



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

03/19/2012

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 004-11

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: Friday, March 30, 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
Thomas Hogue, DLCD Economic Development Policy Analyst

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

RECEIVED
MARCH 12 2012

DEPT OF

MAR 12 2012

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: **A11-05**

Date of Adoption: **3-5-12**

Date Mailed: **3-9-12**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 12-7-11

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".

To rezone a parcel at 1303 Exchange Street; Map T8N-R9W Section 8CD, Tax Lot 14100; north 50' Lots 9 & 10, and south 60' Lots 3 & 4, Block 116, Shively; from C-3 General Commercial to R-3 High Density Residential

Does the Adoption differ from proposal? **yes**

Area to be rezoned was expanded to include the south 60' of Lots 3 & 4, Block 116, Shively. This increased the area to be rezoned to approximately 0.22 acres.

Plan Map Changed from:

to:

Zone Map Changed from: **C-3**

to: **R-3**

Location: **1303 Exchange; north 50' Lots 9 & 10, south 60' Lots 3 & 4, Block 116, Shively**

Acres Involved: **0.22**

Specify Density: Previous: **no limit**

New: **26 per acre**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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. 004-11 (19082) [16966]

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

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.

Updated December 22, 2009

BEFORE THE ASTORIA CITY COUNCIL
OF THE CITY OF ASTORIA

IN THE MATTER OF AN AMENDMENT REQUEST)
)
FOR THE FOLLOWING PROPERTY: MAP T8N-R9W)
SECTION 8CD; TAX LOT 14000, 14100; LOT(S) SOUTH 40')
LOTS 3 & 4; NORTH 50' LOTS 9 & 10; BLOCK 116; SHIVELY'S;)
1303 EXCHANGE, ASTORIA OR 97103)
) ORDER NO. A11-05
ZONING: C-3, GENERAL COMMERCIAL)
)
APPLICANT: TRISH BRIGHT, BLUE MARS LLC,)
13868 65TH PLACE NE, KIRKLAND WA 98034)

The above named applicant filed a request to amend the Astoria Land Use and Zoning Map by rezoning Tax Lot 14100 at 1303 Exchange Street from C-3 (General Commercial) to R-3 (High Density Residential, within the City limits of Astoria, Oregon.

A public hearing on the above entitled matter was held before the Planning Commission on January 24, 2012; and the Planning Commission closed the public hearing and rendered a decision at the January 24, 2012 meeting. The Planning Commission found the proposed amendment to be necessary and recommends to the Astoria City Council that the proposed amendment be approved.

A public hearing on the above entitled matter was held before the Astoria City Council and the public hearing was closed at the February 21, 2012 meeting; and the Astoria City Council rendered a decision at the March 5, 2012 meeting.

The City Council found the proposed amendment to be necessary and orders that this application for an Amendment A11-05 is approved and adopts the findings and conclusions of law attached hereto. 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.

The effective date of this approval is the date of the signing of this Order.

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 of the date this Order is signed.

