



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

01/23/2012

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 002-11

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: Wednesday, February 08, 2012

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
Angela Lazarean, DLCD Urban Planner
Matt Spangler, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

In person electronic mailed

DEPT OF

JAN 19 2012

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Notice of Adoption

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: **A11-03**

Date of Adoption: **1-3-12**

Date Mailed: **1-17-12**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 9-23-11

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".

Amend Dev Code Sect 8.050 to allow barber poles to turn; amend Dev Code Sect 8.180 to allow additional signage in the S-2A Zone except for the downtown area; and amend 8.070.A.7, 8.120.D, 8.150.B.2, 8.150.H.2, and 8.180 to clarify "frontage" for freestanding versus wall signs (no change in code requirements).

Does the Adoption differ from proposal? Yes

Changed draft 8.0503.a from 10 square feet for barber poles to 4' in height.

Added amendment to sections that related to "frontage" for freestanding and monument signs to clarify the way frontage is calculated. This did not change how the code has been implemented, but just clarified what has always been the interpretation.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location: **City wide**

Acres Involved:

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. 002-11 (18981) [16903]

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

Astoria Downtown Historic District Association

Local Contact: **Rosemary Johnson**

Phone: (503) 338-5183 Extension: 2413

Address: 1095 Duane Street

Fax Number: 503-338-6538

City: Astoria

Zip: 97103

E-mail Address: rjohnson@astoria.or.us

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. 12-03

AN ORDINANCE AMENDING THE ASTORIA DEVELOPMENT CODE SECTION CONCERNING SIGNS

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Astoria Development Code Section 8.050.3, Prohibited Signs, is hereby deleted in its entirety and replaced to read as follows:

“8.050. 3. Signs which flash, revolve, rotate, swing, undulate or otherwise attract attention through the movement or flashing of parts of the sign, including inflatable signs, large balloons, flags, pennants, or similar devices.

This prohibition does not include the following signs:

- a. barber poles of maximum of 4' in total fixture height may rotate;
- b. changeable text signs;
- c. time and temperature signs.”

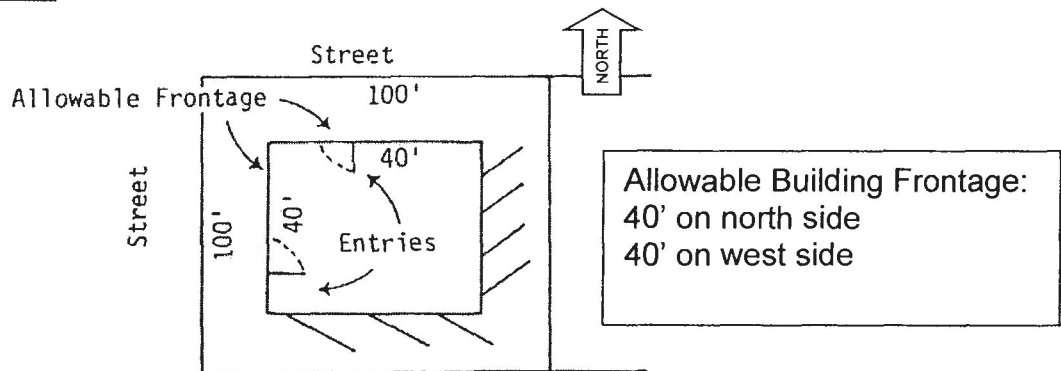
Section 2. Astoria Development Code Section 8.070.A.7, Sign Face Area, added to read as follows:

“7. Sign area square footage is based on frontage. Freestanding and monument signs are based on the site frontage, all other signs are based on the building frontage.”

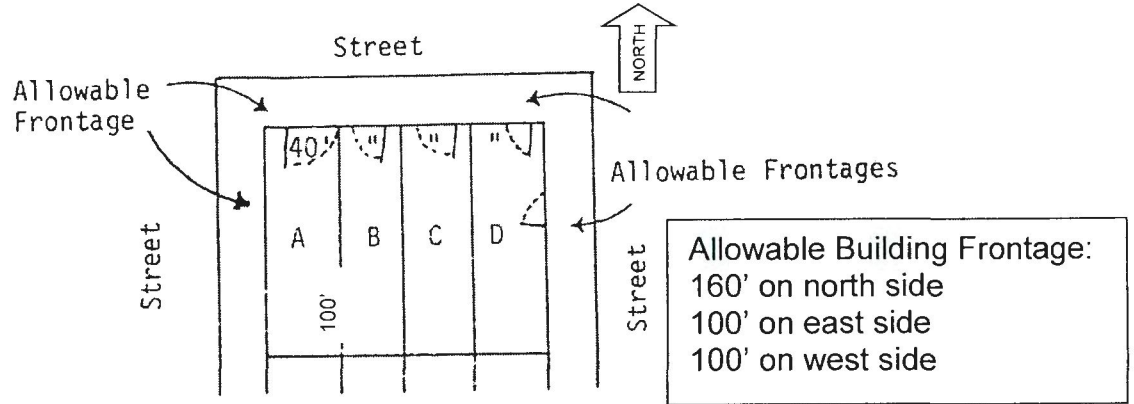
Section 3. Astoria Development Code Section 8.120.D, Building Frontage Measurement, Diagrams, is hereby deleted in its entirety and replaced to read as follows:

“D. Building Frontage Measurement.

