



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

### NOTICE OF ADOPTED AMENDMENT

May 5, 2008

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 002-08



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: May 16, 2008**

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

<paa> ya

# FORM 2

## DLCD NOTICE OF ADOPTION

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

(See second page for submittal requirements)

DEPT OF

APR 28 2008

LAND CONSERVATION  
AND DEVELOPMENT

Jurisdiction: City of Astoria

Local File No.: A08-01

number, use none)

(If no

Date of Adoption: 4-21-08  
(Must be filled in)

Date Mailed: 4-25-08  
(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 2-5-08

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

(Please Specify Type of Action)

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

Rezone an area on the north side of the 400 Block Alameda Avenue from C-3 Zone (General Commercial) to R-3 Zone (High Density Residential) on the Land Use and Zoning Map.

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

Plan Map Changed from:

to:

Zone Map Changed from: C-3 (General Commercial)  
Density Residential)

to: R-3 (High

Location: The property generally lying between the centerline of Hull Street to Ilwaco Avenue and mid block between West Marine Drive to north line of Alameda Avenue; approximate south 55' Lot 8, south 50' Lot 7, south 49' Lot 6, south 13' Lot 5, south 55' Lot 4, south 54' Lots 3 & 2, Block 5, Taylor's; Map T8N-R9W Section 7CC, Tax Lots 6600, 7200, 7500

Acres Involved: 0.35 acres

Specify Density: Previous: none

New: 26 units/acre

Applicable Statewide Planning Goals: Goals 9 & 10

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 # 002-08 (16684)

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: Clatsop County

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**

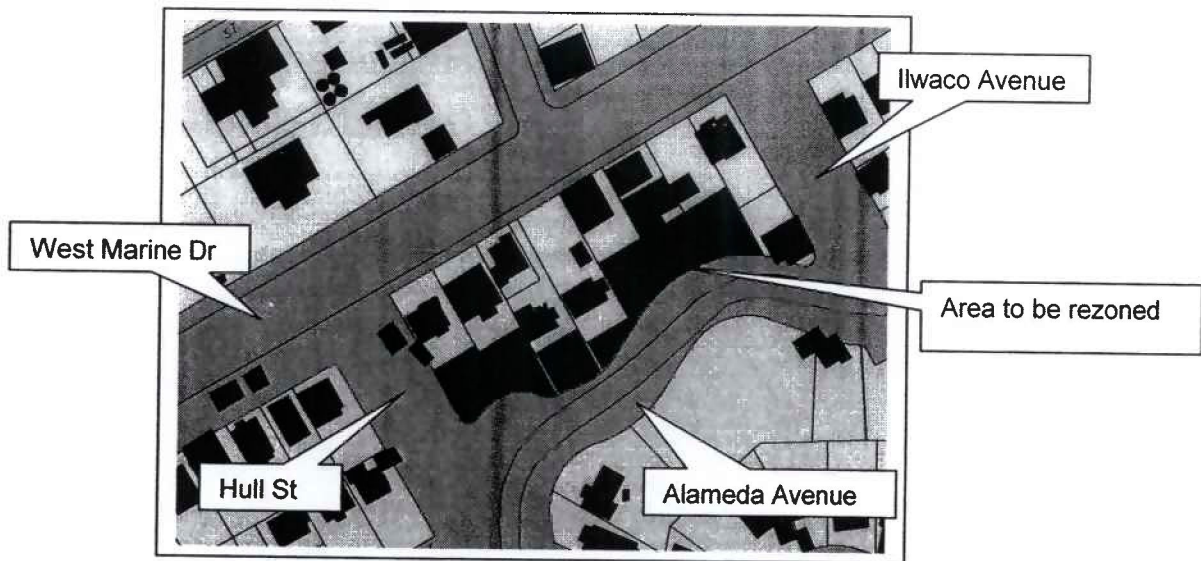
2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal 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

AN ORDINANCE AMENDING THE ASTORIA LAND USE AND ZONING MAP BY REZONING A PORTION OF THE NORTH SIDE OF THE 400 BLOCK ALAMEDA AVENUE FROM C-3 ZONE (GENERAL COMMERCIAL) TO R-3 ZONE (HIGH DENSITY RESIDENTIAL)

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. The 1992 Astoria Land Use and Zoning Map is amended to rezone the following area from C-3 Zone (General Commercial) to R-3 Zone (High Density Residential) as indicated on the map:

The property generally lying between the centerline of Hull Street to Ilwaco Avenue and mid block between West Marine Drive to the north line of Alameda Avenue; approximate south 55' Lot 8, south 50' Lot 7, south 49' Lot 6, south 13' Lot 5, south 55' Lot 4, south 54' Lots 3 & 2, Block 5, Taylor's; Map T8N-R9W, Section 7CC, Tax Lots 6600, 7200, 7500.



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 21ST DAY OF APRIL, 2008.

APPROVED BY THE MAYOR THIS 21ST DAY OF APRIL, 2008.

