, amend Astoria Development Code with implementing ordinances for the Uniontown Area, and amend zoning map to designate Uniontown Overlay Zone (UTO). The area is generally from Smith Point to Columbia Avenue on the north and south sides of West Marine Drive.

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

Commissioner Henri declared that she served on the stakeholder and technical advisory committees for the master planning project. She did not consider that to be ex parte contact. She confirmed that she could be impartial.

City Manager Estes explained ex parte contacts did not apply as this was a Code amendment.

President Fitzpatrick asked Staff and the consultants to present the Staff report.

Planner Morgan reviewed the written Staff report via PowerPoint. Staff recommended the Commission take public testimony, approve the request, and recommend adoption by the City Council.

Scott Richmond, Jacob's Engineering, briefly presented additional details that augmented the Staff report via PowerPoint. His presentation included the objectives of the Master Plan, the master planning timeline, and outreach initiatives.

Matt Hastie, Angelo Planning Group, presented the land use components of the Staff report required to adopt and implement the Master Plan, which included recommendations for allowed uses, landscaping and setback standards, building heights and massing, parking requirements, and design guidelines.

Mr. Richmond presented the transportation recommendations contained in the Staff report via PowerPoint, which focused on Marine Drive and would increase safety throughout the area. He provided details of recommended projects, as well as the benefits and implications of those projects.

Commissioner Cameron-Lattek said the documents show the east bound travel lane would be removed from the roundabout to 8th Street, not from Hamburg Avenue to Columbia Avenue/Bond Street as stated in the presentation. City Manager Estes explained that as part of the City's adopted TSP, that project includes a set of lane reconfigurations from 8th Street to the Doughboy, converting that section from a four-lane to a three-lane roadway. That would address issues created by the TSP update process. The concerns at that time were that pedestrians were not able to cross Marine Drive through that section. The master planning project recommends applying that concept further to the west along Marine Drive. He confirmed the Commission was currently just considering the section between Hamburg and the Doughboy.

Commissioner Cameron-Lattek asked how likely it would be for the City to find public parking to offset the on-street parking that will be lost.

Mr. Richmond stated the team worked with the City to identify potential properties. As properties come available, the City can obtain funding to acquire properties for public parking. However, the team was not currently recommending the City look for properties at this time.

City Manager Estes added the entire study area is within the Astor West Urban Renewal District (AWURD), which would provide funding for land acquisition and development. The search for off-site parking would be done in tandem with a construction project.

Commissioner Corcoran asked what the funding mechanism was for the stretch between 8th Street and Columbia. City Manager Estes responded that City Council approved an application process to be submitted to Oregon Department of Transportation (ODOT). The City was recently notified by ODOT that the application did not make the cut. He confirmed funding would be obtained through the regular process of applying for grants from the State. If this request is approved and adopted, the area will be eligible for ODOT grant funding in the future. The TSP recommends one lane in each direction with a center turn lane in the section between 8th Street to Columbia.

Commissioner Corcoran said he wanted to know what Columbia would look like when the train intersection project was complete. He assumed the train intersection project informed the Master Plan currently being recommended.

Mr. Richmond stated the traffic analysis assumed the configuration east of Columbia contained in the adopted TSP.

Commissioner Corcoran believed the Uniontown Reborn project was driven by transportation planning. City Manager Estes explained that the City secured funding for this project in 2015 from the State of Oregon Transportation Growth Management Program (TGMP). The TGMP provides funding for efficient multi-modal transportation improvements and reviews land use activities to promote more efficient environments. While a transportation element is part of this grant, the land use component considers changes to the Development Code necessary to make the area what the City wants.

Commissioner Corcoran understood, but added that the transportation piece seemed central. He believed the priority should be to make sure the transportation pieces connected well and that traffic flowed through the city in a systematic way. Concerns about traffic flow and parking have triggered a lot of contingent scenarios and he struggled with where to put the Master Plan with the design phase and implementation. The Plan is a template with no funding or motivation. So, he was interested in the next step for visualizing in a real way how likely it is that any part of the Plan will manifest.

City Manager Estes said the only way to get funding from ODOT is to have an adopted Master Plan in place. He reiterated that transportation was one component of the Plan and zoning was the other part. When this planning process started, there were concerns from City Council about the types of development that could occur in the area. The Code amendments will establish a framework for a preferred set of development alternatives for the

future. If the Plan is approved, City Staff and ODOT can then pursue funding for the transportation elements of the Master Plan. If funding is approved, then the design process will begin. He confirmed public engagement was part of the design process, but City Council would determine whether or not the City would pursue a project. For example, last night, City Council approved an intergovernmental agreement (IGA) with ODOT for two Statewide Transportation Improvement Project (STIP) funded sidewalk improvement projects by the high school. ODOT has asked that the two projects be combined into one project, yet the design process has not begun. Now that the City and ODOT have the agreement, the design phase can begin. He reiterated that the public would be involved in the design process.

Commissioner Corcoran stated the Master Plan was indicating that if street parking was lost, public parking alternatives would be found. However, that may or may not happen when it comes down to the design phase. City Manager Estes clarified that if the Plan states there shall be off-street parking, then off-street parking would be part of the design phase.

Commissioner Price said this project puts the cart before the horse. She understood bureaucracies and funding mechanisms, but various grants will be necessary to make the Uniontown vision happen. In this case, the ODOT grant was received before the visioning. She wanted Uniontown to have a better traffic pattern that slows traffic down and makes the area more pedestrian and bicycle friendly. She was concerned that the design phase would come later. She asked when the City's contracts with Jacob's Engineering and Angelo Planning would end. City Manager Estes stated the contracts ended at the end of September. Any work done after September will be paid for by the City of Astoria.

Commissioner Price confirmed with Staff that ODOT did not have any deadlines. She asked if ODOT had already approved the transportation recommendations in the Master Plan.

Michael Duncan, Project Manager and TGMP Grant Manager, Oregon Department of Transportation (ODOT), stated ODOT supported the City's grant application, which aligned with TGMP goals. Those goals were realized through the planning process.

Commissioner Price asked if ODOT's support was an indication that there was a high probability that ODOT would provide the funding to complete the project by 2035.

Mr. Duncan explained that when ODOT puts a project in a long-range planning document, that project is determined to be reasonable and likely. When the City applies for State funding for that project, Staff will indicate on the application whether the project was included in a long-range or comprehensive plan. The lane reconfiguration was originally supposed to be funded during this STIP cycle, but the project did not make the final list. However, the project is a priority for the region and for ODOT due to safety and connectivity.

City Manager Estes added that this project was directed by City Council because they had concerns about the lack of development review in this corridor. The focus on Uniontown was adopted as a City Council Goal about five years ago, so the City started the Façade Improvement Program through the AWURD and pursued grant funds to assist with developing other tools to achieve the goal. At the same time, the City was completing its TSP with a focus on pedestrian safety because pedestrian safety was the main topic discussed throughout that planning process. The TSP included the lane reconfiguration between 8th and Columbia and, while there were discussions about extending the lane configuration to the west, the consultants and ODOT did not have the capacity to determine whether the project should go farther west.

Commissioner Price asked how much AWURD funding was available for Uniontown and what would the funding be used for. City Manager Estes stated City Council envisioned an adopted plan and grant opportunities. Staff could look for funding from ODOT and pair that with urban renewal funds to complete a streetscape project from the roundabout to the Doughboy.

Commissioner Price asked if the City had a streetscape design and engineering plan. City Manager Estes confirmed Staff was moving forward as directed by City Council.

Commissioner Henri asked what the Code requirements were for reviews and approval by the Planning Commission and Design Review Committee. Planner Johnson confirmed that projects under this Plan and outside of historic districts would follow the City's usual design review processes. If a project was adjacent to a

historic property, it may need review by the Historic Landmarks Commission. City Manager Estes noted that this proposal would expand the area where design reviews are required.

Commissioner Henri asked how the proposed height limits and allowances compared to the existing requirements. Planner Johnson said the overlay would apply to the C-3 zone, which currently allows 45-foot tall buildings. The height would remain the same, but would also require step backs. The allowance for required architectural equipment on the roof would remain as well.

Commissioner Henri asked if drive-in businesses would include a coffee kiosk. She also wanted to know if the new requirements would apply to existing uses. Planner Johnson confirmed that existing uses would become existing non-conforming uses and the requirement would only apply to any new facility. A new coffee kiosk would be prohibited in the core area, but still allowed in the Gateway sub-area.

Commissioner Henri stated that at the last stakeholder and technical advisory meeting, the committee was hung up on choosing between a pedestrian refuge and a left turn lane at Bay Street. She asked how that was resolved and what the implications would be of connecting Bay and Basin Streets north of Columbia.

Mr. Richmond said a TSP project would be associated with development to connect Bay Street and Basin Street parallel to West Marine Drive. The initial recommendation was to have a pedestrian median refuge, an enhanced pedestrian crossing at Bay Street and extending the median across the east portion of Bay Street. That would have prohibited left turns on to Bay Street. The left turn on Bay Street is the only access to the Maritime Memorial Park and the service access of Motel 6. Therefore, the consultants backed off of the recommendation to restrict left turns, which are low demand for limited uses.

Commissioner Henri said Figure X in the Master Plan still needed to be updated with bike lanes on both sides of the street. She confirmed that the Plan was in favor of allowing on-street parking at the Bay Street intersection.

Mr. Richmond added that the area did not have as many driveways, so there would not be a frequent need for left turns. The sidewalks are wider and the rights-of-ways are more narrow.

City Manager Estes confirmed for Commissioner Henri that the Master Plan included a provision for an off-street parking area.

Commissioner Corcoran stated he wanted to eliminate the bike lane requirement. He asked if an underpass could be built underneath the traffic circle that came up on the north side and connected with the Riverwalk bike lane. City Manager Estes explained that an underpass was discussed as part of the Riverfront Vision Plan. ODOT and City engineers determined that at high tide there was not enough clearance under the bridge.

Mr. Richmond added that one of ODOT's recommendations for public infrastructure is to enhance the connection just east of the Smith Point roundabout for pedestrians and bicyclists, and add a section of multi-use path just west of the Best Western that would connect to the Riverwalk. Additionally, clearer warnings to drivers about the crossing would be installed.

Commissioner Corcoran said that stretch was not safe for bicyclists. He suggested the bike lane on Hamburg go off to the right by the dump station.

Mr. Richmond explained that there are many types of bicyclists. The transportation route along the highway provides striped bike lanes as part of the Oregon Coast Bike Route. The recreational bicycling opportunities are adjacent to the trolley trail. This Master Plan is subject to more refined designs.

Mr. Duncan added that safety concerns were discussed, but bicyclists still needed to be accommodated on the highway. Additionally, a segment of the highway is part of the Oregon Coast Bike Route, so eliminating the bike lanes from the Master Plan was not an option.

Commissioner Corcoran stated his vision was to integrate the Oregon Coast Bike Route with a safer, more aesthetically pleasing option at the dangerous intersection. That could also allow the City to have 12 extra feet in the planning corridor through the area. Providing space for bike lanes means a loss of on-street parking, which is a pressing issue.

President Fitzpatrick called for a recess at 7:46 pm. The meeting reconvened at 7:52 pm.

Commissioner Price noted that the Master Plan was subject to change and the Commission has heard a lot from the public that more time is needed. However, the City is under a clock. She believed the Plan reflected the direction given by City Council. The reason for the Plan is to incentivize public investments in the neighborhood and improve transportation. She hoped the Commission could focus on a unifying vision and a coherent set of plans for the area. She was concerned about allowing auto sales and services in the West Gateway sub-area because the area is the first impression people get of Astoria as they enter town from the west and the south. The City is trying to eliminate cars and parking on Marine Drive. Auto sales will be used auto sales because the city does not have enough land for a new auto lot. She requested that auto sales and services be added to the list of recommended prohibited uses for the area.

Commissioner Cameron-Lattek clarified that the Master Plan stated auto sales were prohibited.

City Manager Estes noted Commissioner Price had discovered an error in the Code document. Automobile sales would be prohibited in the Western Gateway Area. However, the Plan recommended allowing automobile services.

Commissioner Price said she assumed the Master Plan would not be adopted that night, so the document could be revised.

Commissioner Cameron-Lattek asked what options the Commission had to take action on this request.

City Manager Estes explained that Staff recommended a continuance so Staff can further revise and refine the recommended Code language and recommendations to provide more clarity. The grant funds for this project do have an expiration date and any work done after that will be paid for by the City and will reduce Staff's capacity.

Commissioner Henri confirmed with Staff that the Commission's recommendation to City Council would be considered by City Council. After the Commission makes its decision, Staff must provide adequate public notice. Therefore, if the hearing is continued, the work would extend beyond the grant funding timeline, which expires at the end of September. He reminded that two City Council meetings are necessary to adopt ordinances.

President Fitzpatrick opened the public hearing and called for testimony from stakeholders.

Gordon Treber, 2778 Grand, Astoria, said he owned property in the Gateway area on Marine Drive. He appreciated all the effort going into the Plan. He was worried about 10-foot sidewalks because he had invested a lot of money into moving one of his buildings back four feet to provide more room in front and facilitate the historic reconstruction of the building. However, it looked like it would be a long road. He wanted to know where the utility poles would be relocated to and was concerned they would end up in someone's back yard with lines going across the street. It would be a huge visual improvement to relocate all of the lines underground. That area of town is very windy so he did know where the City could put trees. He was concerned the Plan would get adopted at this meeting, but this seemed to be a long-range project.

Diana Kirk, 281 and 453 W. Marine Drive, Astoria, said she had been part of the planning process from the beginning and met Mr. Richmond 18 months ago. A lot of what the stakeholders have brought up has changed in the last two weeks. She appreciated that the stakeholders were being listened to. The Bay Street turn is important because of Memorial Park and because the crosswalk is dangerous. There are not a lot turns in that area. About 20 of Motel 6's units, the only parking for Helping Hands, the Tigard Building [1:34:30], and Suomi Hall are only accessible from the backside of the motel. Three of those buildings are historic and their only parking is accessed from Bay Street. Her building in the Gateway Area is a four-plex. She recommended that everyone walk from the bridge to the roundabout to get a sense of what it is like to live in the area. People in this town talk a lot about workforce housing and her four-plex is workforce housing. Most of the buildings have parking or access from Alameda and backing out of those parking spots is dangerous. Her prospective tenants choose not to submit an application because it is so dangerous to back out. She believed the bike lane would provide some protection and make it safer to back out on to Marine Drive. Eight parking spots from the bridge to the roundabout are on the chopping block. Her four-plex only has four parking spots. When her tenants have visitors, they must turn left on Portway, then make a left on the street where the trolley cars go, and walk all the

way back across Highway 101. Yesterday, there were four cars parked in those spots and it is very important to the people who live in those properties. The three taverns in Uniontown are the three oldest bars on the entire Oregon/Washington Coast and they part of the historic area. There are four lights proposed for the area. There are already 17 power lines in front of her building. Downtown gets to decorate for holidays and is part of town with the Regatta signs. The proposed lighting will be the area's only opportunity to hang anything in Uniontown and feel like the neighborhood is part of the city.

Nancy Montgomery 279 W. Marine Drive, Astoria, Three Cups of Coffee and Columbia River Coffee Roaster, said Bay Street is a view corridor. Her building is at the top of Bay Street and the large arching windows look down on to the water. She wanted to keep views of the river part of her life and daily experience. She wanted the Commission to be aware of her relationship with the Port and the property currently being used as Maritime Memorial Park. Bay Street extends down to the water and she wanted to encourage the City to gain real control of that property and consider acquiring more of the Port's property to the west to anchor the city in parks. The City has Maritime Memorial Park on the west end and the Maritime Museum not quite on the east end where a lot of events happen. If the area along the Riverwalk was a real park, the community can celebrate both ends of the city.

Stuart Emmons 107 Kensington, Astoria, stated he had already submitted an email regarding this project. He had done projects with the Portland Bureau of Transportation, the community, and ODOT. He understood the push and pull, traffic counts, parking, and stacking distances. Many times, he tried to encourage people to look at the big picture instead of getting into the weeds of the traffic engineering. Uniontown is the city's gateway, the most important entry into the city. He believed the traffic circle was wonderful, but it could be made better. Currently, there is a car wash, a derelict gas station, a Fast Lube, a billboard, Portway, Worker's Tavern, and Triangle. The groups of historic houses need work as well. He did not see a unified vision between the circle and the Doughboy. This is the City's moment to create a vision. If the City cannot get the gas stations bought, the City should figure out ways to mitigate them. He urged the entire community to do better. There has been too much left brain thinking on this project and the City needs to get over to the right brain with drawings and schemes showing the walking experience, driving experience, and bicycle experience.

Rachel Jensen Lower Columbia Preservation Society (LCPS), PO Box 1334, Astoria, said she was relieved to hear the hearing was likely to be continued. She wanted the name of the Historic Preservation and Design Committee to be corrected in the Stakeholder section of the Master Plan on Page 14. She believed the Plan was referring to the Historic Landmarks Commission. Additionally, she wanted clarification on the Wauna Credit Union site mentioned on Page 38 of the Master Plan. Would the building be demolished or was the Plan just referring to accessory parking?

Planner Morgan said the Plan was referring to the auxiliary parking area behind the Mexican restaurant, which is owned by Wauna.

Ms. Jensen suggested that reference be removed from the Plan or that the location be clarified in the Plan.

Planner Morgan explained that the final draft of the Plan would contain a generalized recommendation rather than specific locations.

Elizabeth Menetrey, 3849 Grand Avenue, Astoria, said the concerns about height are the same as those for the Bridge Vista Area. The Plan seemed to say that more height was necessary to add residences because the residences finance the development. The Plan also indicated that parking would be reduced, even though buildings would be higher, make more income, and serve more people. This is clearly a problem.

Will Johnson, 509 Kensington, Astoria, asked if there would be more opportunities for the public to provide input.

President Fitzpatrick stated there would be more opportunities for comments at the next meeting.

Mr. Johnson said that was fair. In the draft, the words might, maybe, and shall allow a lot of wiggle room. Parking is a very minor issue, but he does lose his parking space when the cruise ships come in. If the existing parking was removed, he was not sure how much farther he would have to walk. Everyone will be affected by the parking. The parking should be maintained for those who live in Astoria and for those who visit. He liked the idea of burying power lines, but he knew it would cost about 10 times more than putting the lines on a pole. He

thanked the City for working on the Master Plan and hoped the City would look after the residents. He wanted to maintain a beautiful town, keep the buildings low, go slow, and do this right.

President Fitzpatrick called for closing comments of Staff and the consultants.

City Manager Estes said he would love underground utilities in Uniontown. When downtown was rebuilt in 1922, underground utilities were installed. Now, the chair wall system is approaching 100 years old and has started to have challenges. Staff could consider underground utilities as part of an urban renewal design project. Pacific Power will not pay to have utilities underground. Additionally, some types of lines cannot be buried.

Planner Johnson added that the Bay Street view corridor was in the Gateway Overlay for the Bridge Vista and not part of Uniontown Reborn. Additionally, the Code proposed to implement the Plan states that the 50 percent reduction in off-street parking requirements only applies to developments of 5,000 square feet of land or less. The other exemption would be restricted to existing buildings without parking that cannot be redeveloped due to lack of available parking space. A building expansion of 10 percent or less could not decrease the available off-street parking. Exceptions would be processed through an administrative permit.

Mr. Hastie noted that one of the objectives of the Plan was to provide opportunities for more housing, including workforce housing. Housing would not occur in this area unless taller buildings were allowed. Development above one story will not be financially feasible unless buildings are at least 45 feet tall. Illustrations were not created because the Plan is not proposing radical changes to the area, which already had many existing buildings. The planning team focused on transportation improvements, projects, and changes to development standards that met the goals and objectives of the Plan.

Planner Morgan said Portway Tavern is in the Urban Core Area. The area west of Portway would continue to have some automobile-oriented uses like the Fast Lube. The trade off was that the entire area from the roundabout to the Doughboy fall under the design guidelines and restrictions of the Design Review Committee.

City Manager Estes said it would be helpful for the Commission to provide Staff with feedback.

Commissioner Price encouraged the Commission to take a walking tour through Uniontown lead by Diana Kirk or Nancy Montgomery. There are two parts of Uniontown separated by a long block where the bridge is. There is quite a lot of worker housing in Uniontown. Removing parking spaces from these areas will impact the residents and the businesses. Astoria is not Portland. Uniontown is a big hill and 45 feet is unlikely to impact anyone's view. It is important to consider the differences between the two areas and for the Plan to require parking. Lighting is also very important because there are long spaces between areas and the intent is to create a pedestrian effect for Uniontown. The Commission received emails from Nancy Montgomery and Jan Mitchell, which contain important considerations. She hoped Staff would pay attention to the emails.

