



# Oregon

Theodore R. Kubongski, 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

3/16/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Astoria Plan Amendment  
DLCD File Number 005-09

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: Monday, March 29, 2010

This amendment was submitted to DLCD for review 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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Rosemary Johnson, City of Astoria  
Gloria Gardiner, DLCD Urban Planning Specialist  
Matt Spangler, Regional Representative  
Chris Shirley, FEMA Specialist

<paa> YA



FORM 2

DLCD

# Notice of Adoption

In person  electronic  mailed

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DEPT OF

MAR 9 2010

LAND CONSERVATION  
AND DEVELOPMENT  
For Office Use Only

This Form 2 must be mailed to DLCD within 5-Working Days after the Final Ordinance is signed by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: City of Astoria

Local file number: A09-07

Date of Adoption: 3-1-10

Date Mailed: 3-5-10

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 12-8-09

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

Rezone an area located within the Downtown Code fringe from C-3 (General Commercial) to C-4 (Central Commercial)

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from: C-3

to: C-4

Location: x 50' Lot 1, Block 135, Shively; and Block 118, Shively

Acres Involved: 1.5

Specify Density: Previous:

New:

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

DLCD file No. 005-09 (17993) [16037]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

SHPO, Astoria Downtown Historic District Association

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Local Contact: Rosemary Johnson

Phone: (503) 338-5183 Extension: 27

Address: 1095 Duane Street

Fax Number: 503-338-6538

City: Astoria

Zip: 97103

E-mail Address: [rjohnson@astoria.or.us](mailto:rjohnson@astoria.or.us)

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## ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)  
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this Form 2 on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp. (for submittal instructions, also see # 5)] MAIL the PAPER COPY and CD 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**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

ORDINANCE NO. 10- 04

AN ORDINANCE AMENDING THE ASTORIA LAND USE AND ZONING MAP FOR THE ENTIRE BLOCK FROM DUANE TO EXCHANGE AND 14<sup>TH</sup> TO 15<sup>TH</sup> STREETS AND THE LOT ON THE NORTHWEST CORNER OF DUANE AND 15<sup>TH</sup> STREET, 1483 DUANE, 1493 DUANE, 1492 DUANE, 426 – 14<sup>TH</sup>, 425 – 15<sup>TH</sup>, AND 1480 EXCHANGE FROM C-3 (GENERAL COMMERCIAL) ZONE TO C-4 (CENTRAL COMMERCIAL) ZONE.

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 (General Commercial) Zone to C-4 (Central Commercial) Zone as indicated on the attached map (Exhibit A):

The entire block from Duane to Exchange and 14th to 15th Streets and the lot on the northwest corner of Duane and 15th Street, 1483 Duane, 1493 Duane, 1492 Duane, 426 – 14th, 425 – 15th, and 1480 Exchange; Map T8N-R9W Section 8CA, Tax Lots 6301; Map T8N-R9W Section 8CD, Tax Lots 15300, 15100, 15200; Block 118, Shivelys.

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


THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

ADOPTED BY THE CITY COUNCIL THIS 1ST DAY OF MARCH, 2010.

APPROVED BY THE MAYOR THIS 1ST DAY OF MARCH, 2010.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Manager

ROLL CALL ON ADOPTION	YEA	NAY	ABSENT
Councilor LaMear	X		
Roscoe	X		
Henningsgaard	X		
Warr	X		
Mayor Van Dusen	X		

S2-A

600  
**Exhibit A**

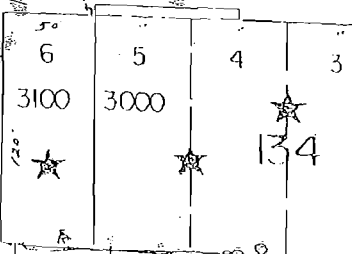
SHIVELY'S MARINE



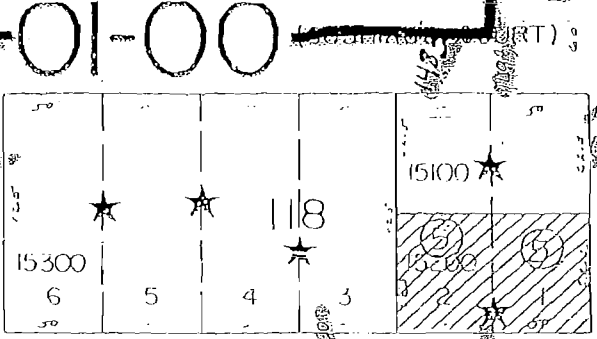
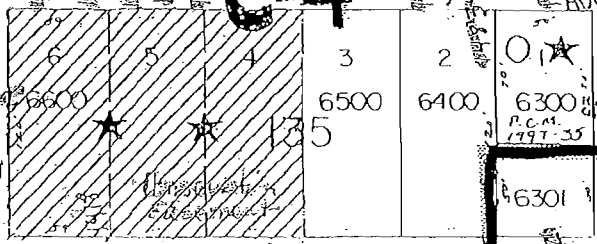
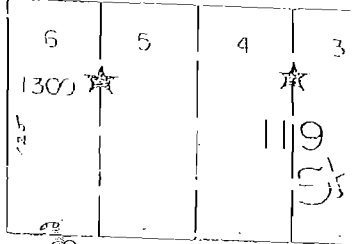
COMMERCIAL ST. ASTOR ST.

