



Oregon

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Department of Land Conservation and Development

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: 10/20/2014
Jurisdiction: City of Astoria
Local file no.: A 14-02
DLCD file no.: 002-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 10/15/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 40 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 002-14 {19974}
Received: 10/17/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Astoria

Local file no.: **A14-02**

Date of adoption: 10-6-14

Date sent: 10-17-14

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 4-17-14

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Zoning map amendment from C-3 to CR was not completed; zoning map was amended to include the overlay zones; several text changes such as: allowable bldg height over water; recommended tree/plant species; added East Basin Plan District criteria; limited some uses over water; & other minor text change

Local contact (name and title): Rosemary Johnson, Planner

Phone: 503-338-5183

E-mail: rjohnson@astoria.or.us

Street address: 1095 Duane Street

City: Astoria

Zip: 97103-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:
see attached

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: see attached Acres added: Acres removed:

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: Port of Astoria, CREST

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.



CITY OF ASTORIA

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COMMUNITY DEVELOPMENT

October 16, 2014

RE: AMENDMENT (A14-02) FOR RIVERFRONT VISION PLAN IMPLEMENTATION

The adopted amendments are intended to implement the Astoria Riverfront Vision Plan adopted December 7, 2009 for the Civic Greenway area of the Plan. This is the first of four areas within the Plan to be implemented. The amendments create the Civic Greenway Overlay Area, establish standards for both overwater and on land development, add Compact Residential Zone standards, add clear and objective design standards for residential development, renumber several zones and overlay zones, and amend other miscellaneous related sections to reference and include the new sections and standards.

The following is a list of Development Code and Zoning Map Amendments adopted by Ordinance 14-09, dated October 6, 2014.

Development Code

2.750 to 2.760 pertaining to Columbia River Estuary Shoreland Overlay District – renumbered

2.800 to 2.825 pertaining to Flood Hazard Overlay – renumbered

2.890 to 2.920 pertaining to Planned Development Overlay – renumbered

2.930 to 2.940 pertaining to Sensitive Bird Habitat Overlay Zone - renumbered

2.950 to 2.960 pertaining to Management Plan for the Youngs Bay – Brown Creek Great Blue Heron Rookery - renumbered

14.040 to 14.070 pertaining to Maritime Heritage Zone - renumbered

14.075 to 14.105 pertaining to Family Activities Zone - renumbered

14.110 to 14.150 pertaining to Attached Housing – Health Care Zone - renumbered

14.155 to 14.185 pertaining to Health Care Zone - renumbered

14.190 to 14.225 pertaining to Education-Research-Health Care Campus Zone – renumbered

14.230 to 14.260 pertaining to Hospitality-Recreation Zone - renumbered

14.265 to 14.295 pertaining to Local Service Zone - renumbered

- 14.300 to 14.340 pertaining to Attached Housing – Mill Pond Zone - renumbered
- 2.965 pertaining to Gateway Overlay Area Zones - deleted
- 2.530.12 pertaining to Outright Uses in the A-2 Zone (Aquatic Two Development) – amended
- 1.400 pertaining to Definitions - amended by the addition of several definitions
- 2.200 through 2.235 pertaining to Compact Residential Zone – added as new section
- 14.035 through 14.065 pertaining to Civic Greenway Overlay Zone – added as new section and includes creation of Civic Greenway Overlay Zone, standards for development, criteria for adoption of East Basin Plan District, residential design standards, landscaping standards,
- 3.090 pertaining to Cottage Cluster Development – added as new section
- 1.300 pertaining to Establishment of Zones – amended to add new zones
- 8.160 pertaining to Sign Regulations – amended to add new zones
- 14.015 pertaining to General Provisions in the Gateway Overlay Zone – amended to add new zones
- 3.190.F pertaining to Reconstruction of Existing Non-Conforming Overwater Buildings – added as new section
- 3.180.D pertaining to Reestablishment of Existing Non-Conforming Uses in Overwater Buildings – added as new section
- 9.100.B pertaining to Permit Extensions – amended

1992 Astoria Land Use and Zoning Map

Amended to map to include the overlay zones - Civic Greenway Overlay (CGO) Zone, and Gateway Overlay (GO) Zone

Overlay Zone Designation

Civic Greenway Overlay (CGO) Zone – acres added – approximately 189 acres including land and water areas - area is generally described as 16th to 41st Street north of Marine Drive / Lief Erikson Drive

Gateway Overlay (GO) Zone – approximately 128 acres including land and water areas - area is generally described as 16th to 41st Street north of Marine Drive/Lief Erikson Drive, and generally the area south of Marine Drive from 16th Street to mid block between Exchange Street / Franklin Avenue, then south to Franklin Avenue, then east on Franklin Avenue to 19th Street, then south on 19th Street to mid block Franklin Avenue / Grand

Avenue, then east on Grand Avenue to mid block 20th/21st Street, then north to Franklin Avenue, then east to 23rd Street, then north to Marine Drive; acres added

If you have any questions or need additional information, please contact me at 503-338-5183 or rjohnson@astoria.or.us.

Sincerely,

THE CITY OF ASTORIA

A handwritten signature in cursive script that reads "Rosemary Johnson".

Rosemary Johnson
Planner

ORDINANCE NO. 14-09

AN ORDINANCE AMENDING THE ASTORIA DEVELOPMENT CODE AND LAND USE AND ZONING MAP PERTAINING TO IMPLEMENTATION OF THE ASTORIA RIVERFRONT VISION PLAN

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Astoria Development Code Sections 2.750 to 2.760 pertaining to Columbia River Estuary Shoreland Overlay District is hereby deleted and renumbered as follows with the text to remain the same:

"CRESO: COLUMBIA RIVER ESTUARY SHORELAND OVERLAY DISTRICT

- 14.500. PURPOSE AND AREAS INCLUDED.
- 14.505. PERMITTED AND CONDITIONAL USES.
- 14.510. DEVELOPMENT STANDARDS AND PROCEDURAL REQUIREMENTS."

Section 2. Astoria Development Code Sections 2.800 to 2.825 pertaining to Flood Hazard Overlay is hereby deleted and renumbered as follows with the text to remain the same:

"FHO: FLOOD HAZARD OVERLAY ZONE

- 14.520. PURPOSE AND OBJECTIVES.
- 14.525. DEFINITIONS.
- 14.530. GENERAL PROVISIONS.
- 14.535. ADMINISTRATION.
- 14.540. GENERAL PROVISIONS FOR FLOOD HAZARD REDUCTION.
- 14.545. SPECIFIC PROVISIONS FOR FLOOD HAZARD REDUCTION."

Section 3. Astoria Development Code Sections 2.890 to 2.920 pertaining to Planned Development Overlay is hereby deleted and renumbered as follows with the text to remain the same:

"PD: PLANNED DEVELOPMENT OVERLAY ZONE

- 14.560. PURPOSE.
- 14.565. PERMITTED BUILDINGS AND USES.
- 14.570. DEVELOPMENT STANDARDS.
- 14.575. PROCEDURE - PRELIMINARY DEVELOPMENT PLAN.
- 14.580. PROCEDURE - FINAL APPROVAL.
- 14.585. MAPPING.
- 14.590. ADHERENCE TO APPROVED PLAN AND MODIFICATION THEREOF."

Section 4. Astoria Development Code Sections 2.930 to 2.940 pertaining to Sensitive Bird Habitat Overlay Zone is hereby deleted and renumbered as follows with the text to remain the same:

"SBHO: SENSITIVE BIRD HABITAT OVERLAY ZONE

- 14.600. PURPOSE AND AREA INCLUDED.
- 14.605. GENERAL PROVISIONS.
- 14.610. USES PERMITTED OUTRIGHT AND CONDITIONAL USES."

Section 5. Astoria Development Code Sections 2.950 to 2.960 pertaining to Management Plan for the Youngs Bay – Brown Creek Great Blue Heron Rookery is hereby deleted and renumbered as follows with the text to remain the same:

"MANAGEMENT PLAN
FOR THE YOUNGS BAY/BROWN CREEK GREAT BLUE HERON ROOKERY

- 14.620. DEFINITIONS.
- 14.625. BACKGROUND SUMMARY.
- 14.630. DEVELOPMENT STANDARDS AND PROCEDURAL REQUIREMENTS."

Section 6. Astoria Development Code Sections 14.040 to 14.070 pertaining to Maritime Heritage Zone is hereby deleted and renumbered as follows with the text to remain the same:

"MH: MARITIME HERITAGE ZONE

- 2.890. PURPOSE.
- 2.892. USES PERMITTED OUTRIGHT.
- 2.894. CONDITIONAL USES PERMITTED.
- 2.896. LOT COVERAGE.
- 2.898. LANDSCAPED OPEN AREA.
- 2.900. HEIGHT OF STRUCTURES.
- 2.902. OTHER APPLICABLE USE STANDARDS."

Section 7. Astoria Development Code Sections 14.075 to 14.105 pertaining to Family Activities Zone is hereby deleted and renumbered as follows with the text to remain the same:

"FA: FAMILY ACTIVITIES ZONE

- 2.904. PURPOSE.
- 2.906. USES PERMITTED OUTRIGHT.
- 2.908. CONDITIONAL USES PERMITTED.
- 2.910. LOT COVERAGE.
- 2.912. LANDSCAPED OPEN AREA.
- 2.914. HEIGHT OF STRUCTURES.
- 2.916. OTHER APPLICABLE USE STANDARDS."

Section 8. Astoria Development Code Sections 14.110 to 14.150 pertaining to Attached Housing – Health Care Zone is hereby deleted and renumbered as follows with the text to remain the same:

“AH-HC: ATTACHED HOUSING/HEALTH CARE ZONE

- 2.918. PURPOSE.
- 2.920. USES PERMITTED OUTRIGHT.
- 2.922. CONDITIONAL USES PERMITTED.
- 2.924. YARDS.
- 2.926. DENSITY.
- 2.928. LOT COVERAGE.
- 2.930. LANDSCAPED OPEN AREA.
- 2.932. HEIGHT OF STRUCTURES.
- 2.934. OTHER APPLICABLE USE STANDARDS.”

Section 9. Astoria Development Code Sections 14.155 to 14.185 pertaining to Health Care Zone is hereby deleted and renumbered as follows with the text to remain the same:

“HC: HEALTH CARE ZONE

- 2.936. PURPOSE.
- 2.938. USES PERMITTED OUTRIGHT.
- 2.940. CONDITIONAL USES PERMITTED.
- 2.942. LOT COVERAGE.
- 2.944. LANDSCAPED OPEN AREA.
- 2.946. HEIGHT OF STRUCTURES.
- 2.948. OTHER APPLICABLE USE STANDARDS.”

Section 10. Astoria Development Code Sections 14.190 to 14.225 pertaining to Education-Research-Health Care Campus Zone is hereby deleted and renumbered as follows with the text to remain the same:

“CA: EDUCATION/RESEARCH/HEALTH CARE CAMPUS ZONE

- 2.950. PURPOSE.
- 2.952. USES PERMITTED OUTRIGHT.
- 2.954. CONDITIONAL USES PERMITTED.
- 2.956. LOT SIZE.
- 2.958. LOT COVERAGE.
- 2.960. LANDSCAPED OPEN AREA.
- 2.962. HEIGHT OF STRUCTURES.
- 2.964. OTHER APPLICABLE USE STANDARDS.”

Section 11. Astoria Development Code Sections 14.230 to 14.260 pertaining to Hospitality-Recreation Zone is hereby deleted and renumbered as follows with the text to remain the same:

“HR: HOSPITALITY/RECREATION

- 2.966. PURPOSE.
- 2.967. USES PERMITTED OUTRIGHT.
- 2.968. CONDITIONAL USES PERMITTED.
- 2.969. LOT COVERAGE.
- 2.970. LANDSCAPED OPEN AREA.
- 2.971. HEIGHT OF STRUCTURES.
- 2.972. OTHER APPLICABLE USE STANDARDS.”

Section 12. Astoria Development Code Sections 14.265 to 14.295 pertaining to Local Service Zone is hereby deleted and renumbered as follows with the text to remain the same:

“LS: LOCAL SERVICE

- 2.975. PURPOSE.
- 2.976. USES PERMITTED OUTRIGHT.
- 2.977. CONDITIONAL USES PERMITTED.
- 2.978. LOT COVERAGE.
- 2.979. LANDSCAPED OPEN AREA.
- 2.980. HEIGHT OF STRUCTURES.
- 2.981. OTHER APPLICABLE USE STANDARDS.”

Section 13. Astoria Development Code Sections 14.300 to 14.340 pertaining to Attached Housing – Mill Pond Zone is hereby deleted and renumbered as follows with the text to remain the same:

“AH-MP: ATTACHED HOUSING/MILL POND

- 2.984. PURPOSE.
- 2.985. USES PERMITTED OUTRIGHT.
- 2.986. CONDITIONAL USES PERMITTED.
- 2.987. YARDS.
- 2.988. DENSITY.
- 2.990. LANDSCAPED OPEN AREA.
- 2.991. HEIGHT OF STRUCTURES.
- 2.992. OTHER APPLICABLE USE STANDARDS.”

Section 14. Section 2.965 pertaining to Gateway Overlay Area Zones is deleted in its entirety.

Section 15. Section 2.530.12 pertaining to Outright Uses in the A-2 Zone (Aquatic Two Development) is deleted in its entirety and amended to read as follows:

“12. Public use associated with a maritime related use.”

Section 16. Section 1.400 pertaining to Definitions is amended by the addition to read as follows:

“ACCESSORY STRUCTURE IN A COTTAGE CLUSTER DEVELOPMENT: Includes shared accessory structures such as parking or storage buildings; and individual accessory structures such as garages attached to cottages, which may not face the common open space.”