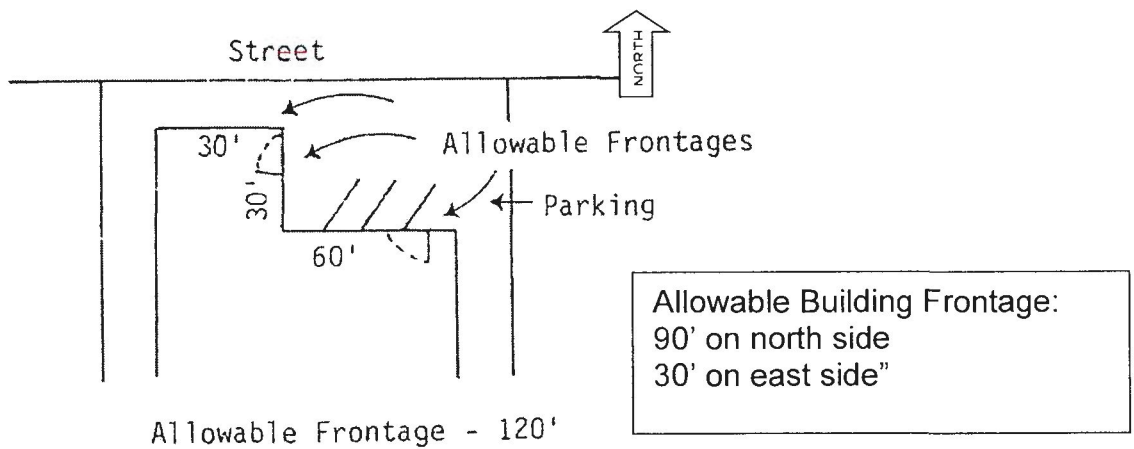
1. Figure 6.



2. Figure 7.



3. Figure 8.



Section 4. Astoria Development Code Section 8.150.B.2, Area for Freestanding Signs, in the C-2, C-3, GI, S-1, S-2, A-1, A-2, A-2A, LS, HR, CA, HC, AH-HC, FA Zones, is hereby deleted in its entirety and replaced to read as follows:

- "2. Area. Total sign area shall not exceed one (1) square foot of sign area for one (1) lineal foot of site frontage that is not already utilized by other signs on the site or attached to buildings. Freestanding signs are allowed up to a maximum of 100 square feet. Allowable area on sites without buildings shall not exceed 32 square feet."

Section 5. Astoria Development Code Section 8.150.H.2, Area for Monument Signs, in the C-2, C-3, GI, S-1, S-2, A-1, A-2, A-2A, LS, HR, CA, HC, AH-HC, FA Zones, is hereby deleted in its entirety and replaced to read as follows:

- "2. Area. Total sign area shall not exceed one (1) square foot of sign area for one (1) lineal foot of site frontage that is not already utilized by other signs on the site or attached to buildings. Monument signs are allowed up to a maximum of 100 square feet. Allowable area on sites without buildings shall not exceed 32 square feet."

Section 6. Astoria Development Code Section 8.180.A, Total Square Footage Permitted, in the C-4, S-2A, MH, and AH-MP Zones, is hereby deleted in its entirety and replaced to read as follows:

“8.180.A. Total Square Footage Permitted.

The total square footage of all signage associated with a business site, use, activity, or site shall not exceed 64 square feet.

For S-2A Zone areas outside Downtown between 6th and 16th Street, the total square footage of all signage associated with a business site, use, or activity shall not exceed 150 square feet, with no single sign exceeding 100 square feet.”

Section 7. Astoria Development Code Section 8.180.C.2, Area for Freestanding Signs, in the C-4, S-2A, MH, and AH-MP Zones, is hereby deleted in its entirety and replaced to read as follows:

- “2. Area. Total sign area shall not exceed one (1) square foot of sign area for one (1) lineal foot of site frontage that is not already utilized by other signs on the site or attached to a building. The maximum area of any individual freestanding sign is 32 square feet.

For S-2A Zone areas outside Downtown between 6th and 16th Street, freestanding signs are allowed up to a maximum of 100 square feet. Allowable area on sites without buildings shall not exceed 32 square feet.”

Section 8. Astoria Development Code Section 8.180.D.2, Area for Wall or Roof Signs, in the C-4, S-2A, MH, and AH-MP Zones, is hereby deleted in its entirety and replaced to read as follows:

- “2. Area. Total sign area shall not exceed one (1) square foot of sign area for one (1) lineal foot of building frontage of a business, use, activity or site. However, a building with 16 feet or less lineal building frontage may be allowed a maximum of 16 square feet.

- a. Wall Sign. The area of a wall sign shall not exceed 64 square feet.

For S-2A Zone areas outside Downtown between 6th and 16th Street, the area of a wall sign shall not exceed 100 square feet.

- b. Roof Mounted Sign. The area of a roof mounted sign shall not exceed 32 square feet.

For S-2A Zone areas outside Downtown between 6th and 16th Street, the area of a roof mounted sign shall not exceed 100 square feet.”

Section 9. Astoria Development Code Section 8.180.F.2, Area for Projecting Signs, in the C-4, S-2A, MH, and AH-MP Zones, is hereby deleted in its entirety and replaced to read as follows:

- "2. Area. A projecting sign shall not exceed an area of one (1) square foot for one (1) foot of lineal building frontage. The maximum area of any projecting sign shall be 15 square feet.

For S-2A Zone areas outside Downtown between 6th and 16th Street, the area of a projecting sign shall not exceed 100 square feet."

Section 10. Astoria Development Code Section 8.180.H.1, Area for Temporary Signs, in the C-4, S-2A, MH, and AH-MP Zones, is hereby deleted in its entirety and replaced to read as follows:

- "1. Area. Individual temporary signs shall not exceed one (1) square foot per lineal foot of building frontage, not to exceed 12 square feet except as noted in Section 8.080(K.5) concerning "opening or coming soon signs".

For S-2A Zone areas outside Downtown between 6th and 16th Street, a temporary sign shall not exceed 24 square feet."

