



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

May 7, 2019

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNING CONSULTANT

SUBJECT: AMENDMENT (A19-01B) RIVERFRONT VISION PLAN - CONTINUED ISSUES

At the Astoria Planning Commission meeting on April 23, 2019, the APC held a public hearing on the proposed amendments for the Bridge Vista Overlay and other Riverfront Vision Plan areas. The proposed amendments were generally accepted but the issues related to the maximum gross square footage of buildings on a site and reduced height were the subject of most of the opposition and discussion. The APC decided to split the amendment request into two parts to allow the majority of the proposed amendments to proceed and allow more time for discussion on the more complex items. The APC recommended City Council approve the request (A19-01A) and continued the hearing to the May 28, 2019 APC meeting for A19-01B.

The items removed for continued discussion include:

1. Maximum allowed height in the Bridge Vista Overlay Zone including possible variance maximum and possible exception to maximum height.
2. Maximum 30,000 gross square footage of buildings on the site.
3. Inclusion of a process to establish an Astoria Warehousing Plan District to allow a future master plan to be approved by the City which would allow some exceptions to the BVO standards.
4. Inclusion of a process to establish a Port of Astoria West Mooring Basin Plan District to allow a future master plan to be approved by the City which would allow some exceptions to the BVO standards.

If the APC determines that the attached draft language or some other code amendment is appropriate, the APC should continue the decision to the June 25, 2019 APC meeting to allow staff time to prepare the draft ordinance and findings of fact for consideration.

DEVELOPMENT CODE UPDATES

Annotated

April 30, 2019

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

Legend:

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

Changes already sent to DLCD Notice

Changes after the 5-28-19 APC meeting

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~~ 28 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 35' without a variance. The added feature is subject to all other design and/or location standards of the Code.

(Annotated: This allows water uses to have additional height rather than other commercial development that does not require water location. 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.)

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

(Annotated: With the reduction to 28', the APC noted that an exception should be made for water-dependent / water-related uses for needed additional height for those uses.)

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: The APC needs to discuss whether there should be a maximum gross floor area for buildings over the water in this area.)

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

A. Height.

1. Maximum building height is 35 28 feet ~~except as noted in subsection (2) of this section.~~
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 discussed the possibility of height variances to 35' but only if the upper stories were stepped back, but not just an automatic height exception.)

QUESTION: *With the variance criteria that there be a "hardship", what type of hardship would qualify for a height variance? Specialized variances such as for signs and parking have their own criteria. Should some form of special criteria be developed for Riverfront Vision overlay zone height variances?)*

3. Exceptions to building height restrictions may be granted through provisions in Section 3.075.
4. Building height exception up to 35 feet is permitted without a variance for buildings that include multi-family housing when 25 percent of proposed units are set aside for affordable housing that is available to renters or purchasers earning no more than 80 percent of median income and paying no more than 30 percent of total household income in rent or mortgage. The affordable housing requirement shall apply to the property for a minimum of 25 years.

(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.)

Section 14.113.C.2, Standards for On-Land Development, Stepbacks in the Bridge Vista Overlay Area, is deleted in its entirety and replaced to read as follows:

2. Additional Building Height.

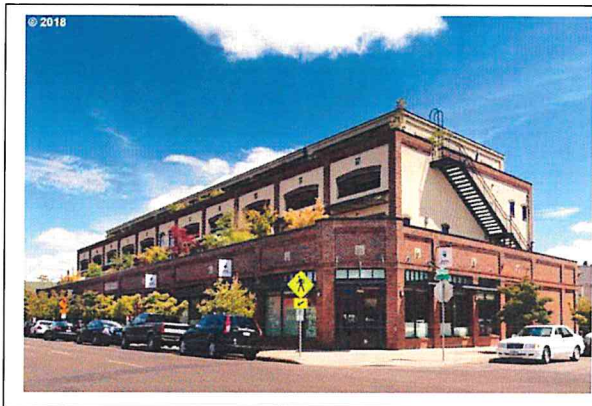
A variance may be granted for additional building height in accordance with Article 12 and Article 9 procedures with the following conditions:

- 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

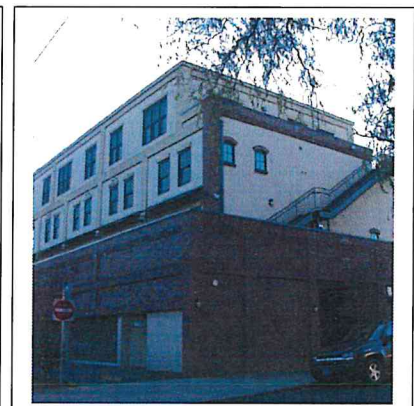
front plane of the proposed building or building addition that faces the street right-of-way or the River Trail.