DATE SIGNED: MARCH 5, 2012

DATE MAILED: 3/9/12

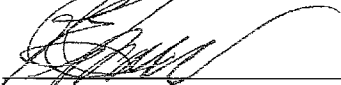
ASTORIA CITY COUNCIL



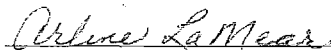
Mayor



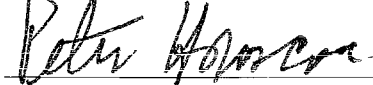
Commissioner



Commissioner



Commissioner



Commissioner

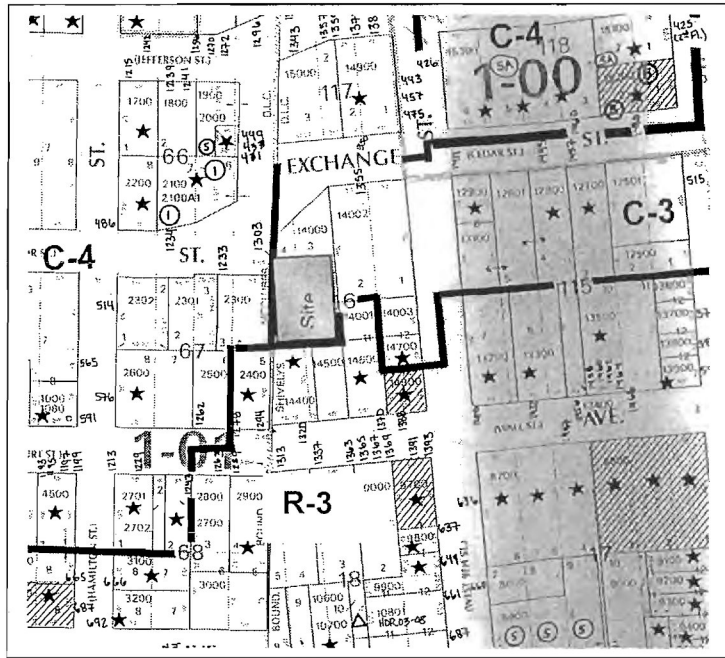
ORDINANCE NO. 12- 06

AN ORDINANCE AMENDING THE ASTORIA LAND USE AND ZONING MAP BY REZONING A PARCEL AT 1303 EXCHANGE STREET FROM C-3 ZONE (GENERAL COMMERCIAL) TO R-3 (HIGH DENSITY RESIDENTIAL)

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

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

1303 Exchange Street;
Map T8N-R9W Section
8CD, Tax Lot 14100 and
the south 20' Tax Lot
14000; north 50' Lots 9 &
10, and south 60' Lots 3 &
4, Block 116, Shively




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

ADOPTED BY THE COMMON COUNCIL THIS 5TH DAY OF MARCH, 2012.

APPROVED BY THE MAYOR THIS 5TH DAY OF MARCH, 2012.

ATTEST:


Paul Benoit, City Manager


Mayor

ROLL CALL ON ADOPTION:

	YEA	NAY	ABSENT
Commissioner LaMear	X		
Roscoe	X		
Mellin	X		
Warr	X		
Mayor Van Dusen	X		

To Julie - 2/28/12



February 24, 2012

TO: ASTORIA CITY COUNCIL

FROM: PAUL BENOIT, CITY MANAGER

SUBJECT: AMENDMENT REQUEST (A11-05) BY TRISH BRIGHT TO THE LAND USE AND ZONING MAP TO REZONE AN AREA AT 1303 EXCHANGE STREET FROM C-3 (GENERAL COMMERCIAL) TO R-3 (HIGH DENSITY RESIDENTIAL)

BACKGROUND

In November 2011, Trish Bright, Blue Mars LLC, filed a request to rezone a portion of the property at 1303 Exchange Street from C-3 (General Commercial) to R-3 (High Density Residential). The site is the location of the former C&C Auto Body Shop with the existing building and a parking lot in front. The building has been vacant since the late 1990's and the applicant has used the parking lot for her other property, "Bankers Suite", at 1215 Duane Street. The applicant requests that the rear portion of the parcel at 1303 Exchange Street be zoned R-3 (as it abuts residential property on the south) to allow construction of a single-family dwelling. The northern portion of the lot would remain in the C-3 Zone.

At its January 24, 2012 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 at the February 21, 2012 City Council meeting.

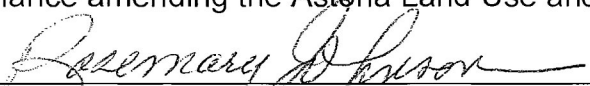
RECOMMENDATION

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:

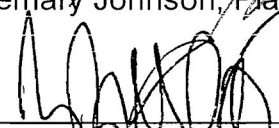
"I move that the Astoria City Council adopt the findings and conclusions contained in the staff report, and adopt the Ordinance amending the Astoria Land Use and Zoning Map."