Section 11. Astoria Development Code Section 8.180.I.2, Area for Monument Signs, in the C-4, S-2A, MH, and AH-MP Zones, is hereby deleted in its entirety and replaced to read as follows:

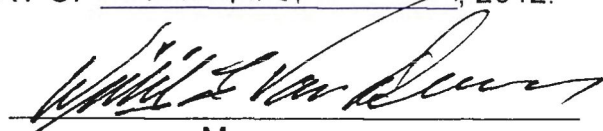
- "2. Area. Total sign area shall not exceed one (1) square foot of sign area for one (1) lineal foot of site frontage that is not already utilized by other signs on the site or attached to buildings. Monument signs are allowed up to a maximum of 32 square feet.

For S-2A Zone areas outside Downtown between 6th and 16th Street, monument signs are allowed up to a maximum of 100 square feet. Allowable area on sites without buildings shall not exceed 32 square feet."

Section 12. 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 3RD DAY OF JANUARY, 2012.

APPROVED BY THE MAYOR THIS 3RD DAY OF JANUARY, 2012.



Mayor

ATTEST:


Paul Benoit, City Manager

ROLL CALL ON ADOPTION:		YEA	NAY	ABSENT
Commissioner	LaMear	X		
	Roscoe	X		
	Mellin			
	Warr	X		
Mayor Van Dusen		X		

To PB 12/20/11



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

December 20, 2011

TO: ASTORIA CITY COUNCIL

FROM: PAUL BENOIT, CITY MANAGER

SUBJECT: AMENDMENT REQUEST (A11-03) TO AMEND THE SIGN CODE

BACKGROUND

Three amendments to the Sign Code are proposed. The first proposed amendment removes the prohibition against moving signs as they relate to barber poles. The second amendment expands the allowable square footage of signage within the S-2A Zone located outside the downtown area. The third amendment clarifies existing code language that freestanding and monument signs are based on site frontage while all other signs are based on building frontage. The following is the background on the major proposed changes.

Barber Poles:

The Development Code Section 8.050 concerning sign regulations prohibits "Signs which flash, revolve, rotate, swing, undulate or otherwise attract attention through the movement or flashing of parts of the sign, including inflatable signs, large balloons, flags, pennants, or similar devices. This does not include changeable text signs, or time and temperature signs." This prohibition includes barber poles which are sometimes designed to spin or revolve. Several barbers in Astoria have requested that the Code allow the poles to spin as they did historically. With the historic nature of these signs, the proposed amendment would allow only barber poles to spin while retaining the rest of the code prohibition on moving signs.

S-2A Zone Sign Allowance:

Up until the last few years, the S-2A Zone (Tourist-Oriented Shoreland) was only applied along the shoreline of the downtown C-4 Zone (Central Commercial). Therefore, the signage was limited to the same as the C-4 Zone which has a maximum allowance of 64 square feet due to the pedestrian nature of these zones. In 2007, a zone amendment was approved in the 3800 block Lief Erikson Drive changing the zone from S-1 (Marine Industrial Shoreland) to S-2A (Tourist-Oriented Shoreland). This is the site of where the new Hampton Inn is under construction at 39th Street. With this zone change, there is now S-2A zoned property outside of the downtown area. The proposed amendment would increase the allowable signage to a maximum of 150 square feet in S-2A zoned property outside of the downtown area. The S-2A zone allows some of the same uses as other Shoreland zones and some of the uses allowed in zones such as the C-3 Zone (General Commercial). The following zones are all in the same category for signage allowing a maximum of 150 square feet of signs: C-2 (Tourist

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rjohnson@astoria.or.us • www.astoria.or.us

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Commercial), C-3 (General Commercial), S-1 (Marine Industrial Shorelands), S-2 (General Development Shorelands), A-1 (Aquatic One Development), A-2 (Aquatic Two Development), A-2A (Aquatic Two A Development), LS (Local Service), HR (Hospitality/Recreation), CA (Education/Research/Health Care Campus), HC (Health Care), AH-HC (Attached Housing - Health Care), and FA (Family Activity).

Building and Site Frontage:

The existing Sign Code was adopted in 1992. Both the current code and the one prior to 1992 based the amount of signage allowed on either the building frontage or the site frontage depending on the type of sign. The size of signs such as wall signs, window signs, projecting signs attached to buildings was based on the building frontage. The size of freestanding and monument signs not attached to a building was based on the site frontage.

It has come to our attention that it may not be clear in the text of the code that all freestanding and monument signs would be calculated based on the "site" frontage. Some of the code sections specify "site" frontage while others just indicate "frontage". In order to clarify what was intended, and has always been used, staff proposed amending the code to add the term "site" or "building" frontage as appropriate.

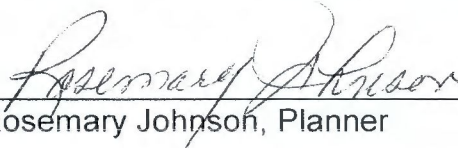
At its November 22, 2011 meeting, the Astoria Planning Commission held a public hearing and recommended that the City Council adopt the proposed amendment. A copy of the Staff Report and Findings of Fact as adopted by the Planning Commission is attached. Also attached to this memo is the proposed ordinance. A public hearing and first reading on the Amendment was held by the City Council on December 19, 2011.


RECOMMENDATION

If the Council is in agreement, it would be in order for Council to hold a second reading and adoption of the Ordinance.

The following is sample language for a motion for adoption of the Findings of Fact and Ordinance:

"I move that the Astoria City Council adopt the findings and conclusions contained in the staff report, and adopt the Ordinance amending the Development Code."

By: 
Rosemary Johnson, Planner


Through: _____
Brett Estes, Community Development Director

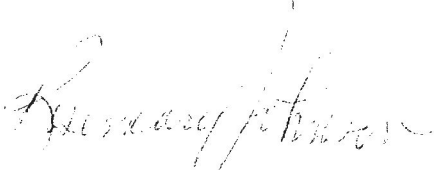


STAFF REPORT AND FINDINGS OF FACT

November 22, 2011

TO: ASTORIA CITY COUNCIL

FROM: ROSEMARY JOHNSON, PLANNER



SUBJECT: AMENDMENT (A11-03) TO THE ASTORIA DEVELOPMENT CODE
ARTICLE 8 CONCERNING SIGN REGULATIONS

I. BACKGROUND SUMMARY

- A. Applicant: Community Development Director
City of Astoria
1095 Duane
Astoria OR 97103
- B. Owner: Not Applicable
- C. Request: Amend the Sign Code to allow barber poles to rotate, to allow additional signage in the S-2A zone outside the downtown area, and to clarify building and site frontage requirements for sign area calculations.
- D. Location: City wide.
- E. Zone: All zones.