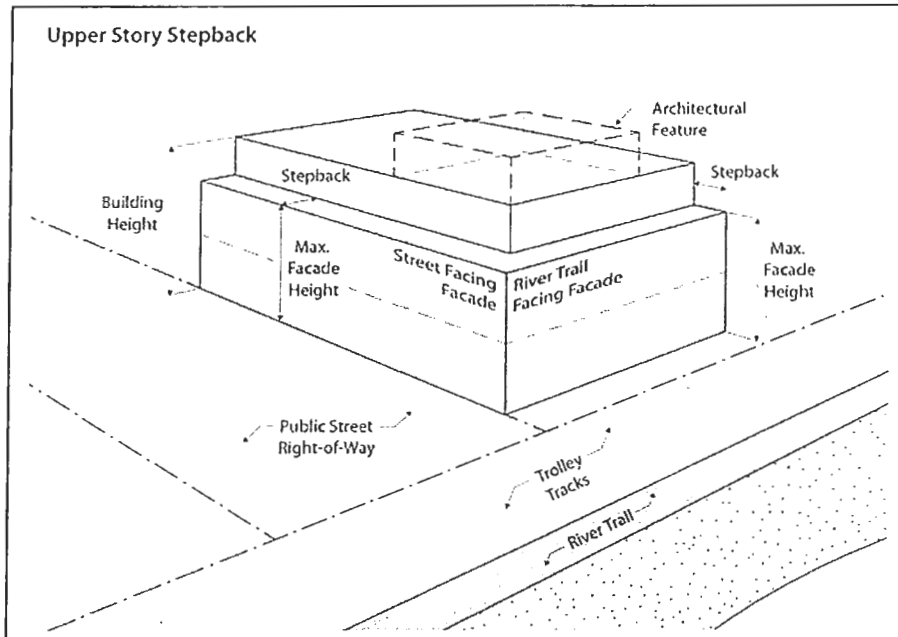
“CARRIAGE HOUSE DWELLING UNIT: A dwelling unit on the second floor of a common parking structure.”

“COMMON OPEN SPACE: An area improved for recreational use or gardening that all owners in the development own and maintain in common through a homeowner’s association, condominium association, or similar mechanism.”

“COTTAGE: A detached, site-built, single-family or two-family dwelling unit that is part of a cottage cluster development.”

“COTTAGE CLUSTER: A group of four (4) to 12 cottages, arranged around a common open space.”

“STEPBACK: Building setbacks are stepped or progressive recessions in a building’s face as the building rises higher. Setbacks are designed to reduce building mass to allow views around the building from above and/or from a distance, to allow more light down to the adjacent rights-of-way, and to improve the aesthetic experience of the building from adjacent rights-of-way.”



Section 17. Section 2.200 through 2.235 pertaining to Compact Residential Zone is added to read as follows:

“CR: COMPACT RESIDENTIAL ZONE

2.200. PURPOSE.

The purpose of the Compact Residential (CR) Zone is to provide opportunities for modest scale residential development, including single-family homes on smaller lots, two-family homes, and cottage cluster development, incorporating open space between homes and with a strong orientation to the Columbia River and adjacent commercial and other residential areas.

2.205. USES PERMITTED OUTRIGHT.

The following uses and their accessory uses are permitted in this CR Zone if the Community Development Director determines that the uses will not violate standards referred to in Sections 2.215 through 2.230, additional Development Code provisions, the Comprehensive Plan, and other City laws:

1. Arts and crafts studio.
2. Family day care center.
3. Home occupation, which satisfies the requirements of Section 3.095.
4. Single-family dwelling.
5. Two-family dwelling.
6. Carriage house dwelling, meeting the requirements of Section 3.050.
7. Cottage cluster development meeting the requirements of Section 3.050.
8. Residential home.

2.210. CONDITIONAL USES PERMITTED.

The following uses and their accessory uses are permitted in the CR Zone if the Planning Commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in Sections 2.215 through 2.230, additional Development Code provisions, the Comprehensive Plan, and other City laws:

1. Day care center, only in the community building of a cottage cluster development meeting the requirements of Section 3.050.
2. Public or semi-public use.
3. Temporary use meeting the requirements of Section 3.240.

2.215. SETBACKS.

Uses in the CR Zone will comply with the following minimum setback requirements or the setback requirements of applicable overlay zones, whichever requirements are greater.

1. The minimum front setback shall be 10 feet. Front steps are permitted to encroach into front setbacks.
2. The minimum side setback shall be five (5) feet, except on corner lots where the side setback on the street side shall be a minimum of 10 feet.
3. The minimum rear setback shall be 15 feet, except on corner lots where the rear setback shall be a minimum of five (5) feet.
4. Uses in the CR Zone that are part of a cottage cluster development will comply with the setback requirements in Section 3.050.

2.220. LOT SIZE AND DENSITY.

Uses in the CR Zone shall meet the following lot size requirements that are applicable to the particular use:

1. The minimum lot size for a single-family dwelling is 2,500 square feet. The maximum lot size for a single-family dwelling is 4,000 square feet.
2. The minimum lot size for a two-family dwelling is 4,000 square feet. The maximum lot size for a two-family dwelling is 6,000 square feet.
3. Uses in the CR Zone that are part of a cottage cluster development shall have a maximum density of 24 units/acre.

2.220. BUILDING SIZE.

Buildings in the CR zone shall meet the following building footprint and floor area requirements.

1. The maximum footprint for a primary building is 1,000 square feet. The maximum footprint for a dwelling unit and a garage is 1,400 square feet.
2. The maximum gross floor area for a primary building is 1,800 square feet.
3. Uses in the CR Zone that are part of a cottage cluster development are subject to the building size requirements in Section 3.050.

2.225. LANDSCAPED OPEN AREA.

1. Minimum landscaping for individual lots in the CR Zone shall be 20%, except for cottage cluster development.
2. Cottage cluster development shall be subject to common open space and private open space requirements in Section 3.050.
3. All landscaping shall meet the requirements of Sections 3.105 through 3.120 and applicable overlay zones.

2.230. HEIGHT OF STRUCTURES.

No structure will exceed a height of 28 feet above grade, except where applicable overlay zones allow otherwise.

2.235. OTHER APPLICABLE STANDARDS.

1. Access to garages, carports, or other parking areas shall be from an alley or from the street adjacent to the side yard of a corner lot. Driveways shall have a minimum depth of 16 feet.
2. Outdoor storage areas will be enclosed by appropriate vegetation, fencing, or walls.
3. All uses will comply with access, parking, and loading standards in Article 7, with the following exceptions:
 - a. Parking requirement for single-family, two-family, and carriage house dwelling units shall have at least:
 - 1) one parking space for each unit with a gross floor area of 700 feet or less (rounded up to the nearest whole number);
 - 2) 1.5 parking spaces for each unit with a gross floor area of 701 square feet or more (rounded up to the nearest whole number).
 - b. Parking in the CR Zone is permitted on a separate lot provided it is within 100 feet of the development. An easement or other acceptable document shall be recorded to assure that the separate lot for parking remains with the units it services.
4. Where feasible, joint access points and parking facilities for more than one use should be established.
5. Access drives and parking areas should be located on side streets or non-arterial streets.
6. Conditional uses will meet the requirements in Article 11.

7. Signs will comply with requirements in Article 8 and specifically, residential uses will comply with the specific regulations in Section 8.160.
8. All structures will have storm drainage facilities that are channeled into the public storm drainage system or a natural drainage system approved by the City Engineer. Developments affecting natural drainage shall be approved by the City Engineer.
9. Where new development is within 100 feet of a known landslide hazard, a site investigation report will be prepared by a registered geologist. Recommendations contained in the site report will be incorporated into the building plans.
10. All uses will comply with the requirements of applicable overlay zones.”

Section 18. Section 14.035 through 14.065 pertaining to Civic Greenway Overlay Zone is added to read as follows:

“CGO: CIVIC GREENWAY OVERLAY ZONE

14.035. PURPOSE.

The purpose of the Civic Greenway Overlay Zone is to implement the land use principles of the Astoria Riverfront Vision Plan, dated December 2009, as they pertain to the Civic Greenway Plan Area. The Civic Greenway Overlay (CGO) Zone is intended to protect views of and access to the Columbia River, provide for an enhance open space and landscaping, support water-dependent uses consistent with Astoria’s working waterfront, and encourage modest scale housing in areas recommended for residential use. The CGO Zone extends from approximately 16th Street to 41st Street and between Marine Drive and the Columbia River as depicted on the City’s Zoning Map.

14.040. APPLICABILITY AND REVIEW PROCEDURES.

The provisions of the Civic Greenway Overlay Zone shall apply to all new construction or major renovation, where “major renovation” is defined as construction valued at 25% or more of the assessed value of the existing structure, unless otherwise specified by the provisions in this Section.

Review of applications in the Civic Greenway Overlay Zone is subject to the administrative procedures and approval of the Community Development Director established in Article 9.

A. Residential Development.

Applications may be reviewed administratively subject to the Design Review Standards in Section 14.065 or through the public design review process subject to the Design Review Guidelines in Section 14.025.

B. Non-Residential and Mixed Use Development.

Applications shall be reviewed through the public design review process subject to the Design Review Guidelines in Section 14.025.

14.045. USES PERMITTED OUTRIGHT FOR OVERWATER DEVELOPMENT.

The following uses and activities and their accessory uses and activities are permitted in the Civic Greenway Overlay Zone, if permitted outright in the base zone for the site, and subject to the other appropriate development provisions of this Section.

1. Small boat building and repair.
2. Water-dependent facilities including dock, moorage, pier, terminal (excluding fossil fuel and petroleum product terminals and facilities), transfer facility and marina for commercial and recreational marine craft, for passengers, or for waterborne commerce.
3. Public pier.
4. Public use associated with a maritime use.
5. Navigational structure.
6. Shoreline stabilization.
7. Flowlane disposal of dredged material.
8. Pipeline, cable, and utility crossing.
9. Storm water and treated wastewater outfall.
10. Communication facility.
11. Temporary dike for emergency flood protection limited to 60 days subject to State and Federal requirements.
12. New dike construction.
13. Maintenance and repair of existing structure or facility.
14. Dredging and filling, pursuant to the applicable standards in Section 4.050 and 4.070, for any of the permitted uses 1 through 10 listed above.
15. The following water-related commercial and industrial uses:
 - a. Boat and/or marine equipment sales;
 - b. Fish or shellfish retail or wholesale outlet;
 - c. Charter fishing office;
 - d. Sports fish cleaning, smoking, or canning establishment;

- e. Retail trade facility for the sale of products such as ice, bait, tackle, gasoline or other products incidental to or used in conjunction with a water-dependent use;
 - f. Cold storage and/or ice-processing facility independent of seafood processing facility.
16. Navigation aid.
 17. Piling and pile supported structure as necessary for any of the permitted uses 1 through 16 listed above, or as necessary for any use permitted in the adjacent shoreland.

14.050. CONDITIONAL USES PERMITTED FOR OVERWATER DEVELOPMENT.

The following uses and activities and their accessory uses and activities are permitted in the Civic Greenway Overlay Zone as Conditional Uses, if permitted as a Conditional Use in the base zone for the site, and when authorized in accordance with Article 11, Conditional Uses. These uses and activities are also subject to the other appropriate development provisions of this Section. It must also be shown that these uses and activities are consistent with the purpose of the Civic Greenway Overlay Zone.

1. Active restoration.
2. Bridge crossing and bridge crossing support structure.
3. Water-dependent or water-related recreational use not listed elsewhere in this zone.
4. A use for which an exception to the Estuarine Resources Goal has been adopted as an amendment to the Astoria Comprehensive Plan.
5. Fill in conjunction with any of the conditional uses 1 through 4 listed above pursuant to the applicable standards in Section 4.050.
6. Dredging and filling, pursuant to the applicable standards in Section 4.050 and 4.070, for any of the conditional uses 1 through 5 listed above.
7. Dredged material disposal at sites designated for dredged material disposal in the Comprehensive Plan.
8. Dredged material disposal at sites not designated for dredged material disposal in the Comprehensive Plan, provided the dredged material is utilized as a source of fill material for an approved fill project.
9. Water-related commercial or industrial use other than those listed under Section 14.045(15) of this zone (excluding fossil fuel and petroleum product terminals and facilities).

10. Piling as necessary for any of the conditional uses 1 through 9 listed above.
11. Temporary use meeting the requirements of Section 3.240.
12. Non-water dependent and non-water related uses may be located in existing, under-utilized buildings existing prior to 2013 provided the use does not preclude future water-dependent or water-related uses.

14.055. STANDARDS FOR OVERWATER DEVELOPMENT.

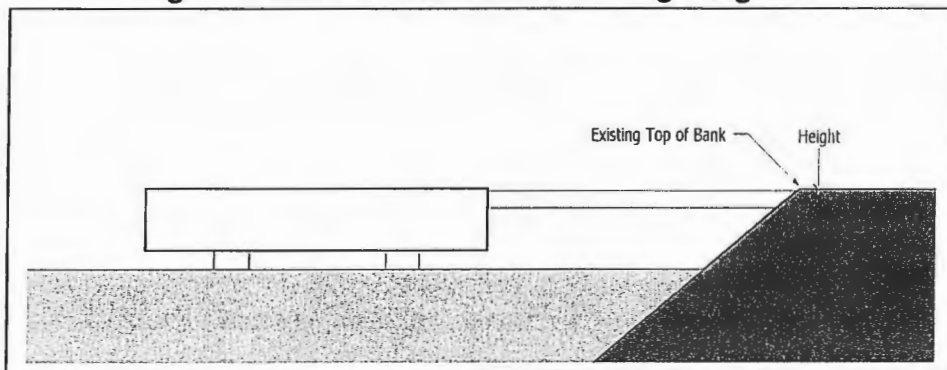
The following development standards apply to overwater development in the Civic Greenway Overlay Zone. The Overwater Development standards shall also apply to on-land development north of the River Trail / 50' wide railroad line property between 19th and 41st Streets. In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control.

Maintenance, repair, or restoration of buildings existing prior to 2013 shall be exempt from the standards of this Section 14.055. Additions and/or new construction on these buildings shall be subject to these standards.

A. Height.

1. Maximum building height, except hand rails, shall be the top of the existing adjacent riverbank. No variance may be granted for an exception to this height limitation, including the area within 500' of the shoreline between 35th and 41st Streets.

Figure 14.055-1: Maximum Building Height



2. 35th to 41st Street Exception.
 - a. For buildings located greater than 500' from the shoreline, the maximum height shall be 28' from the top of the existing adjacent riverbank. No variance may be granted for an exception to this height limitation.

- b. There shall be a minimum 75' wide, unobstructed view corridor separation between buildings.

B. Size.

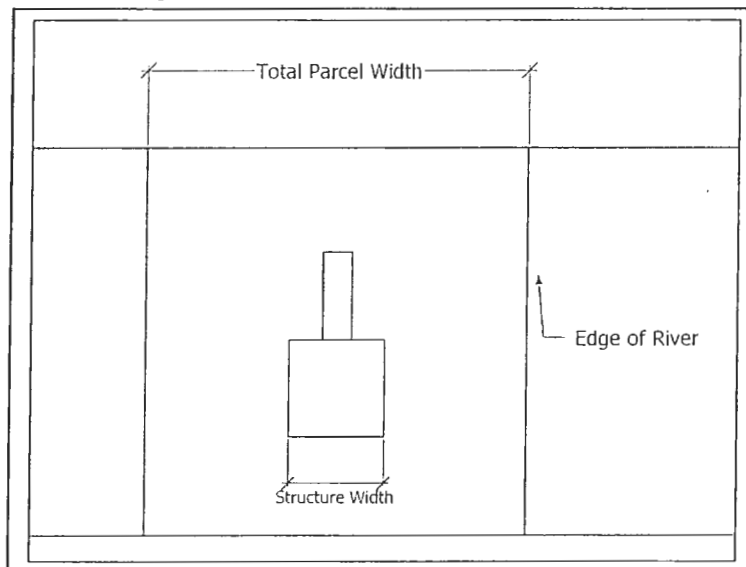
1. The maximum gross floor area of enclosed structures is 4,000 square feet.
2. 35th to 41st Street Exception.