ATTEST:

Paul Benoit  
Paul Benoit, City Manager

[Signature]  
Mayor

ROLL CALL ON ADOPTION:                      YEA                      NAY                      ABSENT

Commissioner Ward 1, Seat Vacant

Roscoe	X
Henningsgaard	X
Warr	X

Mayor Van Dusen                      X

BEFORE THE CITY COUNCIL  
OF THE CITY OF ASTORIA

IN THE MATTER OF AN AMENDMENT REQUEST )

FOR THE FOLLOWING PROPERTY: MAP T8N-R9W )  
SECTION 7CC, TAX LOT 6600, 7100, 7500 ; LOT(S) SOUTH 55' )  
LOT 8, SOUTH 50' LOT , SOUTH 49' LOT 6, SOUTH 13' LOT 5, )  
SOUTH 55' LOT 4, SOUTH 54' LOTS 2 & 3 ; BLOCK 5 )  
HULL STREET AND ALAMEDA AVENUE; TAYLORS, )  
ASTORIA OR 97103 )

) ORDER NO. A08-01

ZONING: C-3 ZONE GENERAL COMMERCIAL )

APPLICANT: DAVID NEVIN, 3701 NW BLISS ROAD, )  
VANCOUVER WA 98685 )

The above named applicant applied to the City for an Amendment to change the Land Use and Zoning Map to rezone the area on the north side of the 400 Block Alameda Avenue from C-3 Zone (General Commercial) to R-3 Zone (High Density Residential) within the City limits of Astoria, Oregon.

A public hearing on the above entitled matter was held before the Planning Commission on March 25, 2008 and the Planning Commission closed the public hearing at the March 25, 2008 meeting and recommended that the City Council approve the request.

A public hearing on the above entitled matter was held before the Astoria City Council and the public hearing was closed at the April 7, 2008 meeting; and the Astoria City Council rendered a decision at the April 21, 2008 meeting.

The City Council found the proposed amendment to be necessary and orders that this application for an Amendment (A08-01) is approved and adopts the findings and conclusions of law attached hereto.

The effective date of this approval is 15 days following the signing of this order, subject to any attached conditions. *A copy of the application, all documents and evidence relied upon by the applicant, the staff report, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.*

This decision may be appealed to the Land Use Board of Appeals (LUBA) by the applicant, party to the hearing, or a party who responded in writing by filing a Notice of Intent to Appeal with LUBA within 21 days after the land use decision becomes final as described by OAR 661-010-0010(3).

DATE SIGNED: April 21, 2008

DATE MAILED: 4/25/08

ASTORIA CITY COUNCIL

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commission

To PO 4208 #2



CITY OF ASTORIA  
COMMUNITY DEVELOPMENT  
DEPARTMENT

April 2, 2008

TO: ASTORIA CITY COUNCIL  
FROM: PAUL BENOIT, CITY MANAGER  
SUBJECT: AMENDMENT REQUEST (A08-01) TO AMEND THE ASTORIA LAND USE AND ZONING MAP IN THE 400 BLOCK ALAMEDA AVENUE

BACKGROUND

The Community Development Director and David Nevin have submitted an application to rezone the property on the north side of the 400 Block Alameda Avenue lying between the unimproved rights-of-way of Hull and Ilwaco Avenues from C-3 Zone (General Commercial) to R-3 Zone (High Density Residential). The site is located just above the Portway Avenue area of West Marine Drive. The site consists of portions of several lots with enough area to possibly construct two single-family dwellings, one on land owned by Mr. Nevin (sale pending), and one on land owned by Clatsop County. Under the current C-3 Zone, the site could be developed with a commercial use that would not be compatible with the otherwise residentially developed neighborhood. The County-owned parcel on the east side of the site is located in a known slide area and may be difficult to develop. The remaining parcel is approximately 0.11 acres (5,000 square feet) and could possibly be developed with one single-family dwelling. The rezoning of the property does not approve any specific development. Any building on this site would require a geotechnical report, planning review, and a building permit prior to any construction.

At its March 25, 2008 meeting, the Astoria Planning Commission held a public hearing and recommended that the City Council adopt the proposed map amendment. A copy of the Findings of Fact as adopted by the Planning Commission is attached. Also attached to this memo is the proposed map amendment ordinance, minutes of the Planning Commission meeting on this issue, and a letter of opposition from Richard and Linda Fenske, Los Osos CA, dated March 17, 2008, who own the property directly across from the proposed rezone area. Findings of Fact for approval of the request are attached for Council consideration. A public hearing on the Amendment has been advertised and is scheduled for the April 7, 2008 City Council meeting.

RECOMMENDATION

Staff recommends that the Council hold a public hearing and adopt the ordinance as recommended by the Planning Commission. If the Council is in agreement with the recommendation of the Planning Commission, it would be in order for Council to hold a first reading of the Ordinance.

