



CITY OF ASTORIA

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COMMUNITY DEVELOPMENT

June 10, 2019

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNING CONSULTANT

SUBJECT: AMENDMENT REQUEST (A19-01B) FOR BRIDGE VISTA OVERLAY

I. BACKGROUND SUMMARY

- A. Applicant: Community Development Department
City of Astoria
1095 Duane Street
Astoria OR 97103
- B. Request: Amend the Development Code concerning waterfront development in the Bridge Vista Overlay Area concerning height, mass, location of buildings; and establish a process for potential future planning districts for Astoria Warehouse and Port of Astoria West Mooring Basin.
- C. Location: Bridge Vista Overlay Area (BVO - Portway to 2nd Streets, West Marine / Marine Drive to the Columbia River Pierhead Line)

II. BACKGROUND

In 2008-2009, the City of Astoria developed the Riverfront Vision Plan (RVP) to address issues dealing with open space, land use, and transportation along the Columbia River. Significant public involvement opportunities were designed to gain public input. This process was initiated to plan for these issues in a comprehensive manner and to set a framework for the future of the study area. The City's north Riverfront (Columbia River to West Marine / Marine Drive / Lief Erikson Drive) was divided into four Plan areas of development: Bridge Vista BVO (Portway to 2nd Street), Urban Core UCO (2nd to 16th Street), Civic Greenway CGO (16th to 41st Street), and Neighborhood Greenway NGO (41st Street to east end of Alderbrook Lagoon). On December 7, 2009, after many public meetings and holding a final public hearing, the City Council accepted the Riverfront Vision Plan. Bridge Vista Overlay Zone was adopted on June 15, 2015; Civic Greenway Overlay Zone was adopted on October 6, 2014; and Neighborhood Greenway Overlay Zone was adopted on December 7, 2015. The City is currently conducting work sessions with the APC and City Council on proposed amendments to adopt codes for the proposed Urban Core Overlay Zone.

Over the last year while working on the Urban Core proposed codes, the City Council has received numerous public comments including a petition requesting that the Council

consider reducing the height of buildings and limit development on the Riverfront. The first major project for the area to be reviewed under the new standards was Design Review Request (DR18-01) by Fairfield Hotel for a hotel to be located on the land area at the 1 2nd Street.

On July 10, 2018 the Historic Landmarks Commission (HLC) and the Design Review Committee (DRC) denied the requests (NC18-01 and DR18-01) which were subsequently appealed by the applicant. A combined public hearing on the HLC Appeal (AP18-04) and DRC Appeal (AP18-03) was held at the August 23, 2018 City Council meeting. At that Council public hearing, the applicants submitted revised proposed plans. The Council tentatively approved the HLC Appeal and reversed the HLC denial, thereby tentatively approving the New Construction Request (NC18-01) pending adoption of Findings of Fact. The Council remanded the Design Review Request (DR18-01) back to the Design Review Committee for additional consideration.

The applicants submitted revised plans (DR18-01R) for consideration on remand and the Design Review Committee held a public hearing on October 9, 2018. At that meeting, the DRC found that the revised application met all design guidelines except for two and denied the request with a split 2 to 2 vote. The two guidelines in question were *Design Guideline* ADC 14.115(B)(2)(a) which provides: "Buildings should retain significant original characteristics of scale, massing, and building material along street facades" and *Design Guideline* ADC 14.115(B)(2)(f) which provides: "Building forms should be simple single geometric shapes, e.g. square, rectangular, triangular." The decision was appealed by Hollander Hospitality (AP18-05) on November 13, 2018. The City Council elected to hear the appeal on the record and restricted its consideration of the application of design guidelines ADC 14.115(B)(2)(a) and ADC 14.115(B)(2)(f). At the December 20, 2018 meeting, the City Council considered the appeal. This was the first major project reviewed under the newly adopted BVO codes. During the public hearing, the Council noted concerns with specific language in the BVO codes that were not clear and did not reflect the intent of the code as it was written in 2015. The appeal decision was required to be based on the code language as adopted and the appeals were approved reversing the DRC denial.

The Council expressed interest in amending the code to clarify various sections of the BVO to reduce confusion and clarify the design review process. During the development meetings with the hotel applicant, there were differences in interpretation of other sections of the BVO that staff resolved with the applicant. Staff identified minor language amendments that would make the code clearer and/or consistent with other sections of the code. At a work session on February 19, 2019 with the City Council concerning the proposed amendments, the Council recommended that the building height on both the land and over-water areas be limited to a maximum height of 28' (two stories) to keep development at a pedestrian scale. They noted that the mass of even a two-story building could be a concern, and that the 30,000 square foot maximum for buildings may still be a concern. At that time, it was unclear if a solution was feasible to consider with the City Council intent to adopt the proposed amendments in a timely manner.

At its April 23, 2019 meeting, these two issues became the focus of public input and APC discussion. Therefore, in an attempt to proceed with the majority of the amendments that were not controversial, the APC split the amendment draft into two sections. One section would be just the height and gross square footage issue (A19-01B) allowing the rest of

the amendment to proceed. A19-01B portion of the request was continued to the May 28, 2019 APC meeting for further discussion. The APC recommended that the City Council adopt the proposed amendments on the first part of the request (A19-01A).

At the May 28, 2019 meeting, the APC took public comments and discussed the issues of height, mass, and the proposed Plan Districts. The APC provided staff with direction on how to draft proposed code amendments that would address these issues. While there was not a unanimous direction, some consensus direction was provided. A draft code amendment is attached for APC consideration. While the City Council had suggested a 28' maximum height, their concern with building massing was not directly addressed. The APC has suggested an alternative that would allow buildings to 35' but with a north/south orientation, maximum width of 60% of the lot, maximum individual building width of 90', and a required 60' view corridor between buildings. The APC considered this alternative to address building mass as a 28' high building the full width of the lot would virtually block all view of the River except at the street ends. For the Port and Astoria Warehousing areas, there are large distances between the rights-of-way that could be blocked by 28' high buildings.

III. PUBLIC REVIEW AND COMMENT

A. Astoria Planning Commission

A public notice was mailed to all property owners with the Bridge Vista Overlay Area, Neighborhood Associations, various agencies, and interested parties on March 5, 2019. In accordance with Section 9.020, a notice of public hearing was published in the Daily Astorian on March 19, 2019. State required Measure 56 mailing was mailed to all property owners within the Bridge Vista Overlay Area. The proposed amendment is legislative as it applies City-wide in the specific zones. As required per Article 9, on site notice was posted on March 12, 2019 in the affected overlay areas as follows: one near 2nd street at the previous appeal site (BVO); one on the corner of 30th and Marine Drive (CGO); and one near 43rd and Lief Erikson Drive (CGO).

The Astoria Planning Commission opened the public hearing at the March 26, 2019 meeting and continued the public hearing to the April 23, 2019 meeting. While additional public notice was not required, additional public notice was provided. Amendment Request (A19-01A) proceeded to City Council on June 3, 2019 and Amendment Request (A19-01B) was continued to the May 28, 2019 APC meeting and subsequently continued to the June 25, 2019 APC meeting. No additional public notice is required for the APC meetings.

B. State Agencies

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

IV. FINDINGS OF FACT

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

Finding: The proposed amendments to the Development Code is being initiated by the Community Development Director on behalf of the City Council.

- B. Section 10.050(A) states that *“The following amendment actions are considered legislative under this Code:*

1. *An amendment to the text of the Development Code or Comprehensive Plan.”*

Finding: The proposed amendment is to amend the text of the Astoria Development Code Article 14 concerning Riverfront Overlay Zones. The amendment would amend existing and create new overlay zone standards.

The proposed amendments are applicable to a large area of the City. Processing as a legislative action is appropriate.

- C. Section 10.070(A)(1) concerning Text Amendments, requires that *“The amendment is consistent with the Comprehensive Plan.”*

1. CP.005(5), General Plan Philosophy and Policy Statement states that local comprehensive plans *“Shall be regularly reviewed, and, if necessary, revised to keep them consistent with the changing needs and desires of the public they are designed to serve.”*

Finding: The City accepted the Riverfront Vision Plan in 2009 as a long-range planning framework to address the changing needs and desires of the citizens concerning Riverfront development and the need to protect the environment. Codes to implement the Vision Plan concepts were adopted by the Council. The City Council directed staff to initiate Development Code amendments to reduce the maximum building height in the BVO and add additional standards to address the concerns with clarity of the code and the desires of the public.

2. CP.010(2), Natural Features states that *“The City will cooperate to foster a high quality of development through the use of flexible development standards, cluster or open space subdivisions, the sale or use of public lands, and other techniques. Site design which conforms with the natural topography and protects natural vegetation will be encouraged. Protection of scenic views and vistas will be encouraged.”*

Finding: The proposed amendments will amend the BVO codes that implemented the Riverfront Vision Plan. The amendments include changes to existing design standards for development, protection of scenic views and vistas such as with the lower maximum height and orientation of buildings.

3. CP.015(1), General Land & Water Goals states that *"It is the primary goal of the Comprehensive Plan to maintain Astoria's existing character by encouraging a compact urban form, by strengthening the downtown core and waterfront areas, and by protecting the residential and historic character of the City's neighborhoods. It is the intent of the Plan to promote Astoria as the commercial, industrial, tourist, and cultural center of the area."*

CP.015(1), General Land & Water Goals states that *"Because of the City's strong water orientation, the Plan supports continuing regional efforts to manage the Columbia River estuary and shorelands. The City's land use controls, within this regional context, will be aimed at protecting the estuary environment and at promoting the best use of the City's shorelands."*

Finding: The proposed amendments will strengthen the existing Riverfront Vision Plan area overlay zones development standards. The design concerning building height and orientation standards protect the historic character of the City and waterfront areas. The reduction in allowable height and development along the shoreland in this area and on parcels extending over the water will help protect the estuary environment. The proposed ordinance is intended to provide the guidance to help achieve these goals.

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

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

Finding: While the proposed amendments amend existing criteria and limit development height within the Bridge Vista Area, it does not prohibit development and continues to support development of water-related and water-dependent uses in the shoreland and aquatic zones in the Bridge Vista area. It would allow flexibility for some limited other development with the creation of a process for potential future adoption of the Astoria Warehousing Plan District and the Port of Astoria West Mooring Basin Plan District. These two areas are larger land areas and redevelopment could be restricted with the proposed development standards. Allowing for future plan district adoption with some code flexibility would allow for a process to review site specific needs in these two areas in the future. Specific standards and limitations are addressed in the proposed amendments include periodic review of the need for potential plan districts. The ability for water-dependent uses to apply for a height variance is suggested.

Structure height, width, and size would be regulated so there would not be large amounts of over water development near the Maritime Memorial / Astoria Megler Bridge and near the former cannery site near 2nd Street which is limited to uses such as moorage, and other piers and dock activities. These areas would remain as protected areas even with the proposed Plan Districts. The orientation standards and reduction in building height would allow some development in this area where some over-water and in-water activity has occurred in the past while preserving the broad vistas as viewed from the River Trail and adjacent and hillside properties.

No change to allowable uses is proposed with this amendment. The existing uses would continue to be allowed within these zones and in other portions of the City.