Downtown

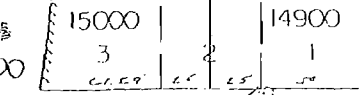
C-4



C-3

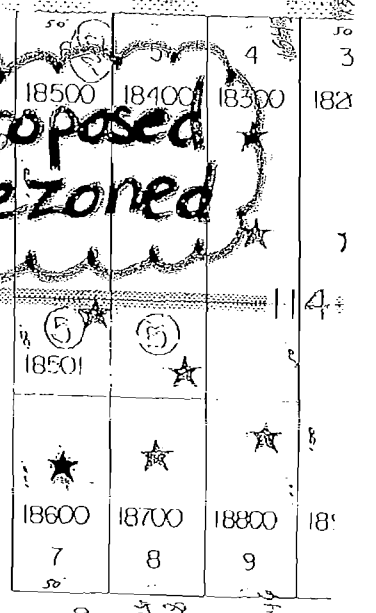
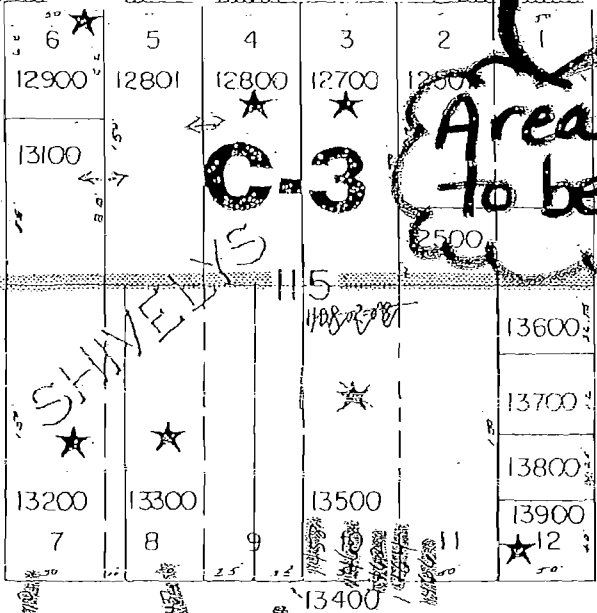


C-4

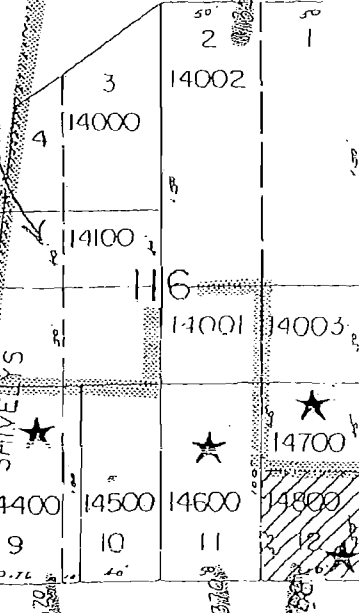


Area proposed to be rezoned

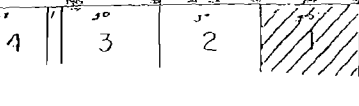
C-3



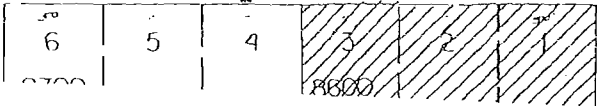
EXCHANGE ST.



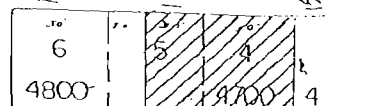
SHIVELY'S



SHIVELY'S AVE.



FRANKLIN ST.



BEFORE THE CITY COUNCIL  
OF THE CITY OF ASTORIA

IN THE MATTER OF A AMENDMENT )

FOR THE FOLLOWING PROPERTY: MAP T8N-R9W )  
SECTION 8CA TL 6301; TAX LOT 8CD TL 15300, 15100, 15200; )  
BLOCK 118; SHIVELY'S; 1483, 1493, 1492 DUANE; )  
426 14TH ST, 425 15TH STREET, ASTORIA OR 97103 )

ZONING: C-3, GENERAL COMMERCIAL )

APPLICANT: BIG BEAMS LLC, 1483 DUANE STREET )  
ASTORIA OR 97103 )

ORDER NO. A09-07

The above named applicant filed a Amendment Request A09-07 to amend the Astoria Land Use and Zoning Map to rezone an area from C-3 to C-4 at 1483, 1493, 1492 Duane; 426 14th St, 425 15th St., Astoria, Oregon 97103.

A public hearing on the above entitled matter was held before the Astoria Planning Commission on January 26, 2010; the Astoria Planning Commission closed the public hearing and voted to recommend approval by Astoria City Council at the January 26, 2010 meeting.

A public hearing on the above entitled matter was held before the Astoria City Council and the public hearing was closed at the February 16, 2010 meeting; the Astoria City Council rendered a decision at the March 1, 2010 meeting.

The City Council found the proposed amendment to be necessary and orders that this application for an Amendment A09-07 is approved and adopts the findings and conclusions of law attached hereto.

The effective date of this approval is the date of 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.*

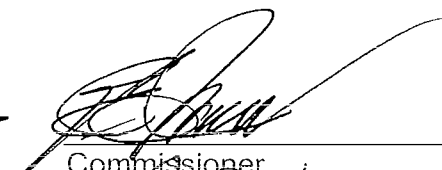
This decision may be appealed to the Land Use Board of Appeals (LUBA) by the applicant, party to the hearing, or a party who responded in writing by filing a Notice of Intent to Appeal with LUBA within 21 days after the land use decision becomes final as described by OAR 661-010-0010(3).

