



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

### NOTICE OF ADOPTED AMENDMENT

July 3, 2006



TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Astoria Plan Amendment  
DLCD File Number 001-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: July 18, 2006**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Laren Woolley, DLCD Regional Representative  
Rosemary Johnson, City of Astoria

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# FORM 2

## D L C D NOTICE OF ADOPTION

## DEPT OF

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18

JUN 28 2006

(See second page for submittal requirements)

LAND CONSERVATION  
AND DEVELOPMENT

Jurisdiction: City of Astoria  
number, use none)

Local File No.: A06-01  
(If no)

Date of Adoption: 6-19-06  
(Must be filled in)

Date Mailed: 6-27-06  
(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 4-3-06

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment  |
| <input type="checkbox"/> Land Use Regulation Amendment                | <input type="checkbox"/> Zoning Map Amendment  |
| <input type="checkbox"/> New Land Use Regulation                      | <input checked="" type="checkbox"/> Other: Development Code amendment to<br>adopt Master Plan by reference |

(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Adopt Trails Master Plan and amend Comprehensive Plan to reflect new information from Master Plan about existing trails and add policies for management and development of urban trails.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same". If you did not give notice for the proposed amendment, write "N/A". Same except CP.275(20) eliminated refernce to Forest Service trails as motorized use.

Plan Map Changed from: to:

Zone Map Changed from: to:

Location: City wide Acres Involved:

Specify Density: Previous: New:

Applicable Statewide Planning Goals: Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources; Goal 8 - Recreational Needs

Was an Exception Adopted? Yes:  No:

Does Adopted Amendment affect the areas in unincorporated Multnomah County where the Portland Zoning Code applies? Yes  No

DLCD File No.: 001-06 (15127)

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes:  No:

If no, do the Statewide Planning Goals apply. Yes:  No:

If no, did The Emergency Circumstances Require immediate adoption. Yes:  No:

Affected State or Federal Agencies, Local Governments or Special Districts: Port of Astoria, CREST,  
Oregon Department of Forestry

Local Contact: Rosemary Johnson, Planner

Area Code + Phone Number: 503-

338-5183

Address: 1095 Duane Street

City: Astoria

Zip Code+4: OR 97103

Email Address: rjohnson@astoria.or.us

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## ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. **Send this Form and TWO (2) Copies** of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the ANotice of Adoption is sent to DLCD.

ORDINANCE NO. 06- 04

AN ORDINANCE AMENDING THE ASTORIA DEVELOPMENT CODE SECTION CONCERNING ADOPTED MASTER PLANS

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. The Astoria Development Code is hereby amended by the addition of Section 1.240 pertaining to the Astoria Trails Master Plan to read as follows:

"1.240 ASTORIA TRAILS MASTER PLAN.

There is hereby adopted by this reference, the Astoria Trails Master Plan, adopted by the City Council on March 20, 2006, the original document of which is on file in the office of the Parks and Community Services Director of the City of Astoria."

Section 2. Effective Date. This ordinance and its amendment will be effective 30 days following its adoption and enactment by the City Council.

ADOPTED BY THE COMMON COUNCIL THIS 19TH DAY OF JUNE, 2006.

APPROVED BY THE MAYOR THIS 19TH DAY OF JUNE, 2006.

  
Mayor

ATTEST:

  
Paul Benoit, City Manager

ROLL CALL ON ADOPTION:		YEA	NAY	ABSENT
Commissioner	Compere	X		
	Roscoe	X		
	Henningsgaard			X
	Warr	X		
Mayor	Van Dusen	X		

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ORDINANCE NO. 06-05

AN ORDINANCE AMENDING THE ASTORIA COMPREHENSIVE PLAN SECTIONS  
CONCERNING PARKS, RECREATION, AND OPEN SPACE ELEMENT

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. The Astoria Comprehensive Plan Sections CP.260 through CP.275 are hereby deleted in its entirety and amended to read as follows:

"PARKS, RECREATION AND OPEN SPACE ELEMENT

CP.260. Background Summary.

The City of Astoria, with its long history, has developed a system of parks, open space and recreation facilities; its setting at the mouth of the Columbia River offers many recreation opportunities. The City is surrounded by State parks, wildlife, refuges, forest lands, beaches and water areas.

Astoria contains about 90 acres of park facilities, or about 9 acres per 1,000 population. Among these are several proposed parks, including the landfill site, and the site west of the sewer lagoons. The City plans to relocate the ballfields at the present landfill site when it becomes available. Many small neighborhood parks are scattered around the community, with various levels of development or potential. The Cities of Astoria and Seaside sponsor the only full public recreation programs in Clatsop County, and include softball, baseball, swimming, basketball, and volleyball. Clatsop Community College offers indoor recreation courses such as dance, tennis, and various exercise classes. The City's recreation program has expanded to its limit at the present time, placing a strain on facilities and personnel.