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

5. CP.020.2 states that *"The Columbia River waterfront is considered a multiple use area. The development of this area is to be encouraged in a flexible manner, under the shorelands and estuary section."*

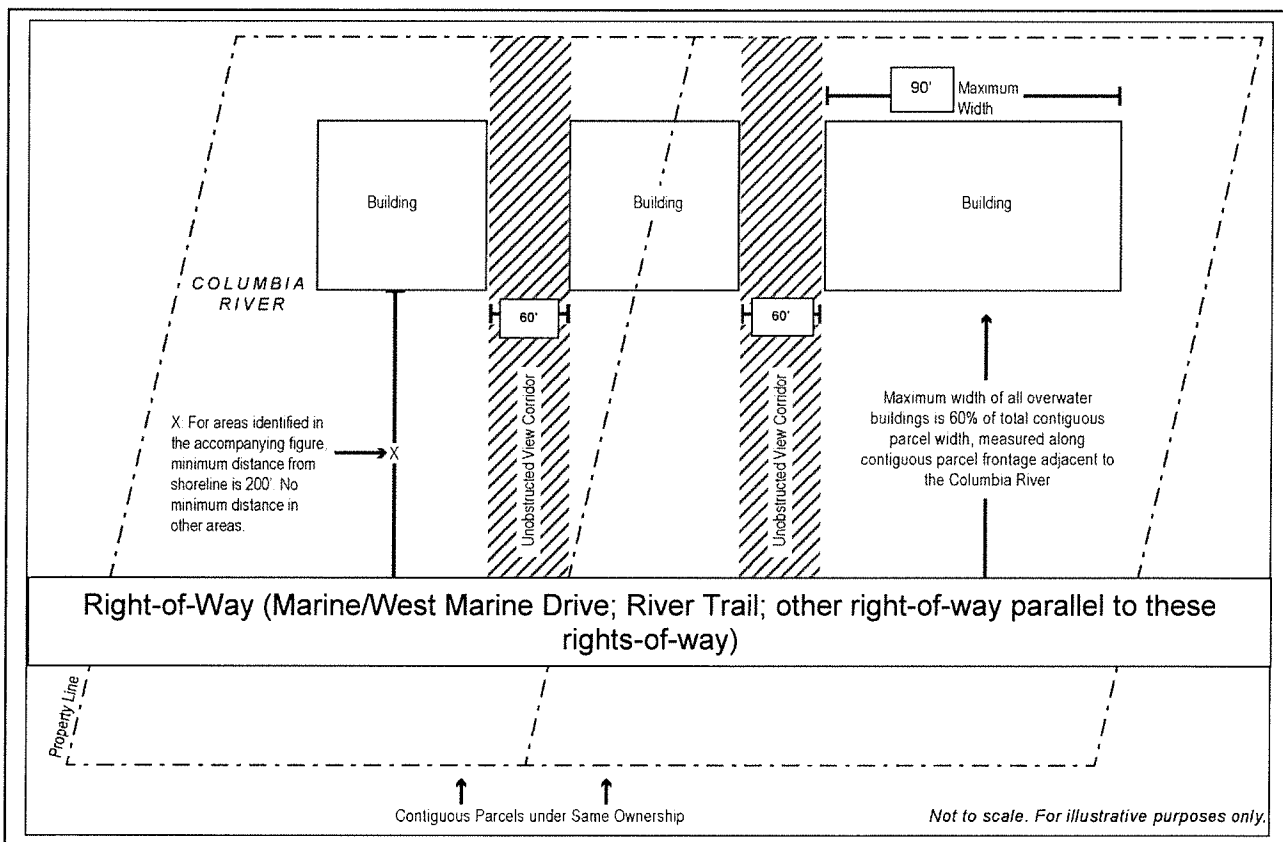
Finding: The Riverfront Vision Plan recognizes the need for development but balances that with the need to protect the vistas and views of the Columbia River, the Astoria-Megler Bridge, and the surrounding landscape. By establishing four Plan areas with different focus for development, the various sections of the Riverfront could be developed in a flexible manner. Bridge Vista Area is envisioned as more of a marine related area for overwater and shoreland development while allowing flexibility of development south of the River Trail. However, the City Council has found that the BVO code as written provided for too much flexibility and was not clear on some of the requirements such as how to review mass and scale of new buildings. The proposed amendments would still allow for some flexibility but would reduce the height and scale of buildings both on land and over water. Overall, the objectives for this area are met with the proposed allowable type and level development on land and elsewhere along the Riverfront.

The proposed amendment would allow flexibility for some limited other development with the creation of a process for potential future adoption of the Astoria Warehousing Plan District and the Port of Astoria West Mooring Basin Plan District. These two areas are larger land areas and redevelopment could be restricted with the proposed development standards. Allowing for future plan district adoption with some code flexibility would allow for a process to review site specific needs in these two areas in the future. Specific standards and limitations are addressed in the proposed amendments.

6. CP.210(1), Economic Element, Economic Development Recommendations, states that *"In the City's waterfront areas, the City will continue to promote a*

combination of tourist-oriented development, industrial development associated with the City's working waterfront, and water-related and dependent industries, and distribution and sales of goods and services for Astoria residents and businesses. These efforts will be guided by and consistent with the Astoria Riverfront Vision Plan."

Finding: The proposed amendments would not change the allowable uses in the Bridge Vista Overlay zone. It would reduce the height from potential 45' in some areas to 35' maximum with the possibility of up to 45' for affordable housing with conditions. The building orientation would be required to be on a north/south axis with a required 60' view corridor between buildings. A two-story and possible three-story building would continue to allow some development along the waterfront while reducing the mass and scale of the buildings.



7. CP.204, Economic Development Goal 5 and Goal 5 Policies, Goal states *"Encourage the preservation of Astoria's historic buildings, neighborhoods and sites and unique waterfront location in order to attract visitors and new industry."*

Finding: The proposed amendments create increased visual and physical linkages along the Columbia River with limitation on development and special siting standards for buildings and landscaping. The proposed amendments include building height limitations with building orientation and maximum widths that are consistent and reflective of the Uniontown historic area. The proposed amendments are intended to protect the views of the River which is one of the main tourist attractions to Astoria. Major loss of these views would be a detrimental impact to Astoria's economy and livability.

8. CP.038.1, Port-Uniontown Overlay Area Policies, states that *"The City will use the vision established in the Port/Uniontown Transportation Refinement Plan (2007) to direct future development in the Port- Uniontown Overlay Area. The overall Comprehensive Plan Policies are to:*
- a. Promote development that complements the surrounding areas of Downtown and the West End.*
 - b. Enhance existing primary uses, such as Port of Astoria facilities, the marina, visitor services, open space, trails, and small businesses and neighborhoods.*
 - c. Support redevelopment of former industrial sites and vacant and underutilized lots*
 - d. Stimulate development interest by establishing complementary surrounding land uses and quality development and design, and by improving transportation conditions through road construction and connections, circulation plans, and access management plans.*
 - e. Establish visual and physical linkages within and around the Port-Uniontown Overlay Area, with emphasis on the Columbia River waterfront.*
 - f. Create a pedestrian-friendly environment through the District by increasing connectivity throughout the Port-Uniontown Overlay Area, orienting buildings toward adjacent streets and pathways, extending the River Trail, adding and improving sidewalks, and enhancing the streetscape with landscaping, human-scale lighting, seating, and other amenities.*

Finding: The proposed amendments would retain the existing zoning which allows a range of allowed land uses in these areas. The revisions and/or clarifications of the building size and siting standards would preserve and/or create view corridors and preserve portions of the waterfront for vistas and views. The proposal balances the need for development and the need for public access to the waterfront by recognizing the visual connection to the river from the hillsides, the River, the River Trail, and from the highway by allowing the mixed uses but at a smaller, pedestrian scale.

The majority of the Port-owned property (Piers 1, 2, 3) are not within the BVO and not subject to the Riverfront Vision requirements. The east area of Port property including the existing former Astoria Riverwalk Inn and the area between the Inn and the Maritime Memorial are included in the BVO area. These areas are intended to be pedestrian-friendly and are partially within the Pedestrian-Oriented District. Even with the proposed potential for

the Astoria Warehousing Plan District and Port of Astoria West Mooring Basin Plan District, it is proposed that Limitation Areas and Pedestrian-Oriented District standards would still apply and would not be subject to change with a Plan District.

9. CP.038, Port-Uniontown Overlay Area Policies, states that

- “2. The City will implement the Port-Uniontown Overlay Area element of the Comprehensive Plan through its Design Review process and amendments to the Development Code that provide design and development standards.*
- 3. The City, through the Development Code, will develop a set of design standards for the Port-Uniontown Overlay Area that address building massing and orientation, architecture, access and parking, streetscape, landscaping, and other elements. These standards will apply to development projects in the District as defined in the Development Code.*
- 4. To the extent possible, the design and development standards are intended to be clear and objective so that most proposed development can be evaluated administratively. The Design Review Committee, created and enabled by the Development Code, will review appeals of administrative decisions and proposals that vary from the standards and yet may still embody the spirit of the Port-Uniontown Overlay Area.”*

Finding: The proposed amendments would revise building height and orientation standards based on the existing historic and waterfront development design of the Uniontown and Port area other than the former larger cannery buildings.

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

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

Finding: The proposed amendments would further preserve visual access to the Riverfront with the reduced height, mass, and scale. They also create siting standards to limit the size, height, and

orientation of buildings to reduce the mass and scale on the entire development site.

The reduction in height limits the use of alternative development forms relative to narrower/taller profiles, however, with a height variance for water-dependent uses, and/or the affordable housing exception, additional height can be designed for these needed uses.

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

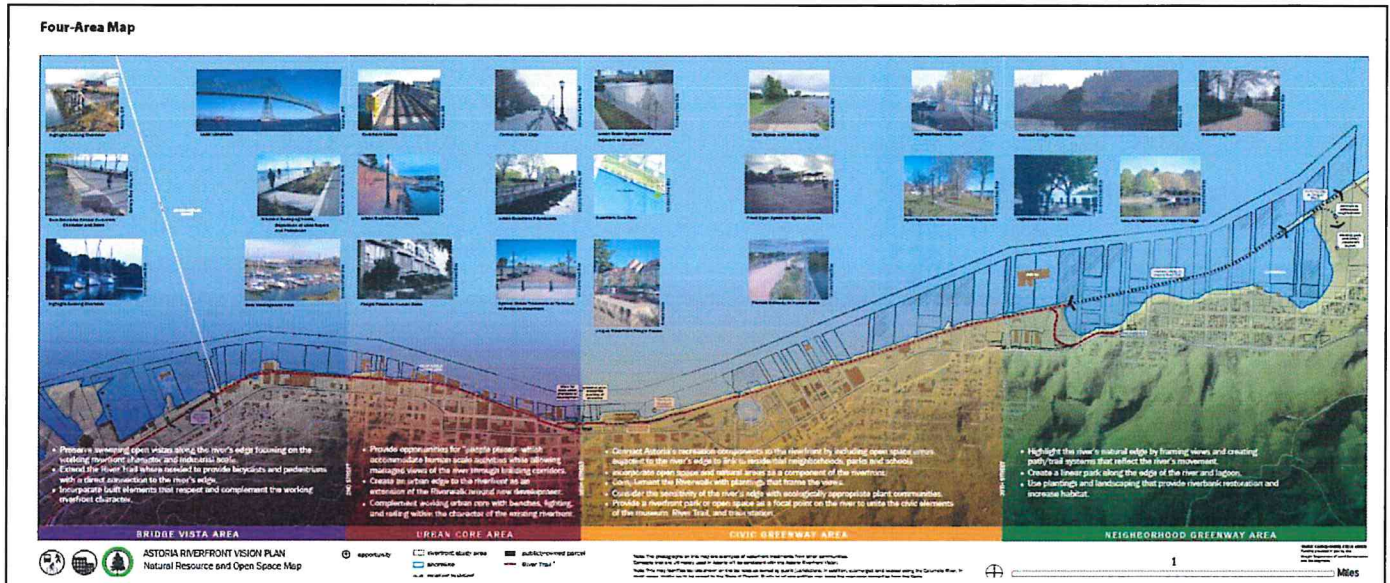
Finding: The proposed amendments would not change the allowable uses but would reduce the height and require a north/south building orientation with 60' view corridors to help preserve views and allow for development that is more in scale with the existing riverfront.

A proposed height exception to 45' for affordable housing projects would allow additional height without a variance to encourage this use. A requirement concerning the level of income and the length of time the building must be available for the affordable housing is included in the proposed language.

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

Finding: The proposed amendments would create new and amend existing height and building orientation standards that reflect the historic character of the Uniontown area for both commercial and industrial waterfront buildings and uses. The proposal would still allow for repair, restoration, and reconstruction of existing historic buildings.

Findings: The *Astoria Riverfront Vision Plan* was accepted by the City Council on December 7, 2009. The *Astoria Riverfront Vision Plan* was developed to address a series of land use, transportation, and scenic, natural, and historic resource issues along the Columbia riverfront in the City. The area spans from Pier 3 in the west to Tongue Point in the east along the Columbia River, and is divided into four sub-areas.



The subsequent Comprehensive Plan amendments were adopted on April 21, 2014. The subarea Development Code implementation sections were adopted as follows: Bridge Vista Overlay Zone (BVO) was adopted on June 15, 2015; Civic Greenway Overlay Zone was adopted on October 6, 2014; and Neighborhood Greenway Overlay Zone was adopted on December 7, 2015. Over the last year while working on the Urban Core proposed codes, the City Council has received numerous public comments including a petition requesting that the Council consider reducing the height of buildings and limit development on the Riverfront. The first major project for the area to be reviewed under the new standards was Design Review Request (DR18-01) by Fairfield Hotel for a hotel to be located on the land area at the 1 2nd Street. During the public hearing on an appeal of that issue as noted in the Background information in this document, the Council noted concerns with specific language in the BVO codes that were not clear and did not reflect the intent of the code as it was written in 2015. The appeal decision was required to be based on the code language as adopted and the appeals were approved reversing the DRC denial.