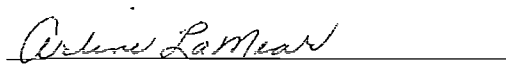
DATE SIGNED: MARCH 1, 2010

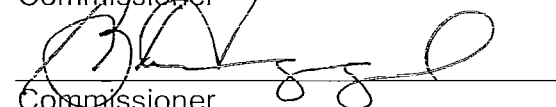
DATE MAILED: 3-2-10


ASTORIA CITY COUNCIL

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

BEFORE THE ASTORIA PLANNING COMMISSION  
OF THE CITY OF ASTORIA

IN THE MATTER OF A AMENDMENT )

FOR THE FOLLOWING PROPERTY: MAP T8N-R9W )  
SECTION 8CA TL 6301; TAX LOT 8CD TL 15300, 15100, 15200; )  
BLOCK 118; SHIVELY'S; 1483, 1493, 1492 DUANE; )  
426 14TH ST, 425 15TH STREET, ASTORIA OR 97103 )

ORDER NO. A09-07

ZONING: C-3, GENERAL COMMERCIAL )

APPLICANT: BIG BEAMS LLC, 1483 DUANE STREET )  
ASTORIA OR 97103 )

The above named applicant applied to the City for a Amendment A09-07 to amend the zone from C-3 to C-4 at 1483, 1493, 1492 Duane; 426 14th St, 425 15th St., Astoria, Oregon 97103.

A public hearing on the above entitled matter was held before the Astoria Planning Commission on January 26, 2010; and the Astoria Planning Commission closed the public hearing and rendered a decision at the January 26, 2010 meeting.

The Planning Commission found the proposed amendment to be necessary and recommends to the Astoria City Council that the proposed amendment be approved.

DATE SIGNED: JANUARY 26, 2010

DATE MAILED: 1-27-10

ASTORIA PLANNING COMMISSION

S BRUCE CONNER  
President

Carrie Olive  
Commissioner

McLaren Isaacs  
Commissioner

[Signature]  
Commissioner

[Signature]  
Commissioner

[Signature]  
Commissioner

+ Hart  
Commissioner

STAFF REPORT AND FINDINGS OF FACT

January 20, 2010

TO: PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER



SUBJECT: AMENDMENT REQUEST (A09-07) BY BIG BEAMS LLC TO THE LAND USE AND ZONING MAP TO REZONE AN AREA AT 14TH & 15TH AND DUANE STREETS FROM C-3 (GENERAL COMMERCIAL) TO C-4 (CENTRAL COMMERCIAL)

I. BACKGROUND SUMMARY

- A. Applicant: Big Beams LLC  
1483 Duane Street  
Astoria OR 97103
  
- B. Owner: Big Beams LLC (Tax Lots 6301 & 15300)  
1483 Duane Street  
Astoria OR 97103  
  
Big Beams LLC (Tax Lot 15100)  
Cervesia Gratis Inc.  
1483 Duane Street  
Astoria OR 97103  
  
City of Astoria (Tax Lot 15200)  
1095 Duane Street  
Astoria OR 97103
  
- C. Request: Amend the Astoria Land Use and Zoning Map by rezoning the area generally from 14th to 15th and Duane to Exchange Streets from C-3 (General Commercial) to C-4 (Central Commercial)
  
- D. Location: 1483 Duane, 1493 Duane, 1492 Duane, 426 14th, 425 15th, 1480 Exchange; Map T8N-R9W Section 8CA, Tax Lot 6301, Section 8CD, Tax Lots 15100, 15200, 15300; south 50' Lot 1, Block 135, and all of Block 118, Shively
  
- E. Zone: Current: C-3 (General Commercial)  
Proposed: C-4 (Central Commercial)