There shall be no maximum gross floor area for buildings located greater than 500' from the shoreline.

C. Width.

1. The maximum width of an overwater building is 25% of the total parcel width (measured along the parcel frontage adjacent to the Columbia River) or 50 feet, whichever is greater. In cases where total parcel width is 100 feet or less, the building width may be up to 25 feet.
2. 35th to 41st Street Exception.
 - a. The maximum width of an individual overwater building located greater than 500' from the shoreline shall be a maximum 50% of the total parcel width (measured along the parcel frontage adjacent to the Columbia River shoreline) or 150', whichever is less.
 - b. The maximum width of all overwater buildings located greater than 500' from the shoreline and located on a contiguous set of parcels under the same ownership shall be a maximum of 50% of the total width of the combined parcels (measured along the parcel frontage adjacent to the Columbia River shoreline).

Figure 14.055-2: Maximum Building Width



D. Access to the Columbia River.

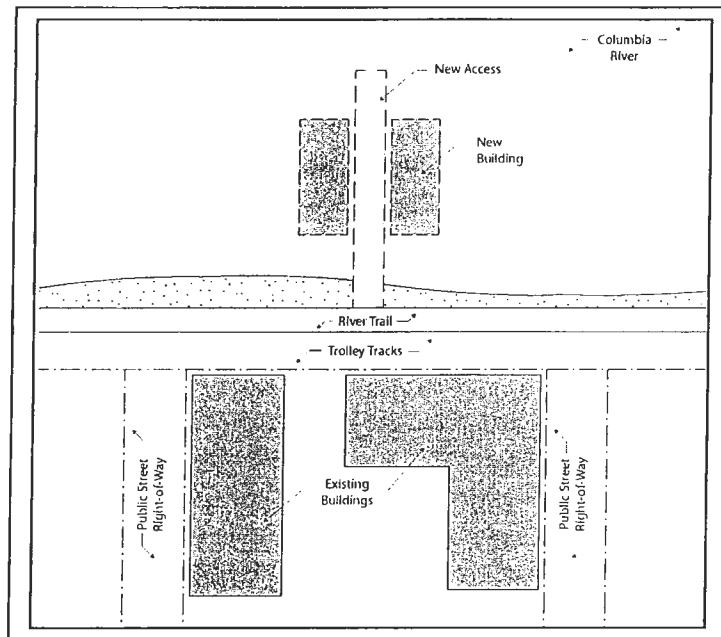
Access to the River shall be provided using piers and/or walkways as part of new construction and major renovations to structures constructed after the year 2013, where major renovation is defined as construction and alterations only to building exteriors valued at 75% or more of the assessed value of the existing structure.

Piers and walkways shall be constructed in accordance with Access Design A, Access Design B, or Access Design C, as shown and described below.

1. Access Design A - "Mid-Site Access".

This access design shall be provided in a public access easement provided through the middle of the development or structure.

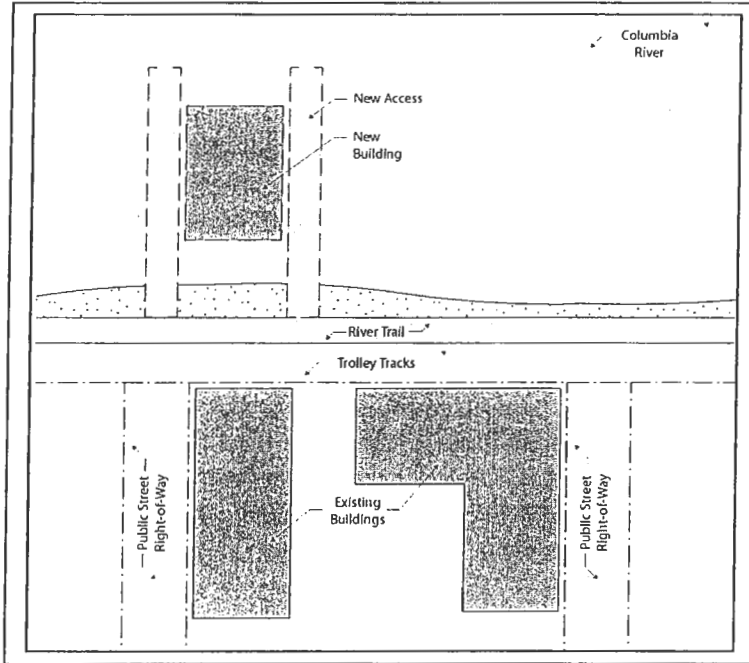
Figure 14.055-3: Access Design A



2. Access Design B - "Viewpoints".

This access design shall be provided through either existing right-of-way, right-of-way that is created and dedicated to the City, or a public access easement.

Figure 14.055-4: Access Design B



3. Access Design C – “Trail Extension”.

This access design serves as an extension of the River Trail and shall be provided through either existing right-of-way, right-of-way that is created and dedicated to the City, or easements for the piers on the east and west sides of the development. The boardwalk along the north side of the development shall be provided in a public access easement. [Note: Two possible scenarios are illustrated in the following figures for this option.]

Figure 14. 055-5: Access Design C.1

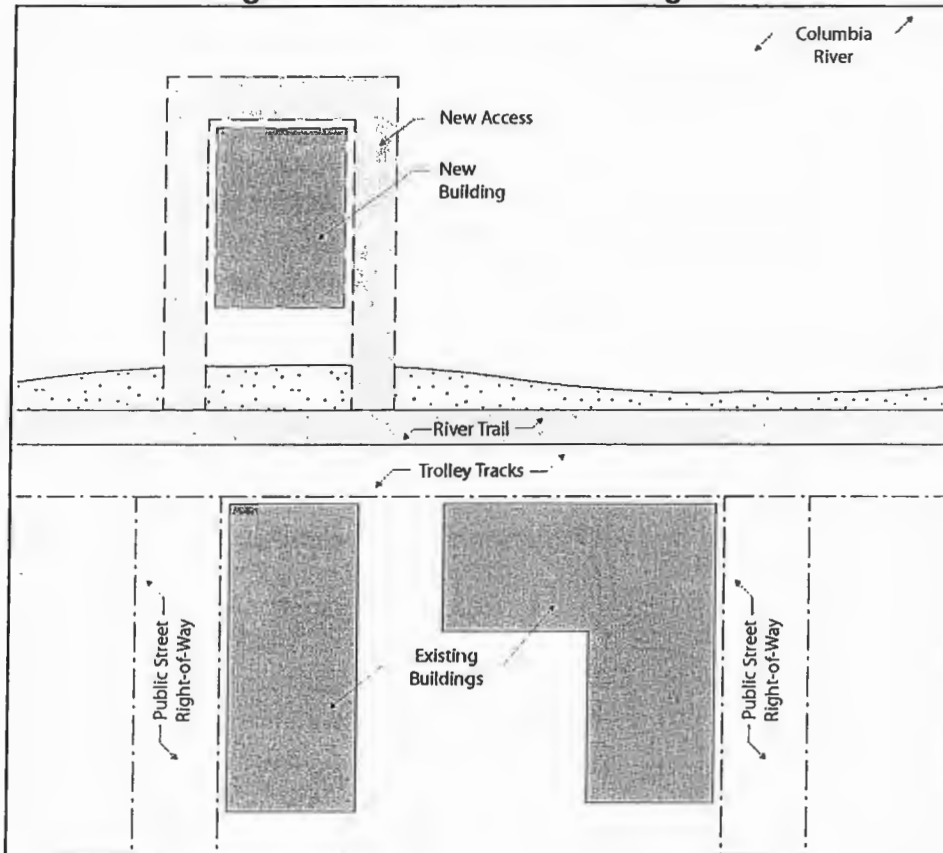
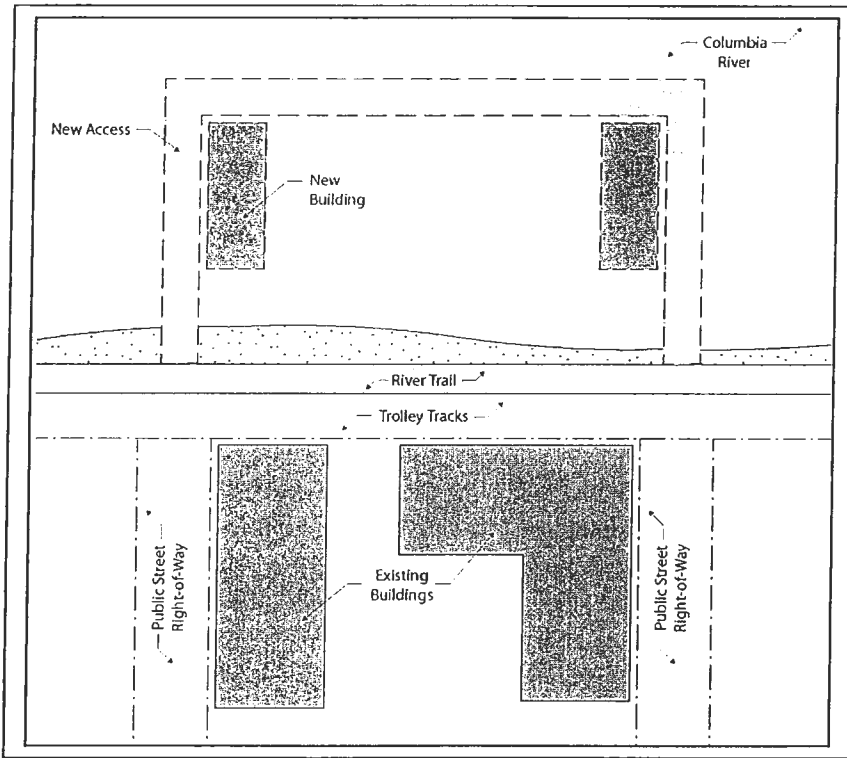


Figure 14.055-6: Access Design C.2



4. Pier and Walkway Width.

Minimum pier and walkway width is 10 feet if one side of the pier or walkway is developed with overwater structures. Minimum pier and walkway width is 14 feet if both sides of the pier or walkway are developed with overwater structures.

5. Pier and Walkway Length.

Piers and walkways shall extend beyond the north face of the overwater development a minimum length of 10 feet to ensure that the river is visible beyond the adjacent structure(s).

6. Hours of Access.

Access on overwater piers and walkways may be restricted during hours specified in City Code Section 5.926 to 5.928.

7. Maintenance Responsibility.

Responsibility for maintenance of the piers and walkway shall be established through a recorded maintenance agreement acceptable to the City.

E. Other Development Standards.

The Other Applicable Use Standards of the Gateway Overlay Zones (MH, FA, CA, HC, AH-HC, HR, LS, AH-MP) do not apply to overwater development in the Civic Greenway Overlay Zone.

14.060. STANDARDS FOR ON-LAND DEVELOPMENT.

The following development standards apply to on-land development in the Civic Greenway Overlay Zone south of the River Trail / 50' wide railroad line property. The Overwater Development standards shall apply to on-land development north of the River Trail / 50' wide railroad line property. In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control.

A. Height.

1. Maximum building height is 28 feet.
2. Building height up to 35 feet is permitted when building stories above 28 feet are stepped back at least 10 feet in accordance with Section 14.060(C)(2).
3. Exceptions to building height restrictions may be granted through provisions in Section 3.075.

B. Setbacks.

A minimum view corridor width of 70 feet, centered on the right-of-way centerline, shall be provided on north-south rights-of-way between Marine Drive/Lief Erikson Drive and the Columbia River. Buildings shall be set back in order to achieve the 70-foot view corridor.

C. Stepbacks.

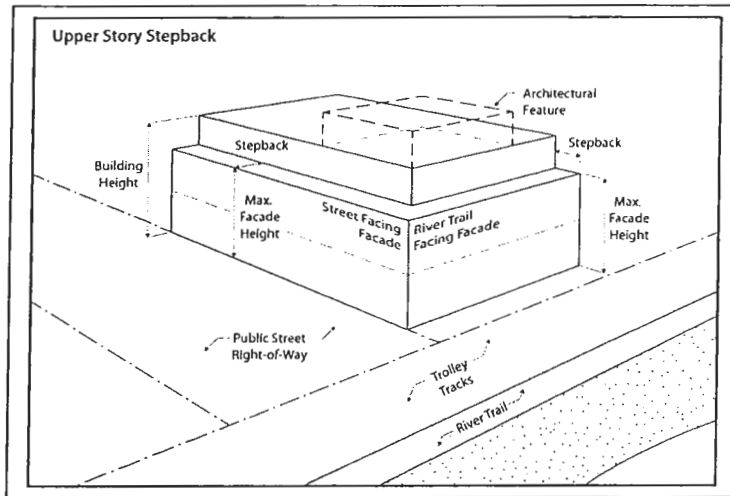
1. Purpose.

The purpose of a stepback is to allow for less obstructed views from above the building and to create a less imposing building scale as viewed from the street or parallel/adjacent trail. A stepback is also designed to allow more light down to the adjacent or fronting street, sidewalk, or trail.

2. Additional Building Height.

Where the height of a building or building addition is proposed to exceed 28 feet, at least that portion of the building exceeding 28 feet, shall provide a stepback of at least 10 feet from the front plane of the proposed building or building addition that faces the street or the River Trail.

Figure 14.060-1: Building Stepbacks



14.061. EAST BASIN PLAN DISTRICT.

The property situated approximately between 35th Street to the west, 41st Street to the east, the pierhead line to the north, and Marine Drive/Lief Erikson Drive to the south, shall constitute a subarea within the Civic Greenway Overlay Zone. The purpose of this subarea is to permit adoption of development standards, known as a Plan District, not applicable to other properties in the Civic Greenway Overlay Zone. If approved under the criteria of section 14.061(A) the plan district shall be known as the East Basin Plan District.

