



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

12/03/2012

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 001-12

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, December 12, 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  
Gordon Howard, DLCD Urban Planning Specialist  
Patrick Wingard, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

# 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

☐ In person ☐ electronic ☐ mailed

DATE  
STAMP

DEPT OF  
NOV 26 2012  
LAND CONSERVATION  
AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of Astoria**

Local file number: A12-02

Date of Adoption: 11-5-12

Date Mailed: 11-21-12

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 8-10-12

☐ 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 Astoria Land Use and Zoning Map from R-1 (Low Density Residential) to R-2 (Medium Density Residential) for a 4.85 acre parcel owned by the US Government for USCG Housing.

Does the Adoption differ from proposal? Please select one No

Plan Map Changed from:

to:

Zone Map Changed from: **R-1**

to: **R-2**

Location: **Block 12, West Slope; Lots 1 to 8, Block 13, West Hills**

Acres Involved: **4.85**

Specify Density: Previous: **8 per acre**

New: **16 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**  
☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

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

Please list all affected State or Federal Agencies, Local Governments or Special Districts: US Dept of Transportation, USCG

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**

DLCD File No. 001-12 (19455) [17245]



DLCD file No. \_\_\_\_\_

## **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

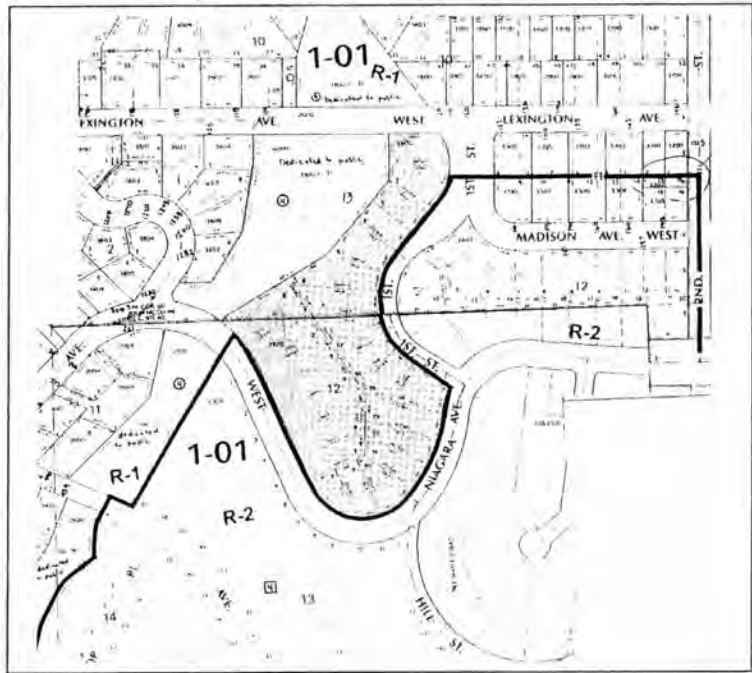
ORDINANCE NO. 12-12

AN ORDINANCE AMENDING THE ASTORIA LAND USE AND ZONING MAP BY REZONING PARCELS NEAR WEST LEXINGTON AVENUE FROM R-1 (LOW DENSITY RESIDENTIAL TO R-2 (MEDIUM 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 R-1 (Low Density Residential to R-2 Zone (Medium Density Residential) as indicated on the map:

Map T8N-R9W Section  
18AC, Tax Lot 2200, Block  
12, West Slope; and Map  
T8N-R9W Section 18AB,  
Tax Lot 3500, Lots 1 to 8,  
Block 13, West Hills



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 5<sup>TH</sup> DAY OF NOVEMBER, 2012.

APPROVED BY THE MAYOR THIS 5<sup>TH</sup> DAY OF NOVEMBER, 2012.