The Council expressed interest in amending the code to clarify various sections of the BVO to reduce confusion and clarify the design review process. There were several other issues that staff identified as needing clarification. These issues were addressed in Amendment Request (A19-01A) by the APC with the building height and mass separated out as Amendment Request (A19-01B).

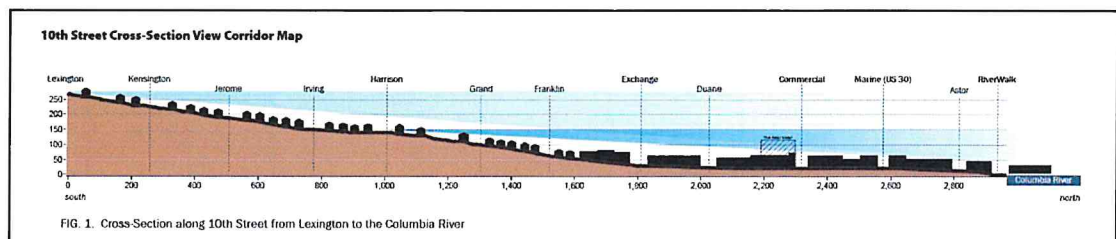
Based on public input, the City Council requested that the BVO area height be reduced to 28' from the current 35' height allowance. The current code

would allow a variance up to 45' high. The APC addressed the City Council desire for a 28' height but also looked at their concern with the mass of buildings. The APC proposed amendments that would allow a 35' building with a north/south orientation for a maximum of 60% of the lot width, maximum building width of 90', and a required view corridor of 60'. The APC considered this alternative to address building mass as a 28' high building the full width of the lot would virtually block all view of the River except at the street ends. For the Port and Astoria Warehousing areas, there are large distances between the rights-of-way that could be blocked by 28' high buildings.

An exception without the need for a variance for affordable housing projects could be allowed up to 45'; water-dependent uses over-water would be allowed a variance up to 45'; no other variances would be allowed. The Riverfront Vision Plan for BVO on Page 37 states *"Trading building height for width (mass) may be desirable in some instances, but a maximum height should be established and enforced. That maximum height likely would be on the order of one story above the base height."* The base height is not specified in the Plan. With a "base height" of 35' and the allowance for an additional story for affordable housing project exception, the proposed amendment would be consistent with the Plan.

Comprehensive Plan Section CP.068.1.e states *"Use alternative development forms (e.g., clustered development, narrower, taller profiles, setbacks, stepbacks, and gaps in building frontages) to preserve views."* The Comprehensive Plan does not specify a height but notes that a narrower/taller profile is an alternative. The APC recommended addressing the view with the narrower building orientation while allowing the 35' height. The proposed amendment does allow for the additional height with an affordable housing exception and therefore is consistent with the Comprehensive Plan.

The Riverfront Vision Plan (Page 21) addresses the view from the "hillside" and the impact of buildings up to 45' high. The Plan states *"The photographs to the right and left were taken from the top of the 11th Street stairs at Jerome Avenue. These photos help illustrate that if new or existing development was built to the maximum height allowable in the downtown district (45'), the resulting development would not substantially impact the region-wide views from the hillside."*



This section is background information for all four of the Riverfront Plan areas. During the visioning process, there was public concern not only for

the height of the building as viewed at grade level but also how it would be viewed from the hillsides. This illustration was intended to address that concern and does not state that 45' height should be permitted in all areas. The specific height for each Plan area would be determined during the code "implementation" process. When the BVO codes were adopted, the 35' height with allowance to 45' high was considered as appropriate for this area. However, when applied to the first new development proposed for this area, the public and City Council determined that the 45' height did not meet the intent of the Riverfront Vision Plan for development that was compatible with the existing development of the area. The Plan (Page 37) for BVO states *"The Bridge Vista area is adjacent to the Uniontown Neighborhood and design should be consistent with the character of the Uniontown-Alameda Historic District."* The character of this area is generally two or three stories high and 45' is the exception. Therefore, a reduction to 35' with allowance to 45' only for affordable housing would be consistent with the Uniontown area and would be consistent with the Riverfront Vision Plan. The City has followed a land use process that identified a vision for the area, implemented code language, and then through the application of the code found that the "interpretation" of how to apply the codes was problematic and did not follow the intent of the Vision Plan. The proposed amendments are being considered through the public review process and are intended as refinement and clarification of the interpretation of the Vision Plan relative to height.

The adopted Vision Plan and Comprehensive Plan do not address specific issues such as height, setbacks, uses, etc. They give guidelines for how to implement the goals of the Vision Plan such as *Promote physical and visual access to the river; Encourage a mix of uses that supports Astoria's "working waterfront" and the City's economy; Support new development that respects Astoria's historic character; Protect the health of the river and adjacent natural areas; and Enhance the River Trail.* These goals can conflict at times and the implementation of the Plan has been controversial in interpretation. The proposed amendments would not change the allowable uses within the Overlay Zone areas but would address the mass and scale of buildings and their compatibility with the character of Astoria. The working waterfront once had multiple buildings that were between one and three stories tall. Most of the existing building in Astoria are one and two stories tall with a few taller buildings along the waterfront and in other areas. There has been a lot of discussion on what a "working waterfront" should be and whether large hotels are what was envisioned. Section CP.068.2 refers to encouraging water-related business and maintaining an authentic feel of the riverfront. The proposed amendments would reduce the height of buildings keeping them in scale with most other buildings in the area and would allow for the protection of the River Trail environment.

Some of the design related amendments would help to maintain the historic character of Astoria while allowing for buildings that are not necessarily historic in design.

While possibly limiting the feasibility of some new development due to the economics of construction, the proposed amendments do not prohibit development or uses beyond what the Code allows now. The amendments are in direct response to citizen concerns and the City Council desire to clarify how to interpret the existing Code based on how they interpret the Riverfront Vision Plan and the intended results of the Code as originally adopted. The proposed amendments would be consistent with the goals of this Comprehensive Plan section.

11. CP.140.C, Columbia River Estuary Aquatic and Shoreland Designations, Development Aquatic, states *"Development Aquatic areas are designated to provide for navigation and other identified needs for public, commercial, and industrial water-dependent uses. The objective of the Development Aquatic designation is to ensure optimum utilization of appropriate aquatic areas by providing for intensive development. Such areas include deepwater adjacent to or near the shoreline, navigation channels, sub-tidal areas for in-water disposal of dredged material, areas of minimal biological significance needed for uses requiring alteration of the estuary, and areas that are not in Conservation or Natural designation. These areas are in the Aquatic One Development Zone (A-1), the Aquatic Two Development Zone (A-2), the Aquatic Two-A Development Zone (A-2A)."*

CP.140.E, Columbia River Estuary Aquatic and Shoreland Designations, Development Shoreland, states *"Development Shoreland areas are designated to provide for water-related and water-dependent development along the estuary's shoreline. These areas may present opportunities to develop uses that complement uses in Downtown Astoria, consistent with the City's Riverfront Vision Plan. Development Shoreland areas include urban or developed shorelands with little or no natural resource value, and shorelands with existing water-dependent or water-related uses. Development Shoreland areas may include scenic vistas of the Columbia River that may be an important planning objective to protect, consistent with the City's Riverfront Vision Plan. These areas are in the General Development Shorelands Zone (S-2), or the Tourist-Oriented Shorelands Zone (S-2A). Some of these areas are in residential or commercial zones with a Shorelands Overlay Zone."*

Finding: The Aquatic and Shoreland designations are not proposed to be changed, but the height in the Bridge Vista Area is proposed to be reduced from 45' to 35' with a north/south building orientation and required 60' view corridors. The height limitations would be for all uses and activities. The objective of the Riverfront Vision Plan is to protect some vistas of the Columbia River which is the intent of the proposed height reduction and north/south building orientation. The proposed amendments are consistent with the intent of this CP section.

12. CP.186.C, Cumulative Impacts, Cumulative Impact Analysis, states that
 1. *Public Access.*

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

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

Port development is often not fully compatible with public access; however, the cumulative impact of port development on public access is expected to be minor. Port development is limited to only a few sites in the estuary. Full development of all existing designated Development and Water Dependent Development shorelands would not significantly reduce public access opportunities in the Columbia River Estuary, but may have locally significant effects. . .

5. Recreation/Tourism.

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

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

Port development may generate both positive and negative impacts with respect to tourism and recreation. The passage of deep draft vessels up and down the Columbia River Estuary, together with associated tug, barge, and wharf activities, are significant elements of the Columbia River Estuary's attractiveness for visitors. Port development may also, however, generate negative impacts on recreational fishing and public access (see "Columbia River Estuary Regional Management Plan" Subsections 5.3.3. and 5.3.1.). Net cumulative impacts are believed to be positive. . .

Finding: The existing code limits some Riverfront areas to water-related and water-dependent uses consistent with the fishing industry and Port

activities. It also limits some important public view areas to development at shoreland height maximum. This supports boat ramps, marinas, moorages, etc. that are considered to be a positive impact on recreation and tourism. The proposed amendments are intended to minimize the cumulative negative impacts along the Riverfront by preserving some areas for marine development and protecting some vistas and views. The proposed amendments would reduce any future over-water or on-land development, where allowed, to 35' high with north/south building orientation and 60' wide view corridors in the BVO area to provide more visual access to the river from the River Trail, highway, hillside to the south, and from the River and lessen the cumulative negative impacts of larger developments.

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

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

2. *Public access in urban areas shall be preserved and enhanced through waterfront restoration and public facilities construction, and other actions consistent with Astoria's public access plan.*
3. *Proposed major shoreline developments shall not, individually or cumulatively, exclude the public from shoreline access to areas traditionally used for fishing, hunting or other shoreline activities. . .*
5. *Astoria will develop and implement programs for increasing public access."*

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

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

Finding: One of the reasons the Riverfront Vision Plan was developed was to enhance public access to the estuary and allow for preservation of public

open space and park areas along the Columbia River. Public access includes both physical and visual access. The River Trail along the Columbia River is used by locals as well as visitors and is maintained for its aesthetic values as well as for its transportation values. The Bridge Vista Area was identified as an area to allow some development while preserving visual and public access. The Urban Core Area was identified for more intense development and the Civic Greenway Area was identified for more open space. The existing on-land building and landscaping setback and stepbacks create wider view corridors from West Marine / Marine Drive. However, the design, mass, and scale of the proposed new development of the hotel at 2nd Street did not achieve the expectations of the adopted guidelines and standards. The City Council found them to be too flexible in their interpretation, and somewhat confusing as to how to apply mass and scale review to the proposal. It also found that 45' high buildings were not in character with the area. Therefore, the Council has requested a height reduction for the BVO.

The submerged lands (over-water) areas are owned by the State and leases are managed by Division of State Lands. Much of the waterfront area is not currently leased. The upland property owner has the first right of refusal for use of the submerged land area. However, anyone can lease from DLS. While there are tax lots platted out into the River, the tax lot owner does not pay taxes on the lot other than for improvements that are located on the lot. By State law, the public has rights to both physical and visual access to the water.

The proposed amendments would protect public visual and physical access to the River. The proposed amendment would limit the size, height, and orientation of development to minimize the impact on public access. The original standards were based on the visual impacts of the dimensions and site location of the existing Cannery Pier Hotel (10 Basin Street) located on the west end of the River Trail, and two other over-water structures at 100 31st Street (Big Red) and 100 39th Street (Pier 39). The proposed height reduction is based on the visual impact of the proposed 45' hotel with an east/west orientation which was approved with the existing guidelines and standards and the public concern that the size of the structure is not compatible with the desired development of the BVO area and Riverfront.

14. CP.460(3), Natural Resource Policies states that *"The City recognizes the importance of "trade offs" that must occur in the planning process. Although certain estuary areas have been designated for intensive development, other areas will be left in their natural condition in order to balance environmental and economic concerns."*

Finding: The proposed amendment allows for some over-water development while reducing the height. The standards maintain open areas for protection of the estuary habitat and to maintain vistas and views.

15. CP.204(3 & 4), Economic Development Goal 5 and Goal 5 Policies, Goal states *"Encourage the preservation of Astoria's historic buildings,*

neighborhoods and sites and unique waterfront location in order to attract visitors and new industry.” The Policies state

3. *Encourage the growth of tourism as a part of the economy.*
 - a. *Consider zoning standards that improve the attractiveness of the City, including designation of historic districts, stronger landscaping requirements for new construction, and Design Review requirements.*
4. *Protect historic resources such as downtown buildings to maintain local character and attract visitors.”*

CP.250(1), Historic Preservation Goals states that *“The City will Promote and encourage, by voluntary means whenever possible, the preservation, restoration and adaptive use of sites, areas, buildings, structures, appurtenances, places and elements that are indicative of Astoria's historical heritage.”*

CP.250(3), Historic Preservation Goals states that *“The City will Encourage the application of historical considerations in the beautification of Astoria's Columbia River waterfront.*

CP.200(6), Economic Development Goals states that the City will *“Encourage the preservation of Astoria's historic buildings, neighborhoods and sites and unique waterfront location in order to attract visitors and new industry.”*

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

Finding: The existing code includes height and building orientation standards to allow for development that is consistent with the development of the historic Uniontown area and that is compatible with the existing development within the entire area.