II. BACKGROUND

Staff has combined three different amendments to the Sign Code in this one application. The first issue is the prohibition of moving signs as they relate to barber poles. The second issue is the increase in allowable square footage of signage within the S-2A Zone located outside the downtown area. The third issue is the clarification of existing code language that freestanding and monument signs are based on site frontage while all other signs are based on building frontage. The draft indicates deletions with ~~strikeout~~ and new language is noted with ***italic bold type***. These will be removed from the final version. The following is the background on the major proposed changes.

Barber Poles:

The Development Code Section 8.050 concerning sign regulations prohibits “Signs which flash, revolve, rotate, swing, undulate or otherwise attract attention through the

movement or flashing of parts of the sign, including inflatable signs, large balloons, flags, pennants, or similar devices. This does not include changeable text signs, or time and temperature signs.” This prohibition includes barber poles which are sometimes design to spin or revolve. Several barbers in Astoria have requested that the Code allow the poles to spin as they did historically.

In the Middle Ages (11th Century), barbers also served as surgeons, dentists, and other sundry medical services. They would display a pole wrapped in “bloody” red and white bandages to advertise their services. This traditional identification continued even after medical services were no longer performed by barbers. There are varying stories about the addition of the blue band to the pole, but many believe it was added in the United States to show patriotism since the national colors were red, white, and blue. Before 1890’s, the pole would generally have been a freestanding wood pole on the sidewalk and could be 12’ tall, but in the 1890’s, many cities began banning the barber poles and cigar store Indian statues that cluttered the sidewalks. After that time, most poles were wall mounted. Sometime prior to the 1950’s the wall mounted poles began to twirl. The original spinning versions were key wound and later were electric. Modern barber poles, with revolving interior cylinders, cost from \$300 to \$750 each and are still available from the last remaining factory outlet, the William Marvy Company in St. Paul Minnesota. The traditions associated with the barber poles have a long history and are dear to many in the barber profession. The poles have gotten smaller in size through the ages, but began to twirl over 60 years or more ago. The pole has remained a visual historic icon of the profession. To allow the poles to twirl would perpetuate the evolution of the use of the barber pole and its historic tradition, especially with the historic nature of Astoria. Other signs would still be prohibited from moving.

Modern barber poles range in size from 18” to 47” tall. The proposed code amendment limits the size of the pole that could twirl to 4 feet tall. That would cover the existing poles available while not allowing large poles that could be distractive.

S-2A Zone Sign Allowance:

Up until the last few years, the only S-2A Zone (Tourist-Oriented Shoreland) was located along the shoreline of the downtown C-4 Zone. Therefore, the signage was limited to the same as the C-4 Zone which has a maximum allowance of 64 square feet due to the pedestrian nature of these zones. In 2007, a zone amendment was approved in the 3800 block Lief Erikson Drive changing the zone from S-1 (Marine Industrial Shoreland) to S-2A (Tourist-Oriented Shoreland). With this zone change, there is now S-2A zoned property outside of the downtown area. The S-2A zone allows some of the same uses as other Shoreland zones and some of the uses allowed in zones such as the C-3 Zone (General Commercial). The following zones are in the same category for signage allowing a maximum of 150 square feet of signs: C-2 (Tourist Commercial), C-3 (General Commercial), S-1 (Marine Industrial Shorelands), S-2 (General Development Shorelands), A-1 (Aquatic One Development), A-2 (Aquatic Two Development), A-2A (Aquatic Two A Development),

LS (Local Service), HR (Hospitality/Recreation), CA (Education/Research/Health Care Campus), HC (Health Care), AH-HC (Attached Housing - Health Care), and FA (Family Activity).

It would not be appropriate to increase the allowable signage in the S-2A Zone in the downtown area; however, it also would not be reasonable to restrict the S-2A Zone in other portions of the City to the limited downtown signage allowance as they are compatible with other zones that permit more sign area. The proposed amendment keeps the signage for the S-2A Zone in the downtown area the same as the C-4 Zone, but allows other areas zoned S-2A to have the same signage as the other Shoreland and C-3 zones.

Building and Site Frontage:

The existing Sign Code was adopted in 1992. Both the current code and the one prior to 1992 based the amount of signage allowed on either the building frontage or the site frontage depending on the type of sign. The size of signs such as wall signs, window signs, projecting signs attached to buildings was based on the building frontage. The size of freestanding and monument signs not attached to a building was based on the site frontage. The total amount of signage allowed for a building/site would be limited to the maximum signage allowed for the zone. The freestanding signage allowed is reduced by the square footage of all other signs on the building or site. As an example: In the C-3 Zone allowing a maximum of 150 square feet of signage, if a site is 100' long and the building frontage is 40' long, the applicant would be allowed a maximum of 100 square feet of signage (40 square feet of signage on the building and a maximum of 100 square feet less any square footage already used on the building for freestanding signage). The allowable square footage of the building and site frontage is not added together to result in 140 square feet. For that same site in the S-2A Zone downtown allowing a maximum of 64 square feet, the applicant would be allowed the zone maximum of 64 square feet (40 square feet on the building and a maximum of 64 square feet less any square footage already used on the building for a freestanding sign).