Mayor

ATTEST:

Paul Benoit, City Manager

ROLL CALL ON ADOPTION:

YEA

NAY

ABSENT

Commissioner LaMear  
Roscoe  
Mellin  
Warr  
Mayor Van Dusen

X

X

X

X

X



BEFORE THE ASTORIA CITY COUNCIL  
OF THE CITY OF ASTORIA

IN THE MATTER OF AN AMENDMENT REQUEST )  
)  
FOR THE FOLLOWING PROPERTY: TAX MAP18AC; )  
TAX LOT 2200; LOT(S) ALL; BLOCK 12; WEST SLOPE )  
USCG HOUSING AREA, ASTORIA, OREGON 97103 ) ORDER NO. A12-02  
)  
ZONE: R-1, LOW DENSITY RESIDENTIAL )  
)  
APPLICANT: BRETT ESTES, COMMUNITY DEVELOPMENT )  
DIRECTOR, 1095 DUANE STREET, ASTORIA OR 97103 )

The above named applicant filed a request to amend the Astoria Land Use and Zoning Map from R-1 (Low Density Residential) to R-2, (Medium Density Residential) for the 4.85 acre parcel north of West Niagara Avenue and East of Sonora Avenue described as Block 12, West Slope (Map T8N R9W Section 18AC, Tax Lot 2200) and Lots 1-8, Block 13, West Hills (Map T8N R9W Section 18AB, Tax Lot 3500 within the City limits of Astoria, Oregon.

A public hearing on the above entitled matter was held before the Planning Commission on September 25, 2012; and the Planning Commission closed the public hearing and rendered a decision at the September 25, 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 October 15, 2012 meeting; and the Astoria City Council rendered a decision at the November 5, 2012 meeting.

The City Council found the proposed amendment to be necessary and orders that this application for an Amendment A12-02 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.

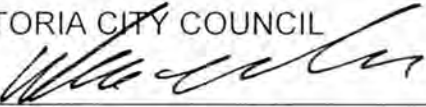
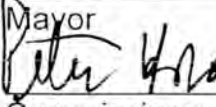
The effective date of this approval is the date of the signing of this Order.

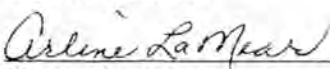
This decision may be appealed to the Land Use Board of Appeals (LUBA) by the Applicant, party to the hearing, or a party who responded in writing, by filing a Notice of Intent to Appeal with LUBA within 21 days of the date this Order is signed.


DATE SIGNED: NOVEMBER 5, 2012

DATE MAILED: 11-6-12

ASTORIA CITY COUNCIL

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner



October 22, 2012

TO: ASTORIA CITY COUNCIL

FROM: PAUL BENOIT, CITY MANAGER

SUBJECT: AMENDMENT REQUEST (A12-02) BY COMMUNITY DEVELOPMENT DIRECTOR TO THE LAND USE AND ZONING MAP TO REZONE A PORTION OF THE US COAST GUARD HOUSING AREA FROM R-1 (LOW DENSITY RESIDENTIAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL)

#### BACKGROUND

In 1992, the US Coast Guard (USCG) purchased a large parcel of land on the South Slope for construction of USCG housing. Between 1992 and 1995, the USCG constructed 102 dwelling units as phase 1 of their housing project. The project was designed to blend in with the Astoria community and not be a gated military housing area. The project received the Governor's Livability Award in 1995. The USCG proposes to construct additional housing similar to the existing units. The majority of property the City sold to the USCG was zoned R-2 (Medium Density Residential) which allows single-family, two-family, and multi-family dwellings to be constructed. A small portion of the property located north of the unimproved West Niagara Avenue right-of-way is zoned R-1 (Low Density Residential) which only allows single-family dwellings. The USCG proposes to construct two-family, three-family, and four-family units extending north from the existing housing area off Klaskanine Avenue toward West Niagara Avenue and West Lexington Avenue.

The USCG is proposing approximately 50 new units to be constructed in phases. Due to the topography, wet land areas, and unbuildable areas of the parcel, the overall density of the site would still be below the allowable density of the R-1 Zone. However, since only single-family dwellings are allowed in the R-1 Zone, staff is requesting that the northernmost 4.85 acre parcel be rezoned to R-2 which would allow multi-family dwellings.

At its September 25, 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 October 15, 2012 City Council meeting.

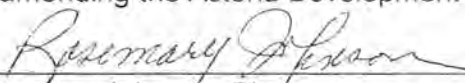
#### RECOMMENDATION

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 Development Code."