- 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'.

(Annotated: During the hotel review in BVO, it was agreed balconies should not be in the stepback area and that is what is proposed for Urban Core. We want it consistent for all RVP. The APC discussed the possibility of a variance to the 28' but through a variance and with the stepbacks.)



Front and street sides of this example have larger stepback. Rear of building has a slight stepback which shows the difference in mass and scale impact.



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

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.

(Annotated: All of these features add to the mass of the building which is what this section was intended to reduce. The new definition of "gross floor area" clarifies the following. Need to clarify that two buildings on the same development are not each allowed 30,000 sqft. Want to allow covered entrances, but large porticos to cover guest parking at check in add to the mass. Trash and equipment enclosures can be quite big. If in separate structures, they

can add up to site massing. The 10' separation would be the width of a parking space and would reduce the visual impact. If the separation is less, the visual impact is greater, and it would need to be included in the 30,000 sqft max.)

CODE AMENDMENT SYNOPSIS
4-30-19

Article 14 Riverfront Vision - Part A - 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 stepback requirement; remove stepback requirement; allow 35' for water-dependent uses; change title of figure 14.100-2
14.113.C.2 14.113.A	Standards for On Land Development, BVO	Remove stepback requirement Amend to allow 35' height with variance and stepback; add height exception to 35' for affordable housing; balconies or fixed awnings shall not encroach into stepback; balconies allowed below stepback
14.113.D	Building Size, On-Land	Clarify that 30,000 sqft max is for all buildings of a single development; refer to definition of gross floor area; (** possibly add exception for Astoria Warehousing Plan District per APC direction)
14.100.D.2	Standards for Overwater Development, BVO	Amend reference to area
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

ASTORIA WAREHOUSING PLAN DISTRICT
Annotated Draft
5-7-19

(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:

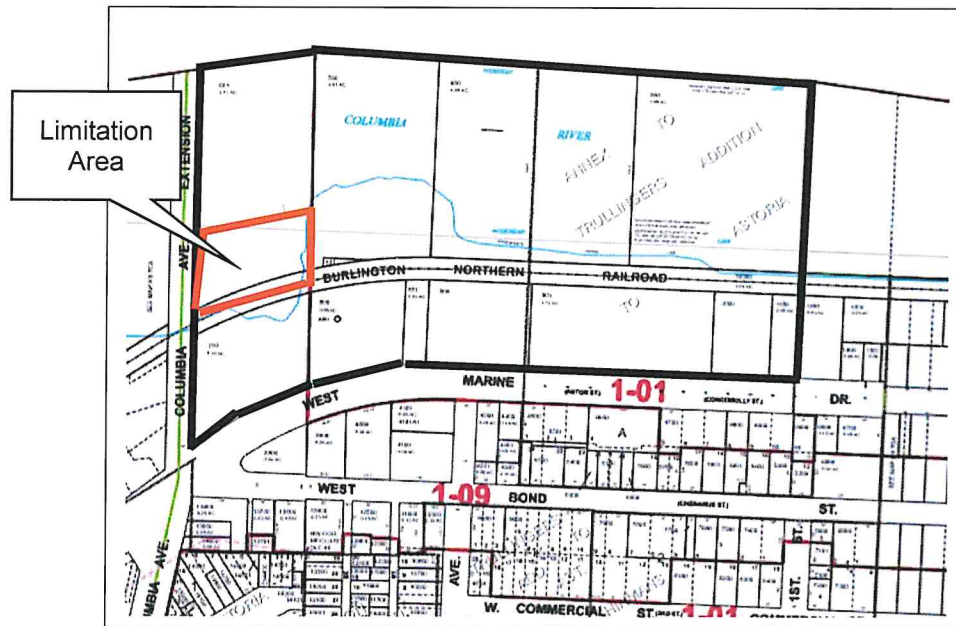
1. The area proposed for the Plan District has special characteristics or problems of a natural, economic, historic, public facility, or transitional land use or development nature which are not common to other areas of the Bridge Vista Area;
2. Existing base and overlay zone provisions are inadequate 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 to determine the impacts on development, the usefulness and usability of the regulations, and the public need for any amendments to the regulations.

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.)