Commissioner Henri said she believed the Plan needed to state that off-street parking shall be provided. She also wanted the Plan to emphasize the need for more than one off-street parking area because the corridor is long and walking distances need to be considered. If parking areas are serving a certain cluster of houses or shops and they are located across from Marine Drive where there is no crossing, and the parking is not accessible. It would be a challenge to make off-street parking facilities appropriately serve the areas that need off-street parking. She was unclear about the master planning process and wanted to know when the design process would take place. The Master Plan will not answer a lot of the questions people have because it just provides a framework for the design process to follow. She also wanted to know how speed limits would be addressed.

City Manager Estes explained that the ODOT funding process first requires an IGA with the City. Then designers would be hired to go through the design process with the City. He used the Waterfront Bridges project as an example to describe the City's standard process for transportation projects. ODOT had approved \$8 million for the project, the IGA was then approved, and then designers began working on the project. When issues arose about what the interface along the waterfront would look like, City Council discussed the issues and took public input on the project. The feedback from Council and the public was used to develop the Plan that was ultimately approved by City Council. After the design was finalized, the project went out to bid. When the bids came in over budget, the City and ODOT worked together to secure more funding.

Planner Johnson added that for development projects, the recommended Code amendments would implement the Master Plan through design guidelines and requirements that individual private developers must adhere to. The Design Review Committee reviews private development projects.

Commissioner Corcoran asked if locomotive services would be allowed in the Gateway Area.

Staff confirmed that automotive services were allowed in other areas, but not in the Gateway Area [Inaudible at 2:14:03 overtalking and away from the microphone]

Commissioner Corcoran asked for clarification about the recommended solution for view corridors along Bay Street. City Manager Estes explained that the right-of-way ended at the east/west driveway and did not extend all the way to the river. The Port of Astoria owned the property to the north and the City maintained to the hedge row to the west on Port property. The City had a lease with the Port for Maritime Memorial Park, but the Port did not renew the lease and has since leased the property to another individual.

Commissioner Corcoran stated parking was always the big elephant in the room. He liked the Plan and believed a lot of good work had gone into it. However, he preferred that the Plan identify an anchor parking location for commercial businesses and the housing units.

Commissioner Cameron-Lattek stated she wanted to hear more at the next meeting about the trade-offs and options for the loss of on-street parking. Parking seems to be more of an issue for Uniontown than it is for downtown. Uniontown provides great options for workforce housing and those residents will be most affected by the loss of parking. Parking will be lost to accommodate bike lanes which will be used predominantly by visitors. She believed the lane reconfiguration between 8th Street and the Doughboy was absolutely necessary because it would protect the livability of the area by creating a slower moving pedestrian area, which will make the area much more pleasant for workforce housing to occur. She agreed that the height allowances on the south side would encourage the kinds of housing developments that will make the area an even better neighborhood. She inquired if it would be easier to get funding for underground utilities if the Plan recommended it, adding it would be a great way to honor Astoria's 100 years of buried utilities downtown.

Commissioner Price moved that the Astoria Planning Commission continue the hearing for Amendment Request A19-05 by the Community Development Director to August 27, 2019 at 6:30 pm in City Council Chambers at City Hall; seconded by Commissioner Henri. Motion passed unanimously.

REPORTS OF OFFICERS/COMMISSIONERS:

No reports.

STAFF UPDATES/STATUS REPORTS:

Meeting Schedule

- August 27, 2019 – APC Meeting at 6:30 pm

PUBLIC COMMENTS:

No comments.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:51 pm.

APPROVED:

Community Development Director

STAFF REPORT AND FINDINGS OF FACT

September 17, 2019

TO: ASTORIA PLANNING COMMISSION

FROM: BARBARA FRYER, CITY PLANNER

SUBJECT: CONDITIONAL USE REQUEST (CU19-09) BY STEPHEN AND KAREN ALLEN TO LOCATE SHORT-TERM LODGING FACILITIES WITHIN EXISTING COMMERCIAL BUILDINGS AT 77 – 11TH STREET AND 80 – 11TH STREET.

I. SUMMARY

- A. Applicant: Karen and Stephen Allen
990 Astor Street,
Astoria, OR 97103
- B. Owner: Pier 11, LLC
Karen and Stephen Allen
990 Astor Street
Astoria, OR 97103
- C. Location: 80 11th Street (11th Street Pier)
T8N R9W Section 08 CA, Tax Lot 100,
Footing of Block 56.5 McClure and
77 11th Street
T8N R9W Section 08 CB, Tax Lot 200, Footing of
Block 56, McClure
- D. Zone: A-2, Aquatic Two Development, CRESO Zone
- E. Proposal: To locate a transient lodging facility on the second
floor of the buildings located on the East and West
side of the 11th Street Pier.

II. BACKGROUND

A. Subject Property

In 2009, the Astoria Planning Commission (APC) approved CU09-04 to locate business and professional offices, retail sales, personal services, arts and crafts studios, indoor amusement, and eating and drinking establishments, residential and transient lodging at 77 11th Street. This building was constructed in 1890 as

a dairy feed plant and operated until 1968. It was converted to a restaurant and retail mall in 1977 and has operated with various uses since that date. The building is located over water, and therefore; the submerged land is leased from the Department of State Lands (DSL).

The easterly building under this application is located at 80 11th Street. CU 13-01 was approved in 2018 with regard to allowing eating and drinking establishments, indoor entertainment, and tourist entertainment. This building was originally constructed as the BRUSKI Dock Fish Station. This building is also located over water, and therefore; the submerged land is leased from the DSL. In 2018, the APC approved CU 18-01 to allow outside retail sales on the dock associated with this building.

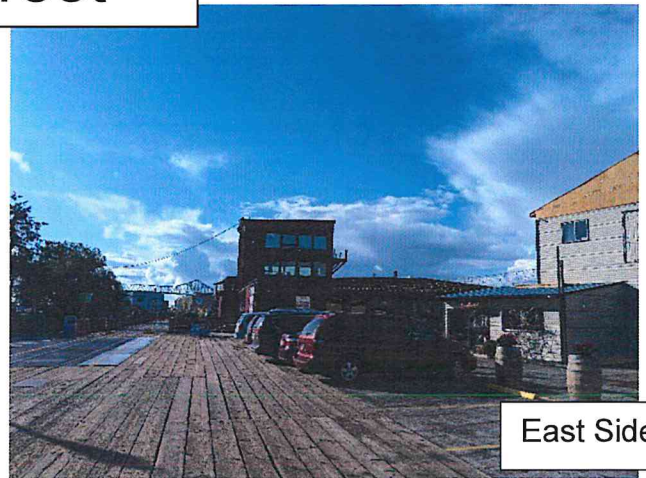
The site is located at the dead end portion of 11th Street. The 11th Street right-of-way improvements north of the River Trail have block vehicle access due to the condition of the dock.



77 11th Street

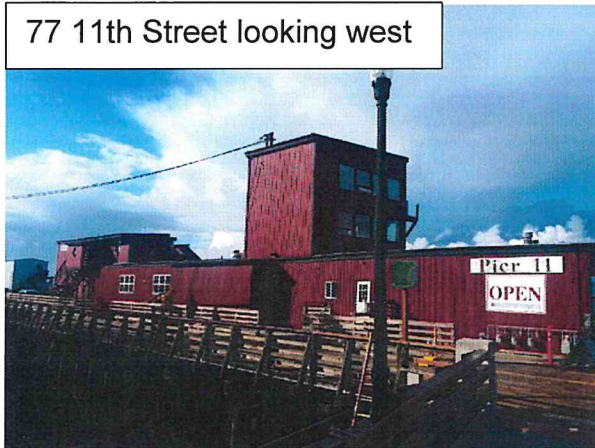


West Side



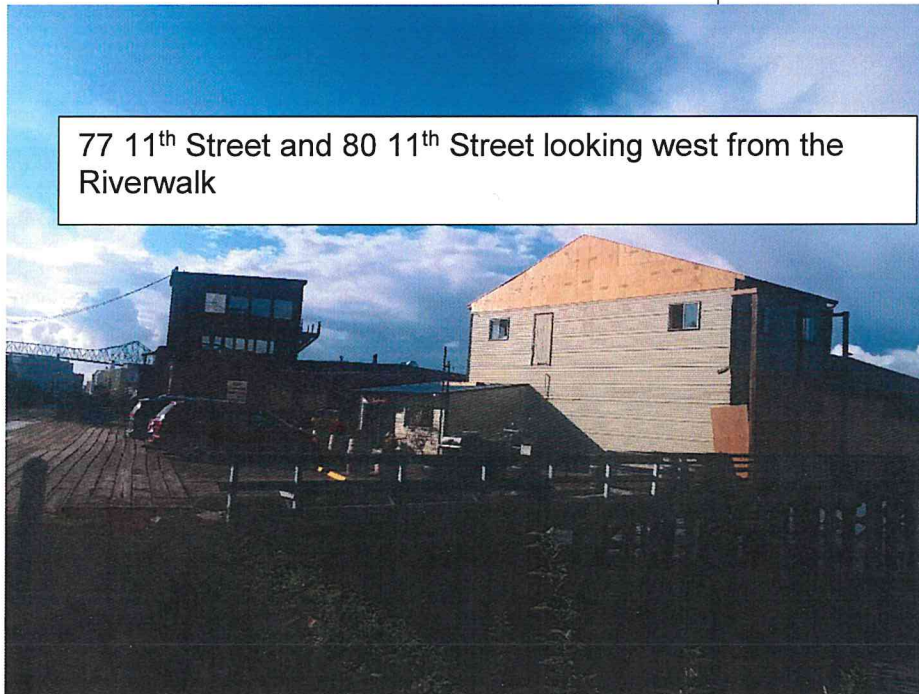
East Side

77 11th Street looking west

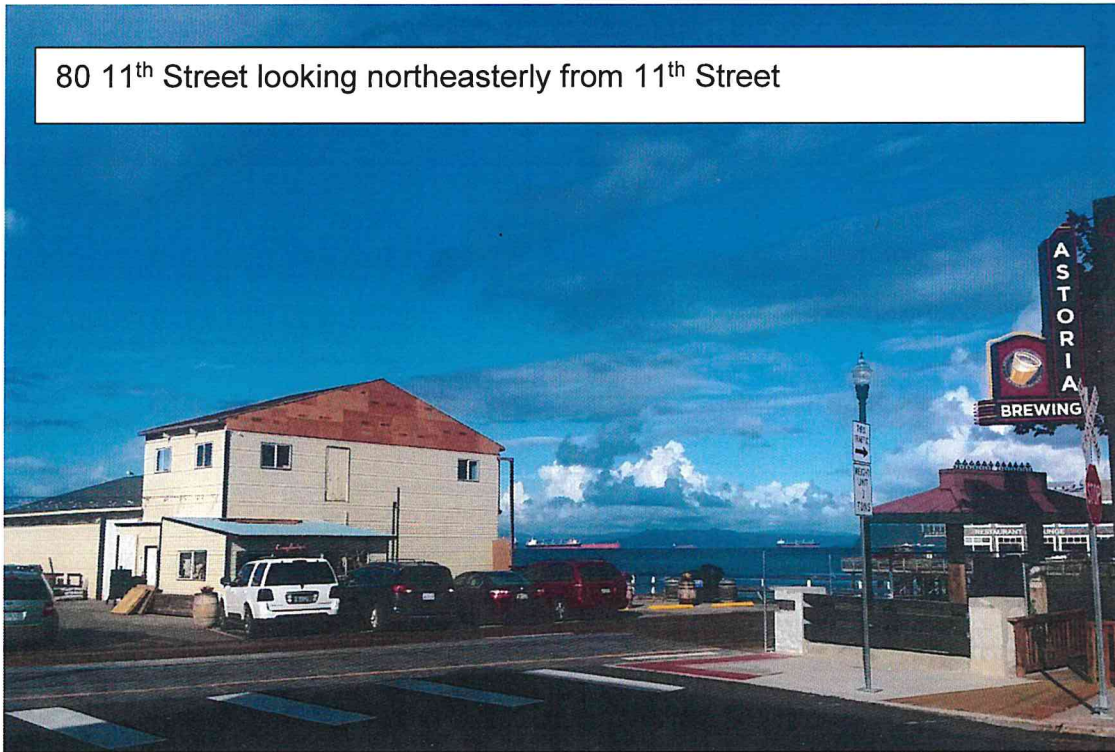


77 11th Street - Exterior staircase on south side of building, parking and garbage

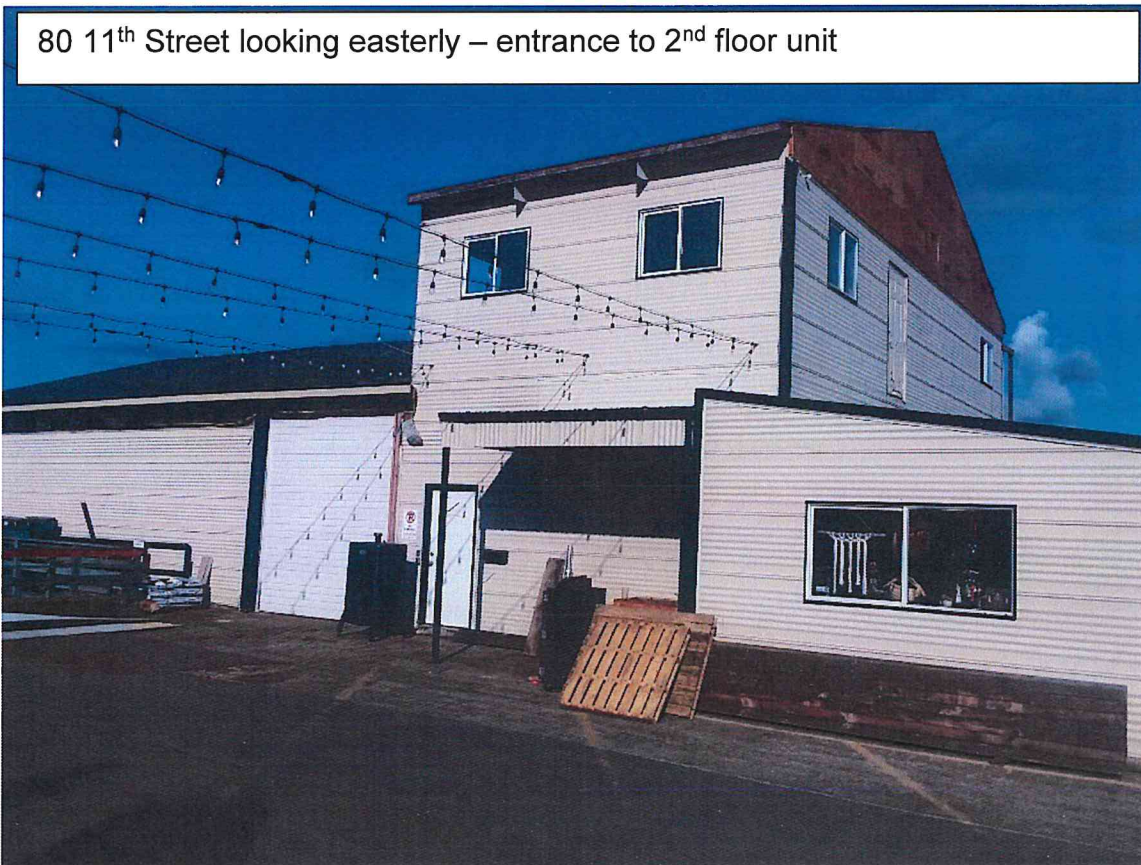
77 11th Street and 80 11th Street looking west from the Riverwalk



80 11th Street looking northeasterly from 11th Street



80 11th Street looking easterly – entrance to 2nd floor unit



80th 11th Street – view from Riverwalk at 11th Street



B. Adjacent Neighborhood

The site is bounded by the Columbia River to the north, on the east by eating and drinking establishments and a transient lodging unit on the second floor, on the south by the River Walk, Trolley line, retail stores, and Astoria Brewing, on the west by an office building.

C. Proposed Use

The applicant proposes to change the use of an existing office located upstairs at 80 11th Street to one, one-bedroom transient lodging rental. Also, the applicant proposes to change the use of an unidentified use space that has been recently used as an unpermitted two-bedroom apartment located upstairs at 77 11th Street to one, two-bedroom transient lodging rental.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 250 feet, pursuant to Section 9.020 on August 30, 2019. A Notice of Public Hearing was published in the *Astorian* on September 14, 2019. On-site notice pursuant to Section 9.020D was posted on September 17, 2019. Any comments received will be made available at the Planning Commission meeting.

IV. APPLICABLE COMPREHENSIVE PLAN AND DEVELOPMENT CODE SECTIONS

Comprehensive Plan: CP.050 – CP.055 – Downtown Area
CP.068 - Astoria River Vision Overlay Area Policies
CP.130 - Columbia River Estuary Land and Water Use Section
CP.170 – Downtown Astoria Subarea Plan (Aquatic Shoreland)
CP.185 – Commercial Development Policies
Development Code: 2.525 – 2.540 – Aquatic Two Development
Article 4 – Columbia River Estuary Standard Overlay

V. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

A. ASTORIA COMPREHENSIVE PLAN

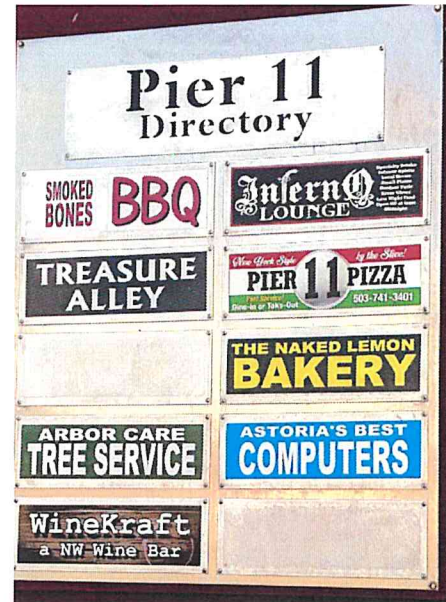
The project is within the Downtown Area of the Astoria Comprehensive Plan. This is the central business district, regional commercial center and the government center for the City and County. This area, originally built on pilings, was extensively filled in after the 1922 fire. Virtually all the flat land is on filled tidelands. This area has historically been zoned Central Commercial, which does not require off-street parking. Circulation occurs via a series of one-way couplets. *“There is a considerable amount of housing on the second floors of commercial buildings and older hotels, much of which is occupied by elderly persons.”* Relevant Downtown Area policies include:

CP.055.4. The City encourages the reuse of existing buildings prior to the expansion of commercial zones.

CP.055.5. Shoreland-zone policies and standards will be designed to encourage public access along the Downtown waterfront.

CP.055.6. The Central Commercial Zone will continue to be the designation for Downtown-central business district. Uses in this zone will be primarily retail, offices, and general services with some residential use. Uses which have a large land area/low assessed value ratio will be permitted in other commercial areas rather than the downtown.

FINIDNG: The proposal is to adaptively re-use an existing commercial building with retail, eating/drinking establishments, and tourist-oriented commercial in the main floor with residential transient lodging above. Existing uses of 77 11th include restaurants, retail sales, two offices, and an apartment. Existing uses of 80 11th Street include restaurant, retail, and an office. This proposal is to allow transient lodging in a portion of the building that currently contains retail, eating and drinking and tourist related activities. The transient lodging will be on the second floor of both buildings. CRESO policies will be discussed in the Development Code compliance section of this report. The proposal meets the intent of the cited Comprehensive Plan Policies.



The project is also located within the Astoria Riverfront Vision Overlay Area of the Downtown. Relevant policies in this section of the Comprehensive Plan include:

CP.068.1. b. Provide for public access to the river within private developments.

CP.068.2.c. Allow for some residential development along the riverfront, emphasizing smaller-scale work force (moderate income) housing.

CP.068.5.d Ensure adequate parking opportunities along, adjacent to, and near the riverfront.

CP.068.5.e Address safety issues associated with mix of autos, pedestrians, trolley and other activities.

FINDING: The proposal allows for public access on the pier at the end of 11th Street and within the existing development. Currently, a non-permitted residence exists at 77 11th Street. This is proposed to be a 2-bedroom transient facility. Parking exists for the retail component of the two properties at the end of 11th and 10th Streets. Also, parking is located on the Pier located at 77 11th Street. Transient resident use of the pier adds another complexity to safety issues associated with autos, pedestrian and trolley traffic already existing in this location. A specific agreement between the property owner and the City of Astoria shall be developed for the pedestrian and auto traffic across the trolley tracks. Information shall be provided to the transient lodger about the trolley and safety as a pedestrian and automobile operator.

CP.170.G.1 Public access to this area of the Astoria waterfront is strongly encouraged at street ends, at areas designated in the Astoria Waterfront Revitalization Plan.

CP.185.0.1 New non-water-dependent uses in aquatic areas and in Marine Industrial Shorelands shall not preclude or pose any significant conflicts with existing, proposed probable future water-dependent uses on the site or in the vicinity.