By:



Rosemary Johnson, Planner

Through:



Brett Estes, Community Development Director

FINDINGS OF FACT

January 24, 2012

TO: PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER



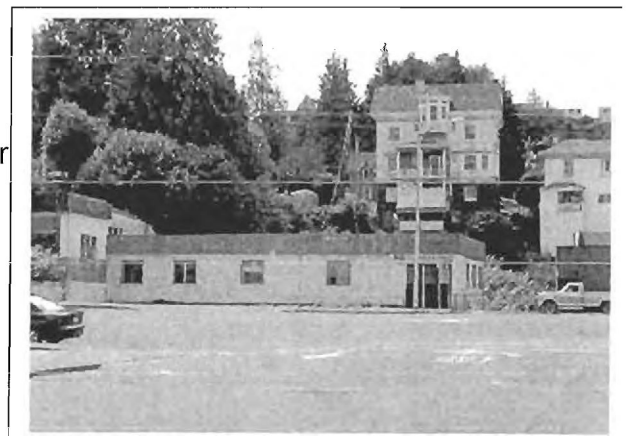
SUBJECT: AMENDMENT REQUEST (A11-05) BY TRISH BRIGHT TO THE LAND USE AND ZONING MAP TO REZONE AN AREA AT 1303 EXCHANGE STREET FROM C-3 (GENERAL COMMERCIAL) TO R-3 (HIGH DENSITY RESIDENTIAL)

I. BACKGROUND SUMMARY

- A. Applicant: Trish Bright
13868 65th Place NE
Kirkland WA 98034
- B. Owner: Blue Mars LLC
13868 65th Place NE
Kirkland WA 98034
- C. Request: Amend the Astoria Land Use and Zoning Map by rezoning Tax Lot 14100 at 1303 Exchange Street from C-3 (General Commercial) to R-3 (High Density Residential)
- D. Location: 1303 Exchange Street; Map T8N-R9W Section 8CD, Tax Lots 14000 & 14100; Lots 3 & 4, north 50' Lots 9 & 10, and south 60' Lots 3 & 4, Block 116, Shively
- E. Zone: Current: C-3 (General Commercial)
Proposed: R-3 (High Density Residential)

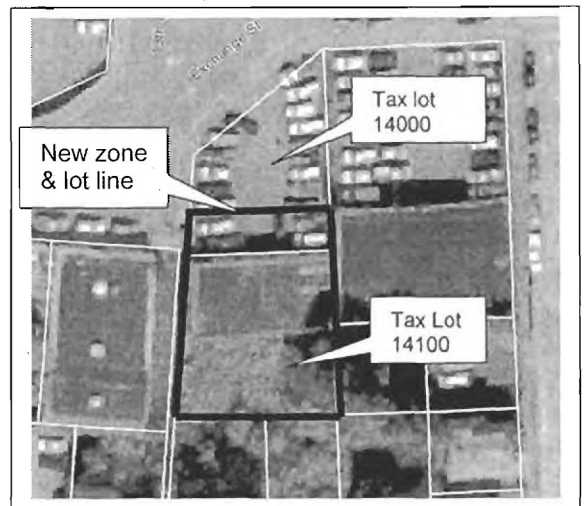
II. BACKGROUND

The property proposed for rezone is generally located on Exchange Street between 12th and 14th Streets. The property is sloped up from the north to south. The site is developed with a former automotive body shop on the front portion of the rear lot with the rear portion vacant. There is a paved parking lot on the front lot. The property is located within the Downtown National Register Historic District and any new construction would require historic design review by the Historic Landmarks Commission.