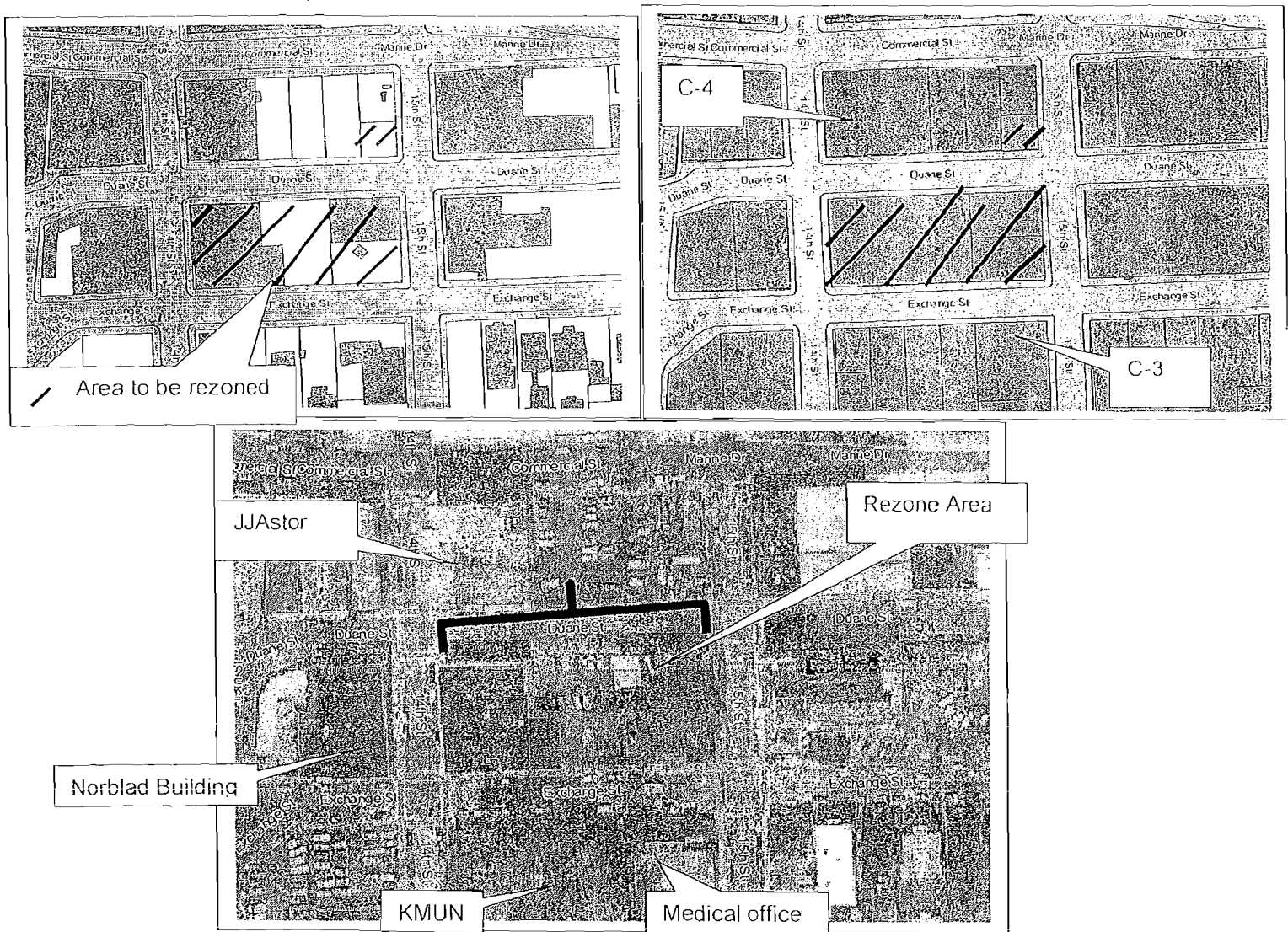
II. BACKGROUND

The property proposed for rezone is generally located between 14th and 15th Streets and Duane and Exchange Streets in a developed area. The property is sloped up



from the north to south with street frontage at two elevations. The main site, Block 118, is developed with the Fort George Brewery and Blue Scorcher Bakery on the northeast corner and the former Ocean Crest building on the west half. The City's historic Fort Astoria park is located on the southeast corner. The lot on the north side of Duane at 15th Street is the former Hertz rental car site and is currently used as parking and office space for the Fort George Brewery. The entire site, excluding the City park, was recently purchased by Big Beams LLC. They own the Fort George Brewery operation at 1483 Duane and have plans to expand into the west building with the brewery operation.

The area is bounded on the north by the C-4 Zone with the John Jacob Astor Hotel Apartments, City-owned Tidal Rock Park, and Commercial Street; on the east across the 15th Street right-of-way by Owens Adair Housing and the Roby Home Furnishing; on the south across the Exchange Street right-of-way by KMUN Radio, an apartment building, and Angel Medical Offices; on the east across the 14th Street right-of-way by the Norblad building (former Co-Op Store and Compleat Photographer); and to the southwest across Exchange Street right-of-way by the new Shark Rock building and current Co-Op Store location.



The site has been developed since the 1920's and the buildings are designated as historic within the Downtown National Register Historic District. The development of the Downtown area visually goes from approximately 16th Street to 6th Street and the Riverfront to Exchange Street. The area proposed to be rezoned is within this visual downtown area. Most of the businesses within this area are inter-related and are a cohesive part of the Astoria Downtown Historic District Association (ADHDA), the Downtown merchant's group.

The APC recommendation will be forwarded to the City Council for consideration tentatively at their February 16, 2010 meeting.

### III. PUBLIC REVIEW AND COMMENT

#### A. Planning Commission

A public notice was mailed to Neighborhood Associations and property owners within 100' of the proposed zone boundary change area on December 30, 2009. In accordance with Section 9.020, a notice of public hearing was published in the Daily Astorian on January 19, 2010. The proposed amendments are legislative as they apply City-wide. Any comments received will be made available at the Planning Commission meeting.

#### B. City Council

A public notice was mailed to Neighborhood Associations and property owners within 100' of the proposed zone boundary area on January 22, 2010. In accordance with Section 9.020, a notice of public hearing will be published in the Daily Astorian on February 8, 2010. Any comments received will be made available at the City Council meeting.

### IV. FINDINGS OF FACT

- A. Development Code 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 zoning map boundary is being initiated by Big Beams LLC who owns property proposed to be rezoned. The City as owner of one of the parcels has co-signed the application.

- B. Section 10.050(B) states that *"The following amendment actions are considered quasi-judicial under this Code:*
1. *A zone change that affects a limited area or a limited number of property owners."*

Finding: The proposed amendment is to amend the Astoria Land Use and Zoning Map to rezone a limited area site with only two property owners from C-3 to C-4 Zone. Processing as a quasi-judicial action would be appropriate.

- C. Section 10.070(A)(1) requires that *"The amendment is consistent with the Comprehensive Plan."*

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."*

1. CP.005(5) concerning 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 Comprehensive Plan and Development Code establish designated land use areas and zones. The general development of the Downtown area has been consistent since the 1920's and includes the subject property. The major portion of the subject property has been used for automotive sales and service since the 1920's, but those uses have since moved out of the downtown area leaving these building vacant and available for more appropriate, downtown-related, adaptive reuse. With the historic designation of the buildings in this area and the development pattern, it is clear that major changes are not anticipated that would warrant keeping the proposed area within the C-3 Zone which allows more intense development including automotive related services formerly at this site. The community is in the process of developing a historic cluster. The concept calls for various inter-related historic restoration businesses and services to be located near each other to better support each other. The nature of the buildings on these parcels and its proximity to other Downtown buildings adds to the overall design and plans of this cluster concept. A change in zone to include this block within the Downtown C-4 Zone is consistent with the current trends of development and vision for this area.

2. CP.015(1) concerning General Land and Water Use 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(2) concerning General Land and Water Use Goals states that *"It is a goal of the plan to encourage the development of public and private lands within the city limits, particularly areas that are presently serviced*

*with sewer and water, prior to the extension of public facilities to areas outside the City.”*

Finding: The proposed amendment would allow for continued compact urban form development of an area currently serviced by City utilities. Astoria is becoming the cultural center of the region with its numerous historic properties and districts, and with the developing historic cluster concept of services. The proposed rezone area has the potential to become an important part of this redevelopment.