Building frontage is defined as:

“The lineal frontage of a building along a public street, waterway, or parking lot, excluding alleys. In cases of building frontage on a parking lot, the frontage must contain a public entry to a building. Where a business or other enterprise occupies a portion of a building, lineal frontage is based on the footage occupied by that business or activity. (See Section 8.120(D)).”

Site frontage is defined as:

“The lineal frontage of a site on a public street, excluding alleyways.”

It has come to our attention that it may not be as clear in the text of the code that all freestanding and monument signs would be calculated based on the “site” frontage. Some of the code sections specify “site” frontage while others just indicate “frontage”.

In order to clarify what was intended, and has always been used, staff proposed amending the code to add the term “site” or “building” frontage as appropriate.

III. PUBLIC REVIEW AND COMMENT

A. Astoria Planning Commission:

In accordance with Section 9.020, a notice of public hearing was published in the Daily Astorian on November 22, 2011. A public notice was mailed to all neighborhood associations, pursuant to Section 9.020 on November 7, 2011. Any comments received will be made available at the Planning Commission meeting.

B. City Council:

In accordance with Section 9.020, a notice of public hearing will be published in the Daily Astorian on December 12, 2011. A public notice was mailed to all neighborhood associations and interested parties, pursuant to Section 9.020 on November 23, 2011. Any comments received will be made available at the City Council meeting.

IV. FINDINGS OF FACT

- A. Development Code Section 10.020(A) states that an amendment to the text of the Development Code or the Comprehensive Plan may be initiated by the City Council, Planning Commission, the Community Development Director, or the owner or owners of the property for which the change is proposed.

Finding: The proposed amendment to the Development Code is being initiated by the Community Development Director.

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

1. *An amendment to the text of the Development Code or Comprehensive Plan.*
2. *A zone change action that the Community Development Director has designated as legislative after finding the matter at issue involves such a substantial area and number of property owners or such broad public policy changes that processing the request as a quasi-judicial action would be inappropriate.”*

Finding: The proposed amendment is to the text of Article 8 of the Astoria Development Code. The changes will affect the entire City and include a policy

change in the types of signs allowed within the City limits. Processing as a quasi-judicial action would be inappropriate.

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

1. CP.015(1) 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 a commercial, industrial, tourist, and cultural center of the area.”*

Finding: The proposal is to amend Development Code Article 8 concerning signs. Allowing barber poles to twirl as an allowable sign type helps promote the commercial, industrial, and tourist aspects of the area by allowing the historic character of the sign to be used. By limiting the size of these signs, the code will help maintain the existing character of Astoria.

The increase in allowable signage in the S-2A Zone outside the downtown area would allow equal signage opportunities for businesses and sites in other zones in similar areas. This supports the commercial, industrial, and tourist aspects of these zones.

Signage contributes to the overall appearance of the downtown and the City as a whole. Maintaining the historic character is essential to promoting Astoria as a tourist and cultural center of the area.

Other proposed amendments to the code are to clarify existing code language concerning building and site frontage allowances.

2. CP.015(5) General Land and Water Use Goals states that *“The special qualities that make downtown Astoria a desirable place to visit or work should be promoted and protected through the City plan and land use ordinances. These include shorelands suitable for water-dependent uses, the scenic views and water access areas along the waterfront, the commercial fishing and sports fishing industry and other activities that attract residents and tourists to the City.”*

Finding: The historic character and visual integrity of Astoria are leading features that attract tourists to Astoria. The Downtown area and Uniontown area have been designated as National Register Historic Districts in an attempt to preserve the historic character of the community. The character of Astoria conveys the idea of a more

traditional style of signage. The Sign Code is intended to allow signage as a necessary part of doing business and living in a community while limiting the number, type, and size of signs to maintain the visual integrity of the City. The limited use of moveable signs to allow barber poles to twirl would allow use of a historic design with newer historic feature in limited square footage so as not to become a major focus or compete with the visual integrity of Astoria.

The increase in allowable square footage of signs in the S-2A Zone other than in the downtown area would preserve the limited signage in the downtown while allowing more signage in other areas.

Every community, especially along the Northwest coast, draws on the tourism industry in a different way. While each visitor or new citizen to Astoria may have a specific reason for coming here, the common thread among their comments is the beauty of our uncluttered, historic, and scenic community. Astoria has not lost its pedestrian friendly atmosphere so necessary for a healthy downtown and small scale retail community.

The other proposed amendments are to clarify existing code language concerning building and site frontage.

3. CP.058(3) Gateway Overlay Area Policies states that *“The City, through its Development Code, will develop a set of Design Review Guidelines for the Gateway Overlay Area which address the architecture, landscaping, public and private circulation, signs, lighting, and other aspects of the built environment. The guidelines are fundamental principles which are applied to specific projects.”*

Finding: The City adopted design review guidelines for the Gateway Area in 1998 that included Section 14.025(A) concerning the Purpose of the Design Review Guidelines, and Section 14.025(L) on signage. The purpose states that *“These guidelines promote architectural elements that unify the Gateway Area by encouraging styles characteristic of Astoria. . . These guidelines advocate the simplicity of design which is characteristic of Uppertown and the working waterfront. Building styles and details not inspired by Astoria’s past will be discouraged.”* At the time these guidelines were adopted, they were based on the types of signs allowed in the City and turning barber poles were prohibited throughout the entire City and therefore were not directly addressed in the guidelines. However the purpose of these guidelines is to draw from the character of Astoria specifically that which is “inspired by Astoria’s past”, and the intention of the signs “encouraged” is toward the more traditional blade signs, painted signs, and front lit signs. The Gateway zones discourage freestanding signs, plastic or internal and back lit

plastic signs. The nature of the barber pole that is allowed to twirl is traditional and may or may not be like an internal lit or plastic sign. Therefore, to allow the barber pole to twirl would be in keeping with the “encouraged” signage, but the internal lit aspect of the pole would still not be allowed within the Gateway Area to maintain the desired visual integrity of this area.