The River and River Trail are important tourism/economic assets for the City and would be protected from incompatible development with the proposed amendments. The proposed amendments clarify some height exemptions, reduce the height of structures in the BVO, and establish north/south building orientation with required 60' view corridors. The proposed code amendments would also protect more of the scenic views of the Columbia River waterfront with other standards for height and mass/scale of development. The area west of 2nd Street was the site of a former fish processing facility. This site contains a good example of the former pile field, a portion of the facility (a boiler), and historic ballast rock piles. The site and remaining structures/ features are designated historic. The City Council found it difficult to review a 45' tall hotel for compatibility with a non-habitable boiler and ballast rock piles. The proposed

amendment would dictate building orientation and reduce the height to protect views and historic sites.

16. CP.270, Parks, Recreation, and Open Space Element, Goals states that *"The City of Astoria will work:*
1. *To develop a balanced park system.*
 2. *To reflect Astoria's special qualities and characteristics. . .*
 5. *To provide or encourage waterfront parks. . .*
 7. *To promote general beautification. . .*
 12. *The City will continue its efforts to improve public access to the shoreline through:*
 - a. *The construction of public access points, pathways, and street ends;*
 - b. *The encouragement of public access projects in conjunction with private waterfront development actions, possibly through the use of local improvement districts and/or grant funds; and*
 - c. *The protection of street ends and other public lands from vacation or sale where there is the potential for public access to the water. The City will work with the Division of State Lands (DSL) to determine the status of submerged and submersible lands adjacent to the City street ends."*

Finding: The City has established a River Trail along the Columbia River as a City park. The Riverfront Vision Plan identifies this as a public area and encourages protection of a portion of the public views and vistas in the Bridge Vista Area. The RVP for the Bridge Vista Planning Area identified Land Use Assumptions and Objectives which state that *"This area is an appropriate location for new overwater development, should it occur. However, specific areas should remain open to preserve broad view of the river..."*

As noted above, the submerged lands (over-water) areas are owned by the State and leases are managed by Division of State Lands. Much of the waterfront area is not currently leased. By State law, the public has rights to both physical and visual access to the water.

The proposed amendments address the building orientation, size, and height for development on both the water and land side of the River Trail with the reduction in height for BVO from 45' to 35' and with limitation of building size with the north/south building orientation and required maximum widths and required view corridors would protect the waterfront park from incompatible intrusions.

17. CP.470(1), Citizen Involvement states that *"Citizens, including residents and property owners, shall have the opportunity to be involved in all phases of the planning efforts of the City, including collection of data and the development of policies."*

Finding: Throughout the process of drafting the original Riverfront overlay areas ordinances, the City provided extensive public outreach. With the

review of the recent HLC and DRC permits for the hotel and the subsequent appeal hearing, the public were provided many opportunities to be involved in the process. Invitations and notices were sent to interested parties, neighborhood associations, property owners, stakeholders, email lists, web site, notices in the *Daily Astorian*, etc. to advise them of the opportunity to provide suggestions and comments. The Council considered the public input but recognized that the current proposal would need to be evaluated against the existing code, and that the code was unclear on several issues. Due to the lack of clarity and the extensive public comments, the City Council initiated the process to amend the code to better address the needs of the reviewing bodies and the desires of the general public. A work session with public input was held by the City Council at their February 19, 2019 meeting. A code amendment was processed through additional public hearings before the Planning Commission on March 26, 2019 and April 23, 2019, and before the City Council on June 3, 2019 to address these concerns. Due to the complexity of the height and mass of buildings, those issues were separated from the original application and are being processed through separate additional public hearings before the Planning Commission on May 28, 2019 and June 25, 2019, and the City Council to address these concerns.

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

Finding: The request is consistent with the Comprehensive Plan.

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

Finding: The proposed amendment will satisfy land use needs in that it will allow for the development of private properties while protecting the vistas and views along the Bridge Vista Area of the River Trail. The proposed amendment further limits the allowable development height in this area thereby reducing some of the impacts associated with a more intensive development.

Change in allowable uses is not being proposed and will not change the Buildable Lands Inventory statistics. The proposed amendment will not adversely affect the ability of the City to satisfy land and water use needs.

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

"(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or

(10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
- (b) Change standards implementing a functional classification system; or*
- (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
 - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
 - (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.”*

Finding: No map amendment is proposed. No change in use is proposed. The proposed amendments would impact the height and orientation of buildings. The proposed amendments will not impact transportation facilities. The proposed amendments comply with the Oregon Administrative Rules Section 660-012-0060 (Plan and Land Use Regulation Amendments) requirements. At the time of adoption of either the Astoria Warehousing Plan District or the Port of Astoria West Mooring Basin Plan District, and application of any map amendment designating these areas, the OAR should be addressed.

- F. ORS 197.303 and ORS 197.307 relate to State required standards for certain housing in urban growth areas. The ORS state the following:

“ORS 197.303, Needed Housing Defined.

- (1) As used in ORS 197.307 (Effect of need for certain housing in urban growth areas), “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low*

incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. "Needed housing" includes the following housing types:

- (a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;
- (b) Government assisted housing;
- (c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 (Policy) to 197.490 (Restriction on establishment of park);
- (d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and
- (e) Housing for farmworkers."

"ORS 197.307, Effect of need for certain housing in urban growth areas

- *approval standards for residential development*
 - *placement standards for approval of manufactured dwellings*
- (1) *The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including housing for farmworkers, is a matter of statewide concern.*
 - (2) *Many persons of lower, middle and fixed income depend on government assisted housing as a source of affordable, decent, safe and sanitary housing.*
 - (3) *When a need has been shown for housing within an urban growth boundary at particular price ranges and rent levels, needed housing shall be permitted in one or more zoning districts or in zones described by some comprehensive plans as overlay zones with sufficient buildable land to satisfy that need.*
 - (4) *Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. The standards, conditions and procedures:*
 - (a) *May include, but are not limited to, one or more provisions regulating the density or height of a development.*
 - (b) *May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.*
 - (5) *The provisions of subsection (4) of this section do not apply to:*
 - (a) *An application or permit for residential development in an area identified in a formally adopted central city plan, or a regional center as defined by Metro, in a city with a population of 500,000 or more.*
 - (b) *An application or permit for residential development in historic areas designated for protection under a land use planning goal protecting historic areas.*
 - (6) *In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in subsection (4) of this section, a local government may adopt and apply an alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:*

- (a) *The applicant retains the option of proceeding under the approval process that meets the requirements of subsection (4) of this section;*
 - (b) *The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and*
 - (c) *The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in subsection (4) of this section.*
- (7) *Subject to subsection (4) of this section, this section does not infringe on a local government's prerogative to:*
- (a) *Set approval standards under which a particular housing type is permitted outright;*
 - (b) *Impose special conditions upon approval of a specific development proposal; or*
 - (c) *Establish approval procedures."*

Finding: State regulations require cities and counties to zone for all types of housing. The ORS defines "needed housing" to include affordable, low income, and very low-income housing types. ORS 197.307 addresses the determination of needed housing, allowable standards, and a clear process for design review. The City of Astoria conducted a Buildable Lands Inventory which was adopted in 2011. The report noted that there was surplus land zoned for medium and high-density residential development but a deficit of low-density residential land for an overall deficit of land zoned for residential use. There have been minor zone amendments since 2011 but the overall surplus and deficit is about the same. Multi-family residential use is also allowed in some non-residential zones allowing for more high-density residential development. The proposed amendments would still allow for multi-family dwellings in the commercial zone and would not reduce the "residentially zoned" land supply.

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

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

Source: Wingard Planning & Development Services

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

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

Growth Scenario	Type of Use	Commercial (Office/Retail)	Industrial/Other	Total
Medium	Land Need	38.2	11.5	49.7
	Land Supply	17.1	39.3	56.4
Surplus/(Deficit)	Surplus/(Deficit)	(21.1)	27.8	6.7

Source: Cogan Owens Cogan

The proposed amendments would allow a height exception to 45' for affordable housing with specified number of units, income level, and length of time the housing must be available as affordable housing.

The proposed amendments would be in compliance with the above noted ORS requirements relative to housing.

- G. The Clatsop County Housing Strategies Report (January 2019 Draft) addresses housing issues in the County and the five jurisdictions within the County including Astoria. The Report has not yet been adopted by the communities.

1. The Draft (Page 3, Introduction and Overview) states that *“The strategies presented in this report reflect the following overarching findings that have come to light during this process. These findings apply on a county-wide basis, and apply to the individual cities to different degrees:*

1) Sufficient Supply, but Not the Right Types of Housing

- ☐ *Technically, there seems to be a sufficient supply of land and number of housing units to meet both current and future needs. However, much of this supply serves the second home and short-term rental market, leaving insufficient supply for year-round residents to both purchase or rent. In addition, some of the supply of future residential land suffers from a variety of constraints related to natural features and hazards, infrastructure challenges, or other issues.*

2) Add the Right Types of Supply

- ☐ *Strategies should focus on adding the right type of supply, meaning home-buying opportunities at affordable price points, and more multi-family rental housing.*
- ☐ *Adding “missing middle” housing types such as townhomes, cottage clusters, and medium density housing can help to meeting the needs of first-time homebuyers. This housing, if not located in the most sought- after beach locations, should be less attractive to second home buyers.*
- ☐ *Increased multi-family rental housing development should be encouraged to serve the local service, tourism, and other working-class sectors.”*

Finding: Astoria has addressed part of the first issue “Sufficient Supply, but Not the Right Types of Housing” as described in this section by regulating transient lodging that could otherwise be utilized for year-round residents. Vacation homes and other short-term rentals that are not occupied by owners at the same time as guests are prohibited in Astoria. There is a large portion of the available “residential” property in Astoria that has constraints such as natural features and infrastructure challenges. These properties are available for development but are more challenging. The second issue of “Add the Right Types of Supply” addresses the need for affordable housing not just high-end housing and even suggests that it not be located “. . . in the most sought-after

beach locations. . .” which for Astoria is the Riverfront locations. The City has adopted standards for a Compact Residential Zone to allow for cottage clusters and more affordable housing development. These standards could be applied to any area with a zone change to implement it. The City also has a Planned Development Overlay Zone that allows for development flexibility which could accommodate more affordable housing. The Riverfront area is generally not the area that would be developed for affordable housing as it would be considered more desirable for high-end housing especially due to the higher costs to develop along the waterfront. The proposed amendments to the Bridge Vista area would reduce the base height of buildings to 35’ which would still allow housing above the first floor. In addition, the proposed amendments would allow a height exception without a variance to 45’ to allow for affordable housing. Standards for income level and availability of the units as affordable housing for a minimum of 25 years are included.

2. The Housing Study (Page 4, Section 2, Housing Trends, Key Findings) states *“The overall findings of our technical analysis of current housing conditions (Appendix A) include: . . .*
 - *Newly-built housing supply will tend to be more expensive housing, as it is up-to-date and in better condition than older housing. However, adding new supply for higher-income households is necessary to allow the older housing supply to “filter” to those with more modest income.*
 - *Denser forms of housing, such as townhomes and condos rather than single family homes, may help create some smaller and lower-priced housing stock that can serve first-time and lower-income buyers. In addition, housing in areas less attractive to tourists (for instance, further from the beach or the town center) may be less likely to be consumed by second home seekers or investors. . .”*

Finding: Housing for first-time and lower-income buyers could be provided through the Compact Residential Zone, Planned Development Overlay Zone, and in existing medium and high-density zoned areas which are currently noted as being in surplus in the Buildable Lands Inventory. As noted above, some of these areas may be more challenging to develop. However, the proposed amendments would allow for housing to be developed along the Riverfront but as noted in the Study, these may not likely be developed as affordable housing.

3. The Housing Study, Land Supply Strategy 3 (Page 8, Refine BLI Data and Results - for Warrenton and Astoria) states *“The City of Astoria noted major constraints associated with federally owned land within the UGB. This land is shown as potentially buildable in the current BLI results but may not in fact be available for development during the planning period, based on constraints associated with federal ownership and management of this area. The City should work with other*

government agencies to clarify the status of this land and remove it from the BLI as appropriate. . .”