FINDING: The proposal allows for public access at the end of 11th and 10th Streets. Also, the proposal is to use a portion of two buildings as non-water dependent transient residential uses. Both spaces do not preclude or pose any significant conflicts with existing, proposed probable future water-dependent uses on the site or in the vicinity.

B. ASTORIA DEVELOPMENT CODE

1. The Astoria Development Code permits the following in the A-2 zone, as a conditional use:

Sec. 2.535 (13) allows Hotel, motel, inn, bed and breakfast, which provides significant visual access to the waterfront.

Definitions:

HOTEL: *A building in which lodging is provided for guests for compensation, which may also provide incidental services such as restaurants, meeting rooms, or recreational facilities subject to Development Code standards. (Amended by Ord 19-07, 7-1-2019)*

TRANSIENT LODGING FACILITY: *Any structure or portion of any structure which is occupied or intended or designed for transient occupancy for 30 days or less for dwelling, lodging, or sleeping purposes, and includes any hotel, motel, inn, condominium, tourist home or house, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, public or private dormitory, fraternity, sorority, public or private club, bed and breakfast establishment, home stay lodging, vacation rental, or other such transient lodging facility known by their advertising and/or management platform names. Transient Lodging Facility also means space in mobile home or trailer parks, or similar structure or space or portions thereof so occupied, provided such occupancy is for less than a 30-day period. (Added by Ord 19-07, 7-1-2019)*

FINDING: Staff finds that the proposal meets the definition of hotel – no manager on site and less than 30 day stays, therefore; the proposed use is permitted as a conditional use.

2. 11.030. BASIC CONDITIONAL USE STANDARDS.

Before a conditional use is approved, findings will be made that the use (except for housing developments) will comply with the following standards: 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 buildings contain mixed commercial uses. There are similar transient uses on second floors of buildings in the area.

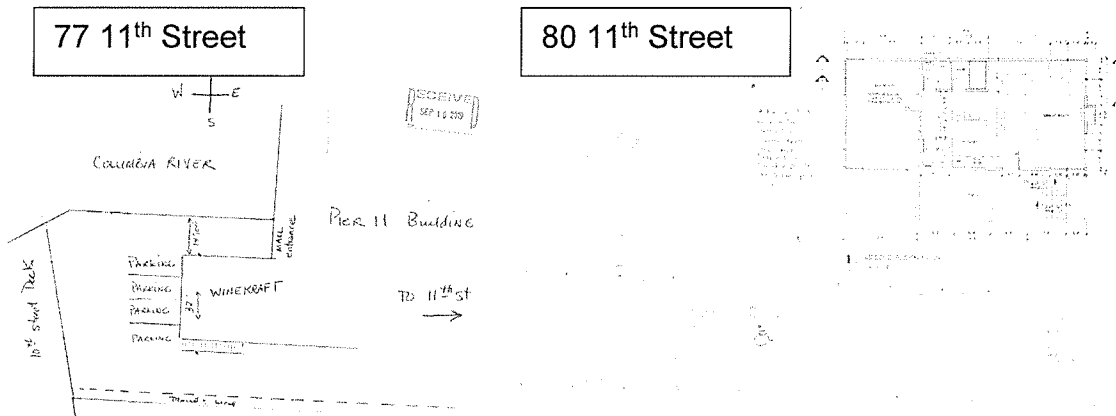
An adequate site layout will be used for transportation activities. Consideration should be given to the suitability of any access points, on-site drives, parking, loading and unloading areas, refuse collection and disposal points, sidewalks, bike paths, or other transportation facilities. Suitability,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

ADC 7.062.C states Uses in the C-4 Zone (Central Commercial) and uses between 7th and 14th Streets in the A-2 (Aquatic Two Development) and S-2A Zones (Tourist Oriented Shoreland) are not required to provide off-street parking.

Section 7.100, Minimum Parking Space Requirements, requires “1 space per guest room.” for hotel/motel use.

Section 11.040.A, Special Conditions for Conditional Use, Non-Residential, states “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”

The applicant's parking plans are shown below:



FINDING: While off-street parking is not required in the A-2 zone, the applicant has provided one parking space for the proposed single-bedroom transient lodging at 80 11th Street and two parking spaces for the two-bedroom transient lodging at 77 11th Street, consistent with transient lodging requirements. The provision of parking minimizes impacts to the surrounding area and should be provided.

The use will not overburden water and sewer facilities, storm drainage, fire and police protection, or other utilities.

FINDING: There will be no known increase in water, sewer or other utilities or public services. Any needed increase in fire suppression system would require coordination with the Public Works Department to ensure there is sufficient fire flows for the site. As with all new or increased business or development, there would be incremental impacts to police and fire protection but it would not overburden these services.

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.

FINDING: The building will not be altered in a manner that requires engineering study.

The use contains an appropriate amount of landscaping, buffers, setbacks, berms or other separation from adjacent uses.

FINDING: The building and parking lot have no landscaping as they are over water. No additional landscaping is proposed or required.

Article 4 requires additional standards for developments in the Columbia River estuary aquatic areas and Shorelands for areas within 50 feet of the estuary shoreline...

4.030.5. *Off-street parking may only be located over an aquatic area if all of the following conditions are met:*

- a. *Parking will be on an existing pile-supported structure; and*
- b. *Suitable shoreland areas are not available; and*
- c. *The amount of aquatic area committed to parking is minimized; and*
- d. *The aquatic area is in a Development designation.*

FINDING: The proposed use would be located in structures within 50 feet of the estuary and over water and is subject to review under the CRESO overlay. All work will be within the existing structures with no new exterior construction. The off-street parking already exists on site – it is re-allocated to the transient lodging. The parking is on an existing pile-supported structure, it is located where shoreland parking is minimal, the amount of aquatic area committed to parking is minimized by designating two spaces at 77 11th Street and one space at 80 11th Street. The aquatic areas is in the S-2 Zone. No additional CRESO review is required.

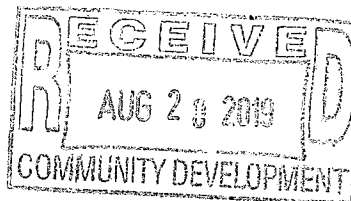
VI. CONCLUSION AND RECOMMENDATION

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

- 1) An agreement with the City with regard to automobile and pedestrian traffic across the Trolley line shall be executed prior to occupancy.
- 2) Based on the agreement, information about pedestrian and automobile safety around the trolley shall be given each time a new transient lodger resides in the dwellings.
- 3) Plans shall comply with all building codes, as needed.
- 4) Obtain building permits.
- 5) The application shall provide three off-street parking spaces for the new uses.
- 6) Any changes in the plans shall be submitted to the Community Development Department.



CITY OF ASTORIA
Founded 1811 • Incorporated 1856
COMMUNITY DEVELOPMENT



No. CU 19-09

☒ Fee Paid Date 8/20/19 By 40 ^{clerk # 1075}

Fee: \$500.00

CONDITIONAL USE APPLICATION

Property Address: 80 - 11th street, ASTORIA OREGON

Lot 100 Block Fading Block Subdivision 106 1/2 of McCullough
Map 8N 9W 08 CA Tax Lot 100 Zone A-2

Applicant Name: STEPHEN E KAREN ALLEN - PIER 11, LLC

Mailing Address: 990 ASTOR STREET, ASTORIA OR

Phone: _____ Business Phone: 503-440-5940 Email: steve@allenccpas.com

Property Owner's Name: STEPHEN E KAREN ALLEN

Mailing Address: 91902 HWY 104 Warrenton, OR 97146

Business Name (if applicable): PIER 11, LLC

Signature of Applicant: [Signature] Date: 8-14-19

Signature of Property Owner: [Signature] Date: 8-14-19

Existing Use: RETAIL/BUSINESS ADD: SHORT TERM VACATION RENTAL

Proposed Use: RETAIL/BUSINESS ADD: SHORT TERM VACATION RENTAL

Square Footage of Building/Site: _____

Proposed Off-Street Parking Spaces: 1 parking space PROVIDERS

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.

Adjacent to Historic

For office use only:			
Application Complete:		Permit Info Into D-Base:	
Labels Prepared:		Tentative APC Meeting Date:	<u>7/24/19</u>
120 Days:			

FILING INFORMATION: Planning Commission meets on the fourth Tuesday of each month. Completed applications must be received by the 20th 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.

ENTER UPPER AREA WAS FORMERLY 2 OFFICES & RESTROOM
UPPER FLOOR TO BE TOTALLY REMODELED/FIRE PROOFED/SPRINKLED
& TURNED INTO A SHORT-TERM VACATION RENTAL
2 BEDROOMS / BATHROOM / LIVINGROOM - KITCHEN

- 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.

THE BUILDING IS EXISTING - CURRENTLY AT
THE FOOT OF 11th STREET

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

FORMERLY WAS 2 OFFICES & RESTROOM USED
DAILY - NOW 2 BEDROOM VACATION RENTAL

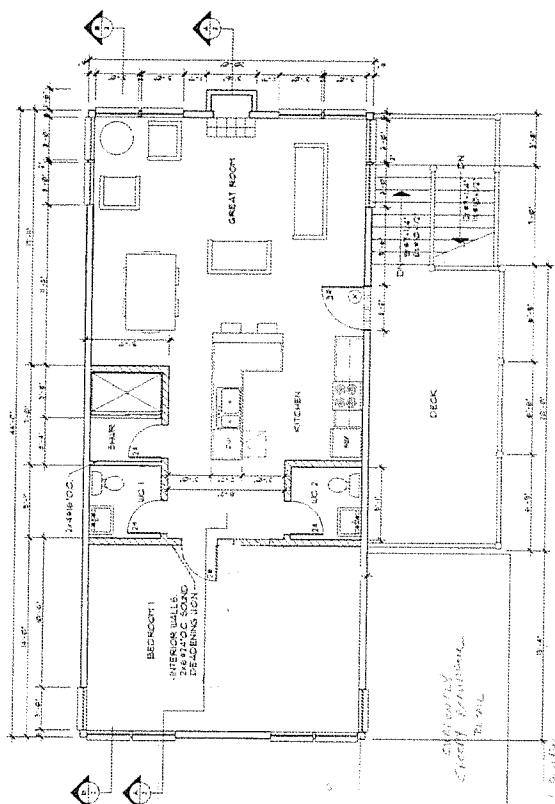
- 11.030(A)(4) The topography, soils, and other physical characteristics of the site are appropriate for the use. Where determined by the City Engineer, an engineering or geologic study by a qualified individual may be required prior to construction.

NOTHING CHANGES EXCEPT FROM OFFICE TO
VACATION RENTAL

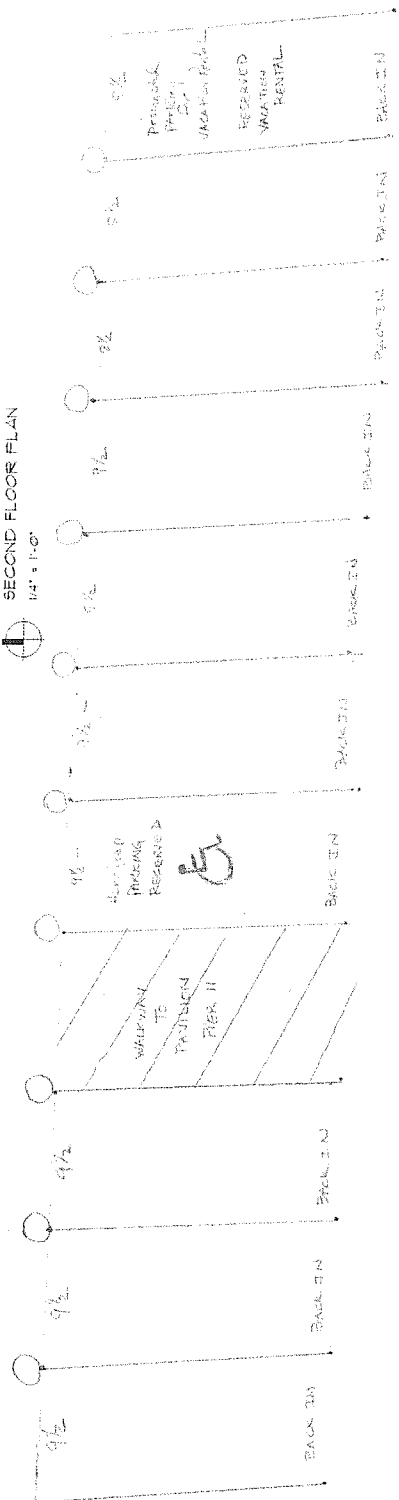
- 11.030(A)(5) The use contains an appropriate amount of landscaping, buffers, setbacks, berms or other separation from adjacent uses.

YES - NOTHING CHANGES

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



SECOND FLOOR PLAN
 1/4" = 1'-0"



* Please Note
 We will be
 making this
 vacation rental
 one large
 bedroom
 therefore providing
 one parking space
 only.

TO WAREHOUSE

CLARKSON RIVER



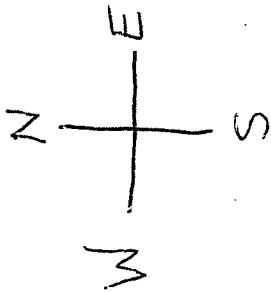
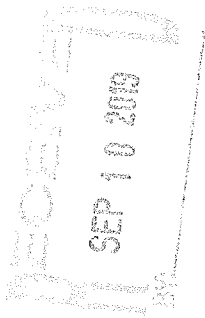
Pier II Dock

Pier II Dock

WALKWAY
 TO
 TRAILER
 AREA II

WALKWAY
 TO
 TRAILER
 AREA II

CUL-09
77 11th Street



COLUMBIA RIVER

Pier 11 Building

entrance
MALL

14' 10"

PARKING
PARKING
PARKING
PARKING

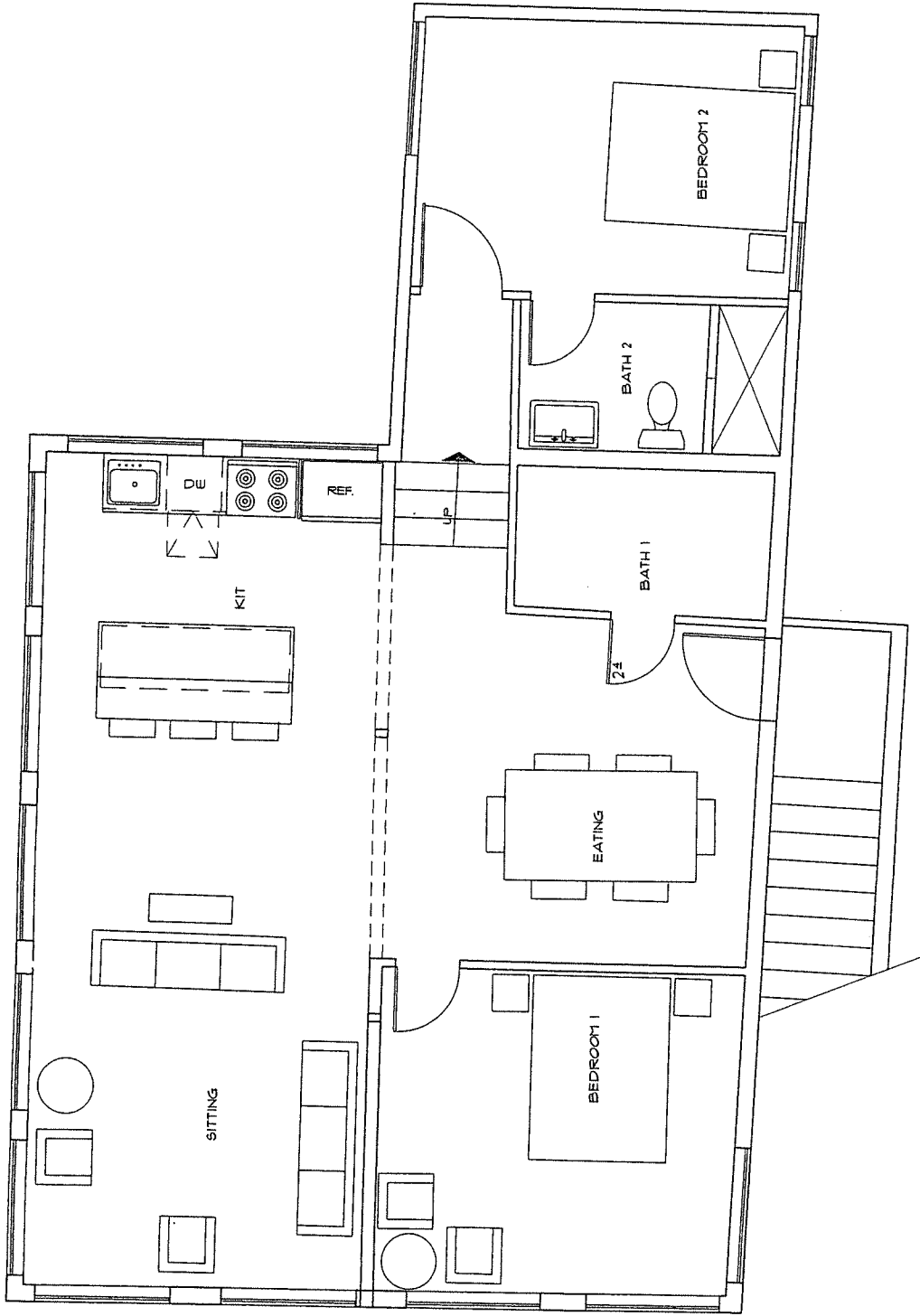
WINEKRAFT

32'

TO 11th St
→

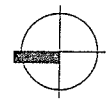
10th Street Deck

TRUSS LINE

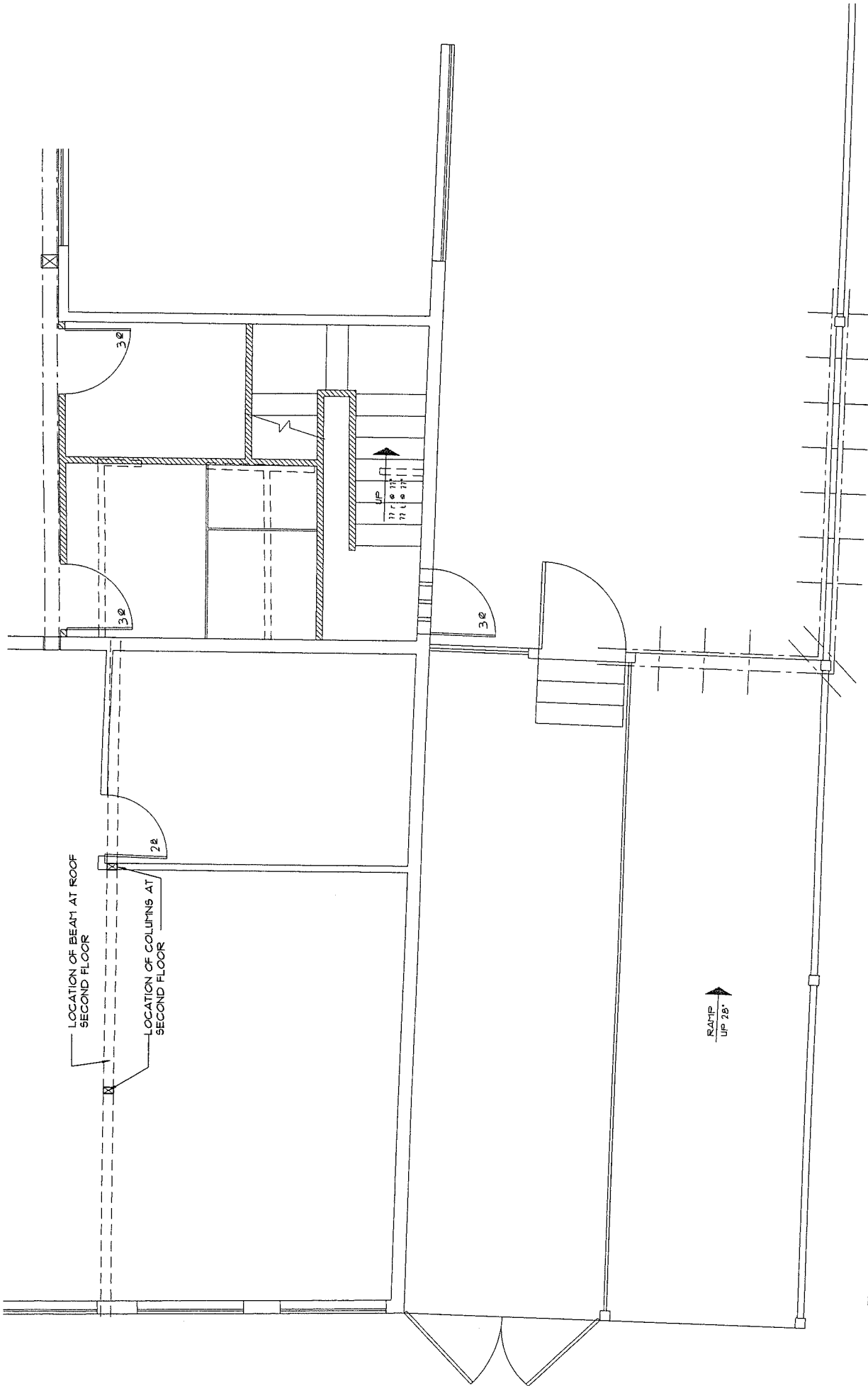


SECOND FLOOR PLAN

1/4" = 1'-0"



CUL9-09 77 11th Street



FIRST FLOOR PLAN

1/4" = 1'-0"
C.1119-09 11th Street





City of Astoria

1095 Duane Street
Astoria OR 97103

September 14, 2019

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNING CONSULTANT

SUBJECT: RIVERFRONT VISION - URBAN CORE DRAFT CODE

Over the last few months, the APC has been working on several draft code amendments which took priority over the Urban Core draft code amendments. The "Urban Core" area is located between 2nd Street and 8th Street from the pierhead line to Marine Drive, and between 8th and 16th Streets from the pierhead line to Commercial Street. The intent of the current planning effort is to implement policies and recommendations identified in the Vision Plan with updated Development Code text, Comprehensive Plan language, and map amendments. Development Code updates address requirements associated with types of land uses allowed in different areas, building heights, building siting and design, landscaping, and requirements for access to the river, as well as retaining views of the river and surrounding areas.