By:

  
Rosemary Johnson, Planner

Through:

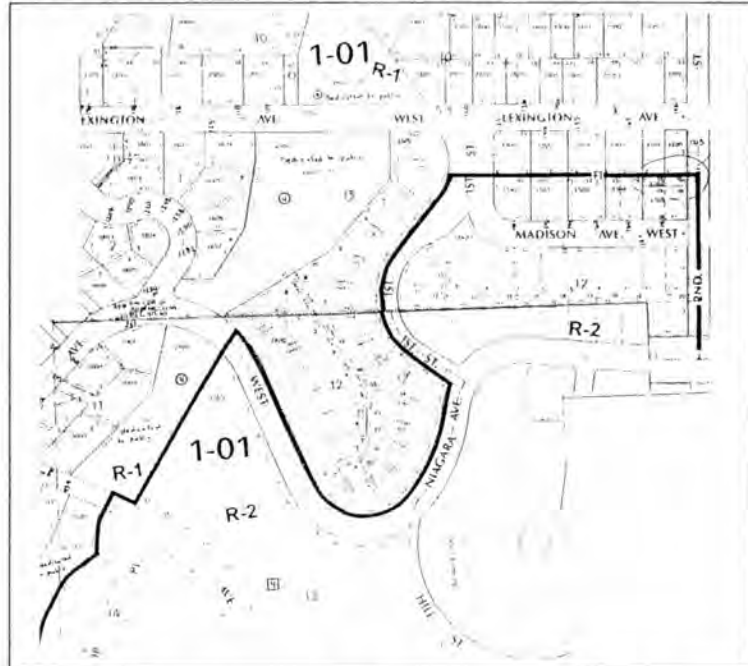
  
Brett Estes, Community Development Director

AN ORDINANCE AMENDING THE ASTORIA LAND USE AND ZONING MAP BY REZONING PARCELS NEAR WEST LEXINGTON AVENUE FROM R-1 (LOW DENSITY RESIDENTIAL TO R-2 (MEDIUM 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 R-1 (Low Density Residential to R-2 Zone (Medium Density Residential) as indicated on the map:

Map T8N-R9W Section 18AC, Tax Lot 2200, Block 12, West Slope; and Map T8N-R9W Section 18AB, Tax Lot 3500, Lots 1 to 8, Block 13, West Hills



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

ADOPTED BY THE COMMON COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

ATTEST:

\_\_\_\_\_  
Mayor

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

ROLL CALL ON ADOPTION:

YEA

NAY

ABSENT

Commissioner      LaMear  
                             Roscoe  
                             Mellin  
                             Warr

Mayor                Van Dusen

STAFF REPORT AND FINDINGS OF FACT

September 20, 2012

TO: PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER

SUBJECT: AMENDMENT REQUEST (A12-02) BY COMMUNITY DEVELOPMENT DIRECTOR TO THE LAND USE AND ZONING MAP TO REZONE AN AREA AT NEAR W NIAGARA AND SONORA AVENUE FROM R-1 (LOW DENSITY RESIDENTIAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL)

I. BACKGROUND SUMMARY

A. Applicant: Brett Estes, Community Development Director  
City of Astoria  
1095 Duane Street  
Astoria OR 97103

B. Owner: United States of America  
US Dept of Transportation  
MIC Pacific Legal Div  
Alameda CA 94501-5100

Francis Brito PE (Project Contact)  
US Dept of Homeland Security  
US Coast Guard  
Facilities Design & Construction Center (DET)  
915 2nd Avenue Room 2664  
Seattle WA 98174-1001

Linda Kratochvil (Realty Specialist)  
US Dept of Homeland Security  
US Coast Guard  
Planning & Real Estate  
1301 Clay Street Suite 700N  
Oakland CA 94612

C. Request: Amend the Astoria Land Use and Zoning Map by rezoning 4.85 acre parcel from R-1 (Low Density Residential) to R-2 (Medium Density Residential)

D. Location: Parcels north of West Niagara Avenue and east of Sonora Avenue (Map T8N-R9W Section 18AC, Tax Lot 2200, and Map T8N-R9W Section 18AB, Tax Lot 3500; Block 12, West Slope, and Lots 1 to 8, Block 13, West Hills)