The inventory contains summaries and plot plans of each City park, with recommendations of possible improvements. The largest project currently under study by the Parks Department is the landfill site, which is scheduled to be phased out when a County-wide landfill system is developed. The old landfill would then be converted to an active recreation facility, which would include ballfields. Ideas for waterfront park or open space proposals are contained in the Astoria "Waterfront People Place System" prepared for the City in October, 1977. In addition, the Astoria Waterfront Master Plan, commonly known as the "Murase Plan", was adopted in 1990. Concepts for various improvements include a small fishing pier in the downtown area, places to sit at platted street ends, bike trails, and paths. Implementation of such a plan would require considerable discussion and additional planning at the time the ideas were pursued. Construction of a RiverTrail along the former railroad right-of-way began in 1988 with the construction of the 6th Street RiverPark and with the construction of the first two blocks of RiverTrail between 15th and 17th Streets in 1991. By 2006, the RiverTrail has been constructed from Smith Point to 41st Street. Sources of funding for park improvements are available through the U.S. Bureau of Outdoor Recreation, U.S. Department of Housing and Urban Development, the State Highway Division (bike trails), and the State Marine Board (motor-boat related facilities).

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Bike and hiking trails are discussed in terms of linking various community facilities as part of a coordinated system. A Trails Master Plan was adopted in April 2006 which included mapping and an inventory of existing trails and potential new trails. The Plan made recommendations on multiple uses of the trail system and made suggestions for future studies concerning mapping and location of trail connections for the City's trails system.

CP.265.     Conclusions and Problems.

1.     As a peninsular community between Youngs Bay and the Columbia River, water related recreation opportunities are abundant.
2.     Coastal weather patterns operate as a deterrent to many year-round park usages; increased public demand for indoor facilities strain available resources.
3.     The City's severe topography creates dramatic views and forested open space; it also limits the availability of large tracts of flat land for certain types of active recreation facilities such as ballfields. Park maintenance problems are also compounded in steep terrain areas.
4.     Astoria's location offers many opportunities for recreation such as hiking, beachcombing, hunting, fishing, and sightseeing. Public transportation to these areas is non-existent, however.
5.     The large publicly-owned tracts of forested open space within the City limits reduces the traditional need for major land acquisition programs often required in other communities. Much of the forested areas are not managed for multiple use, including recreation. However, sufficient land is available outside the City for activities such as hunting and hiking.
6.     Although the City has many areas being used as parks, many of these areas are not formally dedicated as parks and may therefore be converted to other uses at some time in the future. Parks which are well established and not needed for other purposes need to be offered protection from conversion.
7.     The City has limited funds for the construction of new parks and the maintenance of existing facilities. Consideration must be given to the maintenance costs of providing new park or recreation areas.
8.     Many persons who are not residents of the City are placing increasing demands on the City's recreation program. This is primarily due to the fact that the City operates the only public organized sports program in the County.
9.     The shrinking enrollment of the Astoria School District may mean the reduction of school properties used for recreation facilities throughout the City.

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10. Mixed use of the trail system by pedestrians, motorized and non-motorized vehicles creates potential conflicts and problems that may be able to be addressed by restriction of vehicular uses on certain trails.

CP.270. Goals.

The City of Astoria will work:

1. To develop a balanced park system.
2. To reflect Astoria's special qualities and characteristics.
3. To avoid duplication of facilities provided by other public and private agencies.
4. To develop additional parks by means of subdivision regulation.
5. To provide or encourage waterfront parks.
6. To provide a reasonable level of recreation program opportunities.
7. To promote general beautification.
8. To continue to plan for park programs.
9. To encourage a system of trails throughout the City.
10. To encourage downtown improvements.

CP.275. Policies.

1. Park planning will recognize the recreation needs of all segments of the population; provide a variety of year-round recreation opportunities, including indoor facilities; be safe, accessible and of aesthetic value to the City; and contribute to the economic and social well being of the community. To the extent possible, park and recreation planning to meet the particular needs of segments of the population should be coordinated with the School District, Community College, and other organizations and groups.
2. Astoria's steep topography operates as a limitation on "large" community-wide park acquisition and development. To the extent possible, large parks for active recreation, such as ballfields, should be integrated with schools grounds and other appropriate public facilities. Playgrounds and tot-lots should be provided to serve distinct neighborhoods, but specific sites need to be selected with care so as not to incur unreasonable maintenance and development costs.