By: Rosemary Johnson  
Rosemary Johnson, Planner

Through: Brett Estes  
Brett Estes, Community Development Director

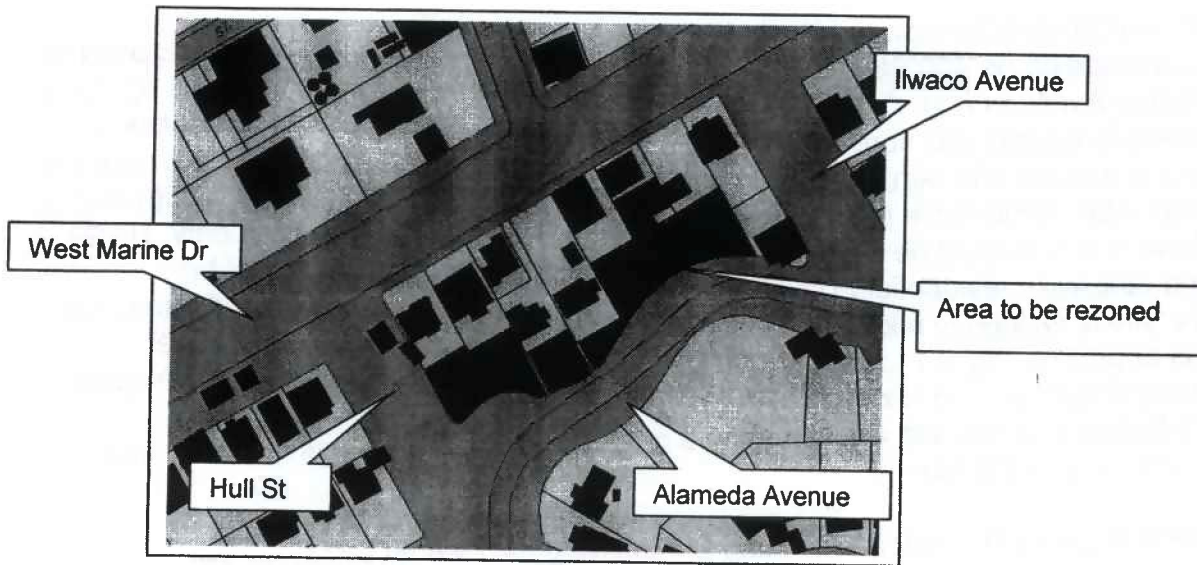
T:\General CommDev\APC\Permits\Amendments\2008\A08-01.Nevin C-3 to R-3\City Council.mem.doc

AN ORDINANCE AMENDING THE ASTORIA LAND USE AND ZONING MAP BY REZONING A PORTION OF THE NORTH SIDE OF THE 400 BLOCK ALAMEDA AVENUE FROM C-3 ZONE (GENERAL COMMERCIAL) TO R-3 ZONE (HIGH DENSITY RESIDENTIAL)

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The property generally lying between the centerline of Hull Street to Ilwaco Avenue and mid block between West Marine Drive to the north line of Alameda Avenue; approximate south 55' Lot 8, south 50' Lot 7, south 49' Lot 6, south 13' Lot 5, south 55' Lot 4, south 54' Lots 3 & 2, Block 5, Taylor's; Map T8N-R9W, Section 7CC, Tax Lots 6600, 7200, 7500.



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

ADOPTED BY THE COMMON COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008.

APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008.

ATTEST: \_\_\_\_\_ Mayor

\_\_\_\_\_  
Paul Benoit, City Manager

ROLL CALL ON ADOPTION:                      YEA                      NAY                      ABSENT

Commissioner      Compere  
                             Roscoe  
                             Henningsgaard  
                             Warr

Mayor Van Dusen

Mailed 3-28-08

BEFORE THE PLANNING COMMISSION  
OF THE CITY OF ASTORIA

IN THE MATTER OF AN AMENDMENT REQUEST )  
 )  
 FOR THE FOLLOWING PROPERTY: MAP T8N-R9W )  
 SECTION 7CC, TAX LOT 6600, 7100, 7500 ; LOT(S) SOUTH 55' )  
 LOT 8, SOUTH 50' LOT , SOUTH 49' LOT 6, SOUTH 13' LOT 5, )  
 SOUTH 55' LOT 4, SOUTH 54' LOTS 2 & 3 ; BLOCK 5 ) ORDER NO. A08-01  
 HULL STREET AND ALAMEDA AVENUE; TAYLORS, )  
 ASTORIA OR 97103 )  
 )  
 ZONING: C-3 ZONE GENERAL COMMERCIAL )  
 )  
 APPLICANT: DAVID NEVIN, 3701 NW BLISS ROAD, )  
 VANCOUVER WA 98685 )

The above named applicant applied to the City for an Amendment to change the Land Use and Zoning Map to rezone the area on the north side of the 400 Block Alameda Avenue from C-3 Zone (General Commercial) to R-3 Zone (High Density Residential) within the City limits of Astoria, Oregon.

A public hearing on the above entitled matter was held before the Planning Commission on March 25, 2008 and the Planning Commission closed the public hearing and rendered a decision at the March 25, 2008 meeting.


The Planning Commission found the proposed amendment to be necessary and recommends to the Astoria City Council that the proposed amendment be approved. *A copy of the application, all documents and evidence relied upon by the applicant, the staff report, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost.*

DATE SIGNED: March 25, 2008


DATE MAILED: 3-28-08

CITY OF ASTORIA PLANNING COMMISSION

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

  
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Commissioner

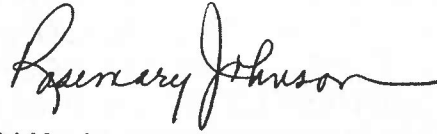


**STAFF REPORT AND FINDINGS OF FACT**

March 18, 2008

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER



SUBJECT: Amendment Request (A08-01) by David Nevin to rezone the north side of the 400 Block of Alameda Avenue from C-3 Zone (General Commercial) to R-3 Zone (High Density Residential)