E.      Zone:              Current:      R-1 (Low Density Residential)  
                                 Proposed:      R-2 (Medium Density Residential)

## II.      BACKGROUND

The property proposed for rezone is generally located north of the existing US Coast Guard housing area, north of West Niagara Avenue and east of Sonora Avenue. The property is sloped up from the south to north. The USCG acquired the existing housing site and this vacant land from the City in the 1990's in anticipation of providing growth area for the construction of needed USCG family housing units. Most of the parcel sold to the USCG was zoned R-2, but a small portion at the north end of the site was zoned R-1. Between 1992 and 1995, the USCG constructed 102 dwelling units as two-family, three-family, and four-family units. The project was designed to blend in with the Astoria community and not be a gated military housing area. The project received the Governor's Livability Award in 1995.

The site proposed to be rezoned is bounded on three sides by the R-2 Zone; and on the northwest side by the R-1 Zone. To the north is West Lexington Avenue and single-family dwellings across the right-of-way; to the east is 1st Street with some single-family dwellings and the Meriwether Village multi-family development; to the west is a ravine tract dedicated to the public as open space; to the south is the USCG multi-family housing development.

The USCG proposes to construct additional housing similar to the existing units. A portion of the site is zoned R-1 (Low Density Residential) which only allows single-family dwellings. With the remaining portions of the parcels zoned R-2 (Medium Density Residential), the USCG is able to construct buildings that contain two, three, and four units that would comply with the allowable density of the zone. Development would not extend up to West Lexington Avenue except for trails and possible access. With this proposal and the general development of the area, the City suggested that the entire USCG parcel be zoned R-2.

The APC recommendation will be forwarded to the City Council for consideration tentatively at their October 15, 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 August 31, 2012. In accordance with Section 9.020, a notice of public hearing was published in the Daily Astorian on September 18, 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 was mailed to Neighborhood Associations and property owners within 100' of the proposed zone boundary area on August 31, 2012. In accordance with Section 9.020, a notice of public hearing will be published in the Daily Astorian on October 8, 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 Community Development Director.

- 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 R-1 to R-2 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 South Slope area has been consistent and includes the subject property. The subject property has been vacant residentially zoned land since it was initially zoned in the 1950's. The area has a mixture of single-family, two-family, and multi-family development. A change in zone to include this parcel within the residential R-2 Zone to allow more than just single-



family dwelling 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. The proposed development would be for housing that is consistent with other neighborhood development within Astoria. Changing the zone from R-1 to R-2 to residential would keep the residential zoning but would allow a higher density.

3. CP.065.2, South Slope Area Policies, states that *"Because of the large amounts of vacant, buildable, publicly owned land on the south slope, there is a unique opportunity for well-planned housing development. Such development must take place on a large enough scale that complete geologic studies can be undertaken, and that adequate storm drainage and other public facilities can be provided. New housing developments should be at least three acres in size, and should include a mixture of housing costs and types. The Planning Commission should review all such developments under the planned development provision of the Development Code. Densities must, however, be dependent on the capability of the land in terms of landslide potential, slope and other factors."*

CP.065.3, South Slope Area Policies, states that *"Rezoning on the south slope must provide for increased amounts of land zoned for multi-family housing. The area east of 7th Street, including Williamsport, is an appropriate area because of the potential described in Section CP.065.2 above."*

Finding: The area proposed for rezone to R-2 is one of the large vacant land parcels identified in this Comprehensive Plan section. The site is west of 7th Street but is still within the South Slope area addressed by this section. The denser zoning designation would allow for multi-family dwellings to be constructed which would take better advantage of the

topography of the site with a more compact form of development. Rezoning the area to R-2 would comply with the CP and would, in effect, bring the zoning into concert with the Comprehensive Plan.