3. CP.020(6) concerning Community Growth, Plan Strategy states that *“The City encourages historic preservation generally, the restoration or reuse of existing buildings. However, these structures must be improved in a timely manner.”*

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

CP.250(1) concerning 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.”*

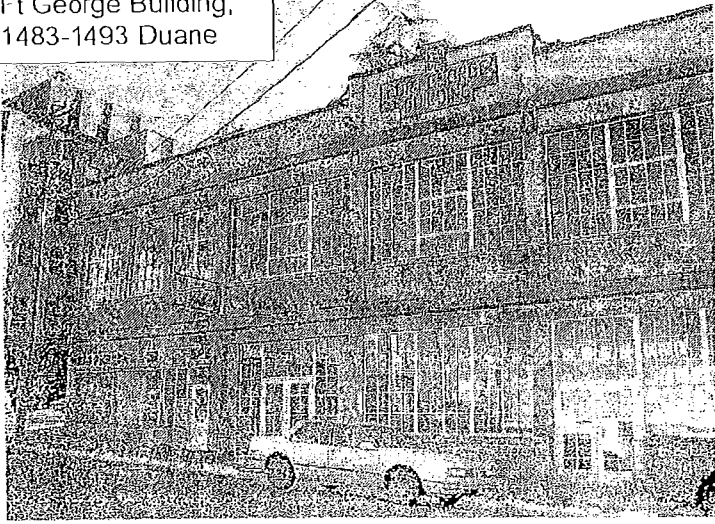
CP.250(4) concerning Historic Preservation Goals states that *“The City will actively involve Astoria’s citizens in Astoria’s historic preservation effort, including the development of a public information and education program.”*

Finding: The existing buildings are designated as historic and have been underutilized for many years. The current and previous owners have partially restored the Fort George building to include the Fort George Brewery and the Blue Scorcher Bakery. The current owner has plans to restore the former Ocean Crest building. Rezoning the property to C-4 would help with the restoration by giving the property owner the ability to market the building to tenants, possibly to support the historic cluster concept, and expand his own brewery operation into the adjacent building.

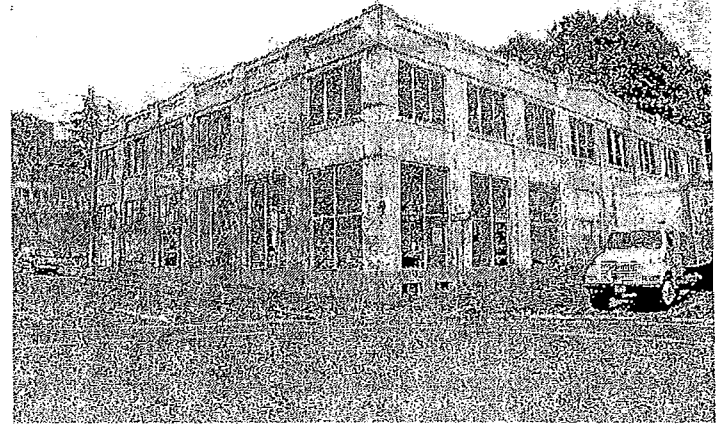
Part of the reason for the rezone request is to eliminate the requirement for off-street parking. Like the existing C-4 downtown blocks, this block is built-out with little to no opportunity for off-street parking. There is a small lot between the two buildings that is currently used for parking for a portion of the Fort George building but would not be sufficient to accommodate the needs of both buildings. In the C-3 Zone, any use would need to provide off-street parking and since it is not available, it

would require a variance from the code requirement, or in the worst case, could prohibit a potential tenant from locating to these buildings. It is necessary to have tenants in the buildings to help defray part of the restoration expenses, which are very costly. Most of the uses within the two zones are similar with a few exceptions, but the off-street parking requirement hampers reuse of these existing historic buildings.

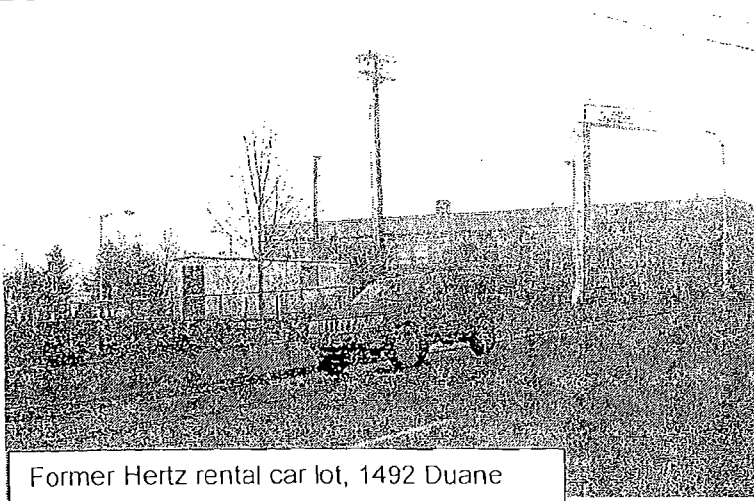
Ft George Building,  
1483-1493 Duane



Former Ocean Crest Building,  
426 14th St



Former Hertz rental car lot, 1492 Duane



Ft Astoria, 1480 Exchange



The development in the area is urban in nature. The existing C-3 Zone designation is not as appropriate to help retain the downtown building form and streetscape. In a downtown area, people park in one place and walk to multiple destinations; while in the more typical C-3 Zoned areas businesses tend to be spread out with more automotive-related uses. In these situations, people drive from business to business. The C-4 Zone would be more appropriate for this block in that it is physically part of the existing pedestrian-oriented downtown development.