**I. BACKGROUND SUMMARY**

A. Applicant: David Nevin (Sale Pending)  
3701 NW Bliss Road  
Vancouver WA 98685

Community Development Director  
City of Astoria  
1095 Duane Street  
Astoria OR 97103

B. Owner: James Neikes (Tax Lots 7200 & 7500; sale pending)  
34755 Highway 101 Business  
Astoria OR 97103

Clatsop County Property Management (Tax Lot 6600)  
820 Exchange  
Astoria OR 97103

C. Request: Change the Land Use and Zoning Map to rezone the area on the north side of the 400 Block Alameda Avenue from C-3 Zone (General Commercial) to R-3 Zone (High Density Residential)

D. Location: North side of 400 Block Alameda Avenue (Map T8N-R9W Section 7CC, Tax Lots 6600, 7200, 7500; approximate south 55' Lot 8, south 50' Lot 7, south 49' Lot 6, south 13' Lot 5, south 55' Lot 4, south 54' Lots 2 & 3, Block 5, Taylor's)

E. Current Zone: C-3 (General Commercial)

Proposed Zone: R-3 (High Density Residential)

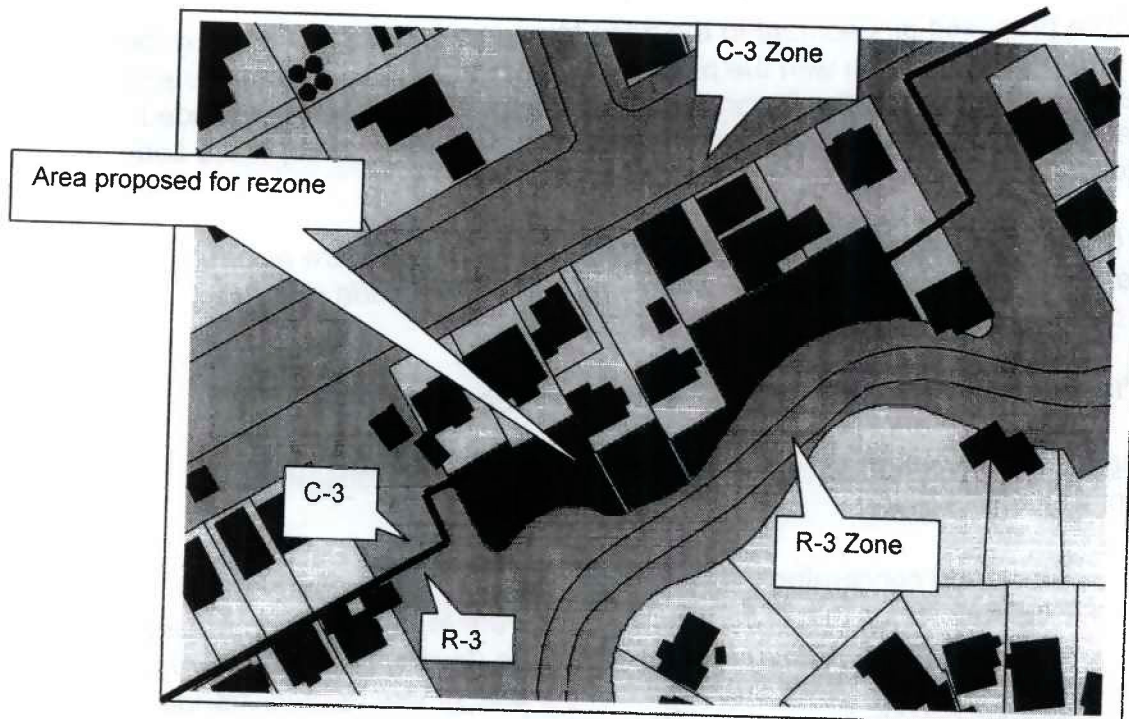
## II. BACKGROUND

### Subject Site:

The site is located on the north side of the 400 block of Alameda Avenue between the unimproved rights-of-way of Hull and Ilwaco Avenues. The site is accessed from Alameda Avenue and sits high above the commercial area to the north along West Marine Drive. The proposed R-3 Zone (High Density Residential) is the surrounding residential neighborhood zoning and would allow a more appropriate development of the site as residential versus commercial.

The current C-3 Zone includes the properties along West Marine Drive in the vicinity of Portway Street. There is no access to the site from the commercial area below. The City has included the adjacent tax lot owned by Clatsop County as it is also located on the Alameda Avenue level within the adjacent R-3 Zone and is not conducive to commercial development. The site is sloped steeply and situated above the level of the West Marine Drive right-of-way. On earlier zoning maps, the C-3 / R-3 Zone line was not along specific parcels and divided individual parcels into two zones. An interpretation was made at that time that the majority of each lot was zoned C-3 and therefore the zone line was realigned to include the entire portion of each parcel into the C-3 Zone. The parcel on the east end of this block was fully within the R-3 Zone and remained in that zone.

The applicant proposes to potentially redevelop a portion of the property with a single-family dwelling. No development application has been submitted or should be considered as a part of this zone amendment request.