The draft code for implementation of the Riverfront Vision Plan for the Urban Core Area was the subject of numerous APC and City Council work sessions in 2018 and 2019. Seven work sessions with the Planning Commission have been held (8-7-18, 10-23-18, 11-27-18, 1-8-19, 1-29-19, 2-5-19, 5-28-19) to develop the proposed amendments and allow for public input. An off-agenda review was conducted by email in April 2019 requesting APC comments, and one work session was held with the City Council (3-4-19). A public Town Hall meeting was held on 9-13-18. At each work session, the consultant and staff have reviewed proposed concepts and obtained feedback from the APC and public concerning various issues.

With the recent public meetings and amendments to the existing Riverfront Vision Area overlay zones, especially in the Bridge Vista Area, staff has updated the Urban Code draft code to address many of the same issues and have the codes be coordinated with each other in terminology.

Staff is still working on a final draft that is proposed to be presented to the APC for public hearing tentatively on October 22, 2019. Staff will do a presentation on the current draft to bring the APC back up to speed on the draft and will discuss them at the APC work session on September 24, 2019. Any APC or public comments will be incorporated into the final draft for the public hearing in October. If you have any questions prior to the work session, please contact me at 503-325-6434 or rosemaryjcurt@gmail.com.

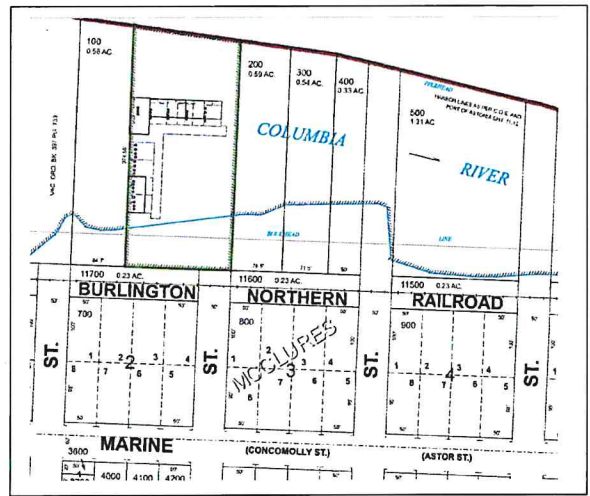
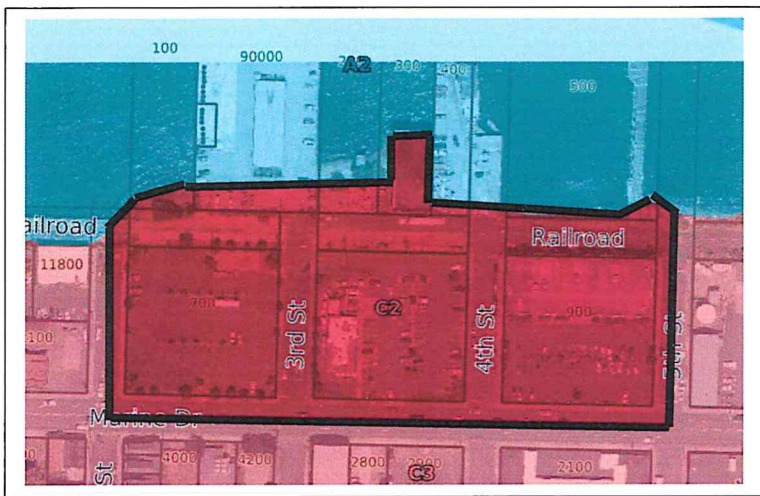
ORDINANCE NO. 19-_____

AN ORDINANCE AMENDING THE ASTORIA LAND USE AND ZONING MAP PERTAINING TO IMPLEMENTATION OF THE ASTORIA RIVERFRONT VISION PLAN FOR URBAN CORE AREA AS NOTED IN THE ATTACHED MAP

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

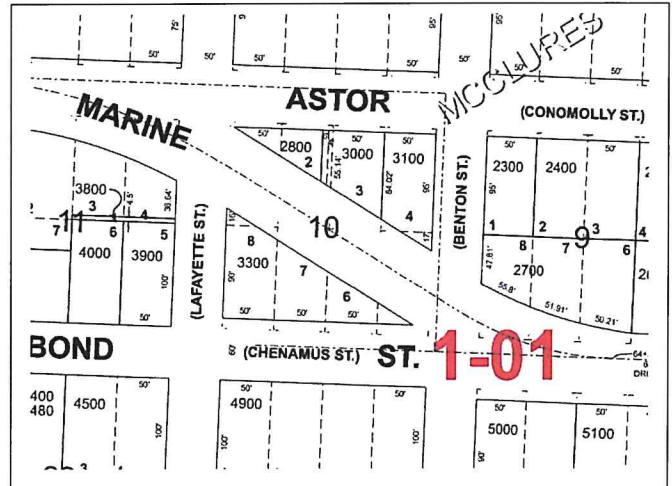
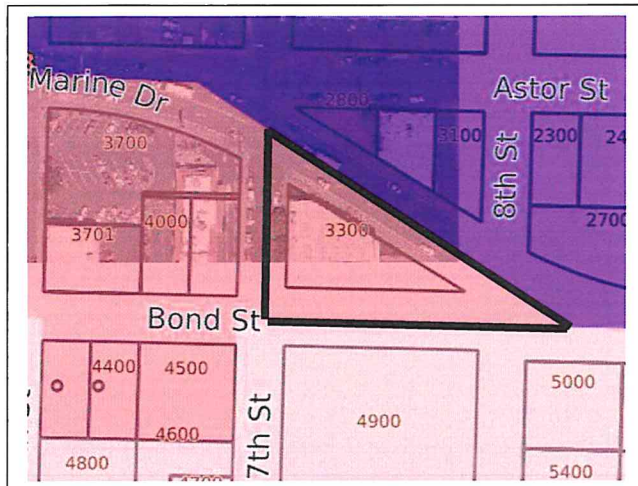
Section 1. Astoria Land Use and Zoning Map is amended with the rezoning of the following properties from C-2 (Tourist-Oriented Commercial) to C-3 (General Commercial).

Map T8N R9W Section 7DA, Tax Lots 700, 800, 900, 15000, 16000, 17000, and land portions above the aquatic area of Map T8N R9W Section 7DA, Tax Lots 100, 200, 300, 400, 500, 90000; Blocks 2, 3, 4, McClure; land portions above the aquatic area of footings of Blocks 2, 3, 4, McClure; railroad right-of-way / River Trail; and one half of adjacent rights-of-way.



Section 2. Astoria Land Use and Zoning Map is amended with the rezoning of the following properties from C-3 (General Commercial) to C-4 (Central Commercial).

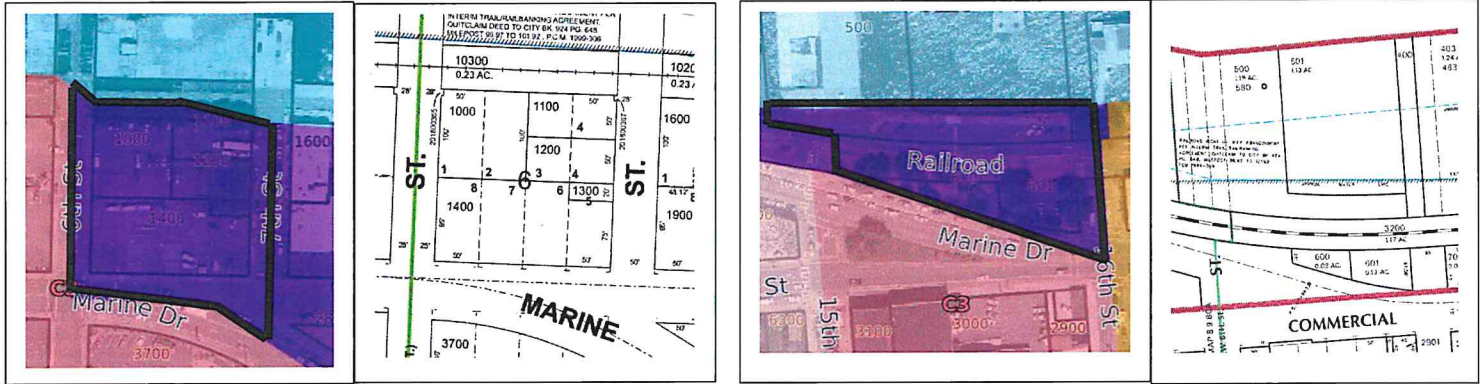
Map T8N R9W Section 8CB, Tax Lot 3300; south portions of Lots 1, 5, 6, 7, 8, Block 10, McClure; and one half of adjacent rights-of-way.



Section 3. Astoria Land Use and Zoning Map is amended with the rezoning of the following properties from S-2A (Tourist-Oriented Shoreland) to C-3 (General Commercial).

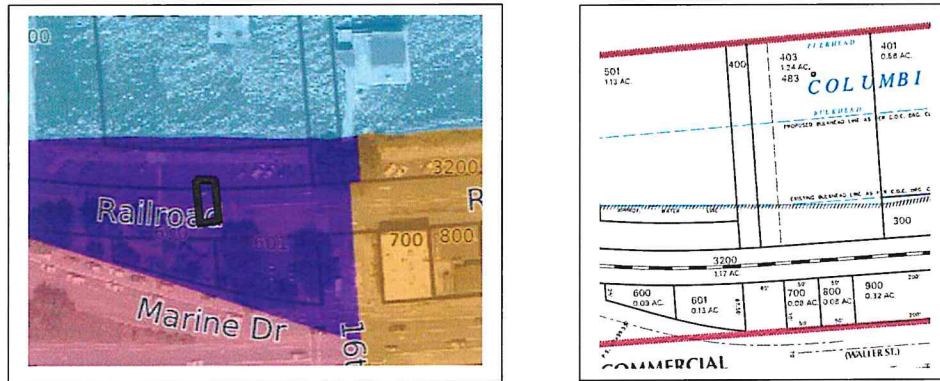
Map T8N R9W Section 8CB, Tax Lots 1000, 1100, 1200, 1300, 1400, and land portion above aquatic area of Map T8N R9W Section 8CB, Tax Lot 10300; Block 6, McClure, and railroad right-of-way / River Trail; and one half of adjacent rights-of-way.

Map T8N R9W Section 8DB, Tax Lots 600, 601, 3200, and land portion above aquatic area of Map T8N R9W Section 8DB, Tax Lots 400, 500, 501; footing of Block 134, Shively; and one half of adjacent rights-of-way.



Section 4. Astoria Land Use and Zoning Map is amended with the rezoning of the following properties from S-2A (Tourist-Oriented Shoreland) to MH (Maritime Heritage).

Map T8N R9W Section 8DB, land portion above aquatic area of Tax Lot 403; footing of Block 134, Shively.

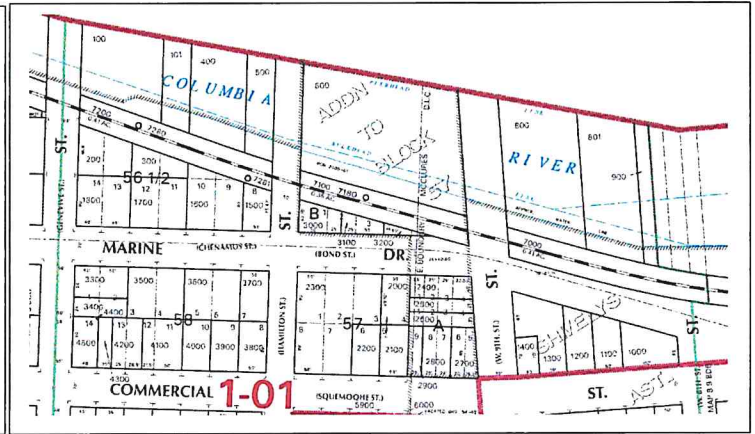
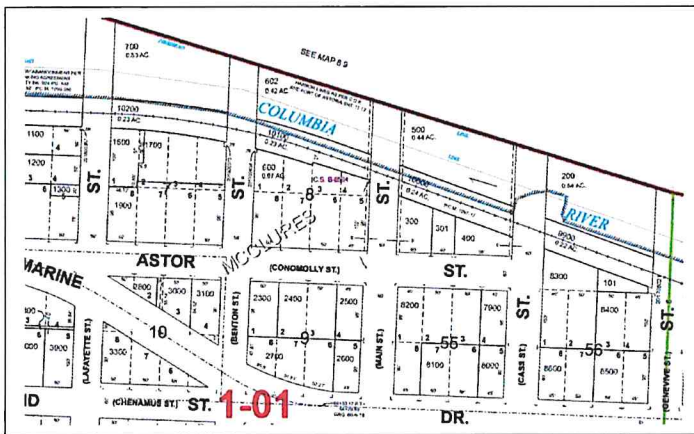
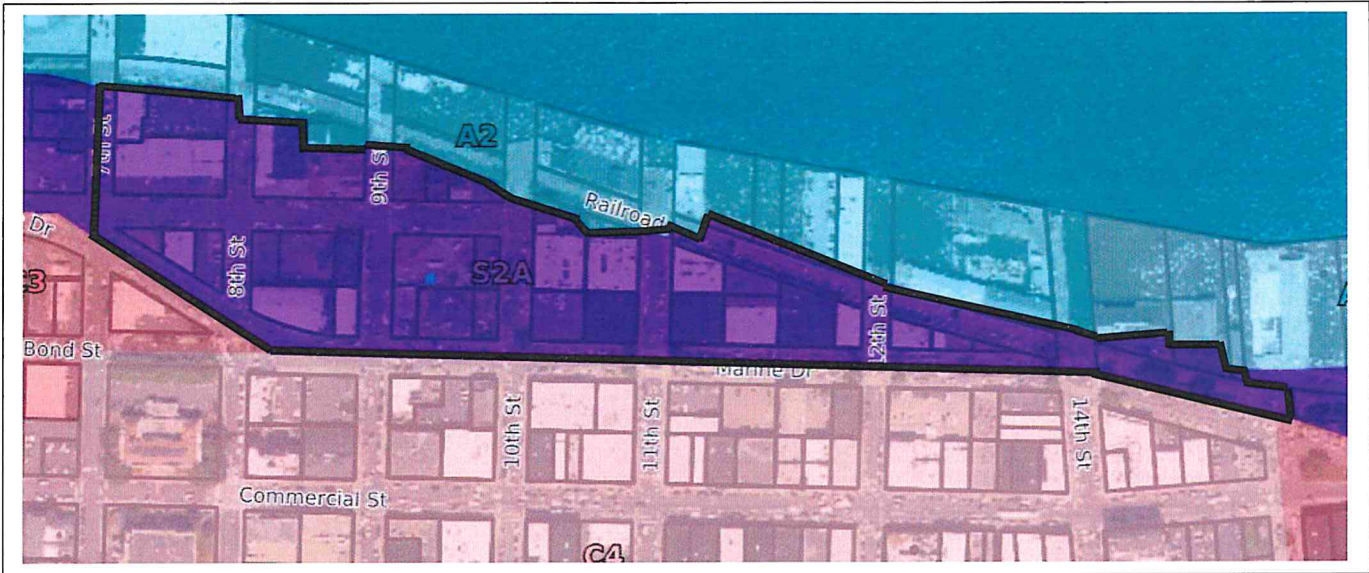


Section 5. Astoria Land Use and Zoning Map is amended with the rezoning of the following properties from S-2A (Tourist-Oriented Shoreland) to C-4 (Central Commercial).

Map T8N R9W Section 8CA, Tax Lots 200, 300, 1500, 1600, 1700, 1800, 3000, 3100, 3200; and land portion above aquatic area of Map T8N R9W Section 8CA, Tax Lots 100, 101, 400, 500, 600, 800, 801, 900; Block 56.5, McClure; footing of Block 56.5, McClure; Block B, Addition to Block 57, McClure; and land portion above aquatic area of footing of Block B, Addition to Block 57, McClure; and one half of adjacent rights-of-way.

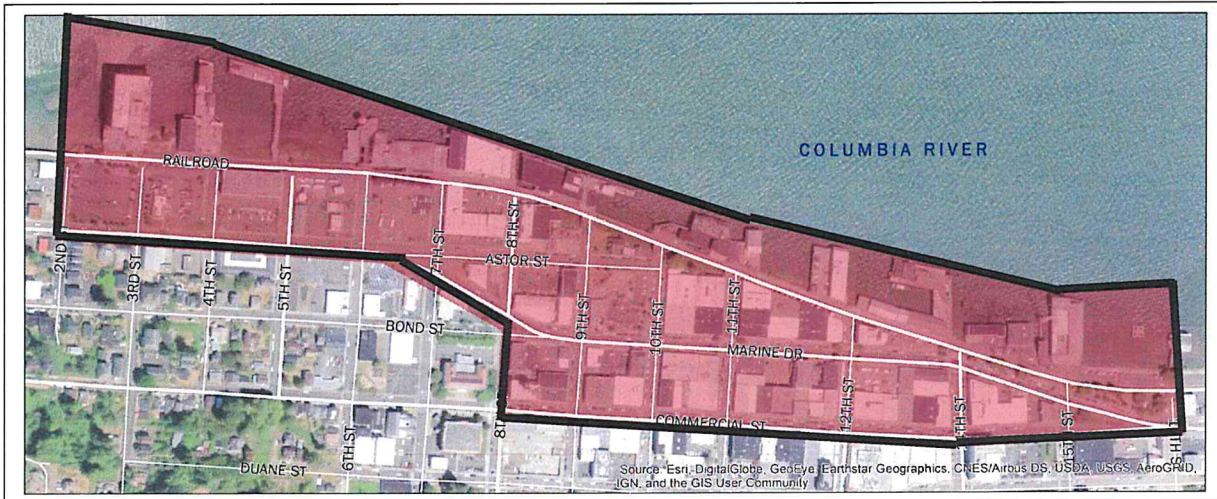
Map T8N R9W Section 8CB, Tax Lots 101, 300, 301, 400, 600, 1600, 1700, 1900, 2300, 2400, 2500, 2600, 2700, 2800, 3000, 3100, 7900, 8000, 8100, 8200, 8300, 8400, 8500, 8600, 9900, 10200, 10300; and land portion above aquatic area of Map T8N R9W Section 8CB, Tax Lots 200, 10000, 10100; Blocks 7, 8, 9, 10, 11, 55, 56, McClure; north portion of Lots 1, 2, 3, 4, 5,

Block 10, McClure; footing of Blocks 55, 56, McClure; land portion above aquatic area of footing of Blocks 7, 8, McClure; and one half of adjacent rights-of-way.



Section 6. Astoria Land Use and Zoning Map is amended with the addition of the Urban Core Overlay Zone for the following properties:

Generally, from 2nd Street to 8th Street, Marine Drive to pierhead line; and 8th Street to 16th Street, Commercial Street to pierhead line.



Section 7: 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 _____, 2019.

APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2019.