A. Plan District Adoption Criteria.

A Plan District may be established if all the following adoption criteria are met:

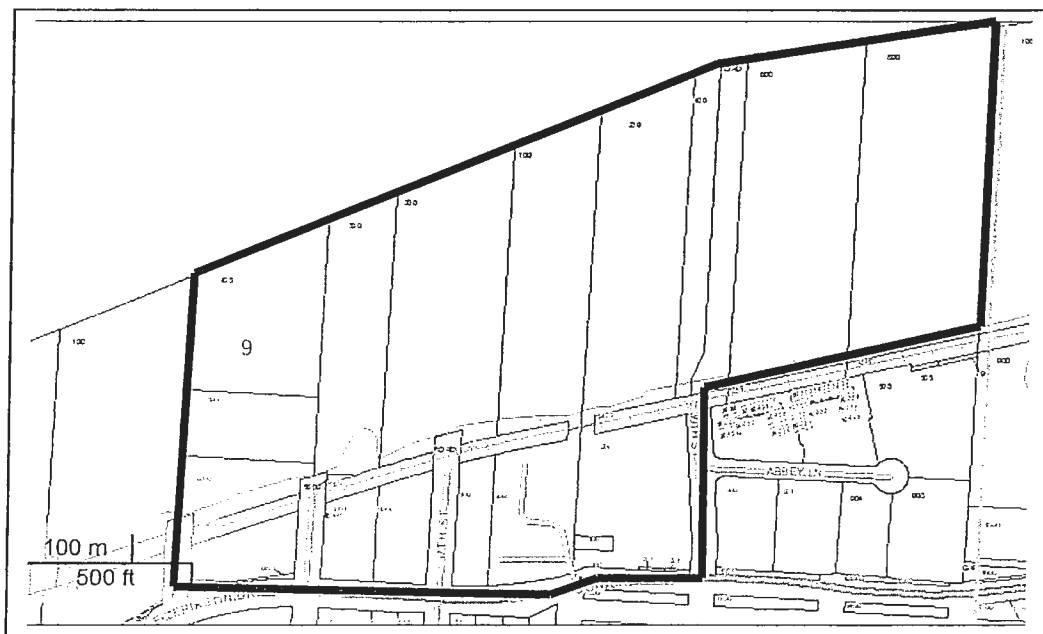
1. The area proposed for the Plan District has special characteristics or problems of a natural, economic, historic, public facility, or transitional land use or development nature which are not common to other areas of the Civic Greenway Area;
2. Existing base and overlay zone provisions are inadequate to achieve a desired public benefit as identified by the City Council, and/or to address identified needs or problems in the area;
3. The proposed Plan District and regulations result from a Plan documenting the special characteristics or problems of the area and explain how a Plan District will best address relevant issues; and
4. The regulations of the Plan District conform with the Comprehensive Plan and do not prohibit or limit uses or development allowed by the base zone without clear justification.

B. Review.

After adoption of East Basin Plan District regulations the Planning Commission shall periodically review the East Basin Plan District and its regulations to determine the impacts on development, the usefulness and usability of the regulations, and the public need for any amendments to the regulations.

C. Mapping.

The boundaries of the East Basin Plan District are illustrated on a map referenced below and generally are described as the land and water area north of Lief Erikson Drive between 35th and 39th Street and the water area between 39th and 41st Street. The boundaries may be refined as part of the Plan District adoption or amendment.



D. Standards.

The standards within the East Basin Plan District may expressly change and vary from those applicable under the Civic Greenway Overlay Zone and those of the base zone. Such changes may include:

1. Adding uses, such as retail uses;
2. Changes to building height limits;
3. Setback or view corridor modifications;
4. Building size and permissible footprint.

E. Application Procedure.

1. An application to establish the East Basin Plan District shall be processed through the following procedures:
 - a. The City or Port of Astoria may apply to establish development regulations that affect one or more properties within the East Basin Plan District.
 - b. An application to establish regulations that would govern development within the East Basin Plan District is a legislative text amendment processed in accordance with the procedures established in Section 14.061 and in Development Code Articles 9 and 10.
 - c. An application to establish the boundaries of the East Basin Plan District Overlay area is a legislative map amendment processed in accordance with the procedures established in Section 14.061 and in Development Code Articles 9 and 10 and may be processed concurrently with applications under subsection E.1.a.
2. An application to apply the East Basin Plan District regulations to a specific project shall be processed through the following procedures:
 - a. The Port of Astoria as a public entity shall be the applicant or co-applicant on all applications.
 - b. An application shall be processed as a quasi-judicial permit in accordance with the procedures established with the Plan District adoption and in accordance with the Development Code as applicable.

14.063 to 14.064 EAST BASIN PLAN DISTRICT REGULATIONS.

(Reserved for codifying future Plan District regulations.)

14.065. RESIDENTIAL DESIGN STANDARDS.

A. Residential Design.

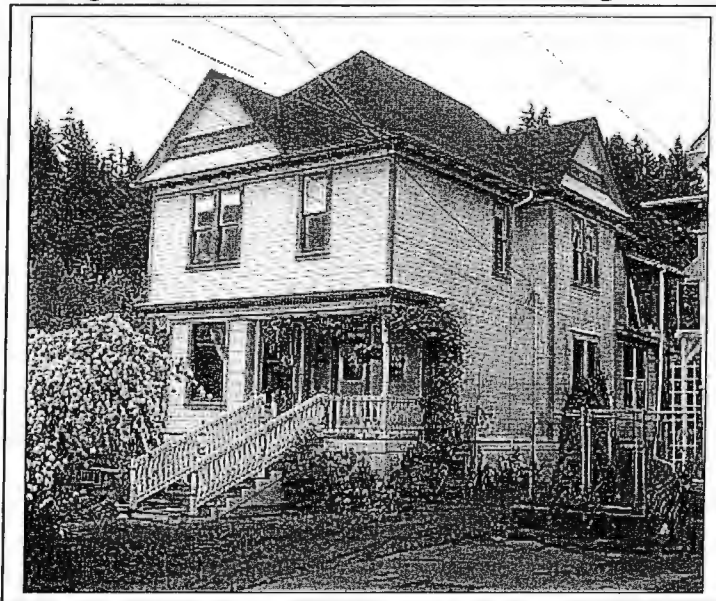
Residential development proposed in the Civic Greenway Overlay Zone may be reviewed in accordance with one of two review options: (1) pursuant to design review procedures and the design review guidelines applicable to all building types established in Article 14; or (2) pursuant to procedures for administrative review by the Community Development Director established in Article 9 and the following design review standards for residential development.

The following design standards apply to the administrative review of residential development and apply to all dwelling unit types (single-family, two-family, and multi-family dwelling unit buildings), unless specified otherwise.

1. Building Forms.

- a. All dwelling unit buildings shall be based on a rectangular or square form.
- b. Single-family and two-family dwelling units must have a front porch, at least six (6) feet deep and 60 square feet in area.

Figure 14.065-1: Residential Building Form

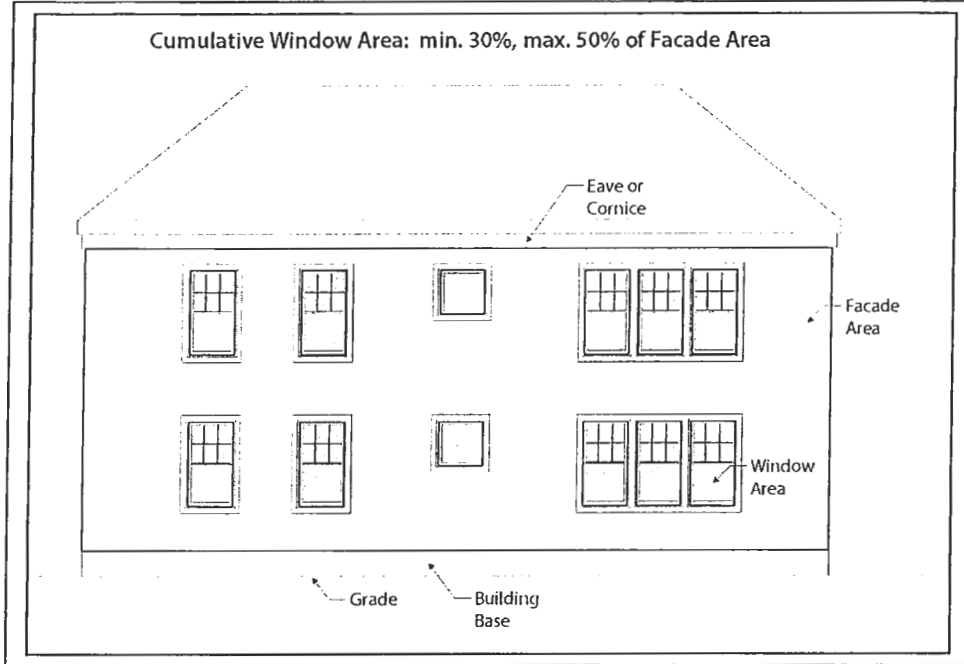


2. Window Design.

The following design standards apply to all façades for all dwelling unit types.

- a. Windows required. All facades facing a right-of-way, River Trail, or common open space shall have windows.
- b. Window area. Window area shall cover a minimum of 30% of all street-facing facade areas and shall not exceed 50% of street-facing facade areas.

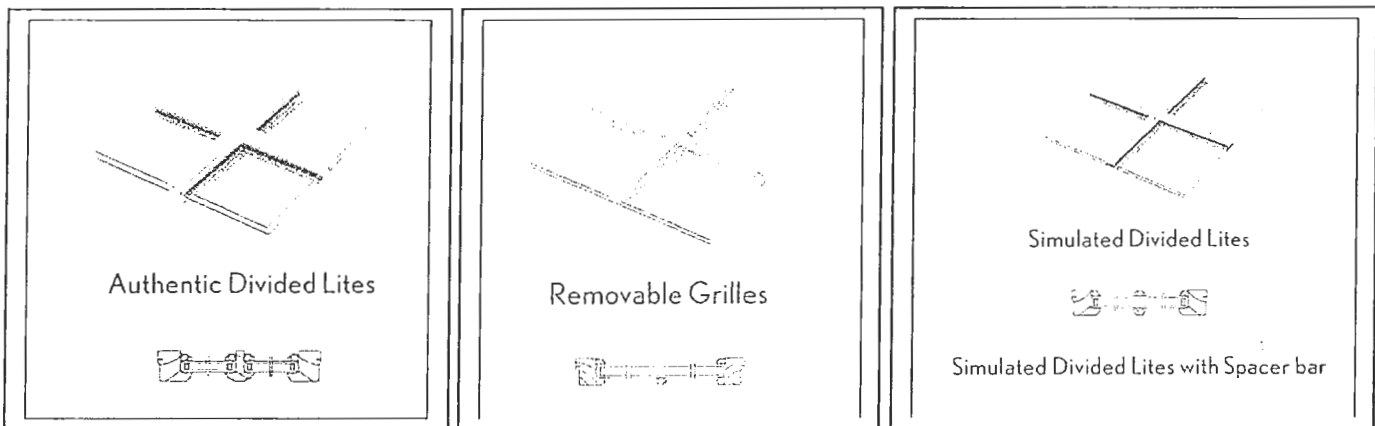
Figure 14.065-2: Window Area



c. Window lites. Window lite design shall be one of the following:

- 1) Single-lite windows; or
- 2) Multiple-lite true-divided windows; or
- 3) Combination of single and multiple-lite true-divided windows; or
- 4) Applied muntins with profile facing window exterior.

Figure 14.065-3: Window Lites

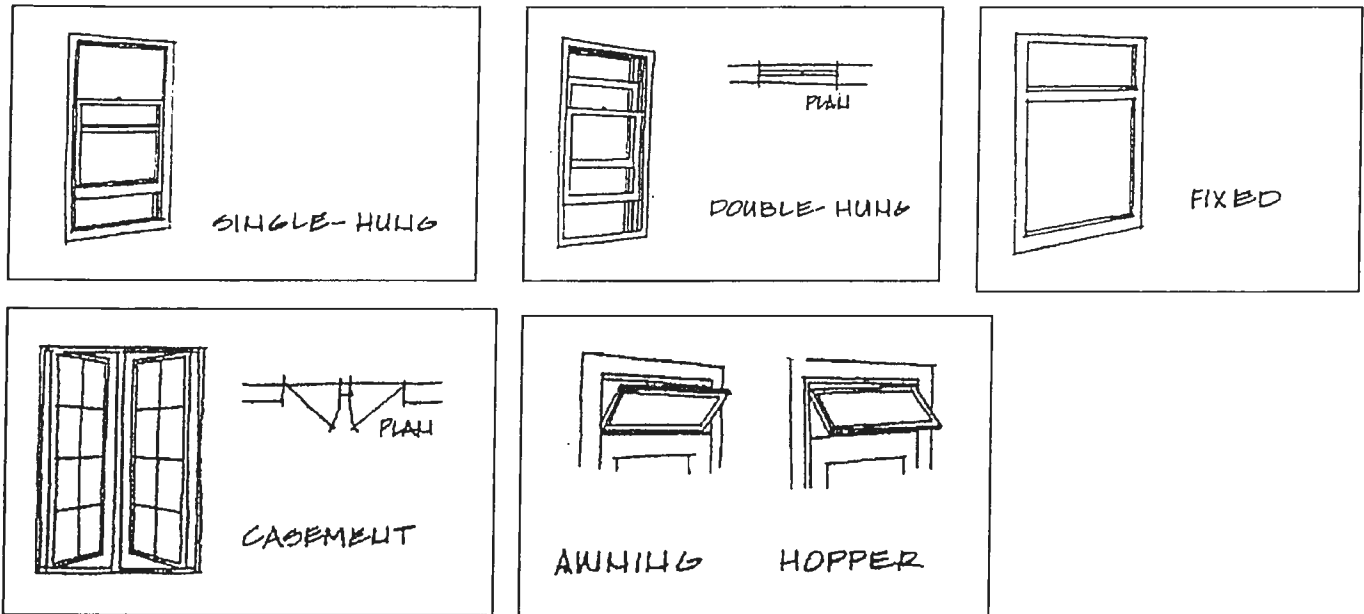


d. Windows shall be fixed or open in one of the following configurations:

- 1) Fixed window; or
- 2) Single-hung windows; or
- 3) Double-hung windows; or

- 4) Awning or hopper windows; or
- 5) Casement windows.