Beyond a brewery, the exact uses proposed for the buildings could change. The initial plan at this time is to market a portion of the building to help support light manufacturing which is permit conditionally in both the C-3 and C-4 Zones. The rezone could help promote the historic preservation cluster concept should these types of businesses locate here, and thereby help with the dissemination of information on historic preservation.

Rezoning of the area from C-3 to C-4 would comply with these CP Sections encouraging preservation and reuse of historic structures.

4. CP.050 concerning Downtown Area states that *"The downtown area is Astoria's central business district and the regional commercial and governmental center. It extends from Fifth Street to Sixteenth Street, and from the pierhead line in the Columbia River to Exchange Street. . . The downtown has historically been zoned central commercial (C-4), which does not require off-street parking. Various proposals have been put forth to solve the parking problem, including a system of public parking structures."*

CP.055(2) concerning Downtown Area Policies states that *"The City supports efforts to improve the parking problem in the downtown, and to provide landscaping and other improvements. However, the C-4 Zone will continue to not require off-street parking."*

CP.055(6) concerning Downtown Area Policies states that *"The central commercial zone (C-4) will continue to be the designation for downtown central business district. Uses in this zone will be primarily retail. Uses which have a large land area/low assessed value ratio will be permitted in other commercial areas rather than the downtown."*

CP.205(1) concerning Economic Development Policies states that *"The downtown core of Astoria, generally extending from Sixth to Sixteenth Streets, and from the waterfront to Exchange Street is the retail, service and governmental center of the area. The City, through its zoning actions and support of the Astoria Downtown Development Association, will promote the Downtown."*

Finding: The area proposed for rezone to C-4 is within the Comprehensive Plan area designated as "Downtown". The CP states that this area has been zoned C-4 and that parking is not required. The fact that this particular block is currently zoned C-3 conflicts with the description and policies of the CP. Rezoning the area to C-4 would comply with the CP and would, in effect, bring the zoning into concert with the Comprehensive Plan.

The CP also states that uses requiring large land areas should not be permitted in the downtown area. The major difference in the C-4 and C-3

Zone is the ability to allow automotive related uses in the C-3 Zone. These types of uses generally require large land areas with limited, buildings. The elimination of these uses from this area would support the CP policy for denser downtown development.

5. CP.055(4) concerning Downtown Area Policies states that *"The City encourages the reuse of existing buildings prior to the expansion of commercial zones."*

Finding: The request is to change the zone from C-3 to C-4 which is not an expansion of a commercial zone, but a change in commercial zone designation. The allowable uses would be similar but would eliminate some of the large land area automotive uses and would allow for the reuse of existing buildings without the need for off-street parking and land consuming parking lots. Reuse of these buildings within the C-3 Zone would be difficult without the destruction of portion of buildings to provide sufficient parking for the size of the buildings.

6. CP.200(2) concerning Economic Development Goals states that *"The City of Astoria will assist in strengthening the City's Downtown core as the retail center of the area, with the support of the Downtown Association and the Downtown Manager."*

CP.200(3) concerning Economic Development Goals states that *"The City of Astoria will encourage the broadening of the economy, particularly in areas which help balance the seasonal nature of existing industries."*

CP.205(5) concerning Economic Development Policies states that *"The city and business community should develop a cooperative program for strengthening and upgrading the core commercial area's competitive position."*

Finding: The existing buildings and businesses in the area proposed for rezone to C-4 are active participants in the downtown core commercial area. They are visually and physically linked to the downtown and help strengthen the downtown as a central business district. The possible use of these buildings as part of the proposed historic cluster or other businesses would support the location of new historic restoration related industries and businesses to the area. The historic cluster would give Astoria a competitive edge in the historic restoration field and could help to promote Astoria as a destination city for historic preservationists.

Rezone of the area to C-4 would be an economic tool to help strengthen the downtown as the regional commercial district.

Finding: The request is consistent with the Comprehensive Plan as a result of the findings stated above.

D. Statewide Planning Goal 12 concerning Transportation requires that cities review transportation related issues when considering land use amendments. Oregon Administrative Rules (OAR) Section 660-012-0060(1) concerning Transportation Planning Rule (TPR) - Plan and Land Use Regulation Amendments stated that *“Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in Section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. . .”* The OAR text continues to identify the requirements for compliance with the TPR and specific review that must be made to show compliance. The full text is not copied in this staff report but is available upon request.

Finding: The proposed amendment would change the area from a more automotive intensive General Commercial Zone (C-3) to the lower impact, pedestrian oriented downtown Central Commercial Zone (C-4). Changes in the allowable uses within the zone could impact the transportation facilities in and adjacent to the zone. The amendment is subject to review under the TPR.

Most of the uses would remain the same with a few uses eliminated and a few changed from outright use in the C-3 Zone to conditional use in the C-4 Zone. The only use not allowed in the C-3 Zone that would be allowed in the C-4 Zone is the mini storage facility in a basement. The following is a comparison of uses within the zones that would change.

USE	C-3 Zone	C-4 Zone
Construction service	Outright	
Eating and drinking w/ drive through	Outright	
Motel/hotel	Outright	Conditional Use
Multi-family dwelling	Outright	Conditional Use
Transportation service	Outright	Conditional Use
Conference center	Outright	Conditional Use
Indoor family entertainment	Outright	Conditional Use
Animal hospital or kennel	Conditional Use	
Gasoline service station	Conditional Use	
Automotive sales or service	Conditional Use	
Hospital	Conditional Use	
Repair service for automotive, heavy equipment	Conditional Use	
Mini storage in basement		Conditional Use