Neighborhood:

To the west is the unimproved Hull Avenue right-of-way and residential development; to the south are single-family residences and a vacant hillside parcel owned by the City of Astoria; and to the east are single-family dwellings. The Alameda Avenue right-of-way is platted 60' wide but the paved portion is only 20' wide. The right-of-way widens at the intersection of Hull Avenue for a width of over 110' in the curve. Properties along Alameda Avenue are zoned R-3 (High Density Residential). To the north is the C-3 Zone and commercial development along West Marine Drive including an apartment building with retail stained glass shop, Astoria Granite, a former gas station, Portway Tavern, and a few residential buildings fronting on West Marine Drive.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet, pursuant to Section 9.020 on March 4, 2008. In accordance with Section 9.020, a notice of public hearing was published in the Daily Astorian on March 18, 2008. Any comments received will be made available at the Planning Commission meeting.

IV. FINDINGS OF FACT

- A. Section 10.020(B) states that *"An amendment to a zone boundary may only be initiated by the City Council, Planning Commission, the Community Development Director, or the owner or owners of the property for which the change is proposed."*

Finding: The proposed amendment to the zone boundary is being initiated by the property owner in conjunction with the proposed property owner. Clatsop County owns one of the parcels and the Community Development Director has included this parcel in the application to avoid small pockets of property in a separate zone designation.

- B. Section 10.070(B) concerning a Map Amendment states that *"Before an amendment to a zone boundary is approved, findings will be made that the following criteria are satisfied:*

1. *"The amendment be consistent with the Comprehensive Plan."*

Finding: The amendment is relevant to a number of sections of the Comprehensive Plan.

- a. CP.010(2) concerning General Development Policies for 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."*

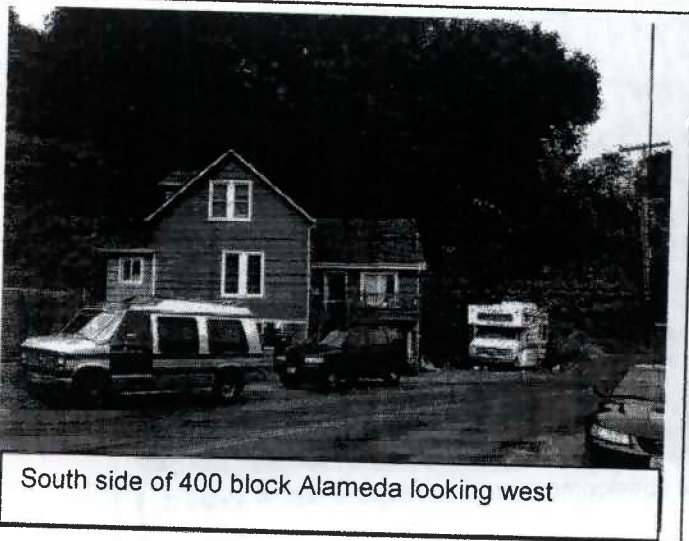
CP.025(2) concerning Policies Pertaining to Land Use Categories and Density Requirements states that *"Changes in the land use and zoning map may be made by boundary amendment so long as such change is consistent with the goals and policies of the Comprehensive Plan.*

*Factors to be considered when evaluating requests for zoning amendments will include compatibility with existing land use patterns, effect on traffic circulation, adequacy of sewer, water and other public facilities, contiguity to similar zones, proposed buffering, physical capability including geologic hazards, and general effect on the environment."*

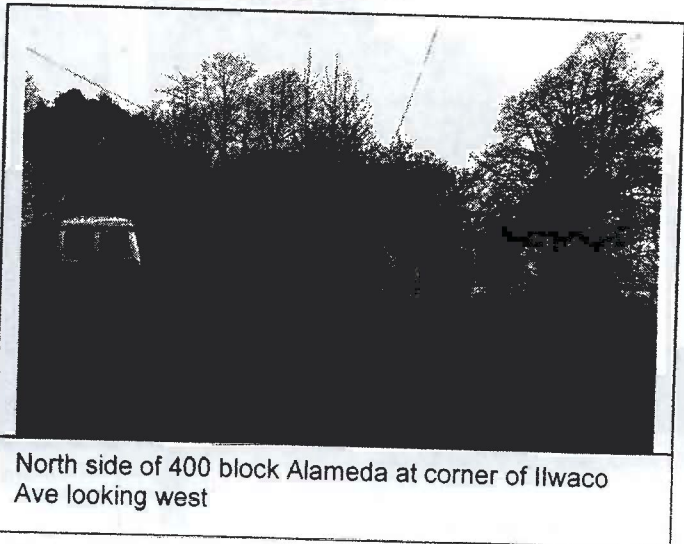
CP.035(2) concerning West End Area Policies states that *"Construction in areas of steep slopes and potential landslide hazard will be done after favorable geologic and engineering studies are submitted to the city building official. Proper consideration must be given to storm water drainage and the impacts on downslope property."*

CP.220(3) concerning Housing Policies states that *"Residential areas should be developed in ways which are consistent with the geographic features so as not to create or trigger geologic hazards. New subdivisions or housing developments should cause minimal earth disturbances and removal of trees."*

Finding: The subject site is located in a topographically steep residential neighborhood. Residential development on the proposed site will have less of an impact due to the need for less off-street parking and the lower impact of no customers coming and going from the site. Any development will be done in consideration of the topography and would require geotechnical reports. No site design issues are being considered as a part of this request.