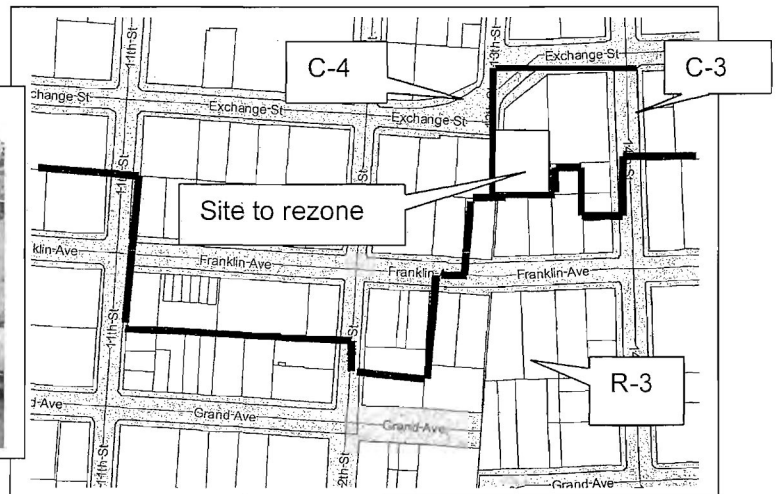
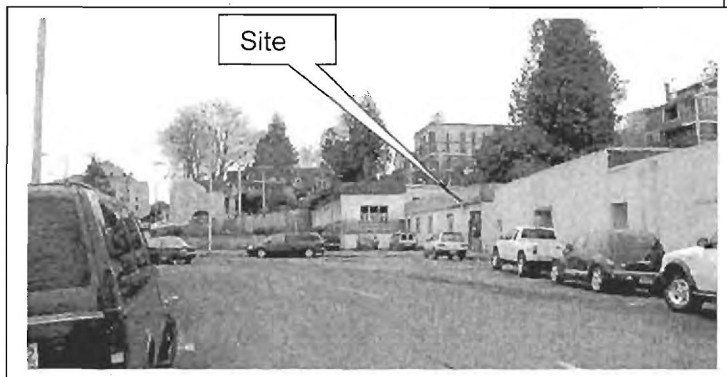


The applicant owns a parcel that includes two tax lots one of which fronts on Exchange and the second tax lot is located behind and to the south of the first. The parcel is in single ownership and a Lot Line Adjustment would be needed to separate the lot at the proposed zone line. The staff report will address both tax lots as one parcel.

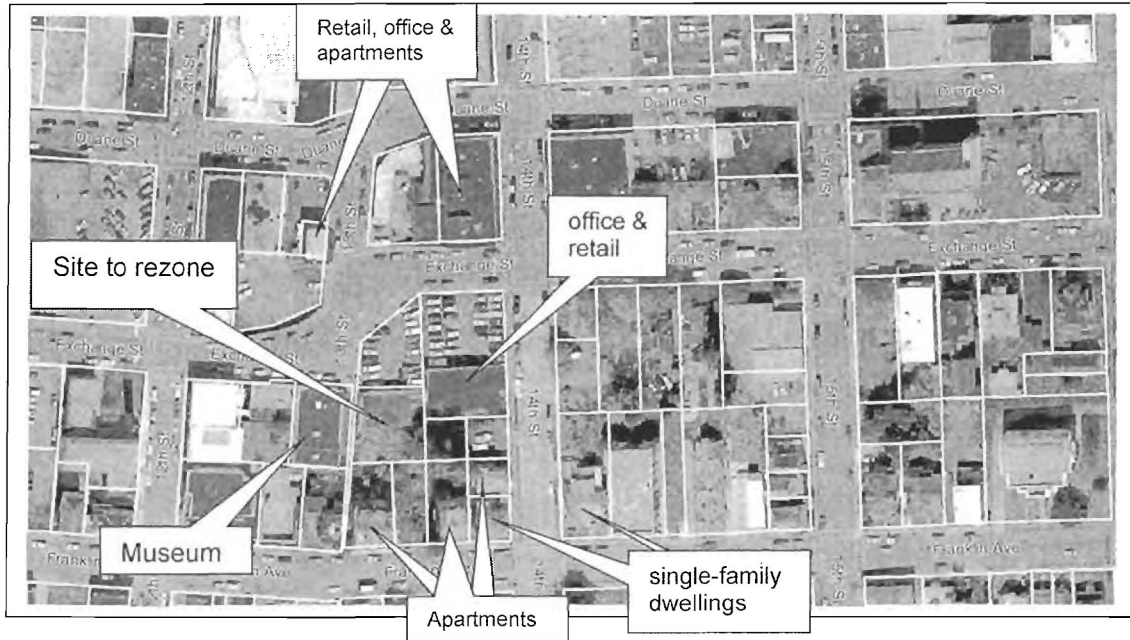
The applicant currently uses the parking lot for the Banker's Suite at 1215 Duane Street. However, off-street parking is not required for the Suite as it is in the C-4 Zone (Central Commercial) and use of the lot for parking was not a condition of the Conditional Use Permit (CU05-12).