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 changes may include:

1. Adding uses;
2. Changes to building height limits;
3. Setback or view corridor modifications;
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.
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.)

PORT OF ASTORIA WEST MOORING BASIN PLAN DISTRICT
Annotated Draft
5-7-19

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;
2. Existing base and overlay zone provisions 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.

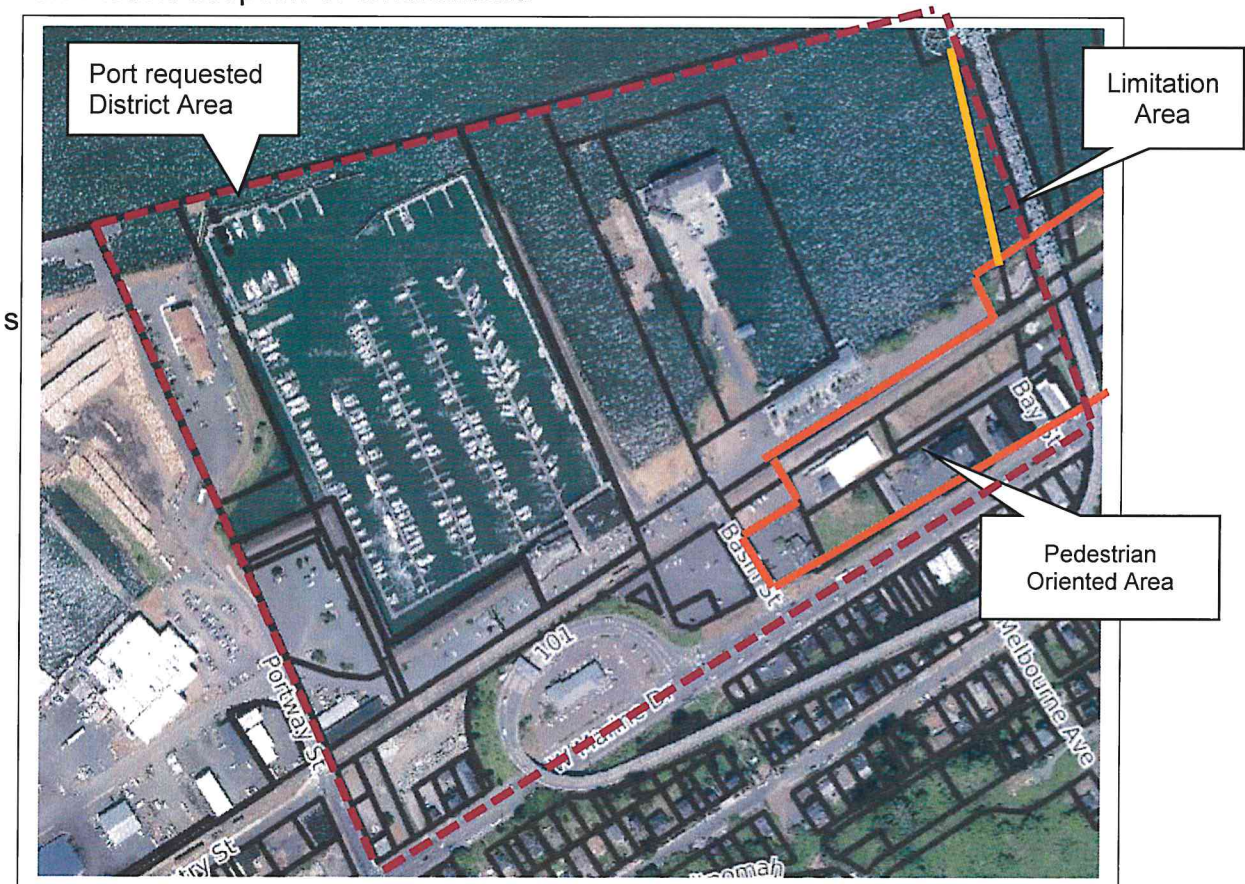
B. Review.

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 to determine the impacts on development, the

usefulness and usability of the regulations, and the public need for any amendments to the regulations.

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 as both of these are large adjacent sites that could be developed as a larger project.)