Figure 14.065-4: Fixed and Opening Windows

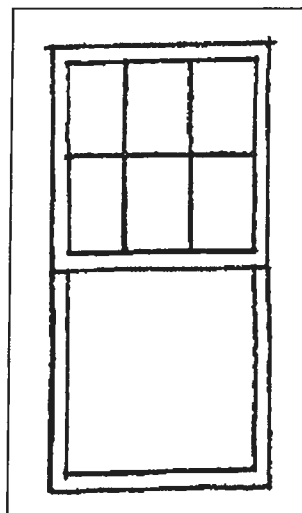


e. Window shape. Window shape shall be one of the following:

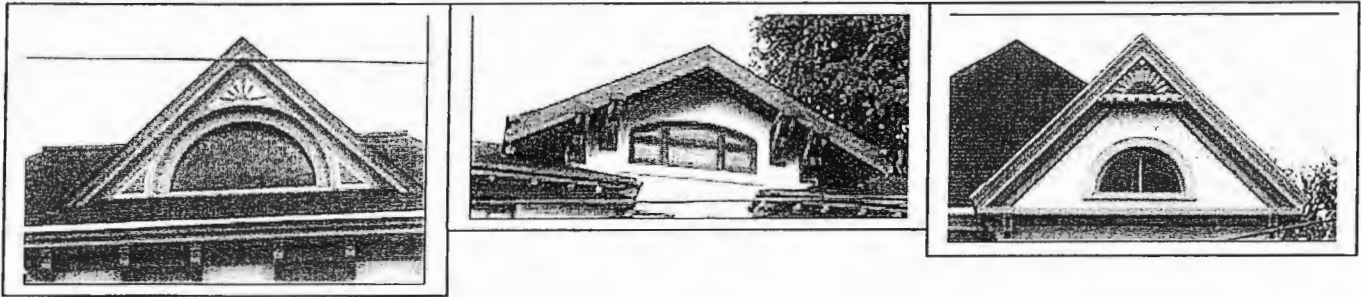
- 1) Vertical rectangle; or
- 2) Square.
- 3) Arched or decorative windows are permitted but should not exceed more than 30% of the total window coverage on all facades of the building.

Figure 14.065-5: Window Shapes

Vertical rectangular window

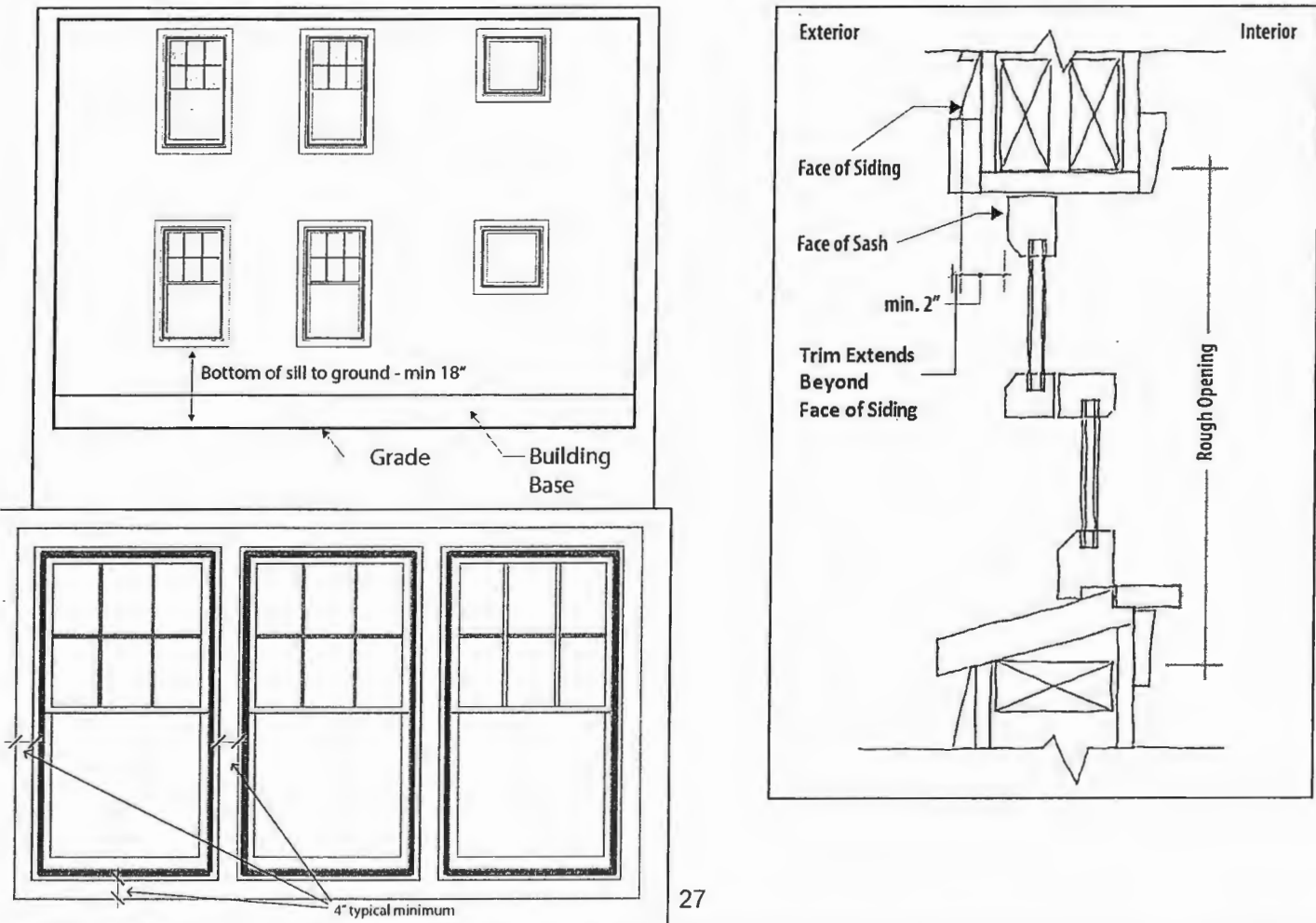


Examples of arched or decorative windows



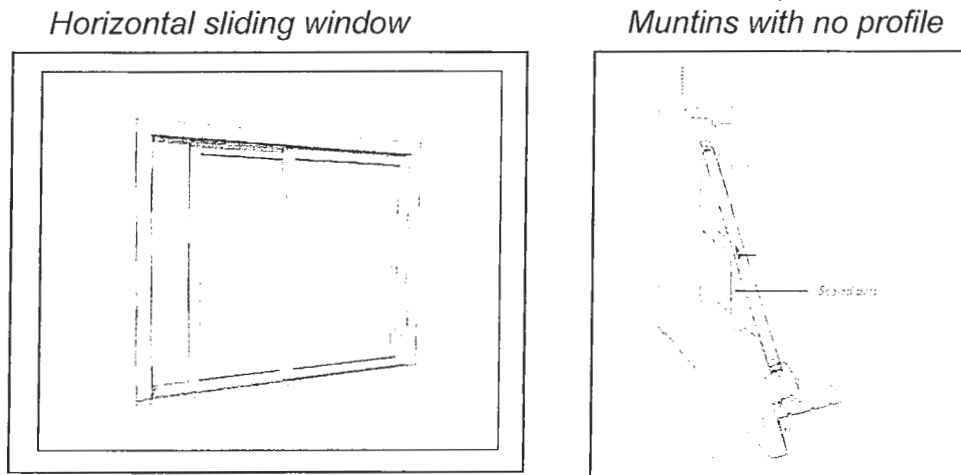
- f. Window detailing. Windows shall have casings/trim, sills, and crown moldings. Window detailing shall meet the following requirements.
- 1) Casings/trim shall have minimum dimensions of 5/4 inch x 4 inch and shall extend beyond the facade siding.
 - 2) Windows shall be recessed a minimum distance of two (2) inches from the trim surface to ensure a shadow line/effect.
 - 3) The bottom of the sill shall be a minimum of 18 inches above the ground or floor elevation.

Figure 14.065-6: Window Detailing – Trim and casement location and dimensions



- g. Window design prohibited. The follow window design features are prohibited.
- 1) Applied muntins that have no profile.
 - 2) Smoked, tinted, or frosted glass, except for bathroom windows not on the street-facing facade.
 - 3) Mirrored glass.
 - 4) Horizontal sliding windows.
 - 5) Aluminum frame windows.

Figure 14.065-7: Window Design Prohibited

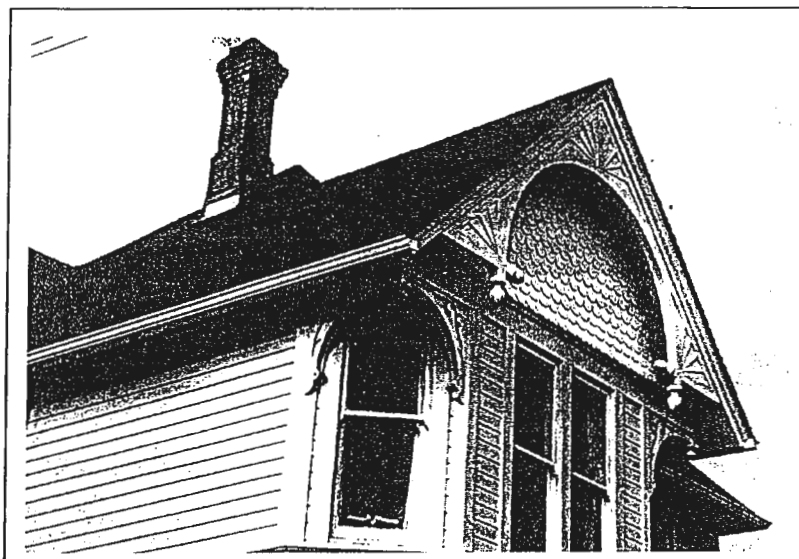
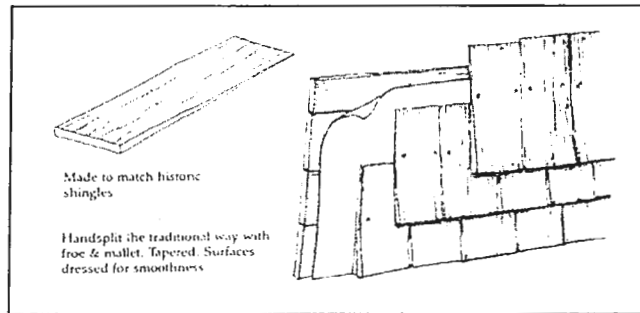
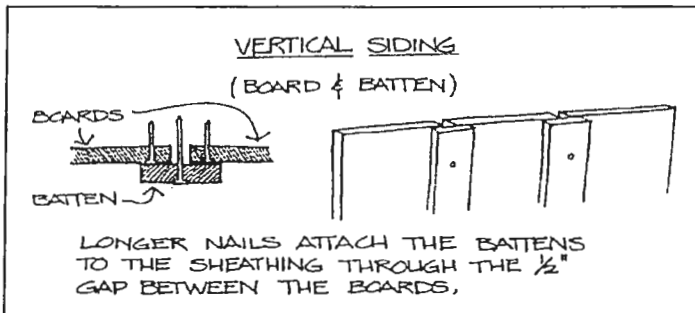
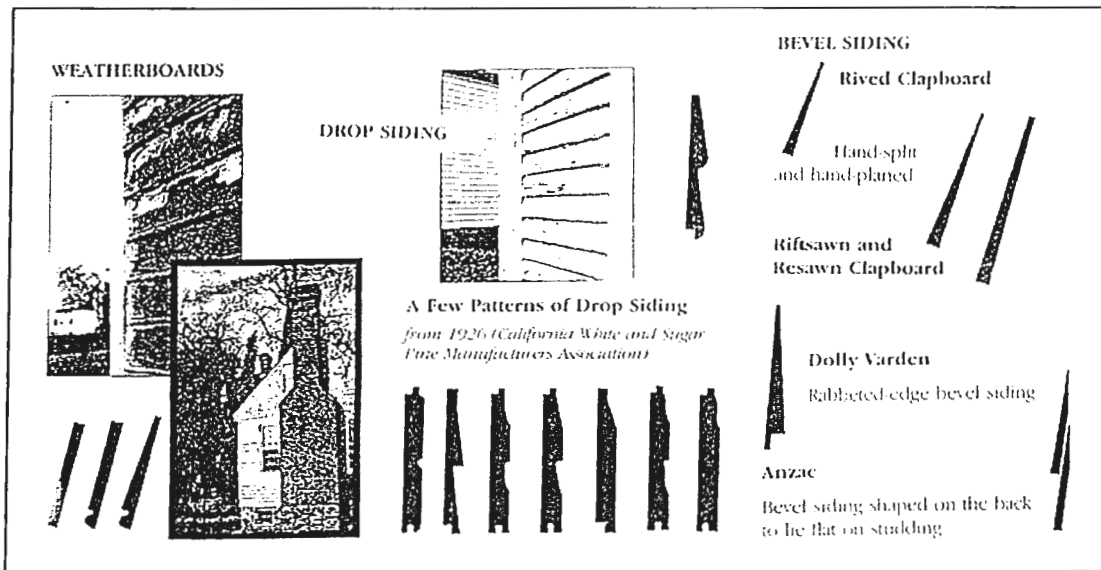


3. Exterior Wall Treatments and Materials.

The following design standards apply to all dwelling unit types.

- a. A minimum of 80% of exterior walls shall be constructed of one or more of the following sets of treatments and materials.
 - 1) Drop siding; or
 - 2) Weatherboard siding; or
 - 3) Clapboard; or
 - 4) Rectangular wood shingle; or
 - 5) Decorative wood shingle; or
 - 6) Board and batten.
- b. Horizontal siding shall have six inches or less exposure.
- c. Vertical board and batten shall have true battens.

Figure 14.065-8: Exterior Walls – Permitted Materials



- d. Paneled material shall be applied in a manner which avoids the occurrence of seams along the wall plane. Where seams cannot be avoided, they shall be located in a manner that relates logically to windows and other architectural features of the façade. Horizontal seams shall be covered by a trim board or cornice piece.