4. CP.218.3, Housing Goals, states that *"Develop housing efficiently to minimize environmental impacts and provide public services in a cost effective manner."*

CP.220, Housing Policies, state

- "1. *Maintain attractive and livable residential neighborhoods, for all types of housing."*
- "3. *Develop residential areas in ways which are consistent with the geographic features so as not to create or trigger geologic hazards. New subdivisions or housing developments should cause minimal earth disturbances and removal of trees."*
- "4. *Encourage planned unit and clustered developments that preserve open space, reduce infrastructure and construction costs, and promote variety in neighborhoods."*
- "15. *Ensure that multi-family developments in primarily single-family neighborhoods are designed to be compatible with the surrounding neighborhood, in terms of scale, bulk, use of materials and landscaping."*
- "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."*

CP.223, Housing Tools and Actions, state

- "12. *Consider the use of density bonuses or other incentives to encourage the development of affordable housing, consistent with other housing and community goals."*
- "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."*

CP.400.6, Geologic and Flood Hazard Policies, states that *"Clustering of development on stable or less steep portions of sites is encouraged in order to maintain steeper slopes in their natural condition."*



Finding: The increased density allowed by the R-2 Zone will allow the USCG to cluster the multi-family houses and reduce the need to utilize larger portions of the parcel with single-family dwellings. This would result in more efficient use of the land and reduced construction costs for this government entity. Housing provided by the USCG to their families provides affordable housing that is not readily available in Astoria. The USCG conducted a Housing Market Survey and Analysis in 2007 prior to proposing construction of housing in Astoria. This report concluded that USCG Group Astoria would need to find additional housing with the proposed expansion of USCG services to this area. Four sites were considered, and in 2009, they did an environmental assessment of the sites to determine the best location. In 2010, they selected the property they owned adjacent to the existing housing area on South Slope. Additional studies have been and will be made of the site prior to construction to assure that the development is geologically and environmentally safe. The topography of the site would limit the ability to construct enough single-family dwellings that would be the same number of units as the multi-family dwellings would provide on this site. The decision to construct multi-family dwelling units reduces the need to impact larger portions of the property and thereby preserves more open space and forested area.

Rezoning the property to R-2 allows for better development of affordable housing in this area.

5. CP.270.9, Parks, Recreation and Open Space Element Goals, states that *"The City of Astoria will work to encourage a system of trails throughout the City."*

CP.275.9, Parks, Recreation and Open Space Element Policies, states that *"Ways should be explored for the development of hiking and bike trails along appropriate City streets, railway rights-of-way, utility corridors, and park access routes. To the extent possible, such trails will utilize existing City maintained trails and provide linkages to major park lands and other public facilities. Planning for trails must consider such limitations as topography, climate, maintenance and development costs, adjacent landowner concerns, legal access to the trails, and should emphasize intensive use areas."*

Finding: The property proposed to be rezoned was sold by the City to the USCG with the intention that it be developed for USCG housing. With that sales agreement, the City stated that public trails would be required through the housing development. Trails were constructed in the first phase of housing and the USCG plans to construct additional public trails to connect the housing area to other streets and access points.

6. CP.113.2, Findings of the 2011 Buildable Lands Inventory, Goal 10 Analysis, states that “A comparison of residential land need and supply indicates an overall deficit of 15.54 acres of land. It also shows a deficit for land in the Low Density Residential (R-1) designation and a surplus in the Medium Density Residential (R-2), High Density Residential (R-3), and Attached Housing-Mill Pond (AH-MP) designations. . .

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

| <b>Type of Use</b> | <b>R1</b> | <b>R2</b> | <b>R3</b> | <b>AH-MP</b> | <b>Total</b> |
|--------------------|-----------|-----------|-----------|--------------|--------------|
| 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)”     |

Finding: The two parcels proposed to be rezoned are currently R-1 and proposed to be R-2. The parcels combined are 4.85 acres, however, only 0.8 acres were determined to be buildable. This rezone would reduce the R-1 Zone resulting in a deficit of 91 acres and would increase the surplus of R-2 Zone to 24.59 acres. However, it would still remain a residential zone and therefore would not change the overall total deficit of 15.54 acres. The proposed rezone would allow for additional housing to be constructed on these parcels with a clustering of multi-family dwellings on the limited buildable area of the site. The deficit of R-1 zoned properties will need to be addressed in the future as part of a separate assessment of the Buildable Lands Inventory, potentially through an Urban Growth Boundary swap or expansion.