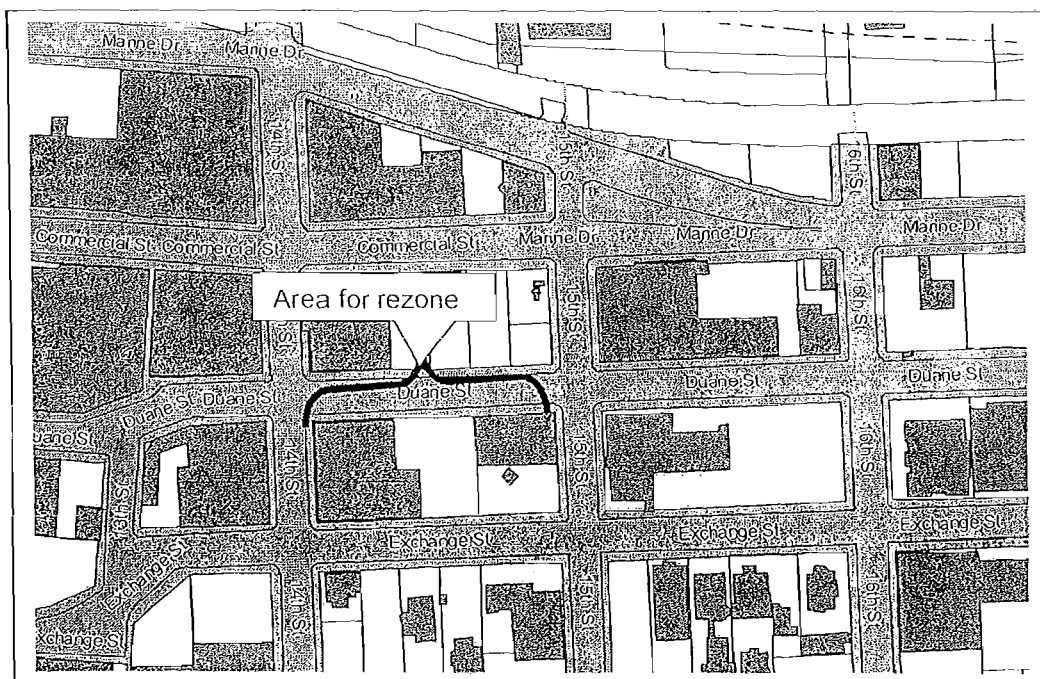
Attached to and incorporated as part of the staff report is a comparison of trip generation for the various outright and conditional uses currently allowed within



the C-3 and C-4 Zones. This information was obtained from *Trip Generation, Institute of Transportation Engineers, 1991* with verification of some figures from the 8th Edition. Not all figures were available for comparison with the newer 8th Edition version, so a comparison between the two versions is included on the attached chart. Generally, some figures changed slightly, but overall the comparison for the uses in the proposed zone showed the same results for changes in the transportation facility impacts.

The comparison shows that the weekday average trips per 1,000 square feet for a restaurant with drive-through would be 632.12 in 1991 and 496.12 in the 8th Edition while a restaurant allowed in the C-4 would be 205.36 (127.15 in 8th Ed.) trips. Other allowable uses in the C-3 Zone that would be eliminated from the C-4 Zone are as follows: 47.91 (33.34 in 8th Ed.) for auto sales and service; 16.78 for a hospital. While these average trips are lower, they are uses that are being eliminated. All other uses remain the same but change from outright in the C-3 to conditional use in C-4. Therefore, it appears that the largest impact is in the reduction of trips due to the elimination of drive-through restaurants in the C-4 Zone. Additional comparison figures are included on the attached sheet, but generally indicate that the C-4 Zone would have less transportation impact than the C-3 Zone due to the ability to review some of the uses as conditional use rather than as outright uses.

The site is accessed from City streets including 15th, 16th, and Duane Streets within one block via Marine Drive and Commercial Street which are State highways. Duane Street is classified as a "collector" street, Commercial Street and Marine Drive are "arterial" streets. Any new development within the zone would be subject to review by both the City and Oregon Department of Transportation to assure that the existing transportation facilities (roads, intersections, etc.) are sufficient to accommodate the proposed development.



The Astoria Transportation System Plan, dated July 1999, identified potential transportation system improvements for this general area in Chapter 7. They included installing a left turn lane on Marine Drive between 16th and 23rd, part of which has been completed between 16th and 21st Streets; intersection improvements at 16th and 17th Streets with possible signalization at 17th Street. These improvements have not been completed. In Chapter 4, the areas of concern for traffic accidents in this vicinity included Exchange Street at 16th and 17th Streets; Commercial at 14th Street; and Marine Drive at 17th Street. Safe pedestrian crossing of Marine Drive from the Columbia River Maritime Museum was also discussed. None of these concerns should be exacerbated by the proposed zone change since the number of vehicle trips would only be reduced due to the elimination of the drive-through restaurant as an allowable use. As noted above, any development of the site would need to be reviewed by the City and ODOT for compliance with any needed transportation improvements in the area.

The C-4 Zone would have less transportation impact than the C-3 Zone due to the ability to review some of the uses as conditional use rather than as outright uses and the elimination of drive-through restaurants.

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

Finding: The proposed amendment would allow flexibility in uses within the existing historic buildings by the elimination for the need to provide off-street parking. As the site is located within the downtown core, there is a large amount of on-street parking in the area. The change in zone would have uses that are similar to other allowable uses within the previous zone. Existing utilities and services are available for the allowable uses. Redevelopment of the underutilized parcel and existing buildings would be consistent with the compact urban form development of the City needed to conserve land area for needed development. This site is in close proximity to the downtown area which does not require off-street parking. There is on-street parking on both sides of adjacent streets. The Astoria Downtown Parking Study Final Report, dated June 14, 2006, states that parking in the downtown area is at 68% occupancy rate which is well below the nationally accepted maximum of 90% occupancy rate. The study area extended from 6th to 17th Streets and the River to Franklin Avenue which includes the subject property. It was considered as part of the downtown area for this study. While there is a perceived need for more parking, the report identified several alternatives including better utilization of existing parking spaces, parking lots, and better identification of long term parking for employees in the outskirts area of the downtown. Elimination of the requirement to provide off-street parking in this single block on the edge of the downtown area would not dramatically change the calculations provided in the report since this block was considered in the study area, and is already developed with two buildings, a City park, and a small parking area. Any solutions to the downtown parking situation would

include this block as it is visually and physically seen as part of the downtown area.