Figure 14.065-9: Exterior Walls – Seam Treatment

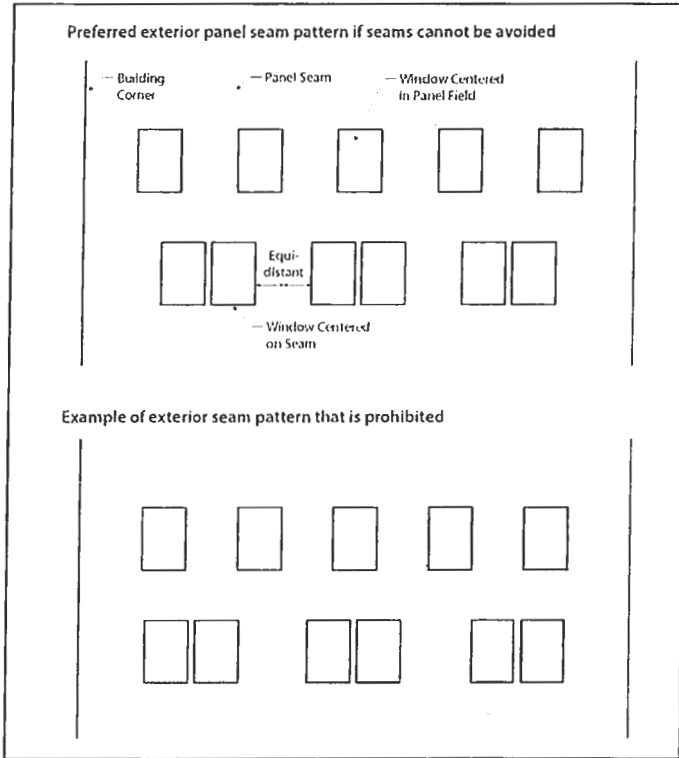
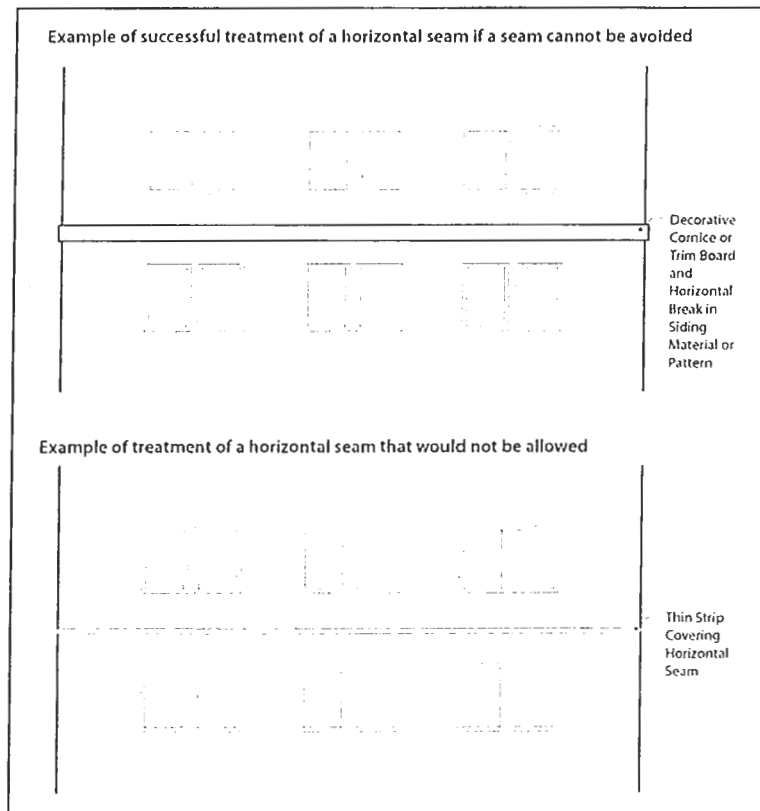


Figure 14.065-10: Exterior Walls – Horizontal Seam Treatment

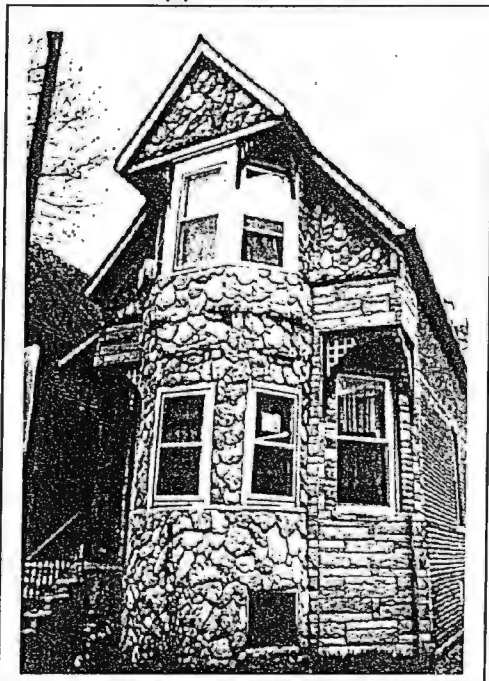


e. Exterior wall treatments and materials prohibited. The following types of treatments and materials are prohibited.

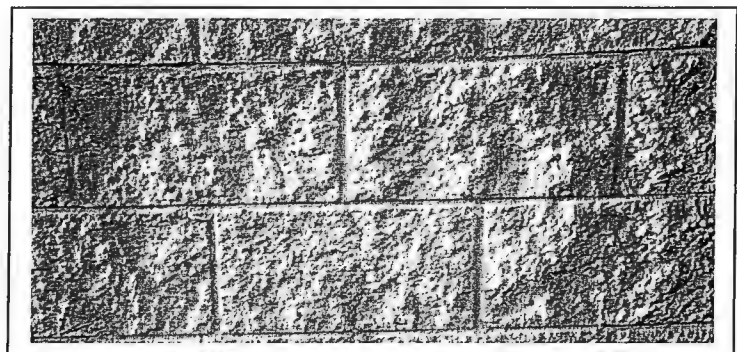
- 1) Exposed textured concrete block.
- 2) Flagstone or other applied stone products.
- 3) Precast concrete or decorative concrete panels.
- 4) Wood shakes.
- 5) Plywood paneling.

Figure 14.065-11: Exterior Wall Treatments and Materials Prohibited

Applied stone



Textured concrete



4. Roof Elements.

The following design standards apply to all dwelling unit types.

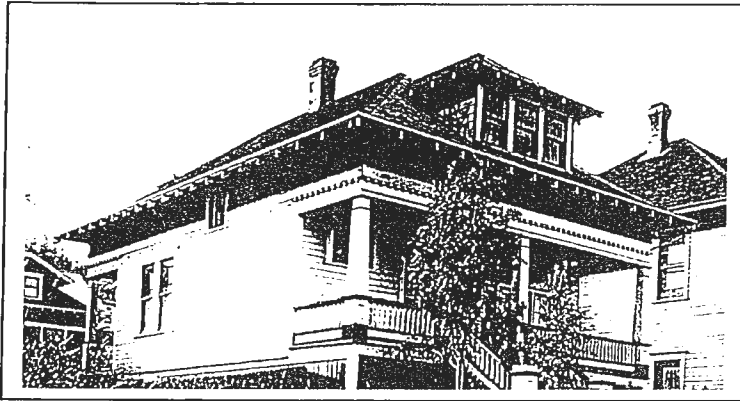
a. Roof design shall be one of the following:

- 1) Steep (minimum 5:12 pitch) gable with broad (minimum 1 foot) eaves;
- 2) Steep (minimum 5:12 pitch) hip with broad (minimum 1 foot) eaves; or
- 3) An "Italianate" style hip, gable, or cube roof with a minimum roof pitch of 4:12 and broad (minimum 1 foot) eaves.

Figure 14.065-12: Roof Design Permitted

Steep pitched hip roof with broad eaves and dormer elements

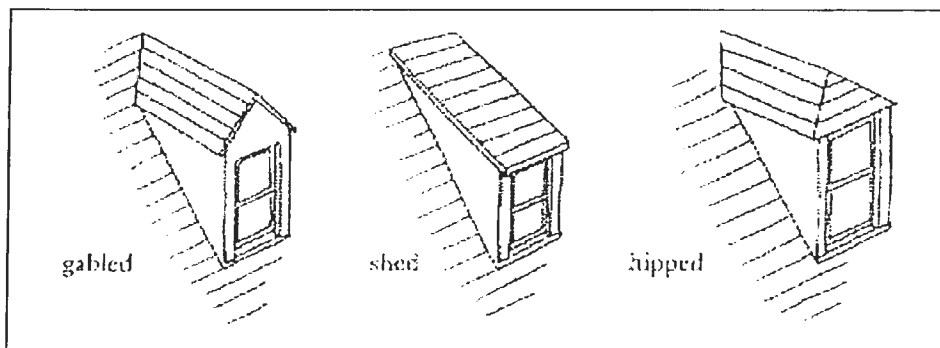
Italianate Roof



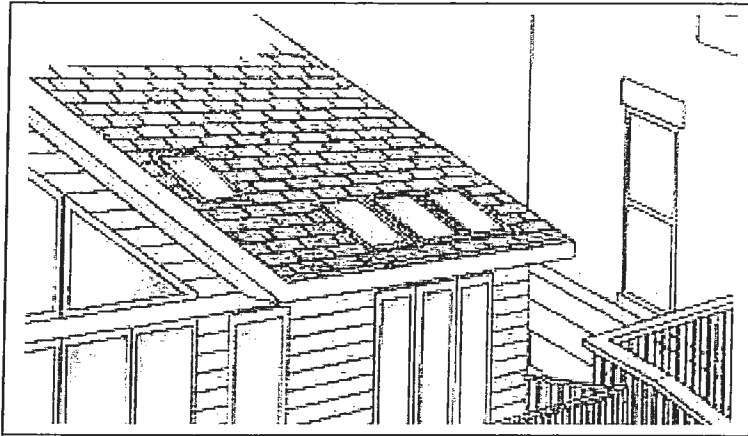
- 4) A roof may consist of sections of flat roof for up to 75% of the roof area.
- b. Roof elements permitted. The following roof design elements are permitted.
 - 1) Dormers with gable, hip, or shed roofs.
 - 2) Flat panel skylights or roof windows on secondary elevations.

Figure 14.065-13: Roof Elements Permitted

Gabled, shed, and hipped dormers



Flat panel skylights

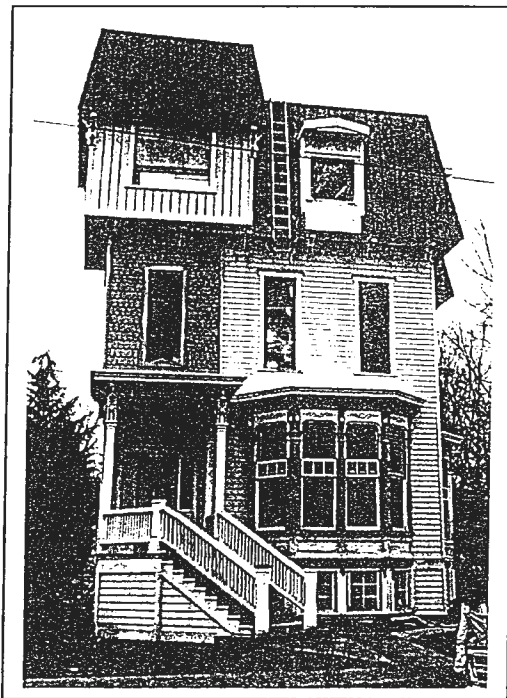


c. Roof elements prohibited. The following roof design elements are prohibited.

- 1) False mansard or other applied forms.
- 2) Dome skylights.

Figure 14.065-14: Roof Elements Prohibited

False mansard roof

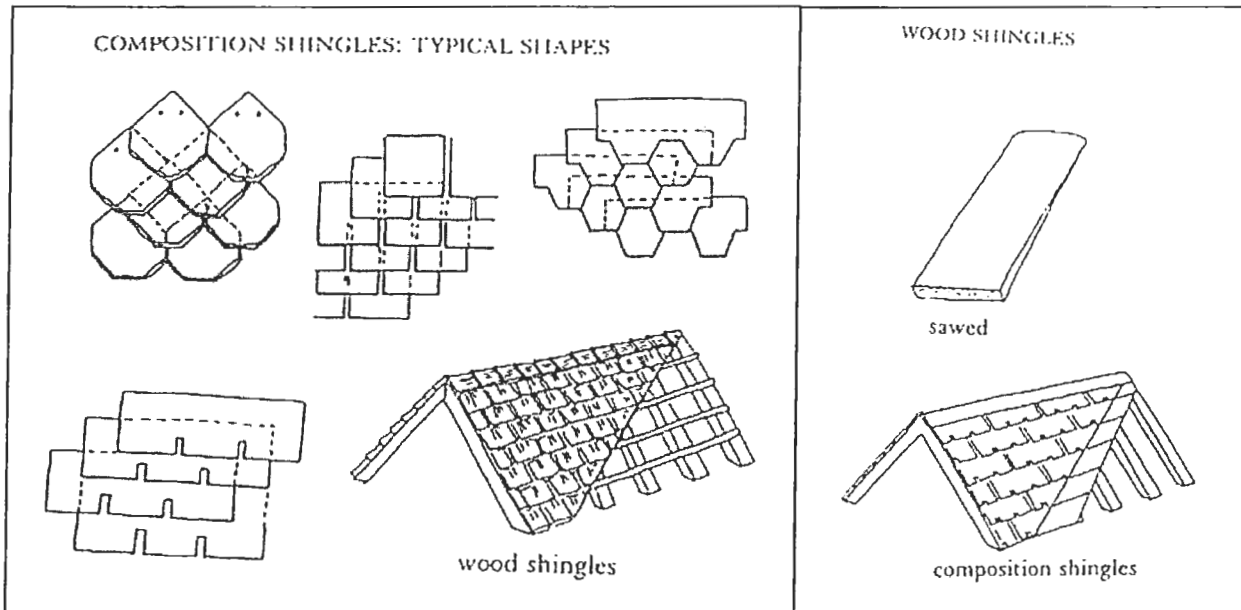


5. Roofing Materials.

The following design standards apply to all dwelling unit types.

- a. Roofing material. Roofing shall be one of the following materials:
- 1) Wood shingle; or
 - 2) Composition roofing; or
 - 3) Metal with no-profile seams or low-profile seams (less than 1/4 inch x 1 1/4 inch).

Figure 14.065-15: Roofing Material Permitted



- b. Roofing material color. Roofing material shall be gray, brown, dark green, black, or deep red. Other subdued colors may be approved by the Community Development Director.
- c. Roofing materials prohibited. The following roofing materials are prohibited.
- 1) High profile standing seam (1/4 inch x 1 1/4 inch or greater) metal roof.
 - 2) Brightly colored roofing material, as determined by the Community Development Director.

Figure 14.065-16: Roofing Material Prohibited

High profile metal seam roof



6. Signs.

Signs are subject to the sign provisions in Section 8.040 and 8.160.

7. Doors.

The following design standards apply to all dwelling unit types.