South side of 400 block Alameda looking west



North side of 400 block Alameda at corner of Ilwaco Ave looking west

- b. CP.015(6) concerning General Land and Water Use Goals states that *"The plan establishes the goal of encouraging development which the City is capable of servicing. New industry or housing development should be permitted if public facilities such as sewer, water, police and fire protection, and schools, are capable of accommodating increased demand."*

**Finding:** The property is currently vacant and while capable of being served by public facilities, the actual demand on those services and ability to serve the increased demand cannot be determined until the actual use is proposed. The change in allowable uses would reduce the intensity of uses and therefore would reduce the demand on these services. It is anticipated that public facilities are able to serve the potential residential uses in this area.

- c. CP.035(2) concerning West End Area Policies states that *"The quiet residential character of the West End will be protected through the city's zoning ordinance."*

CP.220(6) concerning Housing Policies states that *"Neighborhoods should be protected from unnecessary intrusions of incompatible uses, including large scale commercial, industrial, and public uses or activities."*

**Finding:** The current C-3 Zone would allow commercial development in the otherwise residential neighborhood. The neighborhood on both sides of Alameda is developed with residences. The rezone from commercial to residential would protect this neighborhood from unnecessary commercial intrusion and the associated impacts and would allow development more consistent with the adjacent properties.



Commercial development on West Marine below subject site



Residential development on West Marine below subject site

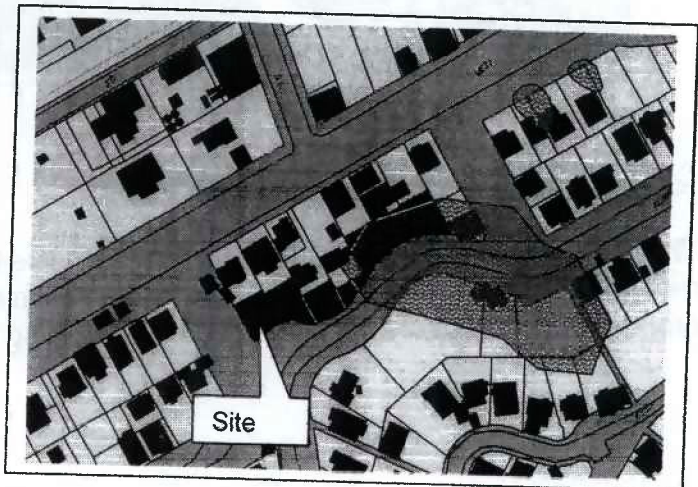
2. Section 10.070(B.2) requires that *"The amendment will:*
- a. *Satisfy land and water use needs; or*
  - b. *Meet transportation demands; or*
  - c. *Provide community facilities and services.*

**Finding:** All City utility services are available to the area. The paved roadway of Alameda Avenue is 20' wide and has many curves which is not conducive to commercial development. Transportation demands for residential development of a single-family dwelling would be less than with the current allowable commercial uses of the C-3 Zone. The draft Buildable Lands Inventory (BLI) indicates that there are several in-fill lots for development but that the majority of buildable lands for residential development are in limited ownership on the east end of Astoria. The BLI also indicates a lack of large tracts of commercially zoned land and indicates that parcels could be combined to create larger parcels. The parcels to be rezoned are at a higher elevation than the C-3 Zone parcels on West Marine Drive and it would not be feasible to attach these parcels to any construction or use in the C-3 Zone. All of the parcels to be rezoned are not identified as "buildable" in the draft BLI due to the size, zoning, topography, and location relative to a slide area. The rezone would possibly provide one or two single-family dwelling lots in the residential neighborhood which are not appropriate for commercial development. The rezone will meet this criteria.

- C. Section 10.070(B)(3) requires that *"the land is physically suitable for the uses to be allowed, in terms of slope, geologic stability, flood hazard and other relevant considerations."*

**Finding:** The area is in flood Zone C "Area of Minimal Flooding" as determined by the National Flood Insurance Program Flood Insurance Rate Map (community panel number 410028 0005 B, effective August 1, 1978).

The subject property is within 100' of an area of known geologic instability. The Development Code requires new construction within 100' of a known geologic hazard to obtain and submit a geological hazard report to the City for review and approval prior to construction. Construction is not a part of this proposal and any a geological hazard report will be required for any construction.