The site is located on the boundary of three zones and in the transition area between the residential and commercial development. The site is bounded on the north across the Exchange Street right-of-way by the C-4 Zone with retail stores and apartments above the first floor; to the south is the R-3 Zone and a mixture of single-family and multi-family dwellings neighborhood; to the east is the C-3 Zone and Shark Rock building with medical offices and the community food store; to the west is the former YMCA building which houses an automotive museum.



The existing R-3 Zone extends into the C-3 Zone just to the east of the proposed area to be rezoned. The proposed line would extend several more feet into the C-3 Zone. The zone boundary lines in this area are jagged and follow specific property lines and the existing uses.



The site is situated in a transition area between the residentially and commercially developed areas and could be a cohesive part of either development area. However, access to the site would need to be from Exchange street across the existing parking lot and would require an access easement to be recorded.

The APC recommendation will be forwarded to the City Council for consideration tentatively at their February 21, 2012 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, 2011. In accordance with Section 9.020, a notice of public hearing was published in the Daily Astorian on January 17, 2012. The proposed amendment is quasi-judicial as it applies to one parcel of land. Any comments received will be made available at the Planning Commission meeting.

B. City Council

A public notice will be mailed to Neighborhood Associations and property owners within 100' of the proposed zone boundary area on January 27, 2012. In accordance with Section 9.020, a notice of public hearing will be published in the Daily Astorian on February 13, 2012. 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 the owner(s) of the property proposed to be rezoned.

- 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 one property owner from C-3 to R-3 Zone. Processing as a quasi-judicial action would be appropriate.

- C. Section 10.070(B.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 subject property has been used as an automotive body shop from its construction in 1924 until the late 1990's. It has been vacant since that time. The current owner has used the front lot for parking and the building has remained vacant. The rear lot extends along the rear yards of several residential buildings along 14th Street and Franklin Avenue. With the historic designation of other buildings in the area and the existing development pattern, major changes are not anticipated that would warrant keeping the proposed area within the C-3 Zone which allows more intense commercial development in this transition commercial/residential neighborhood. A change in zone to include this lot within the adjacent residential R-3 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."*

CP.220 concerning Housing Policies states that the City should *"6. Protect neighborhoods from incompatible uses, including large scale commercial, industrial, and public uses or activities."*

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. This property is within a historic district and adjacent to historic properties. New construction would require historic design review. The rear portion of this parcel abuts residential development and the potential for incompatible commercial development on this lot could be a concern.

The commercial neighborhood was developed over the years with automotive sales and service building (auto body repair at the site; Lovell's car sales across the right-of-way at Fort George site; used car sales lot at 13th; and tire center at the Shark Rock building to east). While the C-3 Zone was appropriate when this neighborhood was more automotive business related, the rezone to R-3 is appropriate for the transition commercial/residential neighborhood now that all of these uses are gone from this downtown area. The existing R-3 Zone extends into the C-3 Zone just to the east of the proposed area to be rezoned. The proposed line would extend several more feet into the C-3 Zone. The zone boundary lines in this area are jagged and follow specific property lines and the existing uses. Changing the zone from commercial to residential would keep the commercial uses closer to the downtown core, prevent new automotive related businesses from locating in this neighborhood, and prevent the expansion of commercial uses into the otherwise residential neighborhood.

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.”*

Finding: Even though the building was constructed in 1924, the existing building is not designated as historic. The building could be demolished to allow for new development. Rezoning the property to R-3 would help with the preservation of the historic neighborhood to the south.



Existing building with historic residential buildings to rear



Site located to rear of 1320 Franklin apartment building

Rezoning of the area from C-3 to R-3 would comply with these CP Sections encouraging preservation of historic streetscapes and neighborhoods.