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3. The nearby ocean beaches, hiking, picnic and camping facilities along the coast are accessible to Astoria residents with automobile transportation. The plan does not include, therefore, provision of large, community-wide multipurpose facilities. Portions of the City's wooded areas may be appropriate for nature trails, hiking trails, and other natural uses within the City limits. To the extent possible, cooperative arrangements will be continued with such agencies as the Astoria School District, or Community College for shared uses of indoor facilities in lieu of large capital expenditures for separate facilities.
4. The City Planning Commission has the responsibility for subdivision approval. Where appropriate, necessary and feasible, the Planning Commission will apply density credits for the provision of common open space and recreation areas within the subdivisions. The Planning Commission may require that such areas be maintained by subdivision homeowners rather than by the public.
5. *[CP.275.5 Deleted by Ordinance 90-19, July 2, 1990.]*
6. The City of Astoria, through Parks and Community Services Department organizes and administers the only publicly sponsored recreation program in the area other than the program sponsored by the City of Seaside. Approximately 20% to 30% of the participants are non-Astoria residents. In view of the popularity of the recreation program, cooperative arrangements should be encouraged with Clatsop County and other jurisdictions for shared program maintenance and supervision costs as an alternative to curtailment of services to non-Astoria residents. Consideration should be given to the formation of a North County Recreation District.
7. Attractively maintained park and recreation areas contribute much to the aesthetics and livability of a community. The City supports the efforts of merchants or other persons to provide landscaping, street trees, or other improvements where feasible.
8. The Parks and Community Services Department, in cooperation with the City's Engineering Department and other agencies, should recommend, and periodically update, a long range park maintenance and improvement program.
9. Ways should be explored for the development of hiking and bike trails along appropriate City streets, railway rights-of-way, utility corridors, and park access routes. To the extent possible, such trails will utilize existing City maintained trails and provide linkages to major park lands and other public facilities. Planning for trails must consider such limitations as topography, climate, maintenance and development costs, adjacent landowner concerns, legal access to the trails, and should emphasize intensive use areas.
10. To the extent possible, open space, park features and landscaping will be considered in specific downtown redevelopment projects and proposals. Pedestrian shelters, street furniture, and similar improvements can add to the appeal of the City's center.



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11. The City of Astoria encourages the Oregon Department of Fish and Wildlife, the Oregon Department of Forestry, and the U.S. Fish and Wildlife Service to establish an Eagle Nest Management Plan for the eagle nest that is located east of Emerald Heights on Federal property (not the same nest as that referred to as "Mill Creek nest").  
*[CP.275.11 added by Ordinance No. 81-16, Sec. 1, enacted November 16, 1981.]*

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.

*[CP.275.12 added by Ordinance No. 90-19, July 2, 1990.]*

13. The City will review proposals for the vacation of public easements or rights-of-way which provide access to water areas. Existing rights-of-way and similar public easements which provide access to the shoreline shall be retained or replaced if they are sold, vacated, exchanged, or transferred. Rights-of-way may be vacated so long as equal or improved access is provided elsewhere. The Planning Commission will review proposals for street vacations in shoreland areas at a public hearing under the quasi-judicial hearings process.

*[CP.275.13 added by Ordinance No. 90-19, July 2, 1990.]*

14. The City will consider the improvement of a public access site on Youngs Bay in the vicinity of Tapiola Park. Any improvements must be coordinated with the Astoria Bypass project being proposed by the City and the Oregon Department of Transportation.

*[CP.275.14 added by Ordinance No. 90-19, July 2, 1990.]*

15. The City will cooperate with the Port of Astoria to provide public access in the Port Docks area consistent with security considerations. Efforts should be made to maintain vehicle access to the ships docked along Pier 2. A fishing access area should be provided on the breakwater of the mooring basin when it has been completed.

*[CP.275.15 added by Ordinance No. 90-19, July 2, 1990.]*

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16. The City supports the efforts of the Alderbrook Community to develop a neighborhood park on the area west of the sewage lagoons. The park should be used for passive recreation only, including hiking, bicycling, bird watching, and other low intensity uses.

*[CP.275.16 added by Ordinance No. 90-19, July 2, 1990.]*

17. The City should consider the development of a mini-park at the 51<sup>st</sup> and Birch Streets site in Alderbrook.

*[CP.275.17 added by Ordinance No. 90-19, July 2, 1990.]*

18. The City should encourage the Oregon Department of Forestry (ODF) to develop trails and routes on ODF lands for all users but particularly for mountain bike and motorized trail bike use.

19. The Astoria Column Park should be used as the main trail head for the City trail system. However, additional designated parking areas considered should be located near the Cathedral Tree on Irving Avenue, at the ends of James Street, Franklin Avenue, and Spruance Avenue.

20. The Astoria Urban Forest Trail System should be limited to non-motorized use to accommodate pedestrian use and mountain bike use. The Cathedral Tree Trail should remain a hiking trail for foot traffic only. Pipeline Road and a route from Emerald Heights to Pipeline Road should not be limited to only pedestrian and non-motorized use to allow a connection to other potential trail systems.

21. The City should study and evaluate the east area of the urban forest identified as the "Multiple Use Study Area" in the Trails Master Plan before it is developed.

22. The City should develop trail user maps and informational signage for the City Trail System."

Section 2. Effective Date. This ordinance and its amendment will be effective 30 days following its adoption and enactment by the City Council.

ADOPTED BY THE COMMON COUNCIL THIS 19<sup>TH</sup> DAY OF JUNE, 2006.

APPROVED BY THE MAYOR THIS 19<sup>TH</sup> DAY OF JUNE, 2006.

  
Mayor

City of Astoria  
Comprehensive Plan

ATTEST:

  
Paul Benoit, City Manager

ROLL CALL ON ADOPTION:		YEA	NAY	ABSENT
Commissioner	Compere	X		
	Roscoe	X		
	Henningsgaard			X
	Warr	X		
Mayor Van Dusen		X		