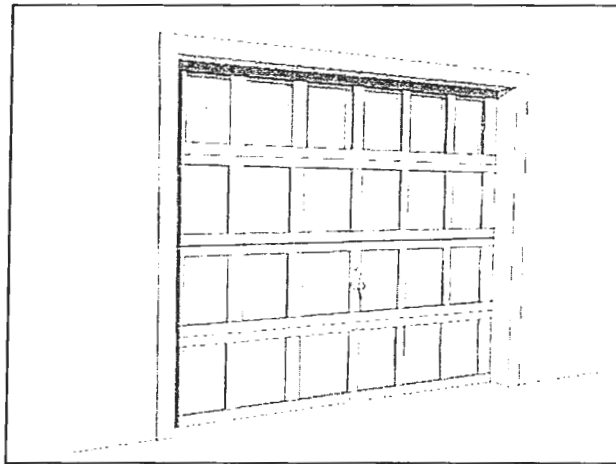
- a. Doors shall have at least one light (glass) panel.
- b. Sliding doors are not permitted on the ground floor of the front façade.
- c. All materials are permitted.
- d. Metal or metal-clad doors shall be painted.

8. Garage Doors.

The following design standards apply to attached and detached garages:

- a. Each garage door shall be a maximum of ten (10) feet in width and seven (7) feet in height.
- b. A minimum of 10% of each garage door shall be window panels, raised trim, or other architectural details.

Figure 14.065-17: Garage Doors Permitted



14.070. OTHER DEVELOPMENT STANDARDS.

A. The following development standards are applicable within the Civic Greenway Overlay Zone.

1. Floor area ratios.

Floor area ratio and height standards in Section 14.030(B)(1) and Section 14.030(B)(2) of the Gateway Overlay Zone do not apply to on-land development in the Civic Greenway Overlay Zone. Other use standards in Section 14.030 apply.

2. Exterior lighting.

Outdoor lighting shall be designed and placed so as not to cast glare into adjacent properties. Light fixtures shall be designed to direct light downward and minimize the amount of light directed upward. The Community Development Director may require the shielding or removal of such lighting where it is determined that existing lighting is adversely affecting adjacent properties or contributing to light directed into the night sky.

3. Fences.

Fences located between the River Trail and the Columbia River shall not exceed a height of three (3) feet.

14.075. LANDSCAPING.

A. Landscaping is required in the Civic Greenway Overlay Zone in accordance with the provisions in this Section and those in Section 3.120. The provisions in this Section apply to new construction or exterior renovations with a value of at least 20% of the assessed value of the structure, or in the event of installation of new parking areas

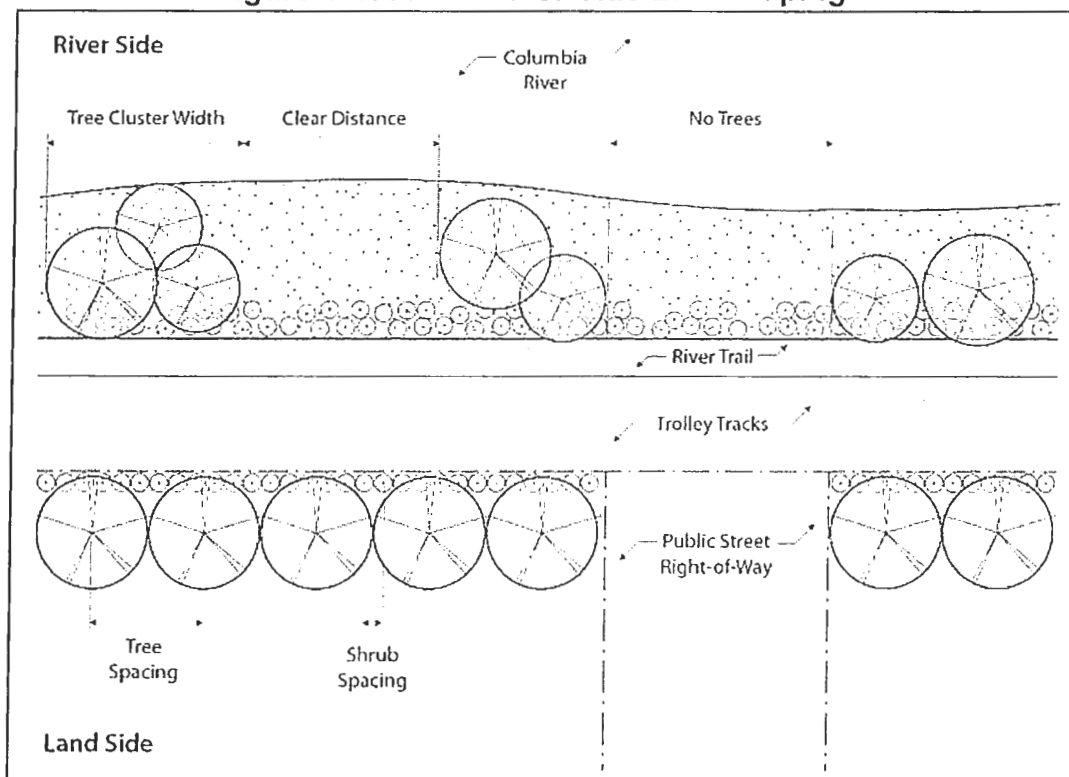
1. River side or riparian standards.

The following standards apply to required landscaping in the area between the River Trail and the shoreline, which is defined as the landward limit of Columbia River aquatic vegetation or, where aquatic vegetation is absent, the Mean Higher High Water.

a. Height and spacing.

- 1) Maximum shrub height is 30 inches.
- 2) Maximum width of clusters of trees is 50 feet.
- 3) Clusters of trees shall have a minimum of 50 feet clear between branches at maturity.
- 4) Trees are not permitted to be planted on the river side of the River Trail within the extended public right-of-way or view corridor extending from it for a distance of 70' centered on the right-of-way centerline.
- 5) Trees shall not exceed 35 feet in height at maturity
- 6) Maximum height of fences is three (3) feet.

Figure 14.065-18: River Side Landscaping



b. Native plants.

Landscaping shall consist of native plants from the list of recommended native trees, shrubs, grasses and groundcover listed in Section 14.075.B

below, or that are otherwise determined to be native plants. (*Flora of the Pacific Northwest* (1973) by Hitchcock & Conquist; *Gardening with Oregon Native Plants, West of the Cascades* (2008) by Oregon State University Extension Service, or a comparable document recommended by the City staff will be the reference for determining other native plants.)

The Community Development Director, or designee, may approve plants that are not native if it is determined that the plant better addresses environmental constraints, habitat value, transparency, height, resilience, and maintenance needs.

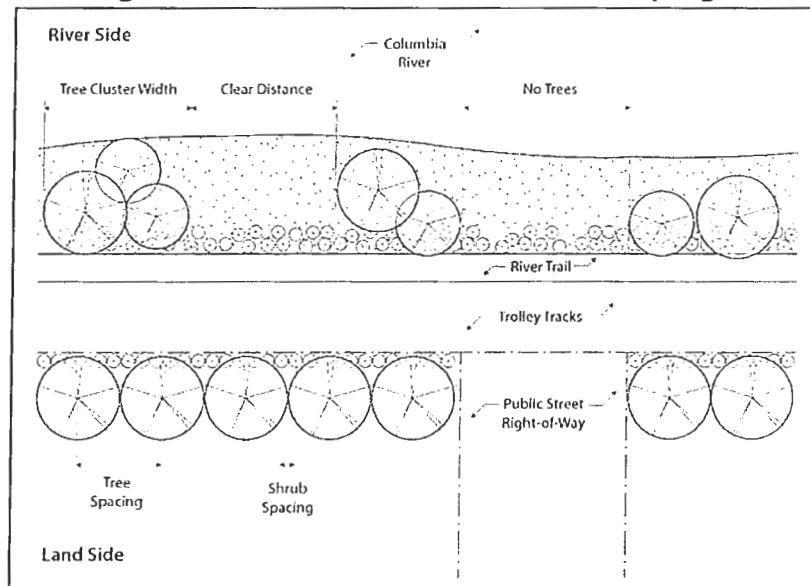
2. Land side or upland standards.

The following standards apply to required landscaping along the frontage of parcels abutting the River Trail to the south.

a. Height and spacing.

- 1) Maximum spacing of trees is 20 feet on center.
- 2) Maximum spacing of shrubs is five (5) feet on center.
- 3) Ground cover landscaping is required in between shrubs and trees.
- 4) Trees shall not exceed 35 feet in height at maturity

Figure 14.065-19: Land Side Landscaping



b. Parking area landscaping.

Landscaping required between parking areas, streets, and sidewalks in accordance with Section 3.120(A)(7) shall also be required between parking areas and the River Trail.

- c. Landscaping credits for non-vegetation features.
 - 1) The Community Development Director may approve non-vegetative features to account for up to 10% of required landscaping.
 - 2) The Community Development Director may approve installation of non-vegetative features within the public right-of-way and/or River Trail to account for up to 25% of required landscaping when the non-vegetative features include at least one of the following amenities meeting the City approved design:
 - (a) bike rack
 - (b) bench
 - (c) table
 - (d) drinking fountain
 - (e) directional or interpretive/information signage
 - (f) trash or recycling container
 - (g) lighting
 - (h) restroom
 - 3) An application proposing more than 25% of required landscaping be credited by non-vegetative features is subject to approval in accordance with procedures in Article 9 and Article 12.
 - 4) Non-vegetative features allowed in the public right-of-way and/or on the River Trail in lieu of required landscaping shall be maintained by the applicant. There shall be a maintenance agreement or other City approved agreement. Failure to maintain or loss of the non-vegetative feature will result in the requirement for installation of the landscaping in accordance with the Code at the time of the loss.

3. Street Trees.

Street trees are required to be planted within the right-of-way along both sides of the street in the Civic Greenway Overlay Zone in accordance with the provisions in this Section and those in Section 14.030(D).

- a. Maximum height for street trees along north-south streets between Marine Drive and the Columbia River is 45 feet.
- b. Street trees along north-south streets between Marine Drive and the Columbia River shall have narrow profiles and/or be pruned to a maximum width of 15 feet.

- c. Street trees along north-south streets between Marine Drive and the Columbia River shall be one of the columnar species listed below, unless otherwise approved by the Community Development Director.
- d. Required street trees shall be maintained by the adjacent property owner and/or other identified entity. There shall be a maintenance agreement or other City approved agreement.

B. Native Plants.

The following is a list of recommended native plants for use in the Astoria riverfront areas.

1. Trees

a. Native Trees

Acer circunatum - Vine Maple
Alnus rubra - Red Alder
Amelanchier grandiflora - Serviceberry
Malus fusca - Western Crabapple
Pinus contorta – Shore Pine
Rhamnus purshiana – Cascara

b. Street Trees - 15 feet diameter

Acer rubrum - Bowhall, R. Columnare
Fagus fastigiata - Dawyck Purple Beech

c. Trees for parking lots and other uses

Acer palmatum - Japanese maple varieties
Arbutus unedo - Strawberry Tree
Prunus serrulata - Kwanzan, Mt. Fuji, Shirofugen var.
Fraxinus pennsylvanica 'Patmore' - Raywood ash

2. Shrubs

a. Native Shrubs

Arbutus menziesii - madrone
Comus sericea ssp. sericea - Red-osier Dogwood
Gaultheria shallon - salal
Oemleria cerasiformis - Indian Plum
Malus fusca - Western Crabapple
Myrica pacifica – Wax myrtle
Physocarpus capitatus - Pacific Ninebark
Prunus virginiana - Common Chokecherry

Ribes lobbii - Pioneer Gooseberry
Ribes sanguineum - Red Currant
Rosa gymnocarpa - Baldhip Rose
Rosa nutkana - Nootka Rose
Salix fluviatilis - Columbia River Willow
Salix hookeriana – Hookers Willow
Salix sessilifolia - Soft-leafed Willow
Salix sitchensis - Sitka Willow
Sambucus cerulea - Blue Elderberry
Sambucus racemosa - Red Elderberry
Spiraea douglasii - Douglas' Spirea
Symphoricarpos albus - Common Snowberry

b. Non-native shrubs – widely used ornamentals with many varieties in each of the following plant groups

Barberry
Ceanothus
Cistus
Chaenomeles (Flowering quince)
Escallonia
Euonymus
Fuchsia (hardy)
Laurel – 'Schipka'
Rhododendron
Rosa rugosa
Salix purpurea – Alaska blue willow
Syringa vulgaris - Lilac
Viburnum (Hydrangea, etc)

3. Herbaceous Perennials, Grasses and Groundcover Plants

a. Natives

Adiantum pedatum - Northern Maidenhair Fern
Alopecurus geniculatus - Water Foxtail
Aquilegia formosa - Red Columbine
Angelica arguta - Sharptooth Angelica
Arnica amplexicaulis var. piperi - Clasping Arnica
Aruncus sylvestris - Goatsbeard
Aster Aruncus subspicatus - Douglas' Aster
Athyrium filix-femina - Lady Fern
Blechnum spicant - Deer Fern
Boykinia occidentalis - Slender Boykinia
Cardamine oligosperma - Little Western Bittergrass
Carex deweyana ssp. leptopoda - Dewey's Sedge
Carex unilateralis - One-sided Sedge

Chrysosplenium glechomaefolium - Pacific Water-carpet
Claytonia perfoliata or *Montia perfoliata* - Miner's Lettuce
Corydalis scouleri - Western Corydalis
Cyperus aristatus - Awned flatsedge
Cyperus erythrorhizos - Red-Rooted flatsedge
Cyperus strigosus - Straw-colored flatsedge
Dicentra formosa - Pacific Bleedingheart
Dicentra formosa ssp. oregana - Oregon Bleeding Heart
Epilobium ciliatum spp. glandulosum - Common Willow-reed
Epilobium ciliatum spp. watsonii - Watson's Willow-reed
Festuca occidentalis - Western Fescue-grass
Festuca subuliflora - Coast Range Fescue-grass
Festuca subulata - Bearded Fescue-grass
Fragaria vesca var. bracteata - Wood Strawberry
Fragaria vesca var. crinita - Wood Strawberry
Galium trifidum - Small Bedstraw
Gentianella amerella spp. acuta - Northern Gentian
Geum macrophyllum - Oregon Avens
Heracleum lanatum - Cow-parsnip
Heuchera glabra - Smooth Alumroot
Heuchera micrantha - Smallflowered Alumroot
Juncus ensifolius - Dagger-leaf Rush
Lupinus rivularis - Stream Lupine
Mertensia platyphylla - Western Bluebells
Mitella pentandra - Five-stamened Mitrewort
Montia sibirica - Candy Flower
Oxalis trilliifolia - Trillium-leaved Wood-sorrel
Polypodium glycyrrhiza - Licorice Fern
Polystichum munitum - Sword Fern
Pteridium aquilinum - Bracken Fern
Pyrola asarifolia - Wintergreen
Scirpus cyperinus - Woolly Sedge
Streptopus amplexifolius - Claspingleaved Twisted-stalk
Tellima grandiflora - Fringecup
Thalictrum occidentale - Western Meadowrue
Tiarella trifoliata - Laceflower Trillium
Vancouveria hexandra - White Inside-out Flower
Viola glabella - Stream Violet

b. Non-native ornamentals

Alchemilla mollis – Lady's mantle
Aquilegia - Columbine
Ajuga
 Cranesbill geraniums
Digitalis – foxglove
Helebore

Heuchera – coral bells
Hosta
Lavandula - Lavender
Rosmarinus officinalis - Rosemary
Sedums
Thalictrum – meadow rue”

Section 19. Astoria Development Code Section 3.090 pertaining to Cottage Cluster Development is added to read as follows:

“3.090. COTTAGE CLUSTER DEVELOPMENT.