4. CP.040 concerning the Central Residential Area states that *“The Central Residential area is the City’s oldest neighborhood, and extends generally from Second Street to 18th Street, and from Bond Street to Niagara Street, excluding the central business district.”*

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.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 R-3 is within the general boundary of the "Downtown" as it is on Exchange at 13th Street, but is currently zoned C-3. The fact that this particular site is currently zoned C-3 conflicts with the description and policies of the CP. Rezoning the area to either C-4 or R-3 would comply with the CP and would, in effect, bring the zoning into concert with the Comprehensive Plan.

5. CP.220 concerning Housing Policies states that the City should
- "2. *Provide residential areas with services and facilities necessary for safe, healthful, and convenient urban living.*"
 - "18. *Zone adequate land to meet identified future housing needs for a broad range of housing types, including single-family attached and detached homes, manufactured homes, two-family dwellings, and multi-family dwellings.*"
 - "20. *Allow for, encourage, and support the development of housing units in conjunction with commercial development (e.g. housing located above commercial uses) to provide diversity and security in commercial areas and a range of housing options.*"

CP.223 concerning Housing Tools and Actions states that the City should

- "6. *Explore and provide information about opportunities to consolidate buildable land where it will promote more efficient development.*"
- "7. *Work with the development community to ensure creation of new housing that meets identified future needs through the policies and strategies identified in this Plan.*"
- "18. *Work proactively with owners of large vacant or underutilized properties to identify opportunities and develop plans to meet future housing needs, including provisions for ensuring a mix of housing types and price ranges in these areas.*"

Finding: The parcel proposed for rezone to R-3 is partially vacant land tucked in behind a vacant commercial building and surrounded in the rear by residential development. The rezone to residential would allow housing adjacent to the urban area and the development of otherwise under utilized land. The front portion of the lot would remain C-3

allowing for the continuation of the lot to be used for parking or for future development. The applicant would need to record an easement across the front lot to provide access to the rear lot.

The City conducted a Buildable Lands Inventory which was adopted in 2011. The report states that “A comparison of need and supply of industrial and other employment lands indicates an overall surplus of approximately 6.7 acres of employment land. While there is sufficient land for industrial uses, there is a deficit of land zoned for commercial and particularly retail use. However, a portion of the land identified as “Other” can accommodate specific commercial, industrial, and high-density residential development and help meet the need for additional commercial land.” There is an overall deficit of residentially zoned land. There appears to be sufficient R-3 zoning and not enough R-1 zone and the subject property would be of sufficient size for a single-family, two-family, or three-family dwelling. The rezone would take approximately 0.22 acre (9,400 square feet) from commercial zone to residential and help with the overall deficit of residentially zoned land.

Estimated Net Land Surplus/(Deficit) by Zoning Designation, Astoria UGB, 2027

Type of Use	R1	R2	R3	AH-MP	Total
Land Need	115.4	51.2	67.0	2.7	236.4
Land Supply	25.20	74.99	119.18	1.49	220.86
Surplus/(Deficit)	(90.20)	23.79	52.18	(1.21)	(15.54)

Source: Wingard Planning & Development Services

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

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

Finding: The proposed amendment would change the former use of the building which is vacant at this time and would eliminate possible commercial uses in the future. Existing utilities and services are available for the allowable uses. There is a greater need for residentially zoned properties in Astoria than downtown commercially zoned property as indicated in the Buildable Lands Inventory as noted above. The proposed amendment will satisfy land and water use needs.

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

Finding: The site is sloped up to the south from Exchange toward Franklin Avenue. There is no known geologic hazard with 100' of the site, but the applicant has supplied a Geological Hazard Assessment by Buffalo Geological Consulting dated February 14, 2006 which is attached. Concerns expressed in the report with drainage on the site would be dealt with at the building permit review stage for any development on the site. The site is within the Flood Zone X, Other Areas determined to be outside the 0.2% annual change floodplain, Flood Insurance Rate Map 410028-0229-E, dated 9-17-10. The land is suited to residential use.

- F. Section 10.070(B.4) states that *"Resource lands, such as wetlands are preserved."*

Finding: There are no known wetlands on the site. The structure located on the site is not designated as historic in the Downtown National Register Historic District.