ATTEST:

Mayor

Brett Estes, City Manager

ROLL CALL ON ADOPTION:

YEA

NAY

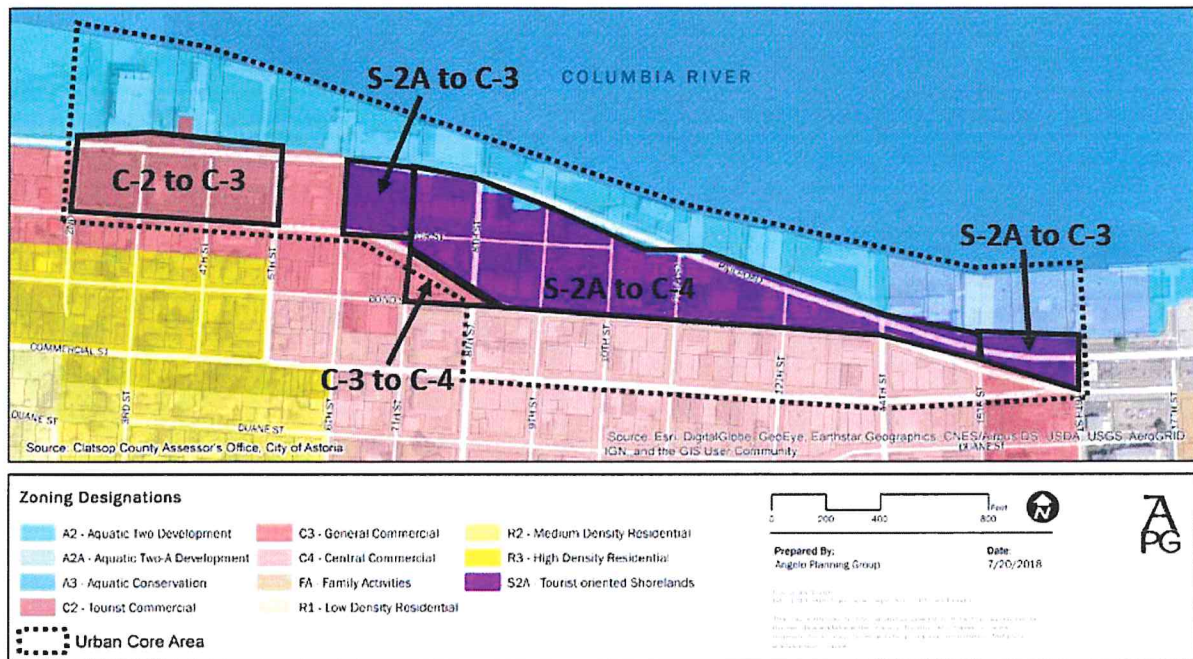
ABSENT

Commissioner Rocka
 Brownson
 Herman
 West

Mayor Jones

Attached Overview Map

Figure 3. Proposed Rezoning



ORDINANCE NO. 19-____

AN ORDINANCE AMENDING THE ASTORIA DEVELOPMENT CODE PERTAINING TO IMPLEMENTATION OF THE ASTORIA RIVERFRONT VISION PLAN FOR URBAN CORE AREA

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Astoria Development Code Sections 14.____ to 14.____ pertaining to Urban Core Overlay Zone is hereby added to read as follows:

“UCO: URBAN CORE OVERLAY ZONE

14.____. PURPOSE.

The purpose of the Urban Core Overlay Zone is to implement the land use principles of the Astoria Riverfront Vision Plan, dated December 2009, as they pertain to the Urban Core Area. The Urban Core Overlay (UCO) Zone is intended to meet and balance multiple objectives, including promoting the urban character of the area and allowing for dense development; encouraging design of new or rehabilitated buildings that respects Astoria’s character; protecting views of and access to the Columbia River; creating intimate open spaces and gathering places within new developments; maximizing existing open areas over the water; and allowing for a mix of commercial, residential, and water dependent uses that supports the downtown core. The UCO Zone extends from approximately 2nd Street to 16th Street, from the pierhead line to Marine Drive, and to Commercial Street between 8th and 16th Streets, as shown in the City’s Zoning Map.

14.____. APPLICABILITY AND REVIEW PROCEDURES.

The provisions in Sections 14.____ to 14.____ apply to all uses in all areas of the Urban Core Overlay Zone unless indicated otherwise in Table 14.____-1 and in the individual sections.

Table 14.____-1: Applicability of Urban Core Overlay Zone Code Sections

Code Section	Applicability
Section 14.____ Uses Prohibited for Overwater Development	• Aquatic Zones
Section 14.____ Standards for Overwater Development	Limitation Areas (Figure 14.____-1) – overwater and land north of the River Trail
Section 14.____ Uses Permitted for On-Land Development	• C-3 and C-4 Zones
Section 14.____ Uses Prohibited for On-Land Development	• C-3 and C-4 Zones

Code Section	Applicability
<p>Section 14.____ Standards for On-Land Development</p>	<p>Minimum Setbacks</p> <ul style="list-style-type: none"> • North/south Rights-of-way between Marine Drive / Commercial Street and Columbia River • Adjacent to River Trail • Adjacent to Marine Drive and Other Rights-of-Way Parallel to Marine Drive (except River Trail) <p>Maximum Setbacks</p> <ul style="list-style-type: none"> • Adjacent to Marine Drive and Parallel Rights-of-Way <p>Stepbacks</p> <ul style="list-style-type: none"> • All Overlay Zone Adjacent to Rights-of-Way and River Trail <p>Size</p> <ul style="list-style-type: none"> • All Overlay Zone
<p>Section 14.____ Design Guidelines and Standards</p>	<p>Building Style and Form</p> <ul style="list-style-type: none"> • Standards for Projecting Wall-Mounted Mechanical Units Visible from Public Right-of-Way or River Trail • Guidelines for All Uses, All Overlay Zone <p>Roof Form and Materials</p> <ul style="list-style-type: none"> • Form Standards for All Uses • Materials Standards for All Uses • Form Standards for Non-Industrial Uses • Form Standards and Guidelines for Industrial Uses <p>Doors</p> <ul style="list-style-type: none"> • Standards for All Uses • Guidelines for All Uses • Standards for Non-Industrial Uses • Guidelines for Non-Industrial Uses <p>Windows</p> <ul style="list-style-type: none"> • Coverage Standards for All Uses • Design Standards for All Uses • Design Guidelines for All Uses • Coverage Standards for Non-Industrial Uses • Coverage Standards for Industrial Uses <p>Siding and Wall Treatment</p> <ul style="list-style-type: none"> • Standards for All Uses • Guidelines for All Uses <p>Awnings</p> <ul style="list-style-type: none"> • Standards for Types of Awnings/Treatments for All Uses • Guidelines for Types of Awnings/Treatments for All Uses • Standards Along River Trail and North/South Rights-of-Way <p>Lighting</p> <ul style="list-style-type: none"> • Standards for All Uses • Guidelines for All Uses <p>Signs</p> <ul style="list-style-type: none"> • Standards for All Uses

Code Section	Applicability
Section 14.____ Landscaping	River Side/Riparian Land Side/Upland Street Trees <ul style="list-style-type: none"> • All Street Trees • North-South Rights-of-Way Between Marine Drive / Commercial Street and Columbia River

Figure 14.____-1: Limitation Areas



The provisions of the Urban Core 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. Applications in the Urban Core Overlay Zone shall be reviewed in a public design review process subject to the standards and guidelines in Sections 14.____-14.____ *[all following sections of the UCO Zone]*.

14.____. USES PROHIBITED FOR OVERWATER DEVELOPMENT.

A. Aquatic Zones.

The following uses and activities and their accessory uses and activities are prohibited in Aquatic Zones in the Urban Core Overlay Zone. Permitted uses are identified in the base zones in Article 2.

1. Indoor entertainment. Except indoor family entertainment.
2. Hotels/motels. Facilities existing prior to January 1, [2020](#) may be repaired, replaced, and/or redeveloped with new hotels/motels [to the maximum number of units existing prior to January 1, 2020.](#)

(Annotated: The intent is to allow the existing facilities, including those under construction with active building permits. By limiting the number of units to the existing prevents a small facility from being demolished and replaced with a much larger facility.)

3. Conference center.
4. Fossil fuel and petroleum product terminals.
5. Automotive sales and gas stations.
6. Wood processing.
7. Professional, medical offices. Facilities existing prior to January 1, 2019 may be repaired, replaced, and/or redeveloped with professional and/or medical offices.
8. Residential uses. Except as follows:
 - a. Residences existing prior to January 1, 2019 may be repaired, replaced, and/or redeveloped with new residences to the maximum number of units existing prior to January 1, 2019.
 - b. Structures existing prior to January 1, 2019 are limited to a maximum of two new dwelling units above the first floor.

(Annotated: The intent is to restrict new residential development. Existing facilities could remain and/or be redeveloped but could not expand the number of units. Other existing structures would be allowed one or two dwelling units. Several waterfront property owners have intentions to live above their business.)

14.____. STANDARDS FOR OVERWATER DEVELOPMENT.

A. Applicability.

The following development standards apply to overwater development and to on-land development north of the River Trail in the Urban Core Overlay Zone in areas shown in Figure 14-____-1.

B. Exemption

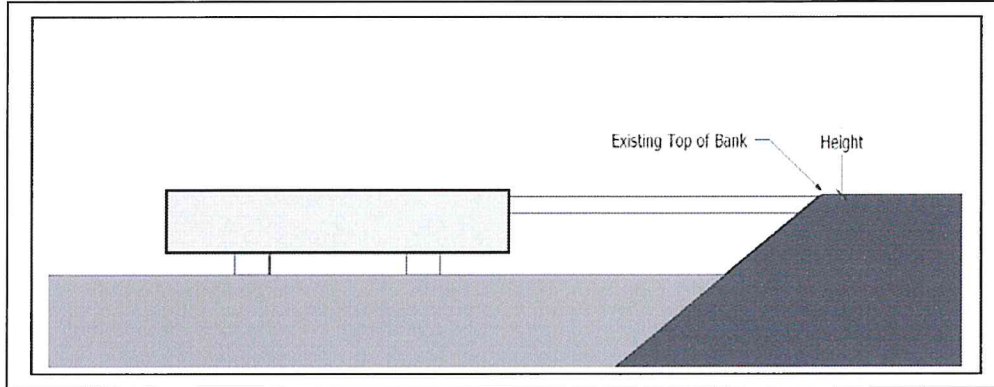
Maintenance, repair, or restoration of buildings existing prior to January 1, 2019 shall be exempt from the standards of this Section 14.____, except as noted. New construction, including additions to or expansion of these buildings, which is valued at 25% or more of the assessed value of the structure shall be subject to these standards.

C. Distance from Shore and Height.

1. Structures within Designated Limitation Areas (Figure 14.____-1).

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

Figure 14.____-2: Maximum Building Height within Overwater Development Limitation Areas



2. Structures within Overwater Development Non-Limitation Areas (Figure 14.____-1).
 - a. The maximum height shall be 28 feet from the top of the existing adjacent riverbank except as noted in subsections 2.b and 2.c of this section.
 - b. A maximum structure height of up to 35 feet is permitted when the following standards are met:
 - 1) The maximum width of an individual overwater building shall be a maximum 40% of the total parcel width (measured along the parcel frontage adjacent to the Columbia River shoreline) or 100 feet, whichever is less (Figure 14.____-4); and
 - 2) The maximum width of all overwater buildings located on a contiguous set of parcels under the same ownership shall be a maximum of 40% of the total width of the combined parcels (measured along the parcel frontage adjacent to the Columbia River shoreline); and
 - 3) There shall be a minimum 40 feet wide, unobstructed view corridor separation between buildings; or
 - 4) Water-dependent uses over water may construct water-dependent / water-related needed facilities up to 35 feet in height without a variance. The added structures are subject to the maximum width allowed in Section 14.____.D.
 - c. Communication facilities existing prior to January 1, 2019 may be repaired, replaced, and/or redeveloped at the existing height.

(Annotated: This would allow the radio tower at the foot of 15th Street to remain in operation.)

Figure 14.____-3: Maximum Building Height within Overwater Development Non-Limitation Areas

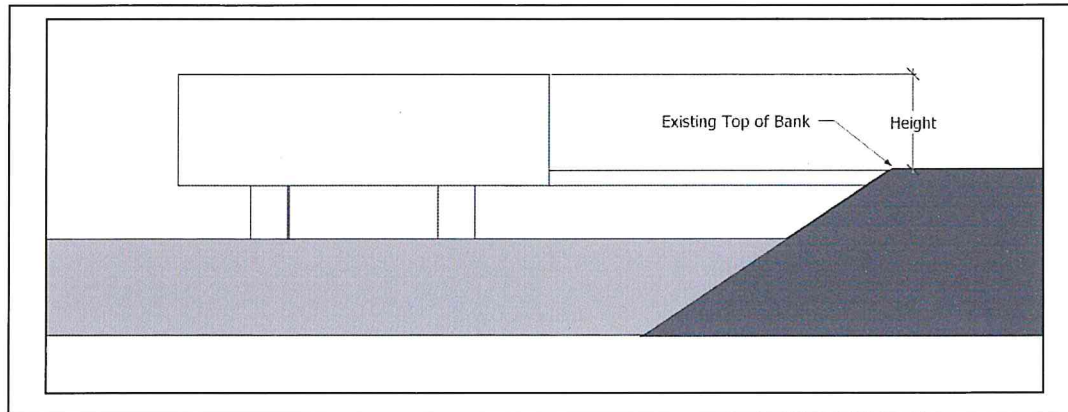
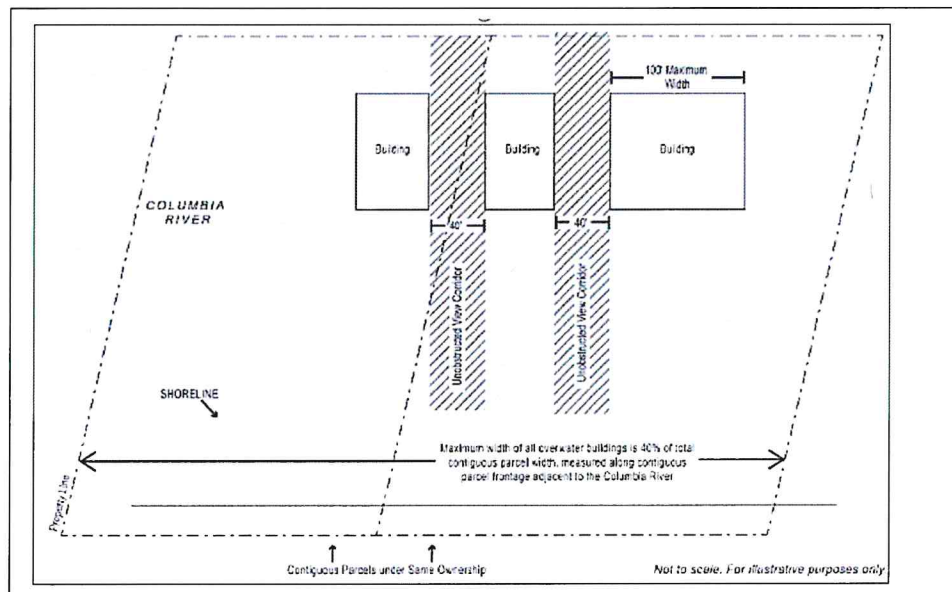


Figure 14.____-4: Maximum Building Width Required for Added Structure Height



D. Size.

1. Structures within Overwater Development Limitation Areas (Figure 14.____-1). The maximum gross floor area of enclosed structures is 4,000 square feet.
2. Structures within Overwater Development Non-Limitation Areas (Figure 14.____-1). There shall be no maximum gross floor area for buildings located in these areas.

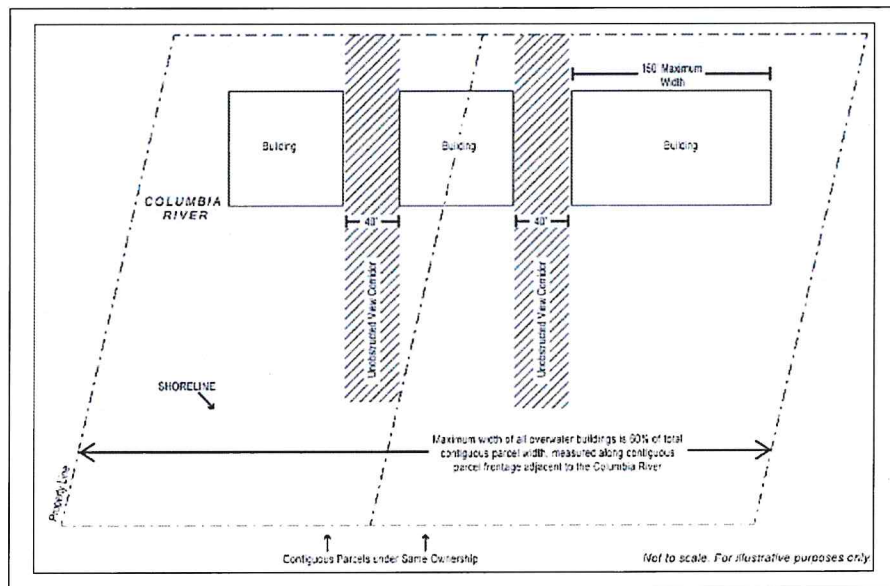
E. Width and Spacing.

1. The following standards apply to all overwater development in the Urban Core Overlay Zone, except as provided in Section ____C.2.b, which provides stricter width and spacing standards in exchange for allowing additional structure height.

2. The maximum combined width of all overwater buildings located on a contiguous set of parcels under the same ownership shall be a maximum of 60% of the total width of the combined parcels (measured along the parcel frontage adjacent to the Columbia River shoreline) with no individual building exceeding 150 feet in width (Figure 14.____-5).
3. There shall be a minimum 40 feet wide, unobstructed view corridor separation between individual buildings.
4. Overwater buildings existing prior to January 1, 2019 may retain their existing width and construct infill additions to the structures to the same percentage of width as the existing buildings.

(Annotated: This would allow existing buildings to fill in to the outside dimensions of the building.)

Figure 14.____-5: Maximum Building Width



F. Access to the Columbia River.

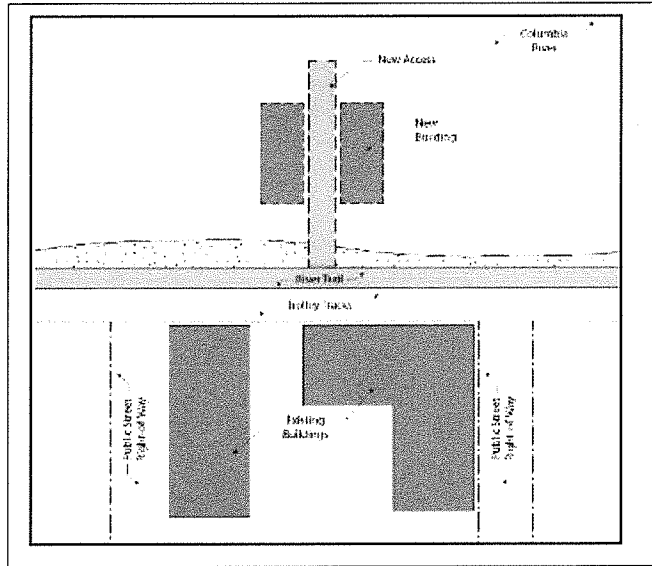
Access to the River shall be provided using piers and/or walkways as part of new construction and major renovations to structures constructed after the year 2013, where major renovation is defined as construction and alterations only to building exteriors valued at 75% or more of the assessed value of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

(Annotated: Note that buildings existing prior to 2013 are not required to do the piers or walkways.)