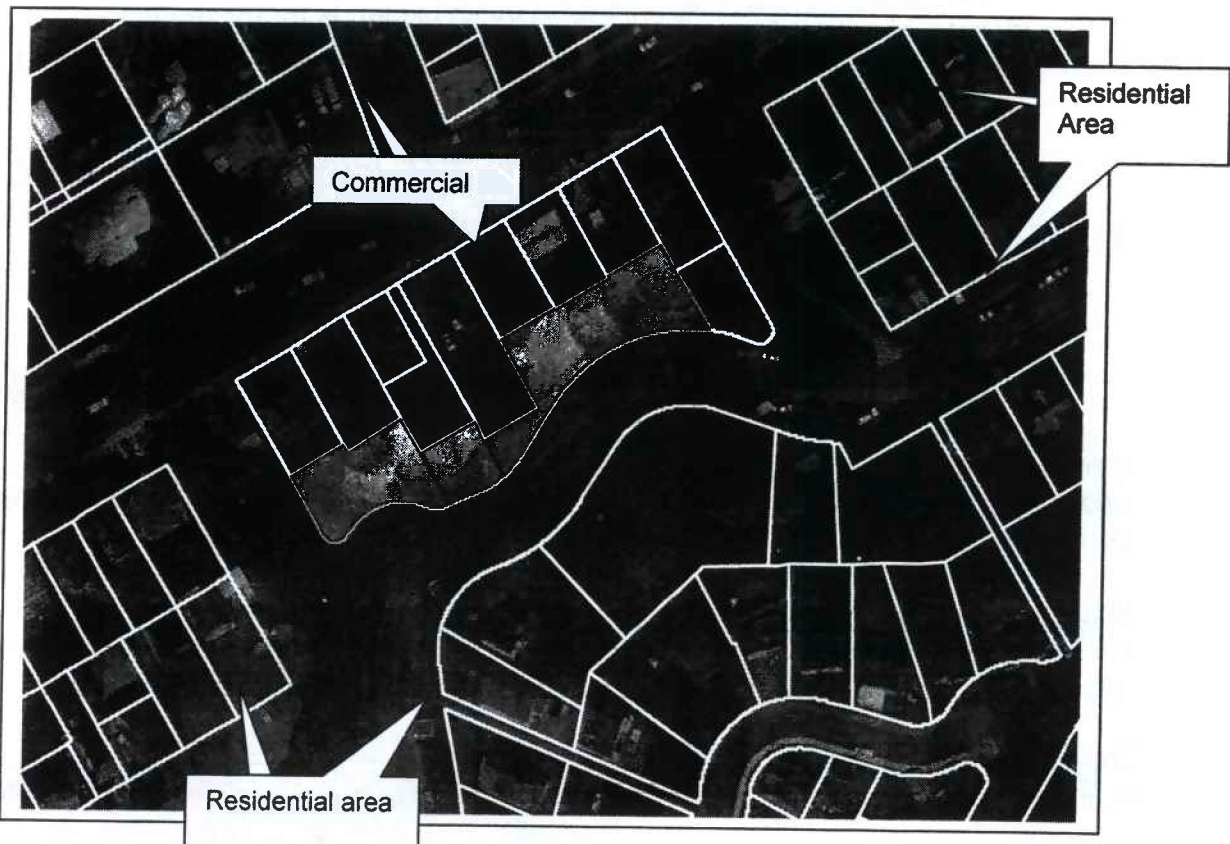
The rezone will allow residential development rather than commercial uses which is more suitable to the topography and development of the area.

- D. Section 10.070(B.4) requires that *“resource lands, such as wetlands, are protected.”*

Finding: There are no known wetlands on the site.

- E. Section 10.070(B.5) requires that *“the amendment is compatible with the land use development pattern in the vicinity of the request.”*

Finding: The Alameda Avenue neighborhood is developed as residential. Commercial development on this site would not be compatible with the existing development pattern.



## V. CONCLUSION AND RECOMMENDATION

The request is consistent with the Comprehensive Plan and Development Code, and staff recommends that the Planning Commission recommend to the City Council that the proposed amendment to the Land Use and Zoning Map be adopted.

CITY OF ASTORIA  
1095 Duane Street  
Astoria OR 97103  
53-338-5183

Community Development Dept.

JAN - 4 2008

Pd 1/4/08

Fee: \$400.00

A 08 01

AMENDMENT

Property Location: Address V/L Hull St + Alameda  
Lot/Block/Subdivision Block 5,  
Map/Tax Lot: 80907 CC 7200/7500 Zone: C-3  
Code or Map to be Amended: rezone to R-3

Applicant Name: David Nevin + Marcia Nevin  
Mailing Address: 3701 NW Bliss Road, Vancouver WA 98685  
Phone: 503-260-6309 Business Phone: same

Property Owner's Name: James Neikes  
Mailing Address: 34755 Hwy 101 Bys. Astoria OR 97103

Business Name (if applicable):  
Signature of Applicant: [Signature] / Marcia A. Nevin 1/3/08  
Signature of Property Owner: [Signature] (Jim Neikes) 1/3/08

Proposed Amendment Rezone from existing commercial zone to R3 residential zone.

**FILING INFORMATION:** Astoria Planning Commission meets at 7:00 pm on the fourth Tuesday of each month. Applications must be received by the 20<sup>th</sup> of the month to be on the next month's agenda. A pre-application meeting with the Planner is required prior to the acceptance of the application as complete. Only complete applications will be scheduled on the agenda. Your attendance at the Planning Commission is recommended.



Briefly address each of the Amendment Criteria and state why this request should be approved.  
(Use additional sheets if necessary.)

A. Text Amendment (Please provide draft language of proposed text amendment)

Before an amendment to the text of the Code is approved, findings will be made that the following criteria are satisfied.

1. The amendment is consistent with the Comprehensive Plan.

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2. The amendment will not adversely affect the ability of the City to satisfy land and water use needs.

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B. Map Amendment (Please provide a map showing the proposed area to be amended.)