Figure 14.090-2, Pedestrian-Oriented District

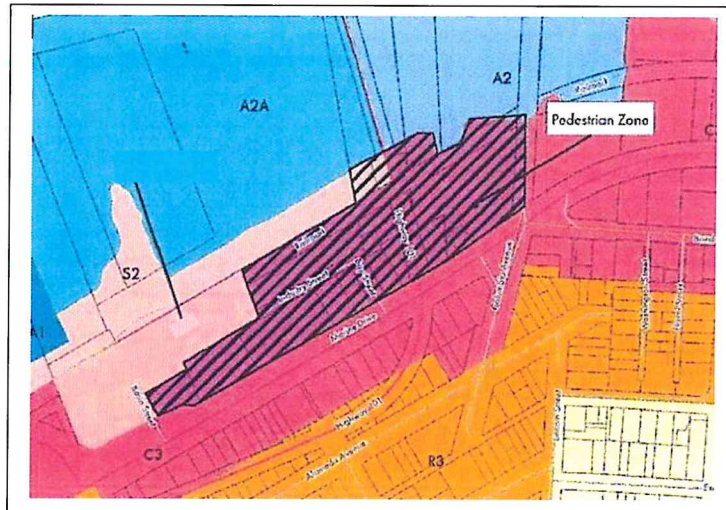
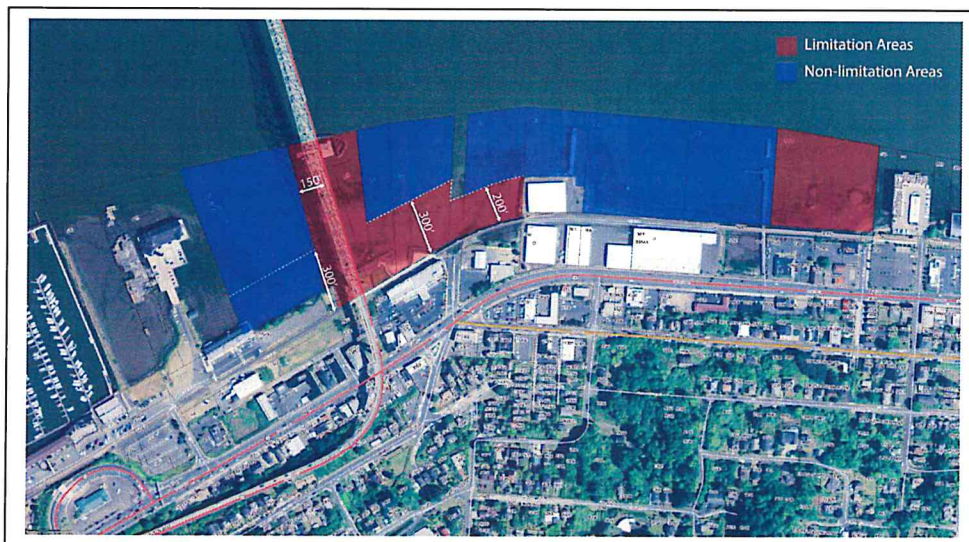


Figure 14.090-1: Limitation Area



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 changes may include:

1. Adding uses; (BVO already has added uses beyond the base zone)
2. Changes to building height limits; (Annotate: should there be a maximum?)
3. Setback or view corridor modifications;

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.

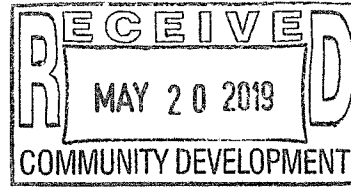
(Annotated: Excluded the "Limitation Area" water area to continue with the intent of the BVO to protect some views in this area and prevent possible intensive over-water development contrary to Riverfront Vision Plan. Keep the "Pedestrian Oriented Area" designation to keep some limitations based on the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

May 19, 2019

I know that I have already expressed my opinions, but have more, of course.

There are two potential areas which Planner Johnson has suggested might benefit from design and execution at a planned unit development level---the Astoria Warehouse site and Port of Astoria properties. I know that there has been some discussion of setting standards for view corridors, lot coverage, etc. for these areas. Only one of you, as far as I know, has design experience. It is not easy to imagine all possibilities and to set standards for what is not in front of you, particularly if a parcel allows for a complex project. If the property owner or the Port is asked to hire a "Robert Jacob" or an "Art DeMuro" to prepare their proposed project, we may benefit from their creativity, and staff and the Commission can then evaluate the totality of the designed project on the site and its surroundings and approve or deny.

Astoria's only example of such a project is the Mill Pond area. It does have some issues, but is clearly a success, and has allowed us to learn from the experience. It is a template that could be used for our remaining significant developable parcels.

Jan Mitchell , AICP
362 Duane
Astoria, OR 97103