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

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

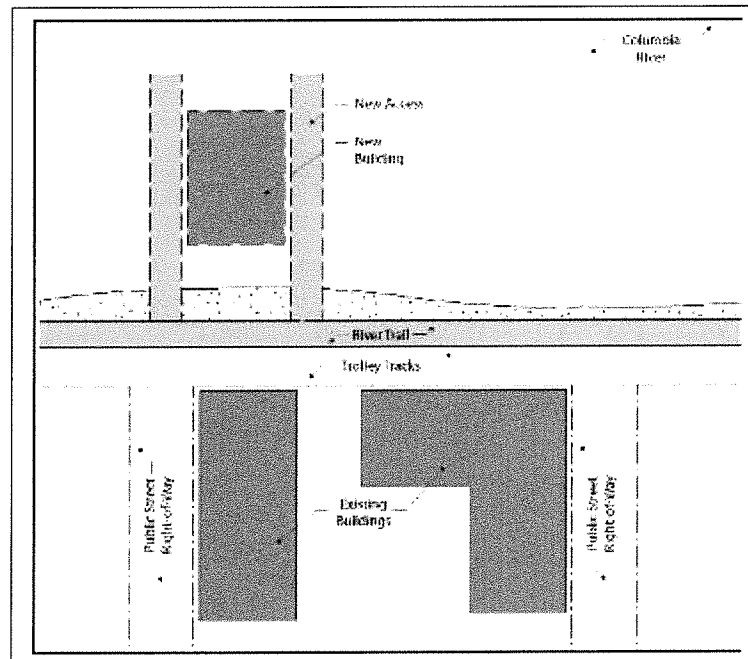
Figure 14.____-6: Access Design A



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.____-7: 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.____-8: Access Design C.1

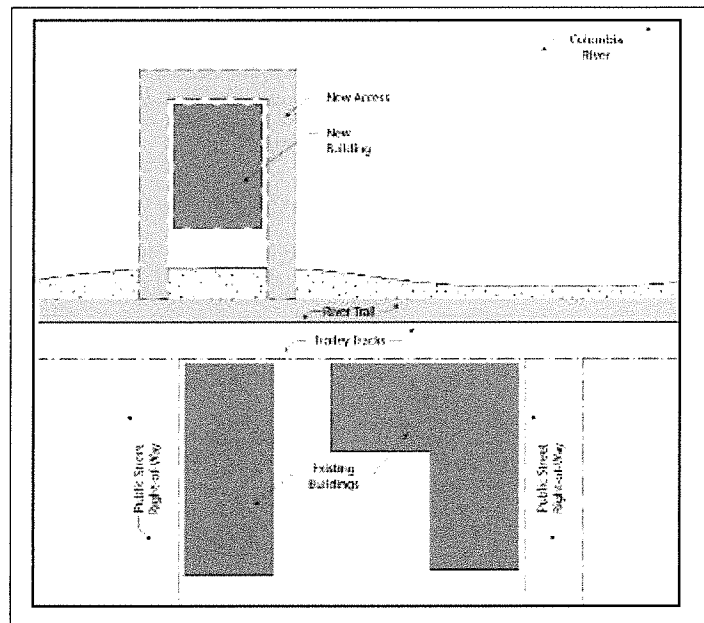
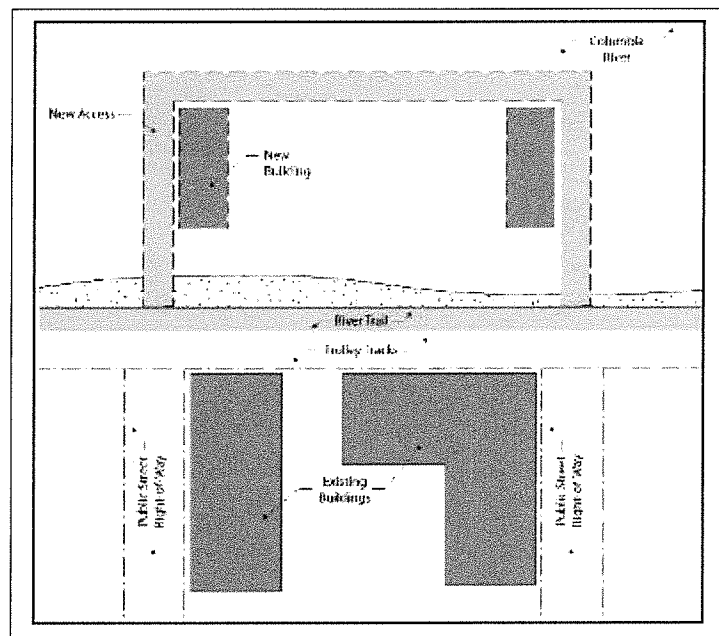


Figure 14.____-9: Access Design C.2



4. Pier and Walkway Width.

Minimum pier and walkway width shall be 10 feet if one side of the pier or walkway is developed with overwater structures. Minimum pier and walkway width shall be 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.

G. Setbacks.

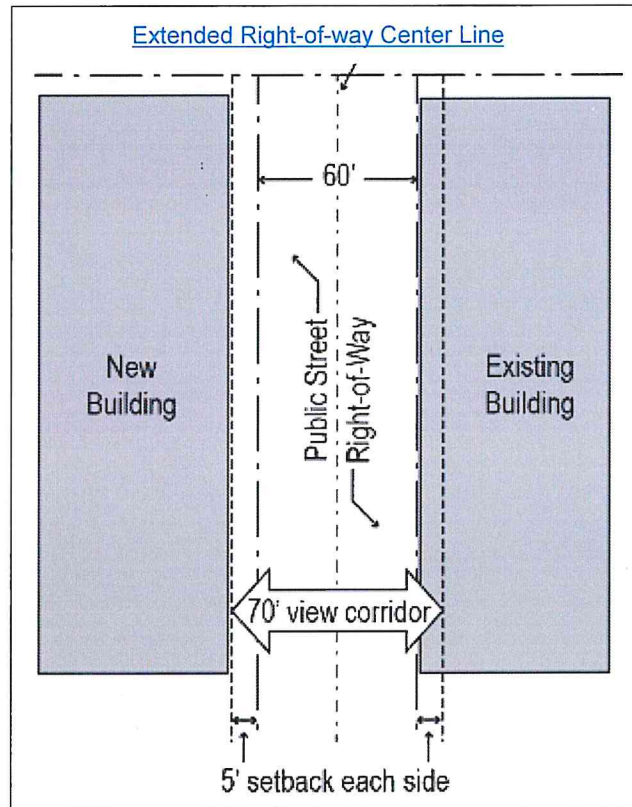
Setback standards apply only to new development approved as of January 1, 2020 2019 or additions to existing buildings. Setback standards apply to over-water development abutting the north-south extended rights-of-way.

(Annotated: changed to 2020 as we can't change a building once it is built, so 2019 would already be constructed.)

1. Minimum Setbacks.

A minimum unobstructed view corridor width of 70 feet, centered on the extended right-of-way centerline, shall be provided on extended rights-of-way north of the River Trail / Columbia River in the Urban Core Overlay Zone. Buildings shall be set back in order to achieve the 70-foot unobstructed view corridor. If existing development on one side of the extended right-of-way does not meet the setback, the new development on the other side of the extended right-of-way is only required to provide its half of the view corridor width.

Figure 14. -: Minimum Setbacks Over-War**



(Annotated: added this to the over-water area to allow the street end view corridors to continue unobstructed. It was included in the PPT but not in the code.)

14. USES PERMITTED OUTRIGHT AND CONDITIONAL USES FOR ON-LAND DEVELOPMENT.

A. Permitted Uses in Commercial Zones.

The following uses and activities and their accessory uses and activities are permitted outright in Commercial Zones in the Urban Core Overlay Zone, in addition to uses permitted outright in the base zone identified in Article 2, and subject to the other appropriate development provisions of this Section.

1. Manufacturing or light manufacturing with a retail component as follows:
 - a. Facilities of maximum 2,000 square feet shall have a retail component of minimum 60 square feet;
 - b. Facilities greater than 2,000 square feet shall have a retail component of minimum 144 square feet.
2. Multi-family dwellings in a new or existing structure above, below, or behind the first floor that has commercial or mixed uses on the first floor.
3. ~~Existing motels and their expansion and reconstruction if destroyed.~~

(Annotated: moved existing hotels to CU as they were CU when constructed in downtown and new are CU, and an expansion could be quite extensive.)

3. Park and museum.
4. Shoreline stabilization.
5. Small boat building and repair.
6. Navigation aide.
7. Transportation service establishment.

B. Conditional Uses in Commercial Zones.

The following uses and activities and their accessory uses and activities are permitted as conditional uses in Commercial Zones in the Urban Core Overlay Zone, in addition to uses permitted as conditional uses in the base zone identified in Article 2, and subject to the other appropriate development provisions of this Section.

1. Motel, hotel, bed and breakfast, inn or other tourist lodging facility and associated uses when parking is located at the rear or interior of the site, screened by the building.

2. [Motel/hotel existing prior to January 1, 2020 and their expansion and reconstruction if destroyed.](#)

(Annotated: moved existing hotels to CU as they were CU when constructed in downtown and new are CU, and an expansion could be quite extensive.)

3. Warehouse associated with an allowable use [where the allowable use was](#) existing prior to January 1, 2019 located within 300 feet of the primary use.

(Annotated: the primary use must be existing prior to 1-1-19, not the warehouse)

14.____. USES PROHIBITED FOR ON-LAND DEVELOPMENT.

B. Commercial Zones.

The following uses and activities and their accessory uses and activities are prohibited in Commercial Zones in the Urban Core Overlay Zone. Permitted uses are identified in the base zones in Article 2 and in Section 14.____ of this Article.

1. Automotive sales and services.
2. Gasoline services stations.
3. Manufacturing or light manufacturing without a retail component.
4. Single-family or two-family dwelling, except above, below, or in the rear of first-floor commercial.
5. Animal hospital or kennel.
6. Conference center.
7. Construction service establishment.
8. Drive-through facilities.
9. Hospital.

10. Repair service establishment not allowed as an Outright Use.
11. Transportation service establishment.
12. Wholesale trade or warehouse establishment, except as follows:
 - a. Warehouse associated with an allowable use [where the allowable use was](#) existing prior to January 1, 2019 located within 300 feet of the primary use.

14. STANDARDS FOR ON-LAND DEVELOPMENT

The following development standards apply to on-land development in the Urban Core Overlay Zone.

A. Height.

Height standards apply to on-land development south of the River Trail.

1. Maximum building height within 100 feet of the River Trail is 28 feet. Additional allowable height of subsections A.3 and A.4 of this section is prohibited within 100 feet of the River Trail.
2. Maximum building height in other areas is 35 feet, except as noted in subsections A.3 and A.4 of this section.
3. Building height up to 45 feet is permitted for buildings that provide a plaza, courtyard, or other pedestrian-oriented amenity or public gathering space along the primary public right-of-way frontage, which is designed to activate the right-of-way frontage. The pedestrian-oriented amenity or gathering space must extend along at least 20 feet of the frontage and be at least 10 feet deep.
4. Building height up to 45 feet is permitted for buildings that include multi-family housing when 25 percent of proposed units are set aside for affordable housing that is available to renters or purchasers earning no more than 80 percent of median income and paying no more than 30 percent of total household income in rent or mortgage. The affordable housing requirement shall apply to the property for a minimum of 20 years.
5. Building stories above 15 feet or one story, whichever is less, must be stepped back from all building planes facing a right-of-way and/or the River Trail by least 10 feet in accordance with Section 14.____.C.2. *[stepback section]*.
6. Exceptions to building height restrictions may be granted through provisions in Section 3.075.

B. Setbacks.

Setback standards apply only to new development approved as of January 1, 2020 or additions to existing buildings. Setback standards apply to on-land development south of the River Trail, as well as to property lines abutting and parallel to the north side of the River Trail.

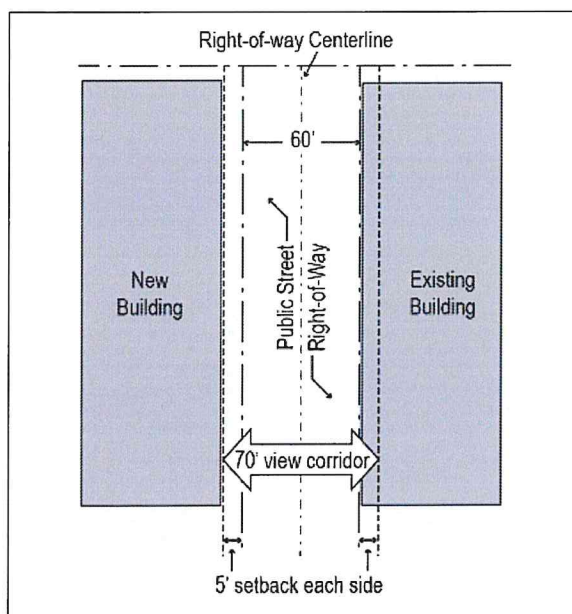
(Annotated: changed to 2020 as we can't change a building once it is built, so 2019 would already be constructed.)

1. Minimum Setbacks.

a. North-South Rights-of-Way between Marine Drive / Commercial Street and the Columbia River.

A minimum unobstructed 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 / Commercial Street and the Columbia River in the Urban Core Overlay Zone. Buildings shall be set back in order to achieve the 70-foot unobstructed view corridor. If existing development on one side of the right-of-way does not meet the setback, the new development on the other side of the right-of-way is only required to provide its half of the view corridor width.

Figure 14.____-10: Minimum Setbacks On-Land



b. Adjacent to the River Trail.

- 1) The minimum setback adjacent to the River Trail shall be 10 feet on the south side of the Trail and 20 feet on the north side of the Trail.
- 2) The setback area shall be landscaped or shall include a combination of landscaping and pedestrian-oriented amenities such as walkways, seating, and plaza space.

c. Adjacent to Marine Drive and Other Rights-of-Way Parallel to Marine Drive (except River Trail).

The minimum setback for yards fronting Marine Drive and other public rights-of-way parallel to Marine Drive in the Urban Core Overlay Zone, with the exception of the River Trail, shall be zero (0) feet.

2. Maximum Setbacks.

a. Adjacent to Marine Drive and Parallel Rights-of-Way.

The maximum setback for yards fronting Marine Drive and all parallel rights-of-way in the Urban Core Overlay Zone, with the exception of the River Trail, shall be five (5) feet.

b. Allowed Extensions of Maximum Setbacks.

The maximum setback for yards fronting a public right-of-way in the Urban Core Overlay Zone may be extended to 20 feet for up to 50% of the building facade if the setback is used for a walkway, plaza, courtyard, or other pedestrian-oriented amenity or public gathering space.

C. Stepbacks.

1. Purpose.

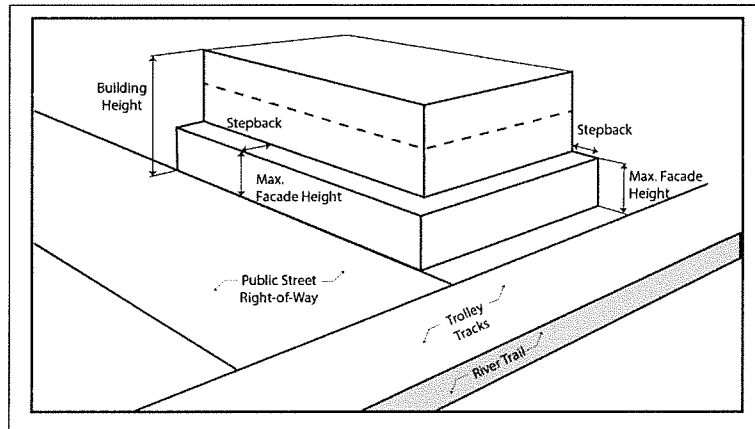
The purpose of a stepback is to allow for less obstructed views from above the building and to create a less imposing building scale as viewed from the street or parallel/adjacent trail. A stepback is also designed to allow more light down to the adjacent or fronting street, sidewalk, or trail.

2. Additional Building Height.

Where the height of a building or building addition is proposed to exceed 15 feet, at least that portion of the building exceeding 15 feet or one story, whichever is less, shall provide a stepback of at least 10 feet from the plane of the proposed building or building addition that faces the right-of-way and/or the River Trail. Balconies and fixed awnings shall not encroach into the required 10-foot stepback area; buildings must be stepped back further in order to accommodate balconies and/or fixed awnings.

Balcony railings constructed to a maximum height of 15 feet are not encroachments when the building facade above the top of rail is stepped back 10 feet.

Figure 14.____-11: Building Stepbacks



D. Size.

The gross floor area of on-land development in the Urban Core Overlay Zone shall be a maximum of 30,000 square feet for all buildings which are part of a single development regardless of tax lot lines and/or phased construction (see definition of “Gross Floor Area”), with the following exception:

1. Public use existing prior to January 1, 2019 may exceed the 30,000 square foot maximum for additions or reconstruction but shall be subject to all other requirements of the Code such as height, setback, stepback, design, etc.

14.____ DESIGN STANDARDS AND GUIDELINES

A. Applicability and Review.

The following design standards and guidelines 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. Applications in the Urban Core Overlay Zone shall be reviewed in a public design review process subject to the standards and guidelines in Sections 14.____-14.____ *[all sections of the UCO Zone except for the first two sections. Include the Purpose sections.]*

Some of the following design standards and guidelines apply to all uses. Other standards and guidelines are differentiated by non-industrial uses and industrial uses. For the purposes of these Sections, industrial uses include the following as further defined in Section 1.400 of the Development Code:

1. Water-dependent or water-related commercial or industrial use.
2. Communication facility.
3. Communication service establishment.
4. Utility.
5. Cold storage and/or ice-processing facility independent of seafood processing facility.
6. Water-dependent facilities including terminals and transfer facilities.

7. Seafood receiving and processing.
8. Ship and boat building and repair.
9. Aquaculture and water-dependent portions of aquaculture facility.
10. Wholesale trade, warehouse, and/or distribution establishment (including trucking terminal).
11. Research and development laboratory.
12. Wood processing.
13. Manufacturing.
14. Light manufacturing.
15. Petroleum receiving, dispensing and storage for marine use.
16. Transportation services.

Non-industrial uses include all other uses that are allowed outright or conditionally in the A-2, A-2A, C-3, and C-4 zones in the Urban Core Overlay Zone.

B. Building Style and Form.

1. Standards for All Uses.

- a. Projecting wall-mounted mechanical units are prohibited where they are visible from a public right-of-way or the River Trail. Projecting wall-mounted mechanical units are allowed where they are not visible from a public right-of-way or River Trail.
- b. Solid waste disposal, outdoor storage, and utility and mechanical equipment shall be enclosed and screened from view (Figure 14.__-1). A cover shall be required if screened items can be viewed from above. Rooftop equipment shall be screened from view by a parapet wall, a screen made of a primary exterior finish building material used elsewhere on the building, or by a setback such that it is not visible from adjacent properties and rights-of-way up to approximately 100 feet away. Also see Section 3.215, Outdoor Storage Areas and Enclosures.

Figure 14.__-1: Screening Waste Disposal, Outdoor Storage, and Utility/Mechanical Equipment



2. Guidelines for All New Construction.

- a. The design of new construction should respect significant original characteristics, scale, and massing of adjacent structures [that are visible](#)

from the public right-of-way or River Trail within three blocks of the development site. Buildings should be designed so that they are not substantially different in character from adjacent structures, in terms of size, mass, or architectural form. Also see Section 14.002.C, Resolving Conflicts within the Code.

- b. New construction should respect significant characteristics of composition and material of adjacent structures that are visible from the public right-of-way or River Trail within three blocks of the development site. Also see Section 14.002.C, Resolving Conflicts within the Code.
- c. Building forms should be simple single geometric shapes, e.g. square, rectangular, triangular (Figure 14.__-2).

Figure 14.__-2: Geometric Building Form



3. Guidelines for All Existing Buildings.

- a. Distinctive stylistic features or examples of skilled craftsmanship of existing buildings and/or structures proposed for renovation, alteration, and/or additions should be treated with sensitivity. All buildings should be respected and recognized as products of their time.
- b. Renovations, alterations, and/or additions to existing buildings should respect significant existing original characteristics of adjacent structure scale and massing for the entire structure, and should be designed so that they are not substantially different in terms of size, mass, or architectural form. Also see Section 14.002.C, Resolving Conflicts within the Code.
- c. Renovations, alterations, and/or additions should retain and/or respect significant existing original characteristics of the existing structure composition and material, for the entire structure. Also see Section 14.002.C, Resolving Conflicts within the Code.

(Annotated: added the word “existing to b & c to clarify that features of the building that no longer exist are not what is meant.)

- d. Building forms should be simple single geometric shapes, e.g. square, rectangular, triangular (Figure 14.__-2).
- e. Mid-century “slip covers” which are not part of the original construction design should be removed when possible.
- f. Incompatible additions or building alterations using contemporary materials, forms, or colors on building facades are discouraged.

4. Standards for Non-Industrial Uses.

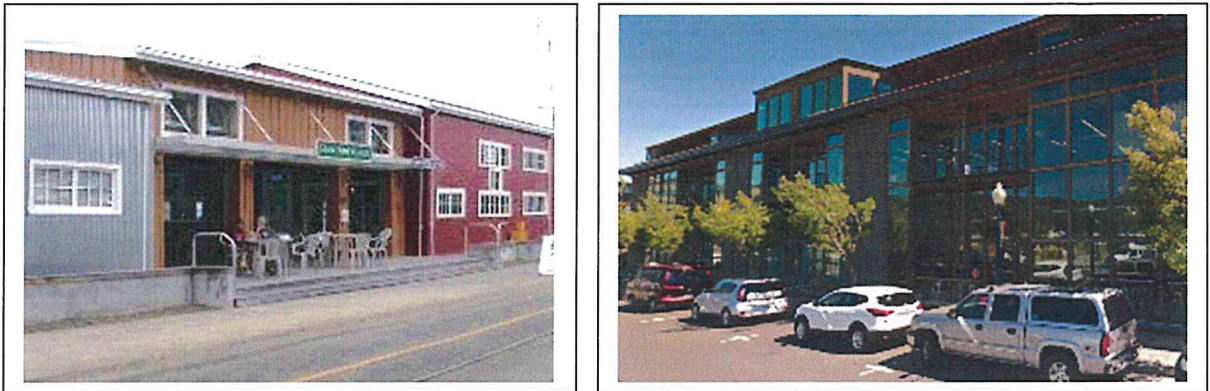
a. Facade Variation.