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

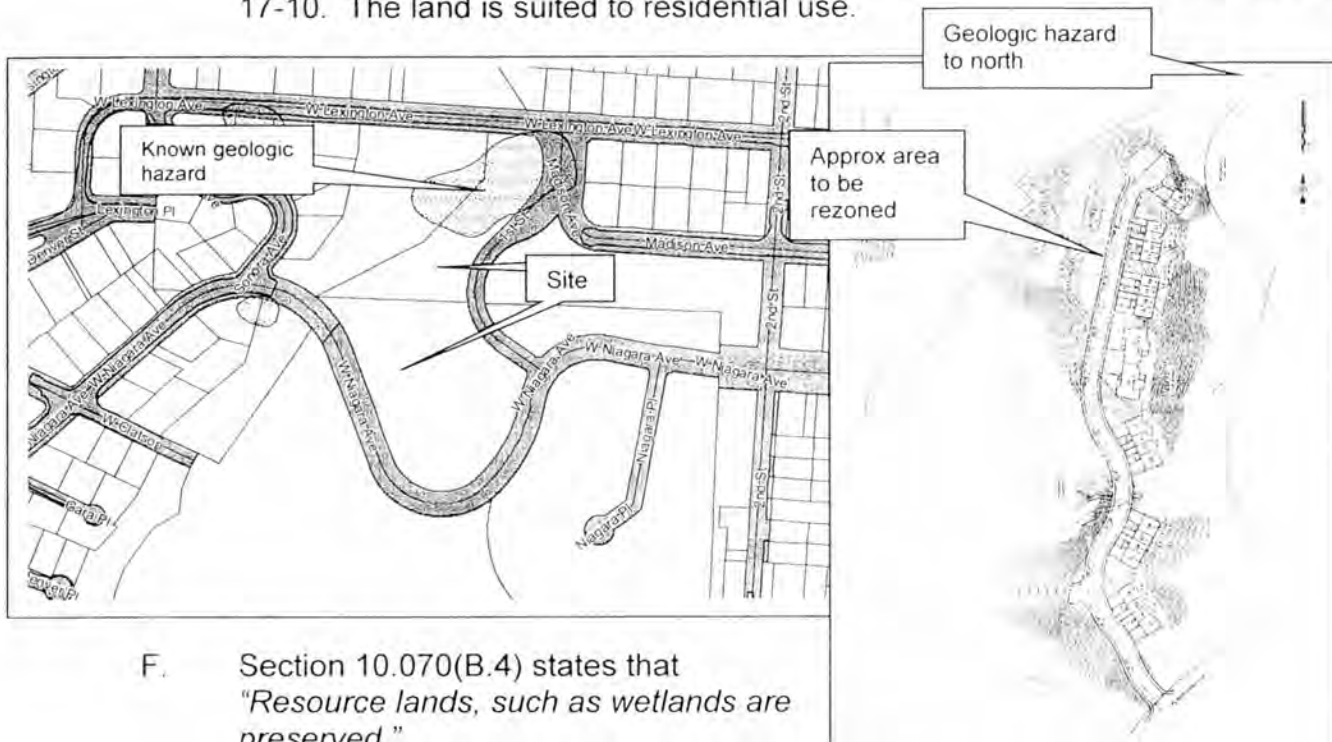
- D. Section 10.070(A)(2) requires that “*The amendment will:*
- Satisfy land and water use needs; or*
  - Meet the transportation demands; or*
  - Provide community facilities and services.”*

Finding: The proposed amendment would not change the residential use of the site but would increase the allowable density. While the proposed development would not maximize the density, the R-1 Zone only allows single-family dwellings. The R-2 zone would allow better development of the site with needed housing that would be accessed by public streets and that would not negatively impact the City’s ability to provide sufficient land and services to the community. Existing utilities and services are available for the development. 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 north toward West Lexington Avenue. There is a known geologic hazard at the north end of the parcel. This area is not proposed to be developed except for possible trails and access. The housing area would be on the area to the south. A geologic study has been completed and additional studies would be done prior to construction. 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.