Finding: As noted in the Report, the City has other strategies available for addressing the availability of land for residential development. The reduction in height for the small area along the Riverfront in Bridge Vista would reduce one floor of housing (45' to 35' reductions) in a more high-end development area and would not eliminate the possibility of some housing in this area. Affordable housing is proposed to be allowed to 45'.

4. The Housing Study, Policy and Development Code Strategy 4 (Page 14, Support High Density Housing in Commercial Zones) identifies the following as possible code amendment strategies:
*“Allow multi-family housing outright.
Consider allowing single-family attached housing.
Allow vertical mixed-use development outright.
Adopt a minimum density standard.
Tailor development and density standards.”*

Finding: The proposed code amendments would not change the allowable uses in the Bridge Vista area. Multi-family residential development in the C-3 General Commercial Zone in this area would be allowed outright. As noted above the Compact Residential Zone is a possibility for potential rezoning. The proposed amendments would continue to allow housing above commercial uses in mixed-use development projects.

Finding: While not an adopted Report, this Report was referenced by the attorney for Astoria Warehousing in a letter dated April 9, 2019 which was provided to the APC at an earlier meeting. The above Findings address some of the issues raised in this letter and other issues in the Draft Report. Overall, the proposed amendments would not be in conflict with the strategies identified in the Report as there are multiple suggested strategies and the proposed amendments would not prohibit residential development in some areas of the Bridge Vista Overlay area.

V. CONCLUSION AND RECOMMENDATION

The request is consistent with the Comprehensive Plan and Development Code. Staff recommends that the Planning Commission hold a public hearing and recommend that the City Council adopt the proposed amendments.

CODE AMENDMENT SYNOPSIS
6-12-19

Article 14 Riverfront Vision - Part B - Height and Gross Square Footage

Code Section	Code Designation	Proposed Change
14.100.C.2	Standards for Overwater Development, BVO	Amend height from 35' to 28' and remove setback requirement; remove setback requirement; keep height at 35'; allow variance to 45' for water-dependent uses; change title of figure 14.100-2
14.100.D.2	Standards for Overwater Development, BVO	Amend reference to area
14.100.E	Standards for Overwater Development, BVO	Amend maximum building width from 150' to 90' and increase view corridor from 40' to 60
14.113.A	Standards for On Land Development, BVO	Amend to allow 35' height with no variance; add height exception to 45' for affordable housing;
14.113.C	Standards for On Land Development, BVO	eliminate setback; add north/south building orientation requirement
14.113.D	Building Size, On-Land	Eliminate maximum gross floor area; add width and spacing standards for buildings
14.124 14.125 14.126	Port Plan District; BVO	Add section on process to adopt Port of Astoria West Mooring Basin Plan District
14.127 14.128 14.129	Astoria Warehousing Plan District; BVO	Add section on process to adopt Astoria Warehousing Plan District

DEVELOPMENT CODE UPDATES

Annotated

June 18, 2019

ARTICLE 14 - RIVERFRONT VISION PLAN PART B - HEIGHT, GROSS SQUARE FOOTAGE, PLAN DISTRICTS

Legend:

Annotated - staff notes for intent and/or explanation of amendment

Changes already sent to DLCD Notice

Changes not sent to DLCD

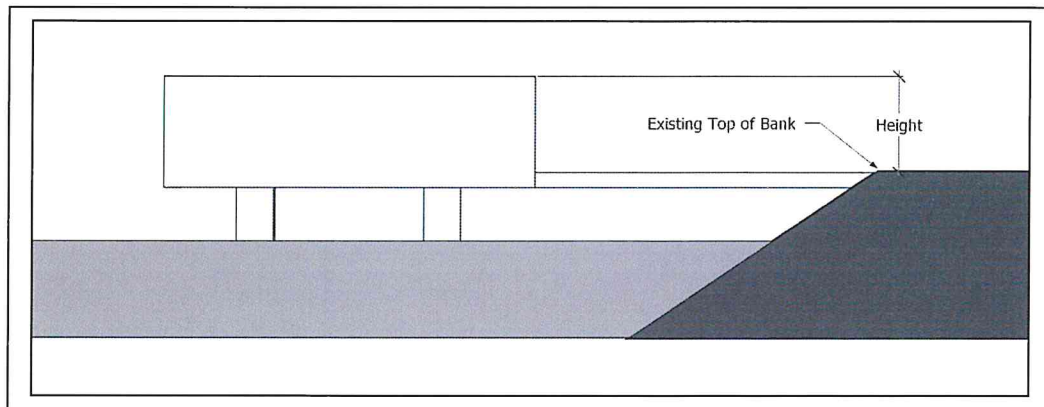
Section 14.100.C.2, Standards for Overwater Development, Distance from Shore and Height for the Bridge Vista Overlay Area, is deleted in its entirety and replaced to read as follows:

2. Structures Outside Within Overwater Development Non-Limitation Areas (Figure -14.090-1). The maximum height shall be 35 feet from the top of the existing adjacent riverbank. No variance may be granted for an exception to this height limitation except as follows:

- a. Water-dependent uses over water may construct water-dependent / water-related needed facilities up to 45' with a variance. The added feature is subject to all other design and/or location standards of the Code.

(Annotated: Reference to "non-limitation" areas is to be consistent with the Code maps identifying areas for development versus "limitation areas" where development is limited to top of bank height. This allows water uses to have additional height rather than other commercial development that does not require water location.)

Figure 14.100-2: Maximum Building Height Outside of Within Overwater Development Non-Limitation Areas



Section 14.100.D.2, Standards for Overwater Development, Building Size, for the Bridge Vista Overlay Area, is deleted in its entirety and replaced to read as follows:

2. Structures ~~outside of~~ within the overwater development Non-Limitation Areas (Figure 14.090-1). There shall be no maximum gross floor area for buildings located in these areas.

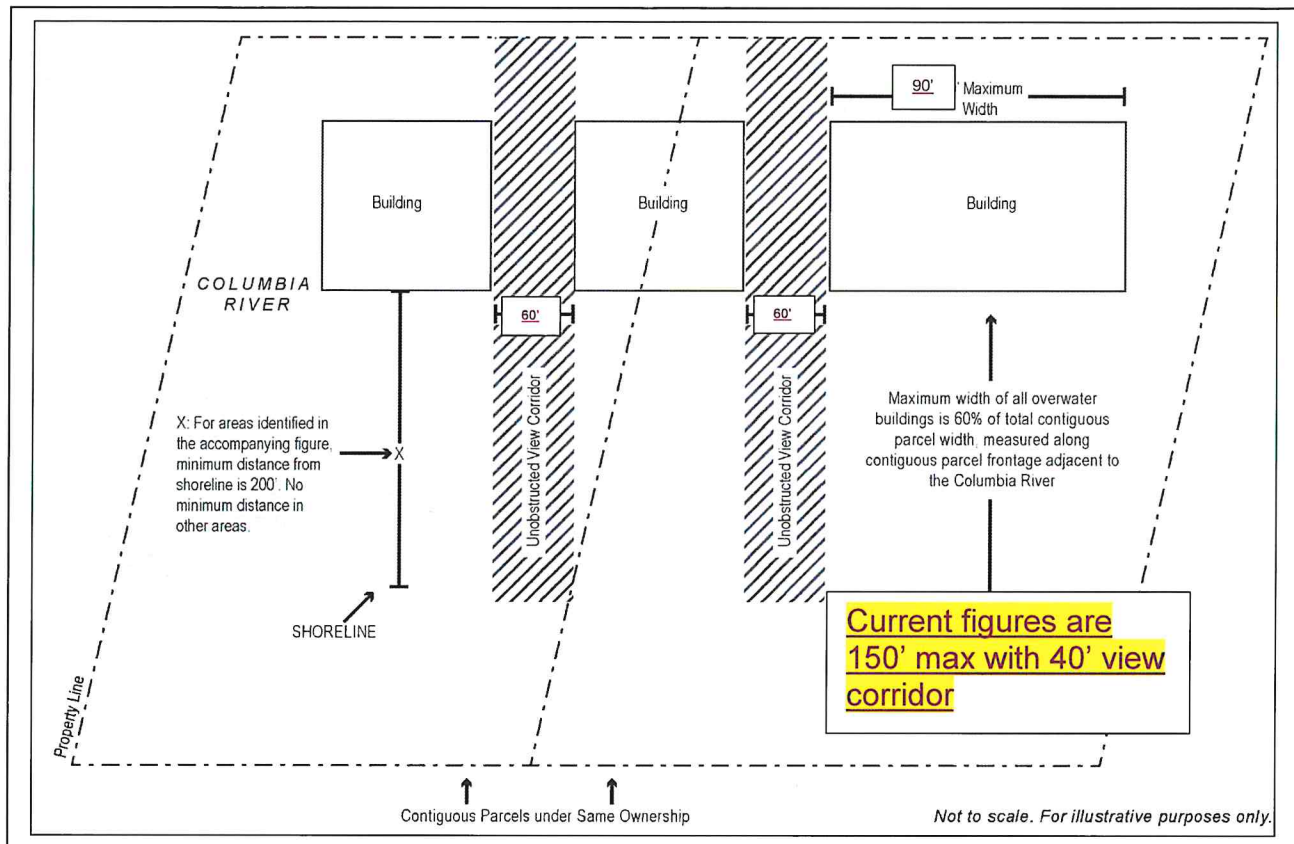
(Annotated: Buildings over water are limited by percentage of width in 14.100.E)

Section 14.100.E, Standards for Overwater Development, for the Bridge Vista Overlay Area, is deleted in its entirety and replaced to read as follows:

E. Width and Spacing.

1. The maximum width of an individual overwater building shall be a maximum of 60% of the total parcel width (measured along the parcel frontage adjacent to the Columbia River shoreline) or ~~450~~ 90 feet, whichever is less.
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 ~~450~~ 90 feet in width.
3. There shall be a minimum ~~40~~ 60 feet wide, unobstructed view corridor separation between individual buildings.

Figure 14.100-3: Maximum Building Width (200'+ from Shoreline or 300'+ from North Edge of River Trail Right-of-Way)



(Annotated: With the proposed on-land 60' view corridor and max 90' wide buildings, it would be advisable to have the over-water dimensions the same to allow for the clear view areas to be the same.)

Section 14.113, Standards for On-Land Development, for the Bridge Vista Overlay Area, is deleted in its entirety and replaced to read as follows:

“14.113. STANDARDS FOR ON-LAND DEVELOPMENT.

The following development standards apply to on-land development in the Bridge Vista Overlay Zone south of the River Trail /50-foot wide railroad line property. The Overwater Development standards shall apply to on-land development north of the River Trail /50-foot wide railroad line property. In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control.

(Annotated: This change is pending under A19-01A.)

A. Height.

1. Maximum building height is 35 feet except as noted in subsection (2) of this section. No variance may be granted for an exception to this height limitation.

2. ~~A variance may be granted for a building height up to 45 35 feet, is permitted when building stories above 24 15 feet or one story are stepped back at least 10 feet in accordance with Section 14.113.C and in accordance with Article 12 for Variances.~~

(Annotated: The APC consensus was to limit all buildings to 35' height and not allow variances and not require setbacks, but require north/south orientation with larger view corridors.)

3. ~~Exceptions to building height restrictions may be granted through provisions in Section 3.075.~~

2. Building height exception up to 45 feet is permitted without a variance for buildings that include multi-family housing with the following conditions:

- a. 25 percent of proposed units shall be 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; and
- b. the affordable housing requirement shall apply to the property for a minimum of 25 years; and
- c. the building shall be subject to all other code requirements; and
- d. only one building height exception shall be allowed within 300' of another building with this height exception.

(Annotated: The APC discussed the issue of needed affordable housing. This language is in the Urban Core draft amendment and would allow additional height if it includes affordable housing without needing to go through the variance process. APC needs to determine if 45' is allowable for needed housing but would still need to meet other requirements. By adding a 300' limitation, it would prevent more than one building per block to use this exception.)

B. Setbacks.

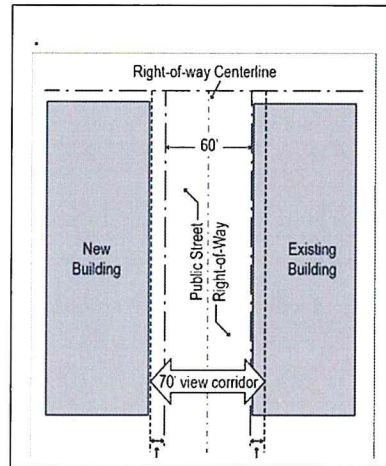
1. Minimum Setbacks.