All non-industrial buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or other similar elements to preclude large expanses of uninterrupted building surfaces in areas which are visible to the public. Design features shall occur at a minimum of every 30 feet for all building facades visible from a public right-of-way or River Trail. (Figure 14.__-3)

The facade shall contain at least two (2) of the following features:

- 1) Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of six (6) feet;
- 2) Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of two (2) feet and runs horizontally for a minimum length of four (4) feet;
- 3) Offsets or breaks in roof elevation of two (2) feet or greater in height;
- 4) Outdoor seating area, plaza, or other interactive landscaped area adjacent to the building that is specifically identified and/or covered, and approved by the review authority; and/or
- 5) Other similar facade variations approved by the review authority.

Figure 14.____-3: Facade Variation



b. Building Orientation and Entries.

All non-industrial buildings shall have a prominent main entry oriented to and directly connected to the [public](#) sidewalk. Main entries shall be designed with prominent features that distinguish them from other building entries and must include at least two of the following features: (Figure 14.____-4)

- 1) Recessed entry of at least 3 feet behind the front building plane
- 2) Canopy or awning
- 3) Transom/clerestory windows or flanking windows on either side of the door
- 4) At least 2 ornamental light fixtures flanking the entry
- 5) Pilasters or columns that frame the doorway

Figure 14.____-4: Prominent Main Entry



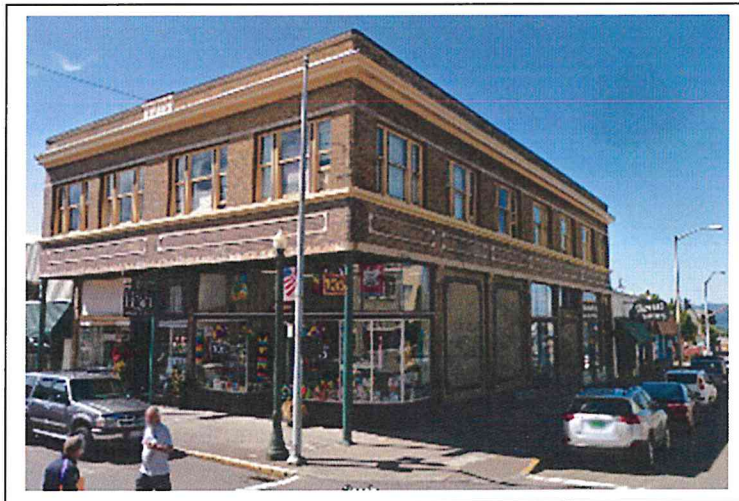
c. Base, Middle, and Top of Building.

All non-industrial buildings shall have a clear and distinct base, middle and top to break up vertical mass (Figure 14.____-5). All facades visible from a right-of-way or River Trail shall utilize horizontal bands and/or changes in color, material, form and/or pattern to differentiate the base, middle, and top of the building, subject to the following requirements:

- 1) Horizontal bands or other changes in pattern or material shall be a minimum of 8 inches high (the length of a standard brick) and shall project a minimum of one (1) inch from the building face.
- 2) Changes in building massing and form may also be used to differentiate a building's base, middle, and top. This may include architectural setbacks or projections, measuring a minimum of 3 inches.
- 3) Changes in color alone may not be used to differentiate a building's base, middle, and top, but may be used in conjunction with the other features.

(Annotated: added that color alone is not sufficient as color can be easily changed over time and then this criteria would not be met.)

Figure 14.____-5: Base, Middle, & Top of Building



d. Parking location.

Parking and vehicle maneuvering areas shall not be located between the front building facade and the front property line, or between a building facade facing the River Trail and the property line adjacent to the River Trail.

Parking shall be permitted between a building and an interior lot line that is not a rear lot line, provided the following standards are met:

- 1) Where surface parking or maneuvering areas are located adjacent to a right-of-way or the River Trail, a minimum 5-foot wide landscaped strip shall be provided between the parking and maneuvering area and the right-of-way or River Trail. The landscaped strip shall be planted with trees spaced not more than 30 feet on center and with a mix of shrubs and ground cover. Additional standards for landscaping in parking areas are found in Section 3.120.A.15.
- 3) Parking and maneuvering areas, including accessways and driveways, must not exceed 40 percent of a lot frontage.

4. Guidelines for Non-Industrial Uses

a. Compatibility with Historic Buildings.

- 1) The massing, scale, and configuration of non-industrial buildings should be similar to historic structures that are visible from the public right-of-way or River Trail within three blocks of the development site.
- 2) Non-Industrial buildings should be compatible with the vertical proportions of existing historic facades and the simple vertical massing of historic structures that are visible from the public right-of-way or River Trail within three blocks of the development site.
- 3) The location, size, and design of windows and doors in non-industrial buildings should be compatible with existing historic structures that are visible from the public right-of-way or River Trail within three blocks of the development site.
- 4) Development should be designed so that structures are not substantially different in character from adjacent buildings, in terms of size, mass, or architectural form.

b. Corner Entrances and Features.

Non-industrial buildings on corner lots are encouraged to have corner entrances. Where a corner entrance is not provided, the building design should provide an architectural element or detailing (e.g., tower, beveled/chamfered corner, art, special trim, etc.) that accentuates the corner location (Figure 14.__-6).

Figure 14.____-6: Corner Entrance and Features

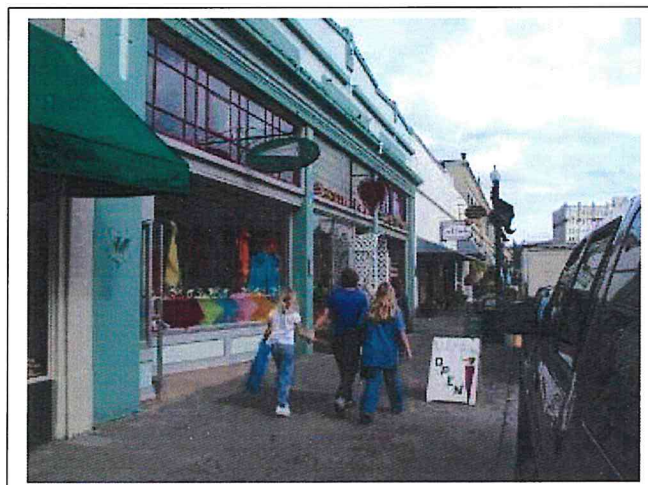


c. Architectural Bays.

Non-industrial buildings are encouraged to be divided into distinct street-facing architectural bays that reflect traditional storefront design (Figure 14.____-7). Architectural bays should feature at least two of the following elements:

- 1) Engaged columns, pilasters, or piers
- 2) Transom windows over doorways
- 3) Storefront cornice or belt course
- 4) Storefront frieze or sign band
- 5) Bulkheads

Figure 14.____-7: Architectural Bays / Storefront Design



C. Roof Form and Materials.

1. Roof Form Standards for All Uses.

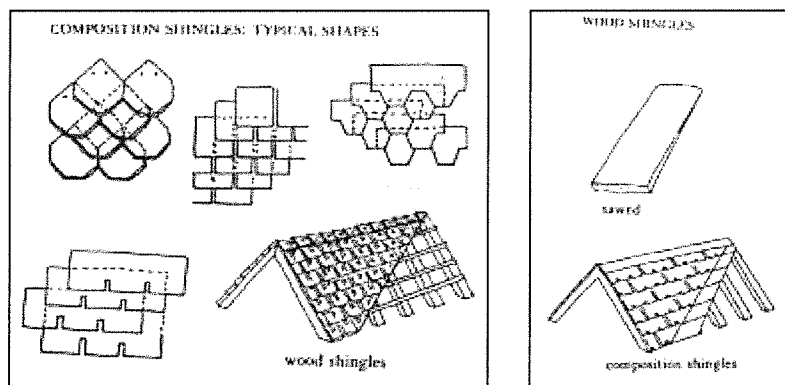
The following roof forms are prohibited:

- a. False mansard or other applied forms; and
- b. Dome skylights.

2. Roof Materials Standards for All Uses.

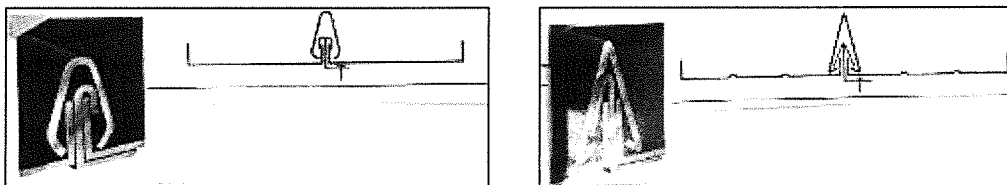
- a. Buildings shall be constructed or reconstructed with one of the following roofing materials.
 - 1) Cedar shingle (Figure 14.____-8);
 - 2) Composition roofing (Figure 14.____-8); or
 - 3) Materials cited in Section 14.____.C.4 or Section 14.____.C.6.

Figure 14.____-8: Roofing Materials



- b. The following roofing materials are prohibited for all types of buildings:
 - 1) High profile standing seam metal roof (Figure 14.____-9); and
 - 2) Brightly colored roofing material.

Figure 14.____-9: Low (3/8" x 1") and High (1/4" x 1-1/4") Roof Seams



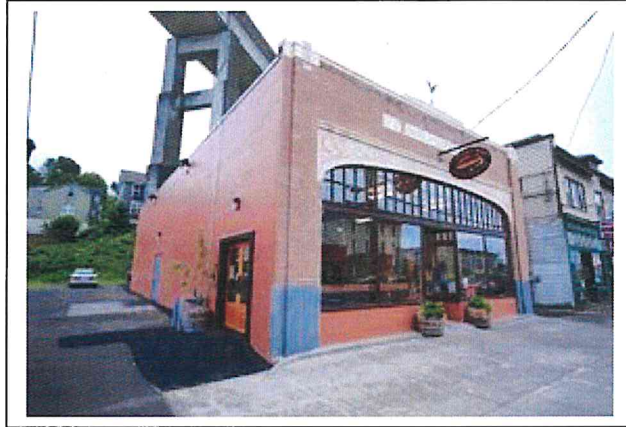
- c. Roofing materials shall be gray, brown, black, deep red, or another subdued color.

3. Roof Form Standards for Non-Industrial Uses

Buildings for non-industrial uses shall include one of the following roof forms:

- a. Single gable with low pitch; or
- b. Repetitive gable with steep pitch; or
- c. Flat or gable roof behind parapet wall (Figure 14.____-10).

Figure 14.____-10: Non-Industrial Building, Flat Roof Behind Parapet Wall



4. Roof Materials Standards for Non-Industrial Uses.

Buildings for non-industrial uses shall be constructed or reconstructed with one of the following roofing materials:

- a. Materials cited in Section 14.____.C.2; or
- b. Built-up roofing materials.

5. Roof Form Standards for Industrial Uses.

Buildings for industrial uses shall include the following roof forms:

- a. Single gable with low pitch; or
- b. Repetitive gable with steep pitch (Figure 14.____-11 and Figure 14.____-12); and
- c. Shallow eaves (Figure 14.____-12).

Figure 14.____-11: Roof Pitches

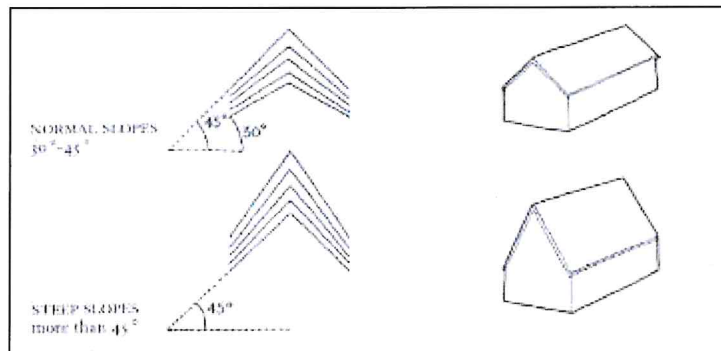
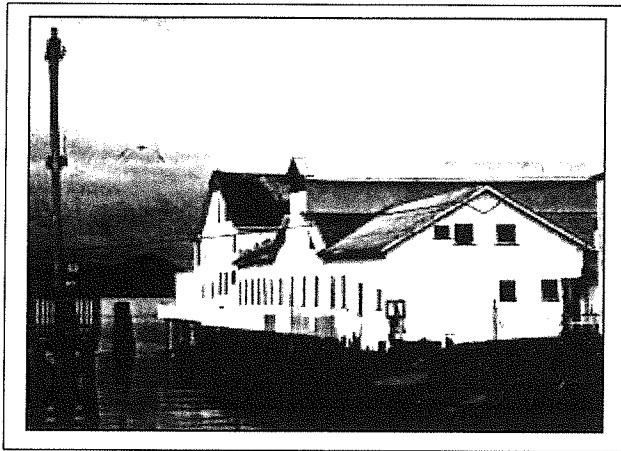


Figure 14.____-12: Industrial Building, Multiple Gables, Monitor Roof, and Shallow Eaves



6. Roof Materials Standards for Industrial Uses.

Buildings shall be constructed or reconstructed with one of the following roofing materials:

- a. Materials cited in Section 14.____.C.2; or
- b. Galvanized corrugated metal; or
- c. Low profile standing seam, metal roof (Figure 14.____-9); or
- d. Roll down.

7. Roof Form Guidelines for Non-Industrial Uses.

Buildings for non-industrial uses may also include the following roof forms or features:

- a. Structural skylights
- b. Shallow eaves behind parapet wall

8. Roof Form Guidelines for Industrial Uses.

Buildings for industrial uses may also include one or more of the following roof forms or features:

- a. Small shed roof dormers
- b. Monitor roof on ridge line (Figure 14.____-12)
- c. Flat panel skylights or roof window

D. Doors.

1. Standards for All Uses.

The following types of doors and door treatments are prohibited:

- a. Automatic sliding doors;
 - b. Primary entry doors raised more than three feet above sidewalk level;
 - c. Doors flush with building facade;
 - d. Clear anodized aluminum frames; and
 - e. Reflective, opaque, or tinted glazing.
2. Guideline for All Uses.
- Building lighting should emphasize entrances.
3. Standards for Non-Industrial Uses.
- a. Solid metal or wood doors with small or no windows are prohibited.
 - b. Doors with a minimum of 50% of the door area that is glass are required.
4. Guidelines for Non-Industrial Uses.
- a. Doors should be recessed (Figures 14.___-13 and 14.___-14).
 - b. Large cafe or restaurant doors that open the street to the interior by pivoting, sliding, or rolling up overhead are encouraged (Figure 14.___-13).
 - c. Well-detailed or ornate door hardware is encouraged (Figure 14.___-14). Contemporary hardware should be compatible with the design of the door.
 - d. Transom, side lites, or other door/window combinations are encouraged (Figure 14.___-14).
 - e. Doors combined with special architectural detailing are encouraged.
 - f. Double or multiple door entries are encouraged (Figure 14.___-14).

Figure 14.___-13: Roll-Up Doors and Recessed Doors



Examples of doors recommended: roll up doors to create open space into the buildings, recessed door

Figure 14.____-14: Recessed Doors, Contemporary Door Hardware, Single/Double Doors, Side Lites, and Transom Windows



E. Windows.

1. Coverage Standards for All Uses.

- a. All building facades visible from a public right-of-way, the River Trail, and/or the Columbia River shall have windows or other openings in the facade, except as noted in subsection E.1.b of this section. Blank walls on any facades visible from the right-of-way, River Trail, and/or Columbia River for any type of use are prohibited.
- b. Exception for elevator shafts.

An exception to the window coverage standard may be allowed for the portion of a building facade that includes an elevator shaft, with the inclusion of architectural detail / design features in amounts equal to the minimum window coverage requirement. Such architectural details shall include but not be limited to a change in material, horizontal projections, engaged columns or pilasters, belt course, moldings, clock, or other similar features. Non-industrial buildings may be allowed to reduce the minimum window percentage, per subsection 14. ____E.4.c.

2. Design Standards for All Uses.

- a. 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. Exceptions may be granted for waterfront industrial style windows (Figure 14. ____-**).

(Annotated: may need criteria for this exception. It is to allow industrial style windows to not have casings as they historically did not have casings.)

- 2) Windows shall be recessed a minimum distance of two (2) inches from the face of the trim surface to the face of the sash to ensure a shadow line/effect.

(Annotated: added that it is measured to the face of the sash to match the graphic. For historic we use face of facade, not trim to the glass. This would result in the same general dimension.)

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

Figure 14.____-15: Window Detailing – Trim and casement location and dimensions

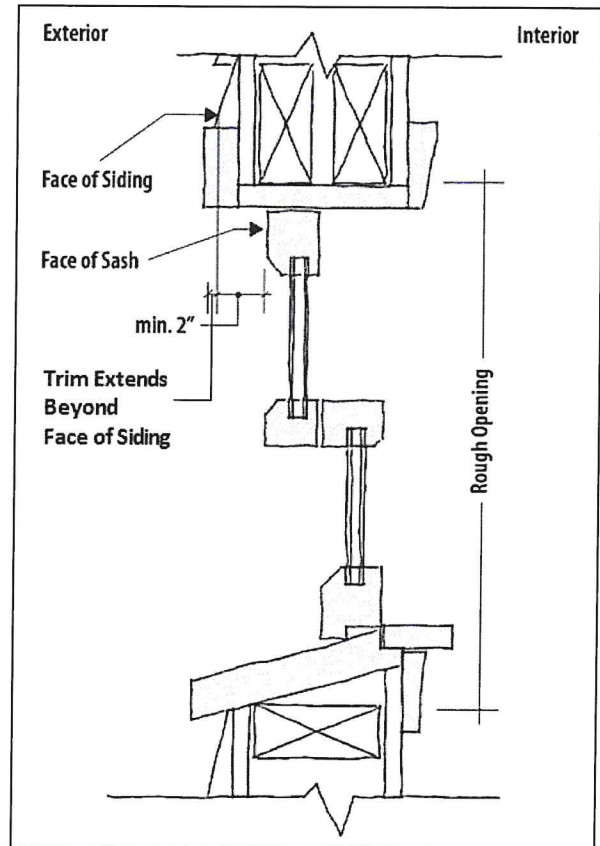
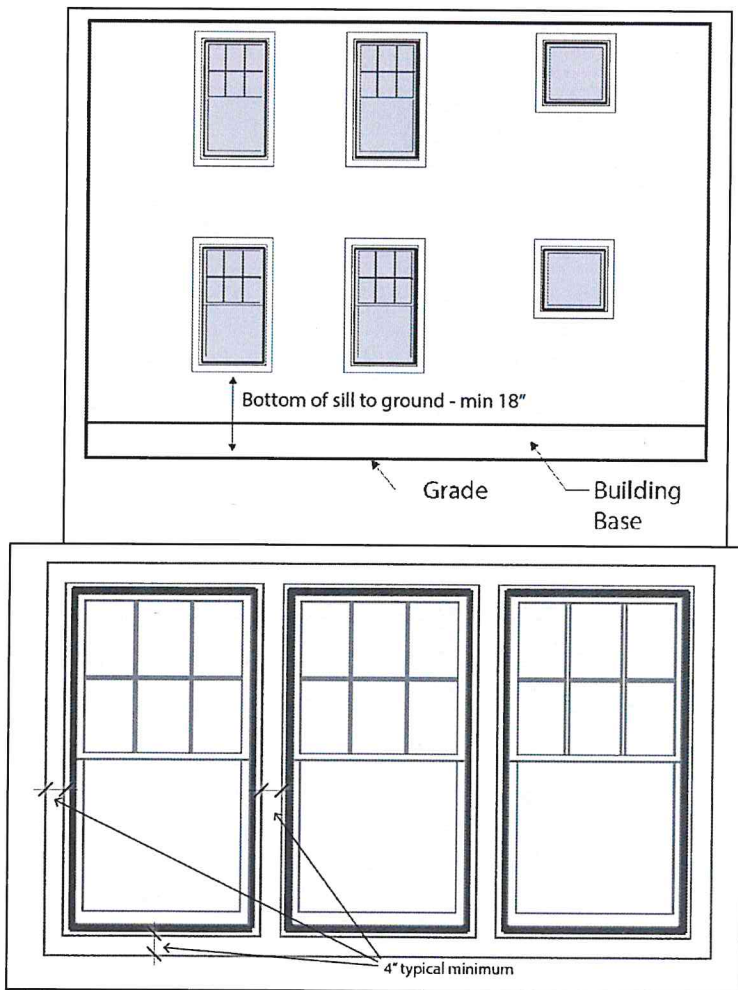


Figure 14.____-**: Window Detailing – Industrial Style - no trim or casement



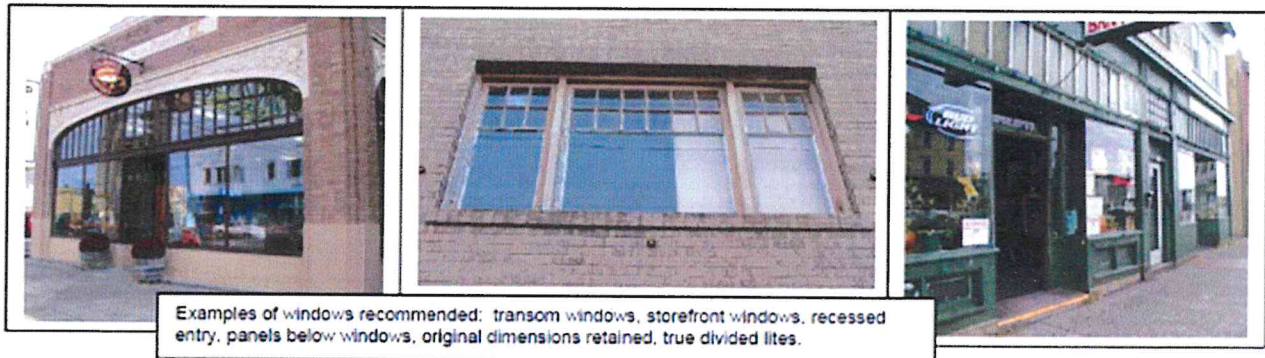
b. The following types of windows or window treatments are prohibited:

- 1) Residential-styled window bays;
- 2) Half-round windows;
- 3) Smoked, tinted, frosted, mirrored, and/or reflective glass, except for bathroom windows not on the facade facing a right-of-way or River Trail;
- 4) Horizontal sliding windows;
- 5) Vinyl windows; and
- 6) Blocked-out windows; and
- 7) Windows that extend beyond the plane of the building facade; and
- 8) Applied muntins that have no profile.