The other proposed amendments are to clarify existing code language and to allow more signage in the S-2A Zone outside the downtown area and are compatible with the Gateway Area sign guidelines.

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

Finding: Tourism is a growing economy in Astoria with each community in the north coast area offering a different enticement to the tourist industry. Astoria's lure is its historic character and visual integrity of the community. While attracting more tourists to the area, the City needs to preserve the very thing that is drawing them to this area. The City has designated three National Register Historic Districts and has designated over 700 properties as historic. In addition, the Gateway Master Plan area has been established with design review standards to protect the visual integrity of this area which is the entrance to the Downtown district. This amendment proposes to allow barber poles to twirl, and to increase the allowable square footage in the S-2A Zone other than in the downtown area. While signage can be considered attractive, the style, size, and number of signs could also detract from the character of the City and therefore are regulated in an attempt to protect and preserve the visual integrity of this historic community. The proposed amendments would preserve the historic character while allowing businesses to have adequate signage.

Finding: The proposed amendment is consistent with the Comprehensive Plan.

- C. 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 will satisfy land use needs in that it will allow for use of technological signage while limiting the use to protect the visual integrity of the community. The other proposed amendments will clarify existing code language and allow more signage in the S-2A Zone outside 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, and staff recommends that the City Council adopt the proposed amendment to the Development Code.

ORDINANCE NO. 12-_____

AN ORDINANCE AMENDING THE ASTORIA DEVELOPMENT CODE SECTION CONCERNING SIGNS

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Astoria Development Code Section 8.050.3, Prohibited Signs, is hereby deleted in its entirety and replaced to read as follows:

“8.050. 3. Signs which flash, revolve, rotate, swing, undulate or otherwise attract attention through the movement or flashing of parts of the sign, including inflatable signs, large balloons, flags, pennants, or similar devices.

_____ This prohibition does not include the following signs:

- _____ a. _____ barber poles of maximum of 4’ in total fixture height may rotate;
- _____ b. _____ changeable text signs; or
- _____ c. _____ time and temperature signs.”

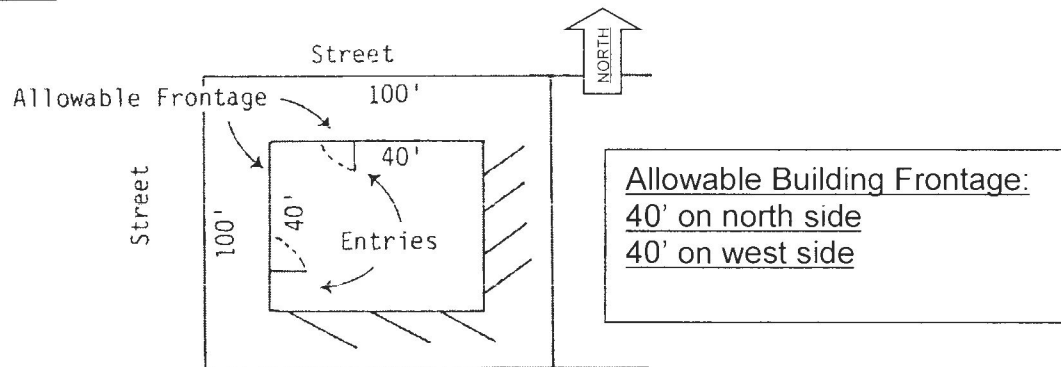
Section 2. Astoria Development Code Section 8.070.A.7, Sign Face Area, added to read as follows:

“7. _____ Sign area square footage is based on frontage. Freestanding and monument signs are based on the site frontage, all other signs are based on the building frontage.”

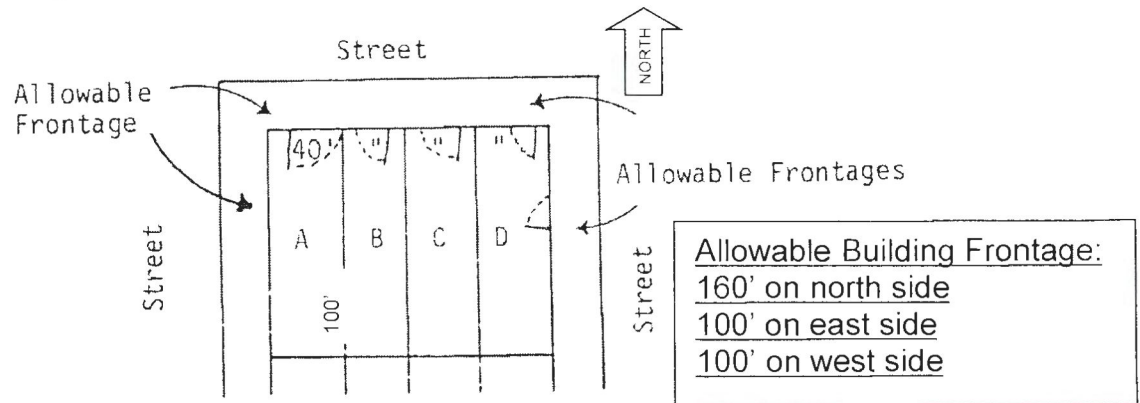
Section 3. Astoria Development Code Section 8.120.D, Building Frontage Measurement, Diagrams, is hereby deleted in its entirety and replaced to read as follows:

“D. Building Frontage Measurement.