Before an amendment to a zone boundary is approved, findings will be made that the following criteria are satisfied:

1. The amendment is consistent with the Comprehensive Plan:

*Change to R3 zone will allow residential development in urban Astoria where there are few lots that can be built for residential use. lot is in residential neighborhood.*

2. The amendment will:

- a. Satisfy land and water use needs; or

*will satisfy demand for residential lots that can be built on. lot has a flat buildable area that will allow new construction without disturbing surrounding area.*

- b. Meet transportation demands; or

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c. Provide community facilities and services:

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3. The land is physically suitable for the uses to be allowed, in terms of slope, geologic stability, flood hazard and other relevant considerations.

*Lot is located above commercial district with no access from W. Marine Dr. Geo-tech report will show lot is buildable without creating further geo hazards.*

4. Resource lands, such as wetlands are protected.

*no known wetlands on site.*

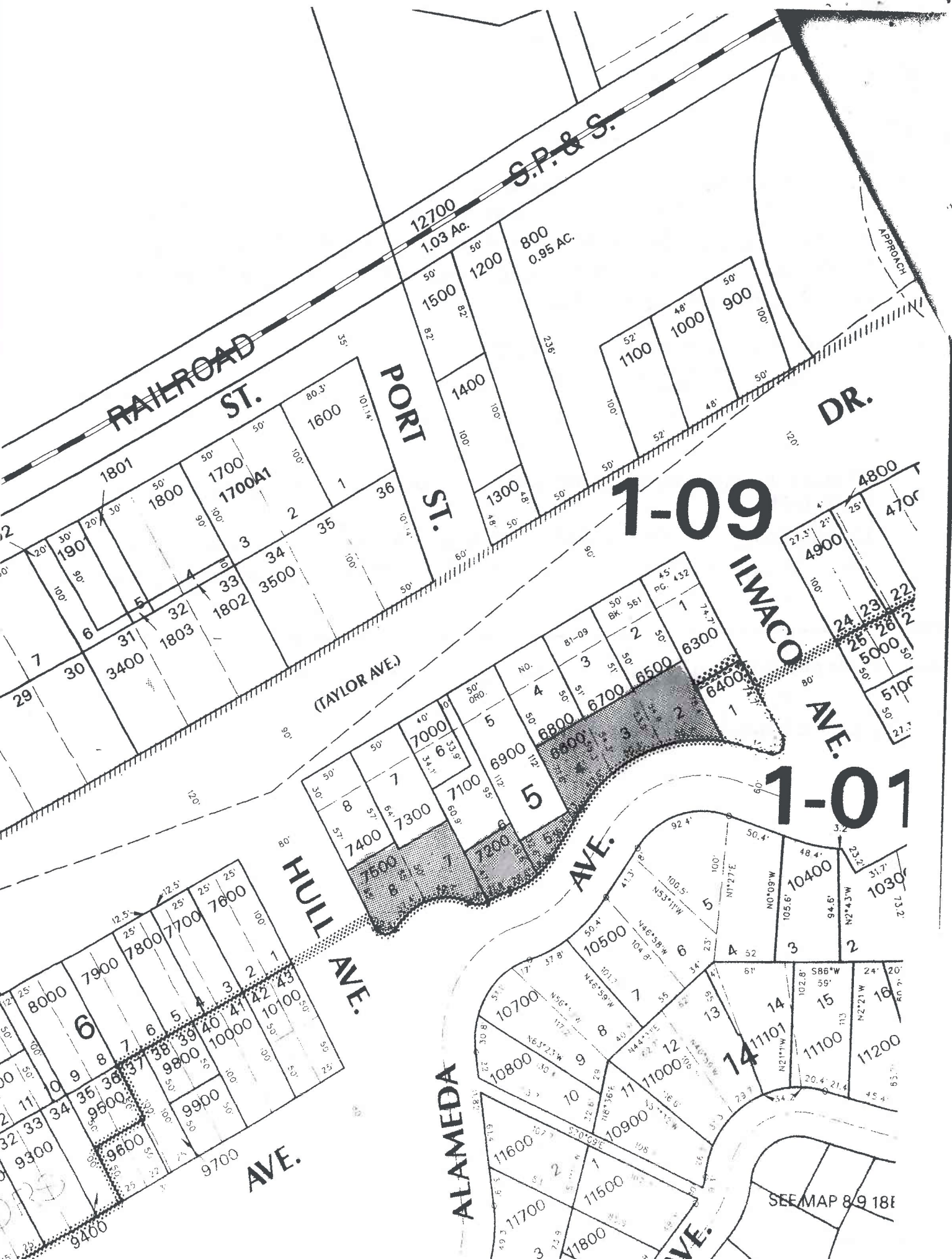
5. The amendment is compatible with the land use development pattern in the vicinity of the request.

*Neighborhood is residential and zone change will expand R-3 zone to allow home to be built that conforms to surrounding area.*

**PLANS:** A site plan indicating location of any proposed zone change is required.

*See attached:*

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**RAILROAD ST.**

**PORT ST.**

**HULL AVE.**

**ALAMEDA AVE.**

**ILWACO AVE.**

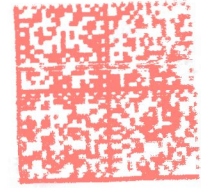
**DR.**

**1-09**

**1-01**

SEE MAP 8 9 18

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