- G. Section 10.070(B.5) states that *"The amendment is compatible with the land use development pattern in the vicinity of the request."*

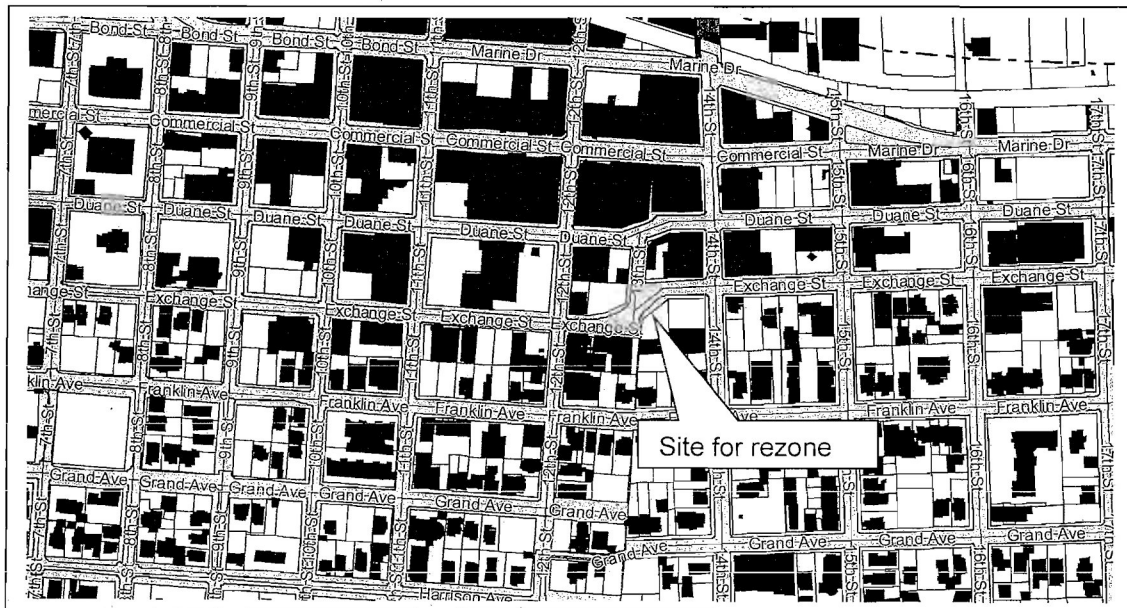
Finding: The site is situated in a transition area between the residentially and commercially developed areas and could be a cohesive part of either development area. The rear portion of the site is more conducive to residential use rather than the more intensive commercial use of the C-3 Zone due to its close proximity to other dwellings and separation from the main portion of the downtown commercial district.

- H. 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 High Density Residential Zone (R-3). 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 commercial uses would be eliminated as allowable uses with only low impact uses such as home occupations, family day care centers, etc. remaining as allowed. The following is a comparison of some of the uses within the zones. Not all of the commercial uses eliminated are listed, but it is clear that the traffic impact would be less with the limited uses allowed in the R-3 Zone.

USE	R-3 Zone	C-3 Zone
Bed & Breakfast or Inn	Conditional Use	Outright
Day care center	Conditional Use	Conditional Use
Home Occupation	Outright	Outright
Family day care center	Outright	Outright
Multi-family dwelling	Outright	Outright
Motel/hotel		Outright
Transportation service		Outright
Automotive sales, service, & gas station		Conditional Use
Indoor family entertainment		Outright
Business & education service		Outright
Eating & drinking establishment		Outright
Personal & Professional services		Outright
Repair services		Outright
Retail sales		Outright
Light manufacturing		Conditional Use



The site is accessed from City streets including Exchange, 14th, Duane, and Franklin and is located three blocks from 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 at this site would be subject to review by the City 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, did not identify potential transportation system improvements for this general area as it is not a major transportation route.

The R-3 Zone would have less transportation impact than the C-3 Zone due to the elimination of the commercial, traffic-oriented uses.

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.

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