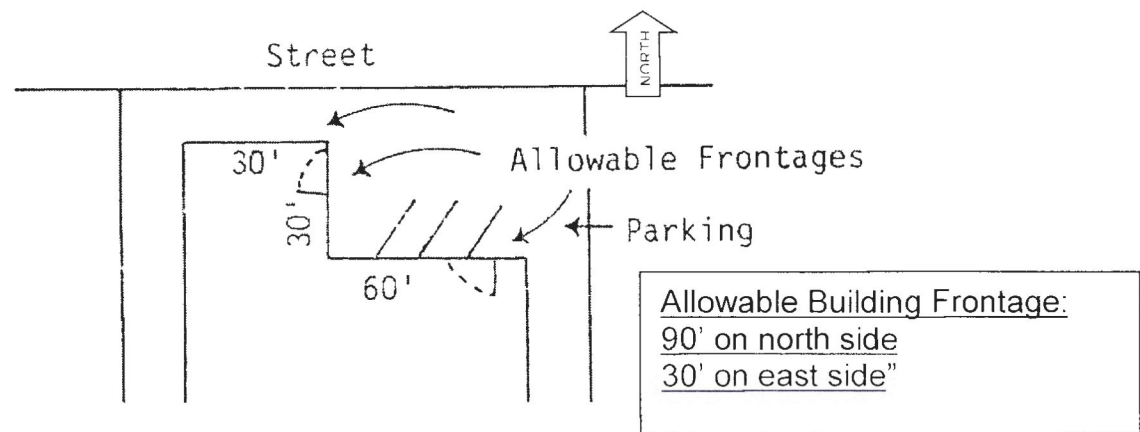
1. Figure 6.



2. Figure 7.



3. Figure 8.



Section 4. Astoria Development Code Section 8.150.B.2, Area for Freestanding Signs, in the C-2, C-3, GI, S-1, S-2, A-1, A-2, A-2A, LS, HR, CA, HC, AH-HC, FA Zones, is hereby deleted in its entirety and replaced to read as follows:

- "2. Area. Total sign area shall not exceed one (1) square foot of sign area for one (1) lineal foot of site frontage that is not already utilized by other signs on the site or attached to buildings. Freestanding signs are allowed up to a maximum of 100 square feet. Allowable area on sites without buildings shall not exceed 32 square feet."

Section 5. Astoria Development Code Section 8.150.H.2, Area for Monument Signs, in the C-2, C-3, GI, S-1, S-2, A-1, A-2, A-2A, LS, HR, CA, HC, AH-HC, FA Zones, is hereby deleted in its entirety and replaced to read as follows:

- "2. Area. Total sign area shall not exceed one (1) square foot of sign area for one (1) lineal foot of site frontage that is not already utilized by other signs on the site or attached to buildings. Monument signs are allowed up to a maximum of 100 square feet. Allowable area on sites without buildings shall not exceed 32 square feet."

Section 6. Astoria Development Code Section 8.180.A, Total Square Footage Permitted, in the C-4, S-2A, MH, and AH-MP Zones, is hereby deleted in its entirety and replaced to read as follows:

“8.180.A. Total Square Footage Permitted.

The total square footage of all signage associated with a business site, use, activity, or site shall not exceed 64 square feet.

For S-2A Zone areas outside Downtown between 6th and 16th Street, the total square footage of all signage associated with a business site, use, or activity shall not exceed 150 square feet, with no single sign exceeding 100 square feet.”

Section 7. Astoria Development Code Section 8.180.C.2, Area for Freestanding Signs, in the C-4, S-2A, MH, and AH-MP Zones, is hereby deleted in its entirety and replaced to read as follows:

- “2. Area. Total sign area shall not exceed one (1) square foot of sign area for one (1) lineal foot of site frontage that is not already utilized by other signs on the site or attached to a building. The maximum area of any individual freestanding sign is 32 square feet.

For S-2A Zone areas outside Downtown between 6th and 16th Street, freestanding signs are allowed up to a maximum of 100 square feet. Allowable area on sites without buildings shall not exceed 32 square feet.”

Section 8. Astoria Development Code Section 8.180.D.2, Area for Wall or Roof Signs, in the C-4, S-2A, MH, and AH-MP Zones, is hereby deleted in its entirety and replaced to read as follows:

- “2. Area. Total sign area shall not exceed one (1) square foot of sign area for one (1) lineal foot of building frontage of a business, use, activity or site. However, a building with 16 feet or less lineal building frontage may be allowed a maximum of 16 square feet.

- a. Wall Sign. The area of a wall sign shall not exceed 64 square feet.

For S-2A Zone areas outside Downtown between 6th and 16th Street, the area of a wall sign shall not exceed 100 square feet.

- b. Roof Mounted Sign. The area of a roof mounted sign shall not exceed 32 square feet.

For S-2A Zone areas outside Downtown between 6th and 16th Street, the area of a roof mounted sign shall not exceed 100 square feet.”

Section 9. Astoria Development Code Section 8.180.F.2, Area for Projecting Signs, in the C-4, S-2A, MH, and AH-MP Zones, is hereby deleted in its entirety and replaced to read as follows:

- "2. Area. A projecting sign shall not exceed an area of one (1) square foot for one (1) foot of lineal building frontage. The maximum area of any projecting sign shall be 15 square feet.

For S-2A Zone areas outside Downtown between 6th and 16th Street, the area of a projecting sign shall not exceed 100 square feet."

Section 10. Astoria Development Code Section 8.180.H.1, Area for Temporary Signs, in the C-4, S-2A, MH, and AH-MP Zones, is hereby deleted in its entirety and replaced to read as follows:

- "1. Area. Individual temporary signs shall not exceed one (1) square foot per lineal foot of building frontage, not to exceed 12 square feet except as noted in Section 8.080(K.5) concerning "opening or coming soon signs".

For S-2A Zone areas outside Downtown between 6th and 16th Street, a temporary sign shall not exceed 24 square feet."

Section 11. Astoria Development Code Section 8.180.I.2, Area for Monument Signs, in the C-4, S-2A, MH, and AH-MP Zones, is hereby deleted in its entirety and replaced to read as follows:

- "2. Area. Total sign area shall not exceed one (1) square foot of sign area for one (1) lineal foot of site frontage that is not already utilized by other signs on the site or attached to buildings. Monument signs are allowed up to a maximum of 32 square feet.