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

A minimum view corridor width of 70 feet, centered on the right-of-way centerline, shall be provided on north-south rights-of-way between West Marine Drive / Marine Drive and the Columbia River. Buildings shall be set back in order to achieve the 70-foot 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 14.113.1: Minimum Setbacks”



(Annotated: This change is pending under A19-01A.)

b. Adjacent to the River Trail.

- (1) The minimum setback adjacent to the River Trail shall be ~~40~~ 20 feet on the south side of the Trail and 20 feet on the north side of the Trail.

(Annotated: With the removal of the setback requirement above 28', the setback from the River Trail is proposed to be increased to 20' to compensate for the potential taller buildings adjacent to 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 West Marine Drive / Marine Drive and Other Rights-of-Way Parallel to West Marine Drive (except River Trail).

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

2. Maximum Setbacks.

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

The maximum setback for yards fronting West Marine Drive / Marine Drive and all parallel rights-of-way in the Bridge Vista 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 Bridge Vista 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.

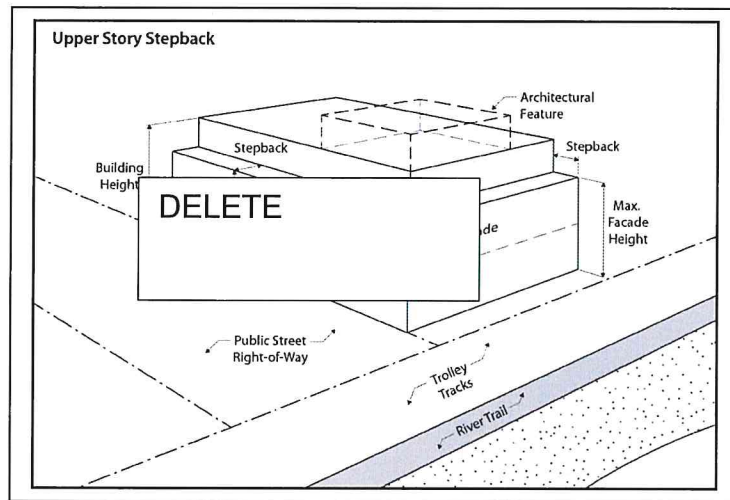
A variance may be granted for additional building height in accordance with Article 12 and Article 9 procedures with the following conditions:

a. Where the height of a building or building addition is proposed to exceed 24 15 feet or one story, at least that portion of the building exceeding 24 15 feet or one story, shall provide a stepback of at least 10 feet from the front plane of the proposed building or building addition that faces the street right of way or the River Trail.

b. Balconies and/or fixed awnings (see Section 14.115.G.3) shall not encroach into the required 10-foot stepback area; buildings must be stepped back further in order to accommodate balconies.

c. Balcony railings constructed to a maximum height of 28' are not encroachments when the building facade above the top of rail is stepped back 10'.

Figure 14.113-1: Building Stepbacks



(Annotated: APC consensus was to require N/S building orientation with larger view corridor in lieu of stepbacks.)

C. Building Orientation.

Structures shall be constructed on a north-south orientation perpendicular to Marine Drive / West Marine Drive and/or the River Trail or other rights-of-way parallel to these rights-of-way.

D. Size.

The gross floor area of on-land development commercial uses in the Bridge Vista 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") except as noted below:

1. See Astoria Warehousing Plan District Section 14.127 to 14.129.
2. See Port of Astoria West Mooring Basing Plan District Section 14.124 to 14.126.

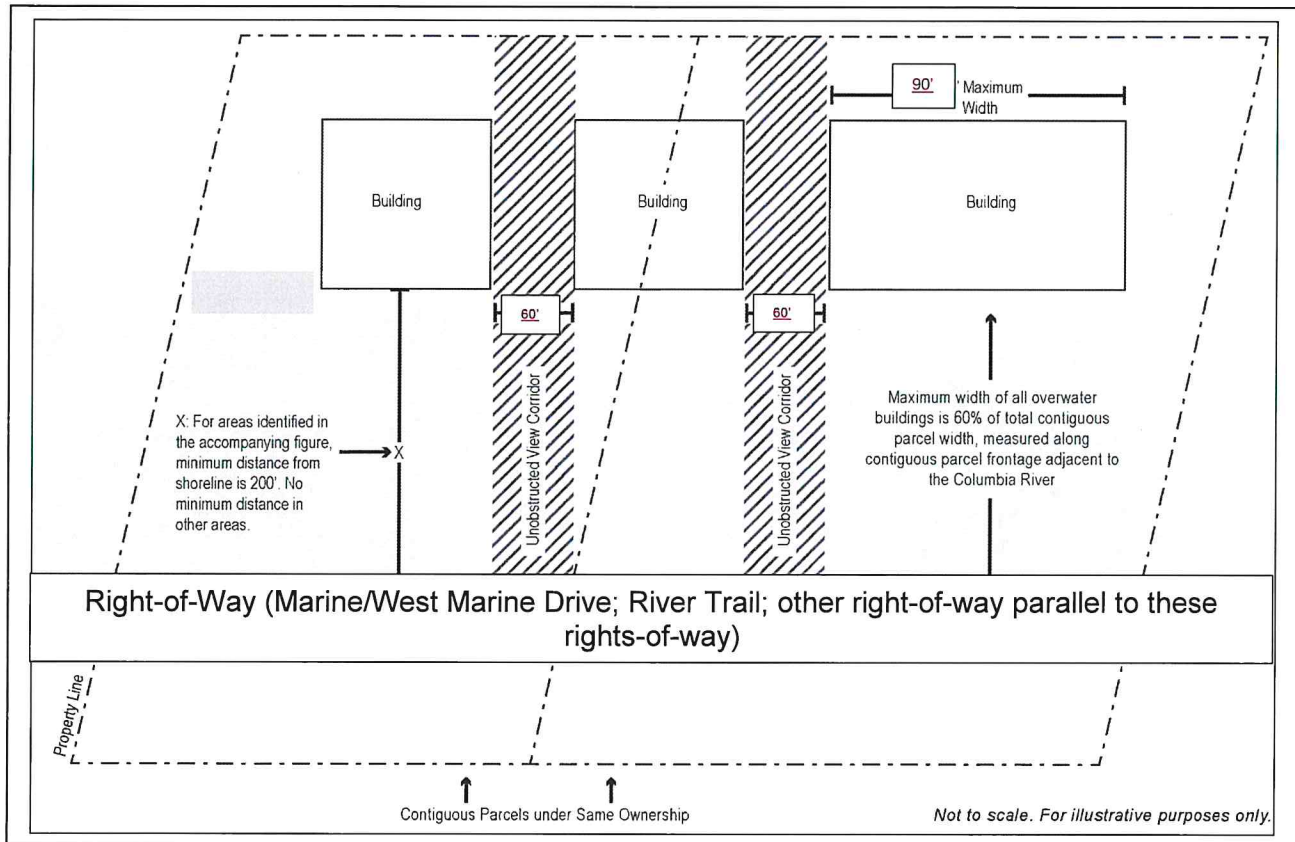
D. Width and Spacing.

1. The maximum width of an individual on-land building shall be a maximum of 60% of the total parcel width (measured along the parcel frontage adjacent to Marine Drive / West Marine Drive and/or the River Trail or other rights-of-way parallel to these rights-of-way) or 90 feet, whichever is less.
2. The maximum combined width of all on-land 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 Marine Drive / West Marine Drive and/or the River Trail or other

rights-of-way parallel to these rights-of-way) with no individual building exceeding 90 feet in width.

3. There shall be a minimum 60 feet wide, unobstructed view corridor separation between individual buildings.

Figure 14.113-1: Maximum Building Width and Spacing



(Annotated: Graphic will be refined once APC determines this is the draft to process. This is taken from the overwater code diagram.)

PORT OF ASTORIA WEST MOORING BASIN PLAN DISTRICT
Annotated Draft
6-6-19

Section 14.125, Parking” is Renumbered as 14.122.

(Annotate: The following is language from the East Basin Plan District in CGO that could be applied to the area currently occupied by Port of Astoria. This is a large area over five acres and proposed and existing limitation within the BVO could limit redevelopment of this area.)

14.124. PORT OF ASTORIA WEST MOORING BASIN PLAN DISTRICT.

The property situated approximately between Portway Avenue to the west, Bay Street to the east, the top of bank to the north, and West Marine Drive to the south, shall constitute a subarea within the Bridge Vista Overlay Zone. The purpose of this subarea is to permit adoption of development standards, known as a Plan District, not applicable to other properties in the Bridge Vista Overlay Zone. If approved under the criteria of Section 14.124.A the Plan District shall be known as the Port of Astoria West Mooring Basin Plan District.

A. Plan District Adoption Criteria.

A Plan District may be established if all the following adoption criteria are met:

1. The area proposed for the Plan District has special characteristics or problems of a natural, economic, historic, public facility, or transitional land use or development nature which are not common to other areas of the Bridge Vista Area. Economic viability of a project alone shall not be deemed as justification for the proposed modifications;

(Annotated: by adding economic viability alone as not justification, it should address the issue of “public” benefit rather than “developer” benefit.)

2. Existing base and overlay zone provisions limited to those identified in Section 14.124.D are inadequate to achieve a desired public benefit as identified by the City Council, and/or to address identified needs or problems in the area;
3. The proposed Plan District and regulations result from a Plan documenting the special characteristics or problems of the area and explain how a Plan District will best address relevant issues; and
4. The regulations of the Plan District conform with the Comprehensive Plan and do not prohibit, or limit uses or development allowed by the base zone without clear justification.

B. Review.

After adoption of Port of Astoria West Mooring Basin Plan District regulations, the Planning Commission shall periodically review the Port of Astoria West Mooring Basin Plan District and its regulations every five years to determine the impacts on development, the usefulness and usability of the regulations, and the public need for any amendments to the regulations.

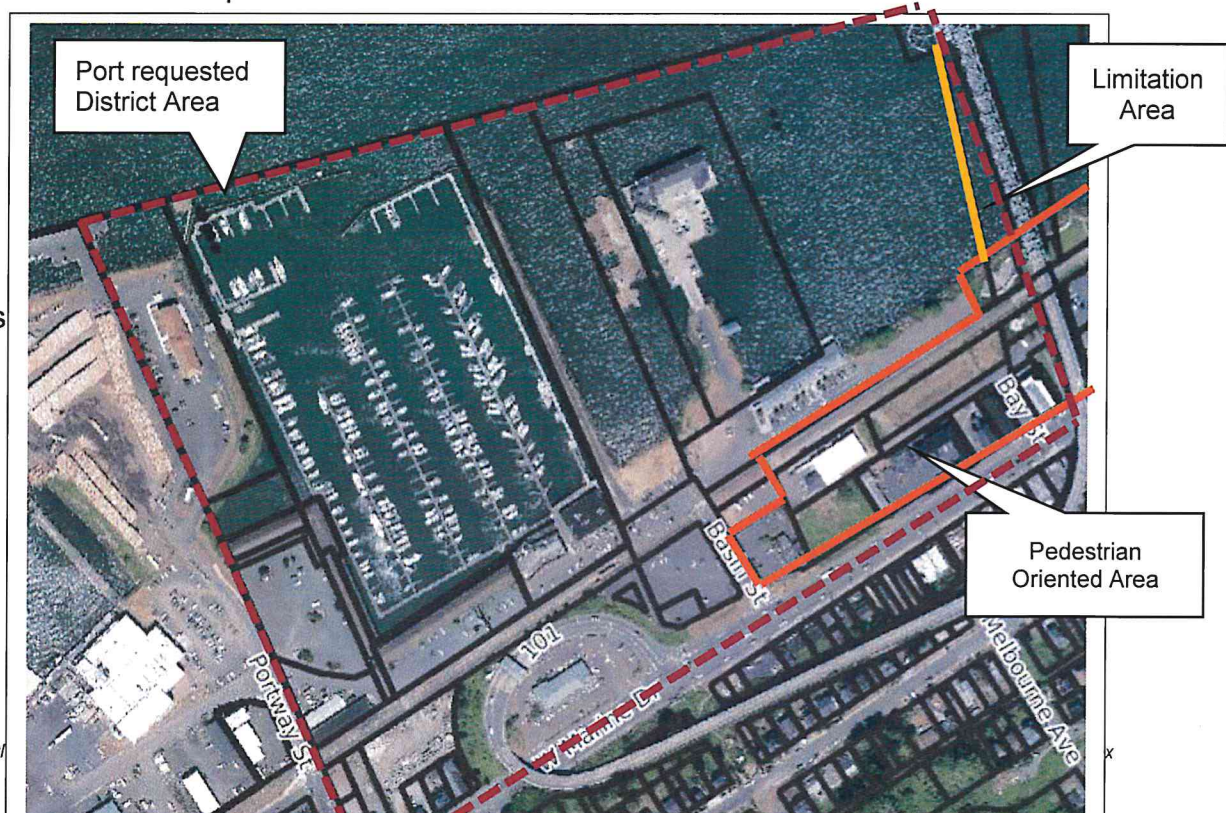
1. Sunset Clause.