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

V. CONCLUSION AND RECOMMENDATION

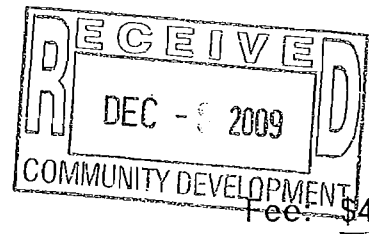
The request is consistent with the Comprehensive Plan and Development Code. Staff recommends that the Planning Commission recommend approval of the proposed amendment to the City Council for adoption.

TRIP GENERATION COMPARISON  
 Institute of Transportation Engineers, 1991  
 with updates from 8th Edition

Uses that are different between C-3 and C-4 Zones	Restaurant Fast Food Drive-thru		Restaurant		Auto Sales & Service		Service Station w/ Store		Hospital		Animal Hospital
	1991	8th Ed	1991	8th Ed	1991	8th Ed	1991	8th Ed	1991	8th Ed	
	C-3		C-4		C-3		C-3		C-3		C-3
Weekday Average / Employee					24.04	21.14			5.17	5.20	
Weekday Adjacent Peak 7 am - 9 am						0.67			0.33	0.33	
Weekday Adjacent Peak 4 pm - 6 pm						0.96			0.29	0.33	
Weekday Site Peak AM					0.61				0.35		
Weekday Site Peak PM					0.84				0.46		
Saturday Average					10.55				4.36		
Saturday Site Peak									0.33		
Sunday Average					5.26				3.32		
Sunday Site Peak									0.55		
Weekday Average / 1,000 sqft	632.12	496.12	205.36	127.15	47.91	33.34			16.78		
Weekday Adjacent Peak 7 am - 9 am	55.56	49.35	15.70	11.52	1.97	2.03	65.60		1.16	4.08	
Weekday Adjacent Peak 4 pm - 6 pm	36.53	33.48	16.26	11.15	2.62	2.59	81.95		1.05	4.72	
Weekday Site Peak AM	60.09		17.85		1.76		66.74		1.20		
Weekday Site Peak PM	46.26		31.79		2.44		82.02		1.42		
Saturday Average	686.04		229.34		21.03				13.01		
Saturday Site Peak	56.63		15.09		2.97				1.16		
Sunday Average	515.67		209.46		10.48				9.85		
Sunday Site Peak	68.08		12.16						1.75		
Weekday per Acre											
Sunday per Acre											
Weekday Average/pump								162.78			
Weekday Adjacent Peak 7 am - 9 am							11.16	10.16			
Weekday Adjacent Peak 4 pm - 6 pm							17.45	13.38			



CITY OF ASTORIA  
 1095 Duane Street  
 Astoria OR 97103  
 503-338-5183



A 09-07

**AMENDMENT**

Property Location: Address 1483, 1493, 1492 Duane  
426-14<sup>th</sup>, 425-15<sup>th</sup>, 1480 Exchange  
 Lot/Block/Subdivision 360' L1, B 135, Shirley; Block 118 Shirley  
 Map/Tax Lot: 8CA TL 6301; 8CD 15300 Zone: C-3  
 Code or Map to be Amended: Amend zone from C-3 to C-4  
15100, 15200

Applicant Name: BIG BEAMS LLC  
 Mailing Address: 1483 Duane St.  
 Phone: 503-791-5355 Business Phone: 503-325-7968  
 Property Owner's Name: Chris Nemlowill TL 15200 - City of Astoria  
 Mailing Address: 1367 Kensington Ave. 1095 Duane  
 Business Name (if applicable): BIG BEAMS LLC  
 Signature of Applicant: Chris Nemlowill  
 Signature of Property Owner: Chris Nemlowill Brett Estes  
Comm. Dev. Dir.

Proposed Amendment Amend zone map from C-3 to C-4  
Blk 118 - 125' x 300'  
L1 - 50' x 50'

For office use only:			
Application Complete:		Permit info into D-Base:	
Labels Prepared:		Tentative APC Meeting Date:	
120 Days:			

**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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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: CP.050.4 CP.250.1

Area is located in CP "Downtown Area" CP.050.1, CP.205.1; reuse of existing historic bldg; diversify economy CP.200.1 & CP.200.3; encourage small scale manufact in C-3/C-4 CP.210.3

- 2. The amendment will:

- a. Satisfy land and water use needs; or

Need for commercial development that supports year round industry in Astoria; allows for expansion of compatible business to Downtown core.

- b. Meet transportation demands; or

No changes in traffic as streets & bldgs are existing.

c. Provide community facilities and services:

Provides for expansion of Downtown Core businesses to an area previously occupied by automotive services that are better suited to outside the core area

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

land is flat with two levels, site is developed with City Park & historic Bldg & one semi-vacant lot. No major changes anticipated; no geo hazard; Flood Zone C

4. Resource lands, such as wetlands are protected.

No wetlands on site

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

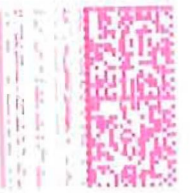
Area is on edge of Downtown Core & adjacent development is a continuation of downtown pattern. Density of development is consistent with the core development. Adjacent residential/commercial development to south

PLANS: Would remain in C-3 Zone - Amendment would reduce potential negative impacts to Downtown from C-3 allowable uses.

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

Plan Amendment Specialist  
DLCD  
635 Capitol Street NE #1150  
Salem OR 97301-2540

**FIRST CLASS**



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