3. Design Guidelines for All Uses.

- a. Windows, including transoms on existing buildings, should retain their original size and location as part of renovation activities.
- b. Windows that open by pivoting, casement, single hung, or other shuttering are encouraged.
- c. Painted wood or stucco panels or tile clad panels below windows are encouraged (Figure 14.____-16).
- d. Clear glass is encouraged.
- e. True divided lites are encouraged (Figure 14.____-16). Simulated divided lites shall have exterior muntins to create exterior shadow lines.
- f. Boldly articulated window and storefront trim are encouraged.

Figure 14.____-16: Transom Windows, Panels Below Windows, and True Divided Lites



4. Coverage Standards for Non-Industrial Uses.

- a. At least 50% of the ground-floor facades of non-industrial uses visible from a right-of-way and/or River Trail shall be covered by windows. At least 30% of the upper-floor facades visible from a right-of-way and/or River Trail shall be covered by windows, except as noted in subsection 4.c of this section.

- b. At least 20% of the ground-floor facades and 10% of the upper-floor facades of non-industrial uses visible only from the Columbia River shall be covered by windows, except as noted in subsection (c) of this section.

- c. Exception for elevator shafts.

A reduction in the window percentage may be allowed for facades that include an elevator shaft, with the inclusion of architectural detail / design features in amounts equal to the minimum window coverage requirement. Such architectural details shall include but not be limited to a change in material, horizontal projections, engaged columns or pilasters, belt course, moldings, clock, or other similar features.

5. Coverage Standards for Industrial Uses.

- a. All facades of buildings for industrial uses in the Urban Core Overlay Zone that are visible from a public right-of-way, the River Trail, and/or the Columbia River shall have windows. However, buildings for industrial uses are not subject to minimum window area requirements.
- b. Buildings for industrial uses are not required to have ground floor windows but shall have, at the least, clerestory or transom windows on the upper story facades or above a height of 14 feet.

F. Siding and Wall Treatment.

1. Standards for All Uses.

The following types of siding and wall materials and treatments are prohibited:

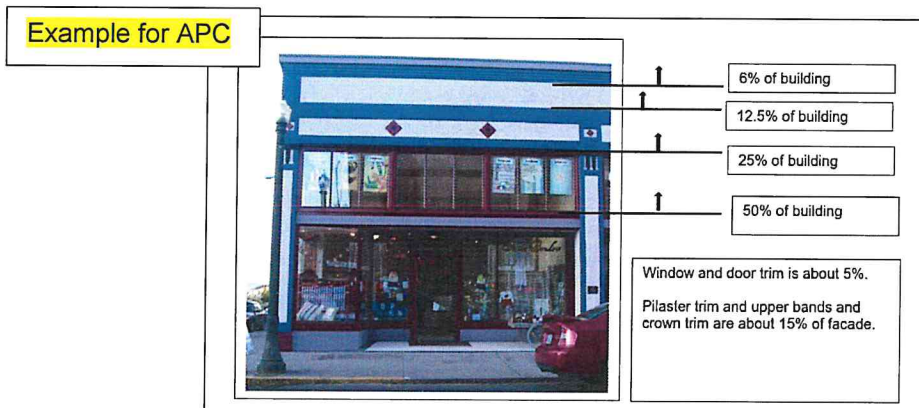
- a. Cladding materials such as corrugated metal panels or spandrel glass;

- b. Panels that are poorly detailed or do not have detailing;
- c. Neon or other fluorescent colors;
- d. Bright or primary wall colors for the entire wall surface;
- e. Flagstone, simulated river rock, or other similar veneer cladding;
- f. Painted brick; and
- g. Non-durable materials such as synthetic stucco or shingles at the ground floor.
- h. Textured fiber cement siding. Smooth fiber cement siding is allowed.

2. Guidelines for All Uses.

- a. Variations in wall cladding materials and patterns consistent with historic patterns are encouraged (Figure 14.____-17).
- b. Natural or subdued building colors are encouraged (Figure 14.____-17).
- c. Bright colors may be used for accent trim in limited amounts, not to exceed 15% of the area of any facade.

(Annotated: APC asked for % to define limited amounts of bright colors.)



- d. Durable materials such as brick, stucco, granite, pre-cast concrete, board and batten, or horizontal wood siding should be used (Figure 14.____-17). These materials include galvanized corrugated metal on buildings for industrial uses.
- e. Architectural wall features such as belt courses, pilasters, and medallions are encouraged.

Figure 14.____-17: Siding Variety and Compatible Materials and Colors



G. Awnings.

1. Standards for Types of Awnings and Treatments.

- a. Awnings over building entries shall be a minimum of 5 feet deep. Awnings over windows shall be a minimum of 3 feet deep. The bottom of all awnings shall be 8 to 12 feet above grade.
- b. Awnings shall extend the full width of the window and/or door area below the awning.
- c. The following types of awnings and awning treatments are prohibited:
 - 1) Fixed “bubble shaped” awnings (Figure 14.____-18); and
 - 2) Awnings lit internally.
- d. Signage and/or graphics are limited to the valance area only of awnings.

2. Guidelines for Types of Awnings and Treatments.

Vinyl or other non-compatible material awnings are discouraged (Figure 14.____-18).

Figure 14.____-18: Prohibited and Discouraged Awning Types and Treatments



3. Standards for Awning locations Along River Trail and North/South Rights-of-Way.

Awnings are generally discouraged and shall not project into the setback area.

H. Lighting.

1. Standards for Lighting Types and Treatments for All Uses.

The following lighting types or treatments are prohibited:

- a. Neon silhouette accent lighting;
- b. Fluorescent tube lighting;
- c. Security spotlight;
- d. Signs lit by lights containing exposed electrical conduit, junction boxes, or other electrical infrastructure; and
- e. Up-lighting that shines into the sky or light that shines into other properties or traffic.

2. Standards Regarding Lighting Glare for All Uses.

~~Outdoor lighting shall be designed and placed so as not to cast glare into adjacent properties and/or rights of way. Light fixtures shall be designed to direct light downward and minimize the amount of light directed upward, including lighting from wall washing fixtures. The Community Development Director may require the shielding or removal of such lighting where it is determined that the lighting is adversely affecting adjacent properties or directing significant light into the night sky.~~

All uses shall comply with applicable lighting standards in Section 3.128.

(Annotated: The deleted lighting standards has been adopted as the City-wide standard in 3.128.)

3. Guidelines Regarding Wall-Washing Light.

~~Wall-washing lighting fixtures should be concealed and integrated into the design of buildings or landscape walls and stairways (Figure 14.____-19). Wall-washing lighting shall be designed to minimize light directed upwards into the night sky.~~

4. Guidelines for Lighting Types and Treatments for Non-Industrial Uses.

The following lighting types or treatments are encouraged.

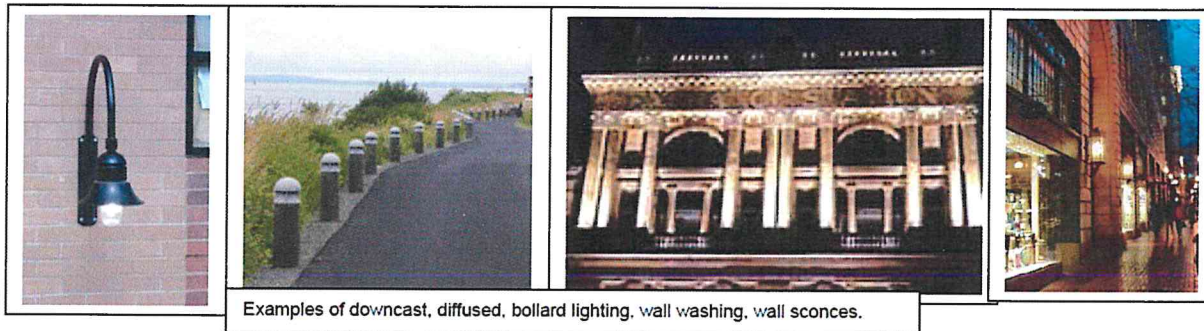
- a. Decorative lighting integrated with architecture.
- b. Historic street lamps along walks and parking lots.

5. Guidelines for Lighting Types and Treatments for Industrial Uses.

The following lighting types or treatments are encouraged.

- a. Industrial pan light with goose neck.
- b. Low bollard lighting.

Figure 14.____-19: Downward and Diffused Lighting, Wall-Washing Lighting



I. Signs.

Signs in the Urban Core Overlay Zone are subject to the requirements in Article 8 (Sign Regulations) of the Astoria Development Code and to the standards and guidelines in this Section.

1. Sign Standards for All Uses.

- a. Monument signs (Figure 14.____-20) are allowed up to a maximum of 32 square feet.
- b. Monument signs shall be a maximum of five (5) feet tall.
- c. Monument signs shall be constructed from materials that are consistent with the historic character of the area, including wood, brick, stone, and metal.
- d. Freestanding or ground pole-mounted signs are prohibited (Figure 14.____-20).

(Annotated: changed from "pole-mounted" to clarify that all freestanding signs were intended to be prohibited other than sandwich board signs and monument signs.)

2. Sign Guidelines for All Uses.

The following sign types are encouraged.

- a. Hanging blade signs.
- b. Signs painted on building facade.
- c. Signs applied to building facade.
- d. Front lit.
- e. Graphics historic in character.

Figure 14.____-20: Monument Signs and Freestanding Pole-Mounted Signs



Monument



Freestanding



14. ____ LANDSCAPING.

Landscaping is required in the Urban Core Overlay Zone in accordance with the provisions in this Section and those in Section 3.120 to 3.125. The provisions in this Section apply to new construction or exterior renovations with a value of at least 20% of the assessed value of the structure, or in the event of installation of new parking areas. Buildings existing prior to January 1, 2020 that cover more than 90% of a lot are exempt from meeting landscape requirements when making renovations.

A. River Side and/or Riparian Standards.

The following standards apply to landscaping on the river side of the River Trail and to riparian areas to the south of the River Trail, which is defined as the landward limit of Columbia River aquatic vegetation or, where aquatic vegetation is absent, the Mean Higher High Water.

1. Height and Spacing.

- a. Maximum shrub height is 30 inches.
- b. Maximum width of clusters of trees is 30 feet.
- c. Clusters of trees shall have a minimum of 50 feet clear between branches at maturity.
- d. Trees are not permitted to be planted on the river side of the River Trail or riparian areas south of the River Trail within the extended public right-of-way or view corridor extending from it for a distance of 70 feet centered on the right-of-way centerline.
- e. Trees shall not exceed 25 feet in height at maturity
- f. Maximum height of fences is three (3) feet.

Figure 14.____-1: River Side Landscaping

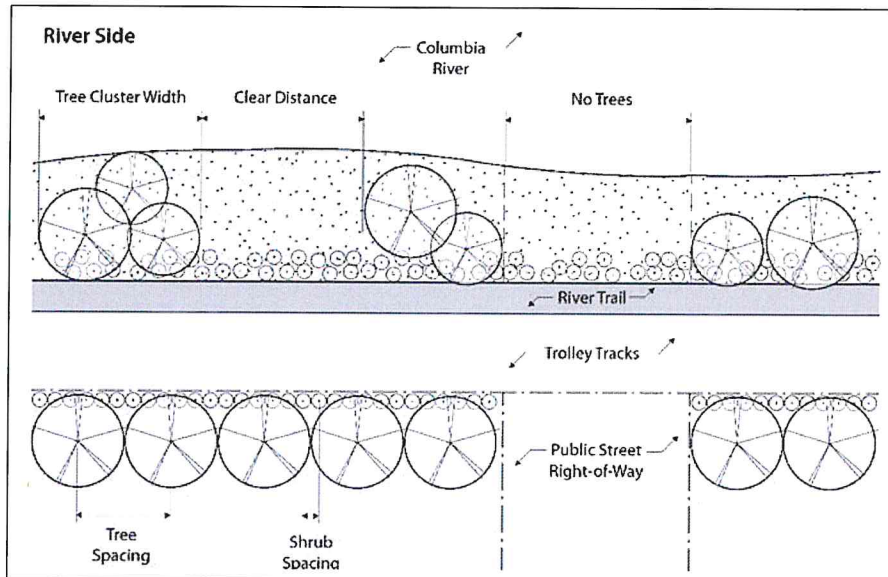
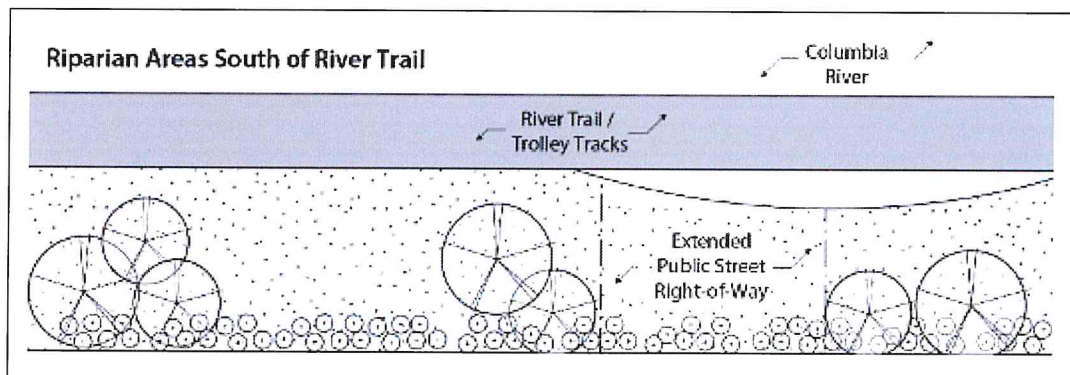


Figure 14. -2: Riparian Landscaping



2. Native Plants.

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

3. Landscaping Credits for Non-Vegetation Features.

- a. The Community Development Director may approve non-vegetative features to account for up to 40% of required landscaping when the features consist of hardscaped pedestrian-oriented areas (e.g., courtyards, plazas). Permeable paving and other stormwater management techniques are encouraged in the design of these areas.
- b. An application proposing more than 40% of required landscaping be credited by non-vegetative features is subject to approval in accordance with [variance](#) procedures in Article 9 and Article 12.

- c. Non-vegetative features allowed in the public right-of-way and/or on the River Trail in lieu of required landscaping shall be maintained by the applicant. There shall be a maintenance agreement or other City approved agreement. Failure to maintain or loss of the non-vegetative feature will result in the requirement for installation of the landscaping in accordance with the Code at the time of the loss.

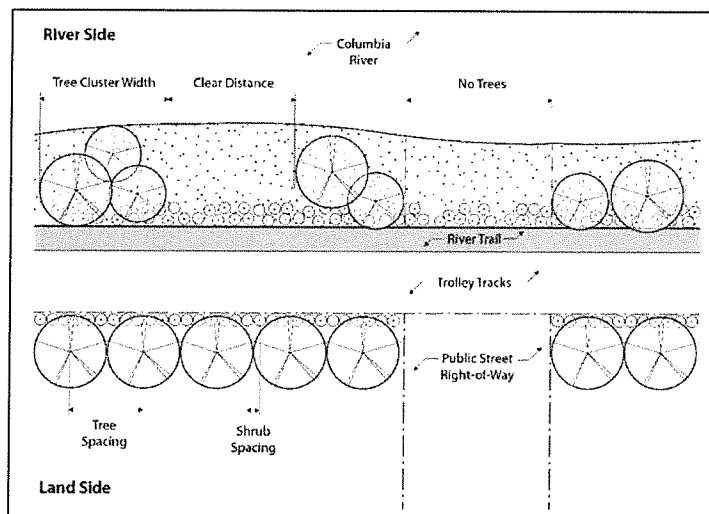
B. Land Side or Upland Standards.

The following standards apply to landscaping along the frontage of parcels abutting the River Trail to the south, except where riparian areas are located to the south of the River Trail. Riparian areas are subject to the standards of Section 14.____.A.

1. Height and Spacing.

- a. Maximum spacing of trees.
 - 1) 20 feet on center for non-industrial uses
 - 2) 15 feet on center for industrial uses
- b. Maximum spacing of shrubs
 - 1) Five (5) feet on center for non-industrial uses
 - 2) Three (3) feet on center for industrial uses
- c. Ground cover landscaping is required in between shrubs and trees.
- d. Trees shall not exceed 35 feet in height at maturity

Figure 14.____-3: Land Side Landscaping



2. Parking Area Landscaping.

- a. Landscaping required between parking areas, streets, and sidewalks in accordance with Section 3.120.A.7 shall also be required between parking areas and the River Trail.

- b. Landscaping shall minimize pedestrian exposure to parking lots with a hedge or a decorative fence that is 36" to 42" high.
- c. Maximum tree height and width in parking areas shall be 15 feet at maturity.

3. Landscaping Credits for Non-Vegetation Features.

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

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

- b. An application proposing more than 25% of required landscaping be credited by non-vegetative features is subject to approval in accordance with [variance](#) procedures in Article 9 and Article 12.
- c. Non-vegetative features allowed in the public right-of-way and/or on the River Trail in lieu of required landscaping shall be maintained by the applicant. There shall be a maintenance agreement or other City approved agreement. Failure to maintain or loss of the non-vegetative feature will result in the requirement for installation of the landscaping in accordance with the Code at the time of the loss.

C. Street Trees.

Street trees shall be planted within the right-of-way along both sides of the street in the Urban Core Overlay Zone in accordance with the provisions in this Section.

1. Standards for Street Trees on All Streets.

- a. Spacing should be 30 feet on center, depending on species and branching habit.
 - b. Minimum size of deciduous trees should be 2" caliper, with an upright form.
 - c. Mature branching height should be a minimum of 15 feet.
 - d. Durable tree grates and trunk protectors should be installed.
 - e. Areas between trees should be landscaped with a variety of shrubs and perennials, with an emphasis on flowering species.
 - f. 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.
 - g. Location of street trees shall be reviewed and approved by the City Engineer. Due to the nature of the downtown hollow sidewalks, in-ground street trees may not be feasible. Alternative street landscaping with shrubs, groundcover, and/or raised planters may be approved.
2. Standards for Street Trees on North-South Streets North of Marine Drive.
- a. Maximum height is 35 feet.
 - b. Street trees shall have narrow profiles and/or be pruned to a maximum width of 15 feet.
 - c. Street trees shall be one of the columnar species listed in Section 3.125.B.1, unless otherwise approved by the Community Development Director."

Section 2 Section 14.001, Definitions, is added to read as follows:

"HEIGHT, TOP OF BANK: For over-water / shoreline construction, top of bank shall be measured from the existing lowest point along the top of the shoreline adjacent to the subject property prior to any grading and/or fill. Features such as railings, balustrades, dolphins, bumper pilings, mooring pilings, and water navigational fixtures are exempt from the maximum "top of bank" height restriction as "water-dependent" features."

(Annotated: This definition is included here and with the BVO amendment for whichever one is adopted first.)

Section 3: 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 _____, 2019.

APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2019.

ATTEST:

Mayor

Brett Estes, City Manager

ROLL CALL ON ADOPTION:

YEA

NAY

ABSENT

Commissioner Rocka
 Brownson
 Herman
 West

Mayor Jones