Application to establish the Astoria Warehousing Plan District shall occur no later than January 1, 2025. If an application is not received by that date, the Planning Commission shall re-evaluate the appropriateness and/or need for a Plan District as noted in Sections 14.124 to 14.126. Any changes and/or the elimination of these sections shall be processed as a legislative text amendment in accordance with Development Code Articles 9 and 10.

(Annotated: APC indicated a desire for a sunset clause. The intro paragraph addresses periodic reviews once a Plan District is adopted. Section 1 would be applicable if the District is not adopted by a certain date. Five years was selected as it can take two to three years to identify a need and develop a Master Plan to be reviewed by the City.)

C. Mapping.

The boundaries of the Port of Astoria West Mooring Basin Plan District are illustrated on a map referenced below and generally are described as the land area north of West Marine Drive between Portway Avenue and Bay Street. The over-water area within the Plan District shall not be subject to changes from the approved Bridge Vista Overlay uses, standards, and/or requirements. The boundaries may be refined as part of the Plan District adoption or amendment.



(Annotated: The District could include the Port of Astoria area near the Maritime Memorial and Riverwalk Inn as well as the ODOT and Ocean Beauty properties these are large adjacent sites that could be developed as a larger project.)

Figure 14.090-2, Pedestrian-Oriented District

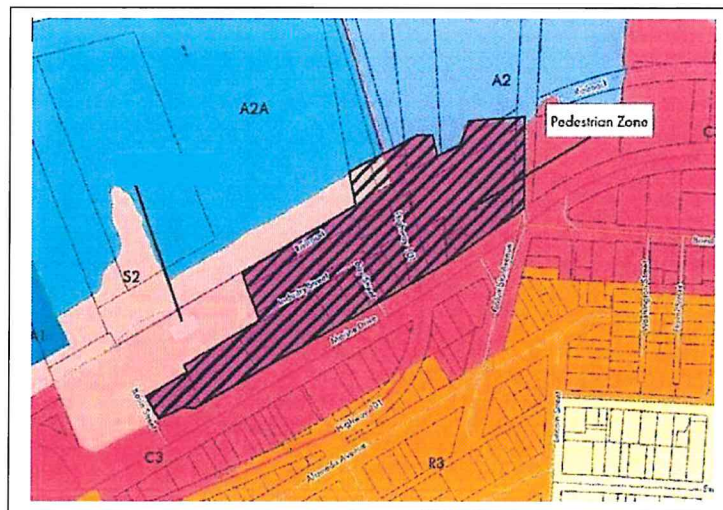


Figure 14.090-1: Limitation Area



D. Standards.

The standards for the on-land area within the Port of Astoria West Mooring Basin Plan District may expressly change and vary from those applicable under the Bridge Vista Overlay Zone and those of the base zone. The over-water area within the Plan District shall not be subject to changes from the approved Bridge Vista Overlay uses, standards, and/or requirements. Such on-land changes may include:

1. ~~Adding uses;~~ (BVO already has added uses beyond the base zone)
2. Changes to building height limits up to a maximum of 45' high within the maximum of 90' width as noted in Section 14.113.D;
3. ~~Setback or view corridor modifications.~~ No reduction in view corridors shall be allowed;

(Annotated: eliminated the view corridor modification to maintain the views of the River as intended by the BVO. Building size and footprint in Section 4 would allow a wider building but still maintain the 60' wide view corridor.)

4. Building size and permissible footprint.
5. "Limitation Areas" shall remain as "Limitation Areas" with the existing standards.
6. "Pedestrian Oriented Area" shall remain as "Pedestrian Oriented Area" with the existing standards.

(Annotated: Excluded the "Limitation Area" water area to continue with the intent of the BVO to protect some views in this area and prevent possible intensive over-water development contrary to Riverfront Vision Plan. Keep the "Pedestrian Oriented Area" designation to keep some limitations based on the original BVO.)

E. Application Procedure.

1. An application to establish the Port of Astoria West Mooring Basin Plan District shall be processed through the following procedures:
 - a. The City or Port of Astoria may apply to establish development regulations that affect one or more properties within the Port of Astoria West Mooring Basin Plan District.
 - b. An application to establish regulations that would govern development within the Port of Astoria West Mooring Basin Plan District is a legislative text amendment processed in accordance with the procedures established in Section 14.124 and in Development Code Articles 9 and 10.

- c. An application to establish the boundaries of the Port of Astoria West Mooring Basin Plan District Overlay area is a legislative map amendment processed in accordance with the procedures established in Section 14.124 and in Development Code Articles 9 and 10 and may be processed concurrently with applications under subsection E.1.a.
- d. The application shall include a master plan for the site along with written justification for the need to establish the Plan District and the specific proposed code modifications. Economic viability of a project alone shall not be deemed as justification for the proposed modifications.

(Annotated: added to clarify that the application must be based on a master plan for the area and include written justification, not just a desire to have the exceptions.)

- 2. An application to apply the Port of Astoria West Mooring Basin Plan District regulations to a specific project shall be processed through the following procedures:
 - a. The Port of Astoria shall be the applicant or co-applicant on all applications.
 - b. An application shall be processed as a quasi-judicial permit in accordance with the procedures established with the Plan District adoption and in accordance with the Development Code as applicable.

14.125 to 14.126. PORT OF ASTORIA WEST MOORING BASIN PLAN DISTRICT REGULATIONS.

(Reserved for codifying future Plan District regulations.)

ASTORIA WAREHOUSING PLAN DISTRICT
Annotated Draft
6-6-19

(Annotate: The following is language from the East Basin Plan District in CGO that could be applied to the area currently occupied by Astoria Warehousing and NW Natural Gas. This is a large area over five acres and proposed and existing limitation within the BVO could limit redevelopment of this area.)

14.127. ASTORIA WAREHOUSING PLAN DISTRICT.

The property situated approximately between Columbia Avenue to the west, 1st Street to the east, the top of bank to the north, and West Marine Drive to the south, shall constitute a subarea within the Bridge Vista Overlay Zone. The purpose of this subarea is to permit adoption of development standards, known as a Plan District, not applicable to other properties in the Bridge Vista Overlay Zone. If approved under the criteria of Section 14.127.A the Plan District shall be known as the Astoria Warehouse Plan District.

A. Plan District Adoption Criteria.

A Plan District may be established if all the following adoption criteria are met:

1. The area proposed for the Plan District has special characteristics or problems of a natural, economic, historic, public facility, or transitional land use or development nature which are not common to other areas of the Bridge Vista Area. Economic viability of a project alone shall not be deemed as justification for the proposed modifications;

(Annotated: by adding economic viability alone as not justification, it should address the issue of "public" benefit rather than "developer" benefit.)

2. Existing base and overlay zone provisions limited to those identified in Section 14.127.D are inadequate to achieve a desired public benefit as identified by the City Council, and/or to address identified needs or problems in the area;
3. The proposed Plan District and regulations result from a Plan documenting the special characteristics or problems of the area and explain how a Plan District will best address relevant issues; and
4. The regulations of the Plan District conform with the Comprehensive Plan and do not prohibit, or limit uses or development allowed by the base zone without clear justification.

B. Review.

After adoption of Astoria Warehousing Plan District regulations, the Planning Commission shall periodically review the Astoria Warehousing Plan District and its regulations every five years to determine the impacts on development, the usefulness and usability of the regulations, and the public need for any amendments to the regulations.

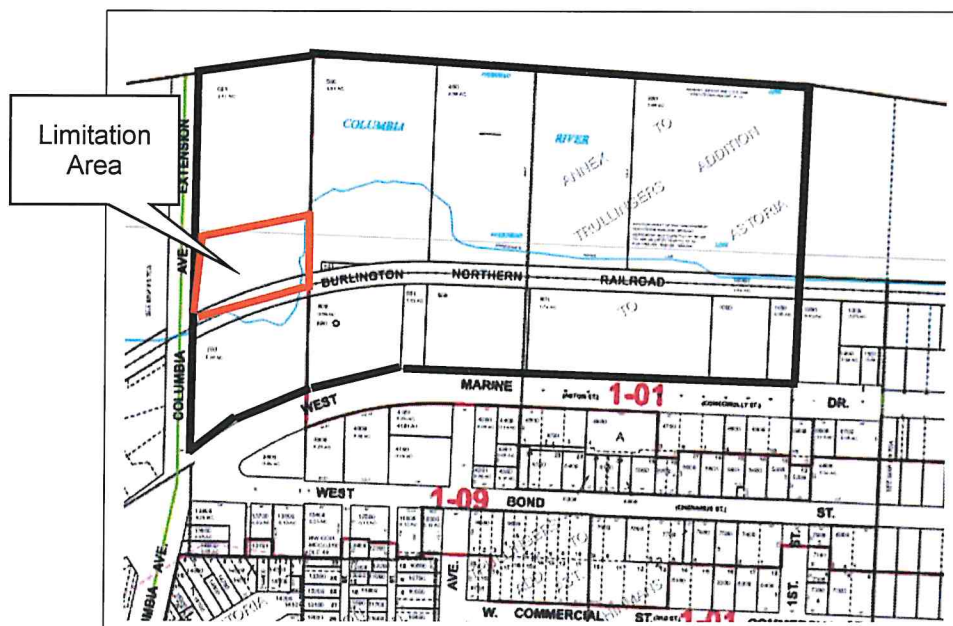
1. Sunset Clause.

Application to establish the Astoria Warehousing Plan District shall occur no later than January 1, 2025. If an application is not received by that date, the Planning Commission shall re-evaluate the appropriateness and/or need for a Plan District as noted in Sections 14.127 to 14.129. Any changes and/or the elimination of these sections shall be processed as a legislative text amendment in accordance with Development Code Articles 9 and 10.

(Annotated: APC indicated a desire for a sunset clause. The intro paragraph addresses periodic reviews once a Plan District is adopted. Section 1 would be applicable if the District is not adopted by a certain date. Five years was selected as it can take two to three years to identify a need and develop a Master Plan to be reviewed by the City.)

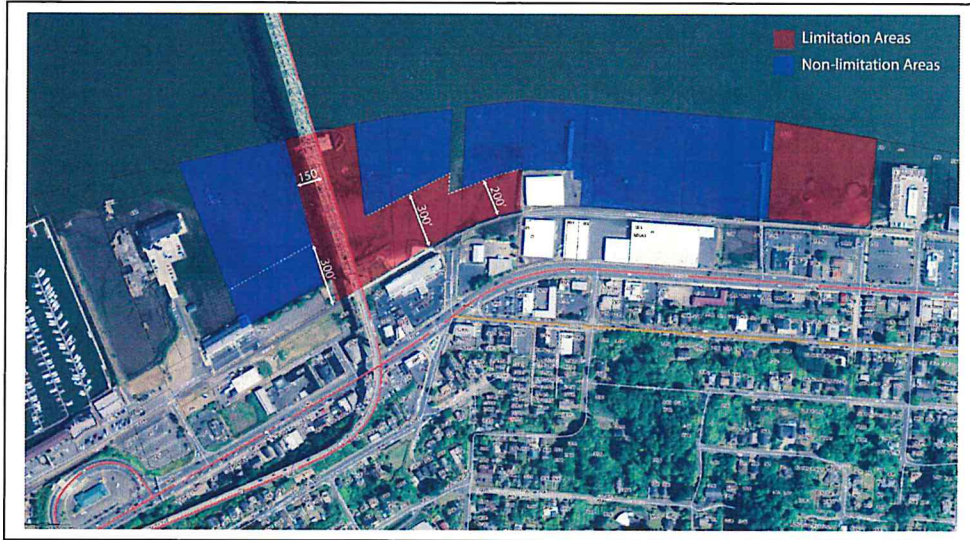
C. Mapping.

The boundaries of the Astoria Warehousing Plan District are illustrated on a map referenced below and generally are described as the land area north of West Marine Drive between Columbia Avenue and 1st Street. The over-water area within the Plan District shall not be subject to changes from the approved Bridge Vista Overlay uses, standards, and/or requirements. The boundaries may be refined as part of the Plan District adoption or amendment.



(Annotated: The District could include the Astoria Warehousing and NW Natural Gas properties as both of these are large adjacent sites that could be developed as a larger project.)