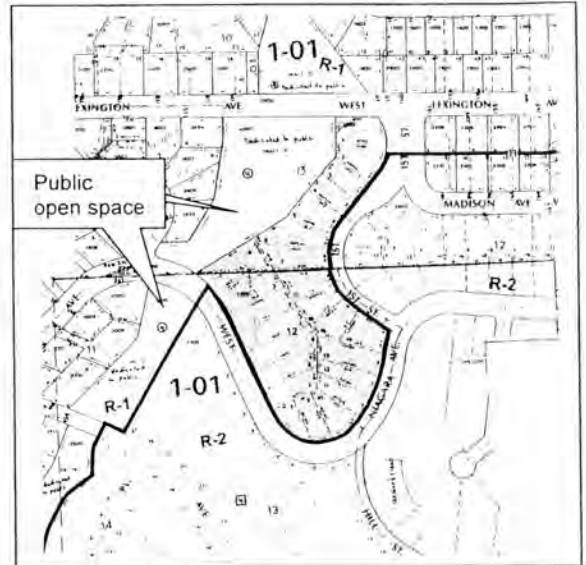


- F. Section 10.070(B.4) states that *"Resource lands, such as wetlands are preserved."*

Finding: There are known wetlands on other portions of the USCG site. These areas would be preserved. The proposed rezone would allow development of the buildable portions of the USCG property while preserving the wetlands and public open spaces.

- 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 R-1 and R-2 Zones and is bounded on three sides by the R-2 Zone. The site is buffered from the R-1 Zone to the west by Tracts dedicated to the public as open space. With these Tracts, there would only be a small portion of the site on the northeast corner that would actually abut R-1 Zone development. The area has a mixture of single-family dwellings and multi-family dwellings in USCG housing area to the south and Meriwether Village to the east. The amendment is compatible with the land use development pattern in the vicinity of the request.



- 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.

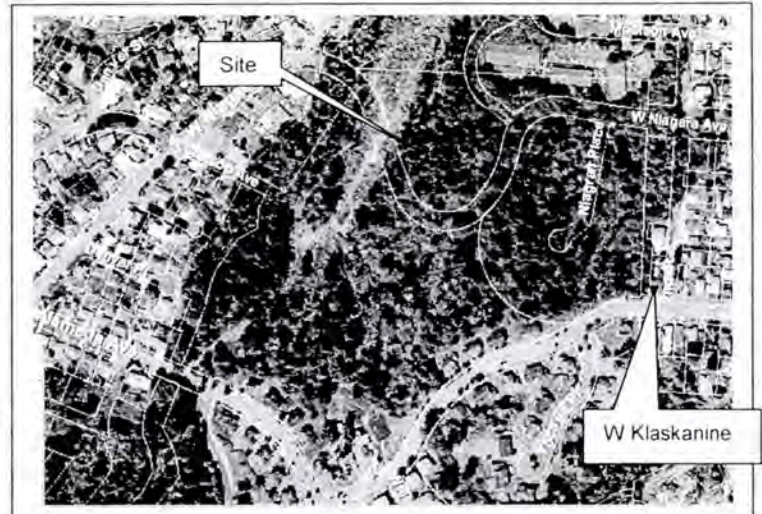
Finding: The proposed amendment would change the area from a low density residential (R-1) to a medium density residential (R-2) zone. There would be changes in the allowable uses within the zone, however they would still be residential uses with a change in the allowable density. The amendment is subject to review under the TPR.

This change should not impact the transportation facilities in and adjacent to the zone as the proposal is to develop the site in an efficient manner rather than maximizing the allowable density with construction of more single-family dwellings. The R-1 Zone density allows 8 units per acre while the R-2 Zone allows 16 units per acres. Most of the housing is proposed to be constructed in the existing R-2 Zone with a limited number of units (18) proposed in stages in the existing R-1 area. The area proposed to be rezoned is 4.85 acres which would allow 38 single family dwellings. The R-2 Zone would allow 77 units, however, with the topography and known geologic hazards, the actual number



of units that would be constructed would be less than that allowed by the R-1 Zone.

The site is accessed from City streets including Klaskanine Avenue via Alameda Avenue. Both streets are classified as "major local" 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-2 Zone would have the same transportation impact as the R-1 Zone due to the topography and inability to develop the site to its maximum density.

#### 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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Plan Amendment Specialist  
DLCD  
635 Capitol Street NE #150  
Salem OR 97301-2540