For S-2A Zone areas outside Downtown between 6th and 16th Street, monument signs are allowed up to a maximum of 100 square feet. Allowable area on sites without buildings shall not exceed 32 square feet."

Section 12. 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 _____, 2012.

APPROVED BY THE MAYOR THIS ____ DAY OF _____, 2012.

Mayor

ATTEST:

Paul Benoit, City Manager

ROLL CALL ON ADOPTION: YEA NAY ABSENT

Commissioner LaMear
 Roscoe
 Mellin
 Warr

Mayor Van Dusen



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

A 11-03

Fee: ~~\$400.00~~

AMENDMENT

Property Address: City Wide

Lot _____ Block _____ Subdivision _____

Map _____ Tax Lot _____ Zone _____

Code or Map to be Amended: Dev Code Sect 8.050 and 8.180

Applicant Name: Comm Dev Director

Mailing Address: 1095 Duane

Phone: _____ Business Phone: _____

Property Owner's Name: _____

Mailing Address: _____

Business Name (if applicable): _____

Signature of Applicant: _____

Signature of Property Owner: _____

Proposed Amendment Amend 8.050 to allow barber poles to spin;
Amend 8.180 to allow additional signage in the S-2A
Zone outside of the downtown area; Clarify building
and site frontage

For office use only:

Application Complete:	<u>9-23-11</u>	Permit Info Into D-Base:	<u>10/17/11</u>
Labels Prepared:	<u>N/A</u>	Tentative APC Meeting Date:	<u>11-22-11</u>
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 20th 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.

Supports economic development & existing businesses

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

No

S-2A zone was expanded to include areas outside the downtown - Proposed sign allowances would be similar to other Shoreland and Commercial zones outside of the

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:

downtown area.

1. The amendment is consistent with the Comprehensive Plan:

2. The amendment will:


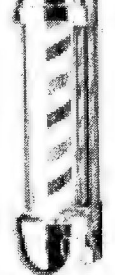

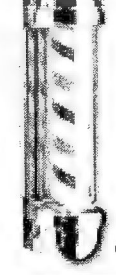
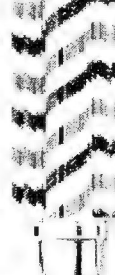





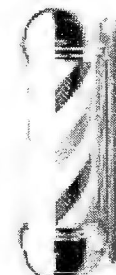

a. Satisfy land and water use needs; or

b. Meet transportation demands; or

Examples

BARBER POLE IDENTIFICATION GUIDE

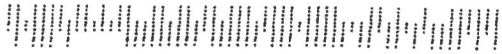


 <p>MARVY 410</p> <p>Glass Cylinder 4" x 10" Inner Cylinder 3 1/4" x 10"</p> <p>Motor Type A Motor Mount Type A2</p>	 <p>MARVY 405</p> <p>Glass Cylinder 4" x 16" Inner Cylinder 3 1/4" x 16"</p> <p>Motor Type A Motor Mount Type A2</p>	 <p>MARVY 33, 333</p> <p>Glass Cylinder 4" x 16" Inner Cylinder 3 1/2" x 16 1/2" (Without metal ends)</p> <p>Non-revolving</p>	 <p>Gold Castings</p> <p>MARVY 607</p> <p>Glass Cylinder 4" x 16" Inner Cylinder 3 1/4" x 16"</p> <p>Motor Type A Motor Mount Type A2</p>
 <p>MARVY 506</p> <p>Glass Cylinder 4" x 20" Inner Cylinder 3 1/4" x 20"</p> <p>Motor Type A Motor Mount Type A2</p>	 <p>MARVY 44</p> <p>Glass Cylinder 6" x 16" Inner Cylinder Full 5 1/4" x 16" (Without metal ends)</p> <p>Non-revolving</p>	 <p>MARVY 55</p> <p>Glass Cylinder 6" x 16" Inner Cylinder 5 1/4" x 16"</p> <p>Motor Type A Motor Mount Type A Top Globe 4" x 8"</p> <p>55 TWO-LIGHT</p>	 <p>MARVY 66</p> <p>Glass Cylinder 6" x 16" Inner Cylinder 5 1/4" x 16"</p> <p>Motor Type A Motor Mount Type A Top Globe 4" x 8"</p> <p>66 TWO-LIGHT</p>
 <p>MARVY 77</p> <p>Glass Cylinder 6" x 20" Inner Cylinder 5 1/4" x 20"</p> <p>Motor Type A Motor Mount Type A Top Globe 4" x 8"</p> <p>77 TWO-LIGHT</p>	 <p>MARVY 99</p> <p>Glass Cylinder 6" x 30" Inner Cylinder 5" x 29 1/2"</p> <p>Motor Type A Motor Mount Type A Top Globe 4" x 8"</p> <p>99 TWO-LIGHT</p>	 <p>MARVY 88</p> <p>Glass Cylinder 8" x 20" Inner Cylinder 6 1/4" x 20"</p> <p>Motor Type A Motor Mount Type A Top Globe 6" x 10"</p> <p>88 TWO-LIGHT</p>	 <p>MARVY 824</p> <p>Glass Cylinder 8" x 24" Inner Cylinder 6 1/4" x 24"</p> <p>Motor Type A Motor Mount Type A Top Globe 6" x 10"</p> <p>824 TWO-LIGHT</p>

NOTES ON MARVY BARBER POLES: Marvy Barber Poles have been manufactured since 1950 • Models 55, 66, 77 and 88 had cast aluminum mounting brackets until the mid '60s when they were built with aluminum channel mounting brackets • Models 33, 333, 405, 506, 607, 44, 99 and 824 were manufactured only with aluminum channel mounting brackets • For more information call: 651-698-0726 or 800-874-2651. Have model and serial number available, if possible. They can be found on a small metal plate located usually at the bottom of the barber pole mounting bracket.

MARVY Models 410, 405, 333, 55, 77, 88, and 824 are still being produced.

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