Figure 14.090-1: Limitation Area



D. Standards.

The standards for the on-land area within the Astoria Warehousing Plan District may expressly change and vary from those applicable under the Bridge Vista Overlay Zone and those of the base zone. The over-water area within the Plan District shall not be subject to changes from the approved Bridge Vista Overlay uses, standards, and/or requirements. Such on-land changes may include:

1. Adding uses;
2. Changes to building height limits up to a maximum of 45' high within the maximum of 90' width as noted in Section 14.113.D;
3. ~~Setback or view corridor~~ modifications. No reduction in view corridors shall be allowed;

(Annotated: eliminated the view corridor modification to maintain the views of the River as intended by the BVO. Building size and footprint in Section 4 would allow a wider building but still maintain the 60' wide view corridor.)

4. Building size and permissible footprint.
5. "Limitation Areas" shall remain as "Limitation Areas" with the existing standards.

(Annotated: Excluded the water area to continue with the intent of the BVO to protect some views in this area and prevent possible intensive over-water development contrary to Riverfront Vision Plan.)

E. Application Procedure.

1. An application to establish the Astoria Warehousing Plan District shall be processed through the following procedures:
 - a. The City or property owner/owners within the Plan District may apply to establish development regulations that affect one or more properties within the Astoria Warehousing Plan District.
 - b. An application to establish regulations that would govern development within the Astoria Warehousing Plan District is a legislative text amendment processed in accordance with the procedures established in Section 14.127 and in Development Code Articles 9 and 10.
 - c. An application to establish the boundaries of the Astoria Warehousing Plan District Overlay area is a legislative map amendment processed in accordance with the procedures established in Section 14.127 and in Development Code Articles 9 and 10 and may be processed concurrently with applications under subsection E.1.a.
 - d. The application shall include a master plan for the site along with written justification for the need to establish the Plan District and the specific proposed code modifications. Economic viability of a project alone shall not be deemed as justification for the proposed modifications.

(Annotated: added to clarify that the application must be based on a master plan for the area and include written justification, not just a desire to have the exceptions.)

2. An application to apply the Astoria Warehousing Plan District regulations to a specific project shall be processed through the following procedures:
 - a. The property owner shall be the applicant or co-applicant on all applications.
 - b. An application shall be processed as a quasi-judicial permit in accordance with the procedures established with the Plan District adoption and in accordance with the Development Code as applicable.

14.128 to 14.129. ASTORIA WAREHOUSING PLAN DISTRICT REGULATIONS.

(Reserved for codifying future Plan District regulations.)



City of Astoria

1095 Duane Street
Astoria OR 97103

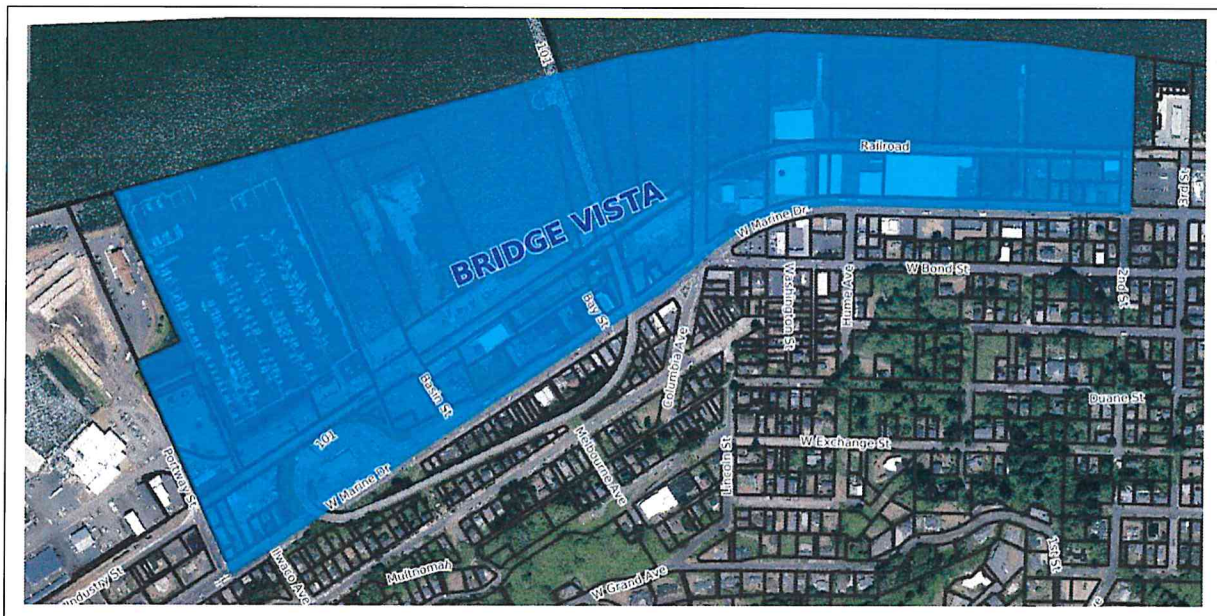
June 19, 2019

TO: ASTORIA PLANNING COMMISSION

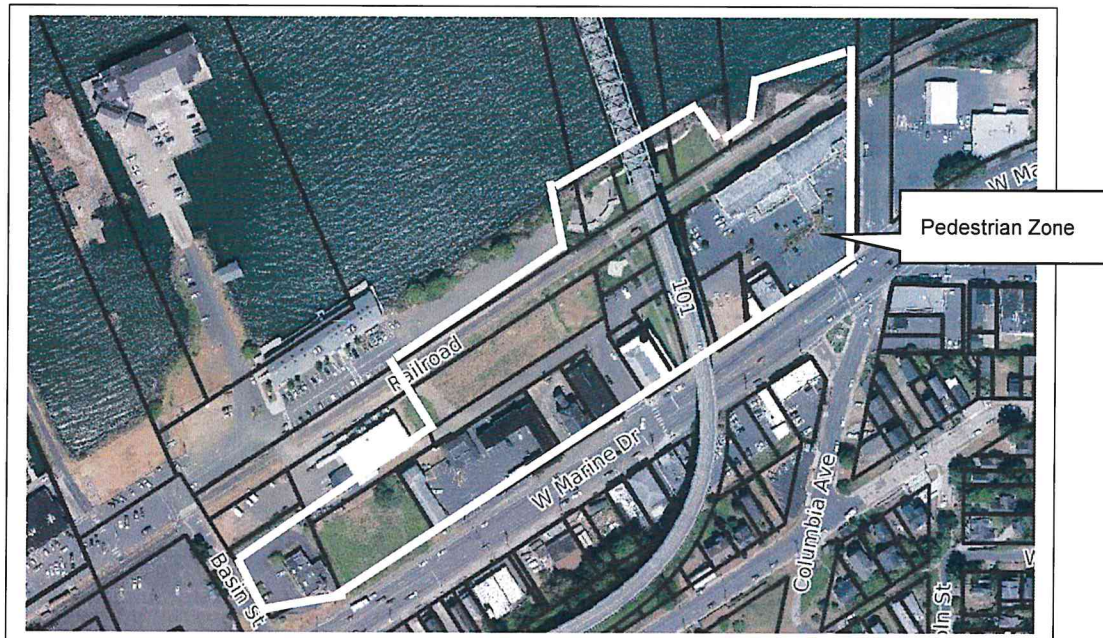
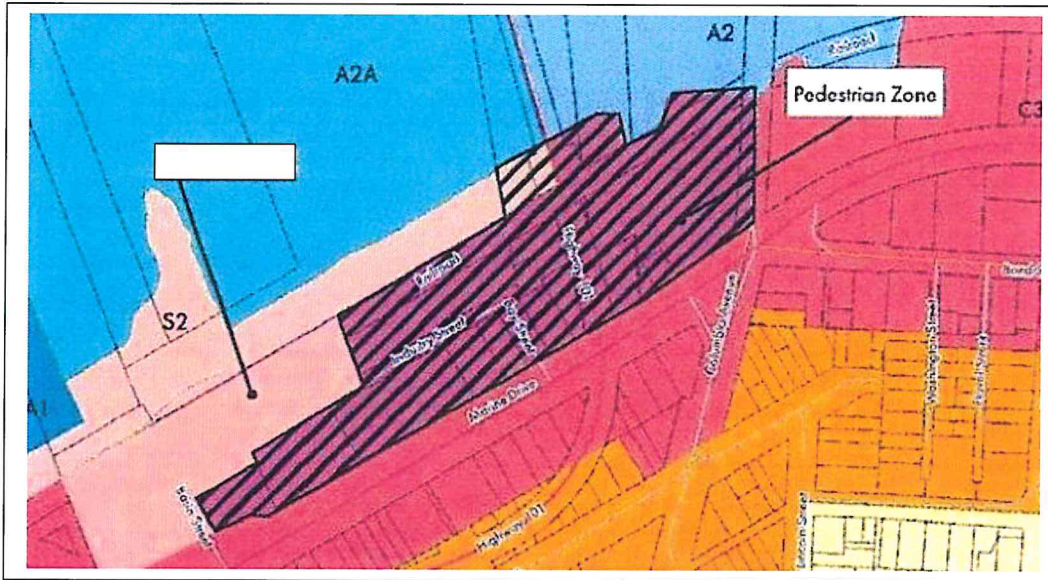
FROM: ROSEMARY JOHNSON, PLANNING CONSULTANT

SUBJECT: AMENDMENT (A19-01B) FOR BRIDGE VISTA OVERLAY

At its May 28, 2019 meeting, the Planning Commission provided staff with some direction on how to draft code language to deal with height and mass of buildings in the Bridge Vista Overlay Area (BVO). The idea to allow building height to 35' but require that buildings have a north/south orientation, limit the width of buildings to 60% of the lot width with a maximum of 90' wide, and require a minimum 60' wide view corridor between buildings was suggested. The APC also looked at the idea of potential future districts for the Port West Mooring Basin area and the Astoria Warehousing area. In a conversation with planning consultant Matt Haste who has worked on the Riverfront Vision Plan documents from the beginning, a concern was raised that the north/south building orientation and constraints of the building size could impact the financial feasibility of development in the BVO area.



In developing code language, staff looked at the issue of the Pedestrian Oriented District (POD) within the BVO and how the new requirements would impact the POD. The intent of the Pedestrian Oriented District is to create a more compact urban form that is less dependent on vehicular traffic and contains more pedestrian scale development and amenities. Facades in this area require more window percentage and there are limitations on certain uses and types of signs. The Uniontown Reborn Master Plan (URMB) identifies new development standards for the area of Uniontown outside of the Bridge Vista Overlay. The URMB calls for more compact urban form.



The N/S building orientation and the required 60' view corridor between buildings is contrary to the intent of this district. Therefore, staff has suggested an exception for this area. The district is mostly developed, with only two larger lots vacant for new development. However, since some of the existing structures could be demolished and new development could occur, the Pedestrian Oriented District development concepts could be applied in the future.

The APC should look at the proposed code language to determine how it would apply to the specific lots within the BVO area, unintentional impacts, and specifically how it would affect the POD and intent of the POD.

DEVELOPMENT CODE UPDATES

Annotated

June 19, 2019

ARTICLE 14 - RIVERFRONT VISION PLAN PART B - HEIGHT, GROSS SQUARE FOOTAGE, PLAN DISTRICTS

PEDESTRIAN ORIENTED DISTRICT EXCEPTION

D. Width and Spacing.

4. Pedestrian Oriented District Exception.

- a. The maximum width of an individual on-land building shall be a maximum of 80% of the total parcel width (measured along the parcel frontage adjacent to Marine Drive / West Marine Drive and/or the River Trail or other rights-of-way parallel to these rights-of-way) or 90 feet, whichever is less.
- b. The maximum combined width of all on-land buildings located on a contiguous set of parcels under the same ownership shall be a maximum of 80% of the total width of the combined parcels (measured along the parcel frontage adjacent to Marine Drive / West Marine Drive and/or the River Trail or other rights-of-way parallel to these rights-of-way) with no individual building exceeding 90 feet in width.
- c. Development in this area shall not be subject to the required 60' view corridor between buildings.

(Annotated: The intent of the Pedestrian Oriented District is to create a more compact urban form that is less dependent on vehicular traffic and contains more pedestrian scale development and amenities. Facades in this area require more window percentage and there are limitations on certain uses and types of signs. The Uniontown Reborn Master Plan (URMB) identifies new development standards for the area of Uniontown outside of the Bridge Vista Zone. The URMB calls for more compact urban form.

The N/S building orientation and the required 60' view corridor between buildings is contrary to the intent of this district. Therefore, staff has suggested an exception for this area. The district is mostly developed, with only two larger lots vacant for new development. However, since some of the existing structures could be demolished and new development could occur, the Pedestrian Oriented District development concepts could occur in the future.)