A. Purpose.

A cottage cluster development is a small cluster of dwelling units appropriately sized for smaller households and available as an alternative to the development of typical detached single-family and two-family homes on individual lots. Cottage cluster development is intended to address the changing composition of households, and the need for smaller, more diverse, and often, more affordable housing choices. Providing for a variety of housing types also encourages innovation and diversity in housing design and site development, while ensuring compatibility with surrounding single-family residential development.

B. Ownership and Parcelization.

Cottage cluster developments may be sited on one commonly owned parcel with individual cottages owned in a condominium, cooperative, or similar arrangement, or cottages may be on individual lots with shared amenities and facilities owned in common. Applicants must submit proof that a homeowner’s association or other long-term management agreement will be established to ensure the maintenance of development elements in common ownership.

C. Review Procedures.

1. Applications for cottage cluster development on a single lot will be reviewed by the Community Development Director.
2. Applications for cottage cluster development involving creation of multiple lots shall be reviewed in accordance with Article 13, Subdivision.

D. Standards.

Cottage cluster developments are subject to the following standards:

1. Density.

Cottages may be built up to the density established for cottage cluster development in the underlying zone.

2. Number of cottages.

A cottage cluster development is composed of four (4) to twelve (12) dwelling units.

3. Cottage design.

The cottages in a cottage cluster development are subject to the following standards:

a. Maximum floor area.

The gross floor area of each cottage shall not exceed 1,250 square feet.

b. Maximum footprint:

The footprint of each cottage unit shall not exceed 800 square feet, or 1,200 square feet including a garage. A communal garage or parking structure is permitted, and is not subject to the maximum footprint requirements for cottages.

c. Average size.

The average size of all dwellings combined within a cottage cluster development will be less than 1,050 square feet.

d. Maximum height.

The height of each cottage shall be the same as required by the underlying zoning and applicable overlay zoning.

e. Placement.

If cottages differ in size, smaller cottages shall be located adjacent to or in closer proximity than larger cottages to the adjacent public street or River Trail to which the development is oriented.

f. Setbacks.

The setbacks from adjacent property lines along the perimeter of the cottage cluster development shall be the same as required by the underlying zone. The minimum distance between all structures, including accessory structures, shall be in accordance with building code requirements (at least six (6) feet spacing between buildings).

g. Private open space.

Each cottage may have private open space for the exclusive use of the cottage residents. Private open space does not count towards the required common open space.

h. Orientation of cottages.

Cottages shall be clustered around the common open space. Each cottage shall have a primary entrance and covered porch oriented to the common open space. All cottages shall be within 10 feet from the common open space, measured from the façade of the cottage to the nearest delineation of the common open space.

Lots in a cottage cluster development are not required to abut a public right-of-way, except that the parent parcel shall have frontage on a public right-of-way in accordance with Subsection D.8.a of this Section.

i. Common Open Space.

The design of the common open space shall not use unusable lot area or projections to meet the requirement for common open space. Unusable lot area includes, but is not limited to, foundation landscaping, enlarged or enhanced parking strips or sidewalks, narrow strips of land, or small dead zones of the lot.

j. Public street facing facades.

Cottages abutting a public right-of-way or River Trail shall have a secondary entrance or a porch, bay window, or other major architectural feature oriented to the public right-of-way or the River Trail. Garage or carport entrances may not face a public right-of-way or the River Trail.

k. Porches.

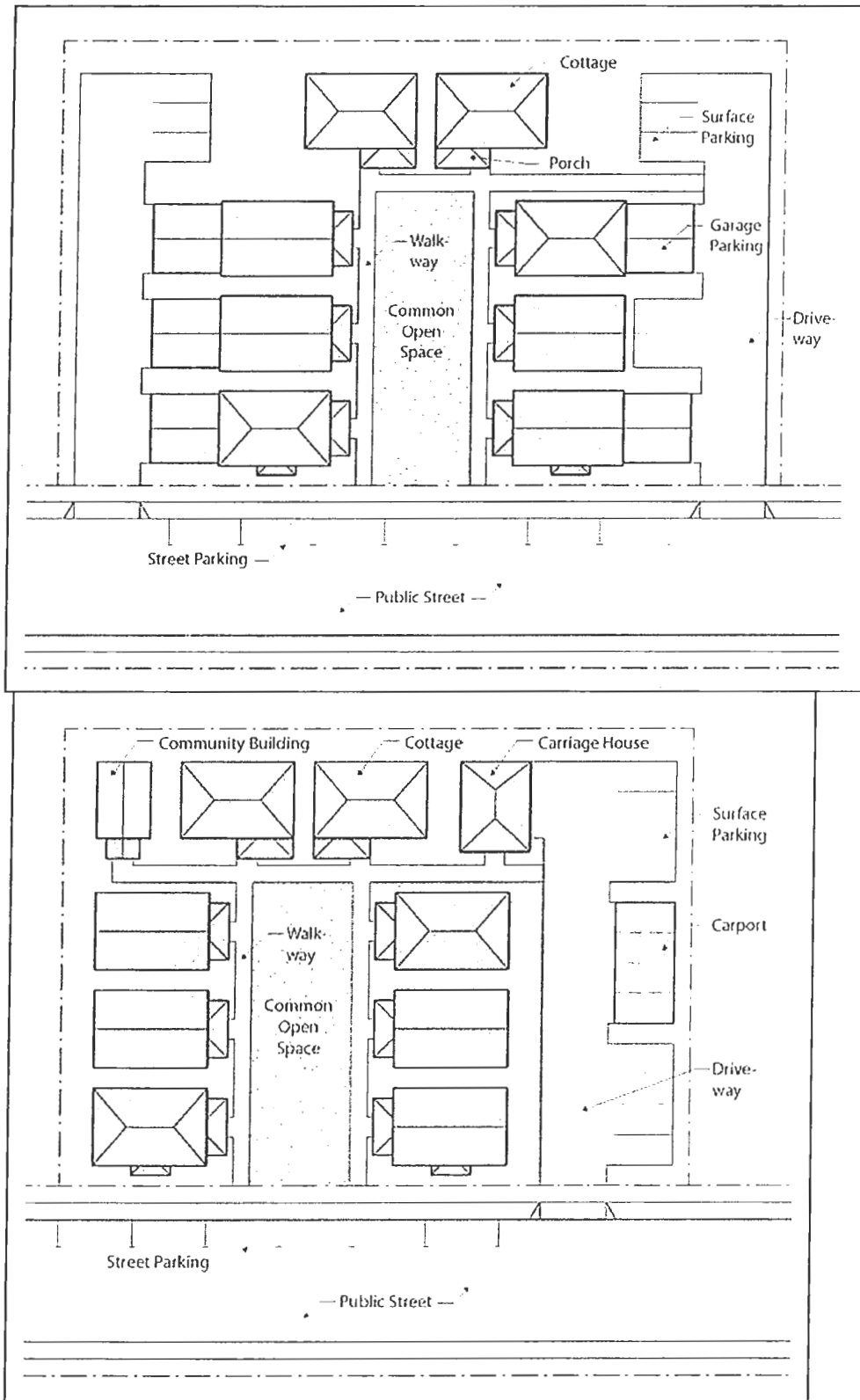
Each cottage shall have a covered open porch that shall be oriented toward the common open space and that shall be at least six (6) feet in depth measured perpendicular to the abutting building facade and at least 60 square feet in area.

4. Community buildings.

Cottage cluster developments may include community buildings that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. They shall have a footprint of no more than 800 square feet and may not exceed one story in height. Their design, including the roof lines, shall be similar to and compatible with that of the cottages within the cottage cluster development.

Figure 3.090-1: Cottage Cluster Development Layout

[Note: Two alternative layouts are included to illustrate key elements of the Cottage Cluster requirements.]



5. Common open space.

Cottage cluster developments shall have a common open space in order to provide a sense of openness and community of residents. Common open space is subject to the following standards:

- a. Each cottage cluster development shall contain a minimum 2,000 square feet of common open space regardless of the number of cottages in the cluster, and not less than 400 square feet of common open space per cottage.
- b. The common open space shall be in a single, contiguous, useable piece.
- c. Cottages shall abut the common open space on at least two sides of the open space.
- d. Parking areas, required yards, private open space, and driveways do not qualify as common open space.

7. Parking. Parking for a cottage cluster development is subject to the following standards:

- a. Minimum number of parking spaces.

Cottage cluster developments shall have at least one parking space for each unit with a gross floor area of 700 feet or less and 1.5 parking spaces for each unit with a gross floor area of 701 square feet or more (rounded up to the nearest whole number).

- b. Guest parking.

Cottage cluster developments shall have at least 0.5 additional guest parking spaces for each cottage in the development, rounded up to the nearest whole number. These spaces shall be clearly identified as being reserved for guests.

- c. Reduction in number of required parking spaces.

The required number of guest parking spaces may be reduced by the number of on-street parking spaces on public streets adjacent to and immediately abutting the cottage cluster development.

- d. Clustering and parking structures.

Parking areas may be arranged in clusters limited to no more than five contiguous spaces. Clustered parking areas may be covered. Up to two (2) carriage house dwelling units are permitted on the second floor of a

parking structure, with a maximum of one (1) carriage house dwelling unit per four (4) cottages (rounded to the nearest whole number). Parking structures may or may not be located on the same lot as the cottage they serve. Parking structures shall not be located within a common open space and are required to be screened from view from common open space areas.

e. Parking access.

Parking areas shall be accessed only by a private driveway or public alley. No parking space may access a public street directly. No parking space may be between a public street and cottages abutting the public street.

f. Design.

The design of garages, carports, and parking structures, including the roof lines, windows, and trim, shall be similar to and compatible with that of the cottages within the cottage cluster development.

g. Screening.

Landscaping or architectural screening at least three feet tall shall separate parking areas and parking structures from the common area and public streets. Solid fencing (e.g., board, cinder block) shall not be allowed as an architectural screen.

h. Location.

Parking can be grouped and located on a separate lot within 100 feet of an edge of the cottage cluster development.

8. Frontage, access, and walkways.

a. Frontage.

The parent parcel shall have frontage on a public street. If individual lots are created within the cluster development, each lot shall abut the common open space, but is not required to have public street frontage.

b. Access.

No part of any structure shall be more than 150 feet, as measured by the shortest clear path on the ground, from fire department vehicle access, unless the building has a fire suppression system.

c. Walkways.

A cottage cluster development shall have sidewalks abutting all public streets. A system of interior walkways shall connect each cottage to the common open space, parking areas, private driveways, any community buildings, the sidewalks abutting any public streets bordering the cottage cluster development, and other pedestrian or shared use facilities such as the River Trail. Sidewalks abutting public streets shall meet the width requirements established in the Astoria Engineering Design Standards, and interior walkways shall be at least four (4) feet in width.

9. Interior fences.

Fences on the interior of the cottage cluster development shall not exceed three (3) feet in height and shall not consist of solid (e.g., board, cinder block) fencing.

10. Existing structures.

On a lot or parcel to be used for a cottage cluster development, an existing detached single-family dwelling that may be nonconforming with respect to the requirements of this section may remain, but the extent of its non-conformity may not be increased. Such dwellings shall count towards the number of cottages allowed in the cottage cluster development.

F. Conflicts.

In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control.”

Section 20. Astoria Development Code Section 1.300 pertaining to Establishment of Zones is hereby amended with the addition to read as follows:

“Civic Greenway Overlay	CGO
Compact Residential	CR”

Section 21. Astoria Development Code Section 8.160, pertaining to Sign Regulations is hereby deleted in its entirety and replaced to read as follows:

“8.160. R-1, R-2, R-3, CR, AH-MP, AND PD ZONES SIGN REGULATIONS.

For all uses and sites in the R-1 (Low Density Residential), R-2 (Medium Density Residential), R-3 (High Density Residential), Compact Residential (CR), AH-MP (Attached Housing - Mill Pond for residential uses), and PD (Planned Development) Zones, the sign regulations of Table 1 apply. All allowed signs must also be in conformance with the sign regulations of Sections 8.070 through 8.080.”

Section 22. Astoria Development Code Section 14.015 pertaining to General Provisions in the Gateway Overlay Zone is hereby amended with the addition to read as follows:

- “9. Civic Greenway Overlay Zone (CGO)
- 10. Compact Residential Zone (CR)”

Section 23. Section 3.190.F pertaining to Nonconforming Structures is added to read as follows:

“F. Reconstruction of Existing Non-Conforming Overwater Buildings

Nonconforming overwater buildings located between 16th and 41st Street within the Civic Greenway Overlay Area existing prior to 2013 may be rebuilt if unintentionally destroyed by any means to an extent exceeding 80% of its fair market value as indicated in Section 3.190.D, provided the reconstruction of the building complies with the following standards:

1. The building shall be rebuilt on the same location on the lot, or in compliance with the setback standards for the underlying zone. This does not allow any construction beyond the property lines; and
2. The square footage of the replacement structure and/or replacement uses does not exceed the square footage of the original structure and use classifications by more than 10%; and
3. The height of the building shall be the same or less than the existing building height prior to destruction; and
4. If the property is within an area subject to architectural design review standards, the design of the replacement structure shall comply with those architectural standards; and
5. Substantial construction of the building shall begin within two years of the date of destruction, unless an extension has been granted in accordance with Section 9.100; and
6. All other City and Building Codes relative to construction, including but not limited to, geologic concerns, stormwater management, grading, driveways, sidewalks, etc. shall apply.”

Section 24. Section 3.180.D pertaining to Nonconforming Uses is added to read as follows:

“D. Reestablishment of Existing Non-Conforming Uses in Overwater Buildings

Nonconforming uses in overwater buildings located between 16th and 41st Street within the Civic Greenway Overlay Area existing prior to 2013 may be reestablished if the building housing the use is unintentionally destroyed by any means to an extent

exceeding 80% of its fair market value as indicated in Section 3.190.D, provided the reconstruction of the building complies with the standards in Section 3.190.F and reestablishment of the use occurs within one year of the completion of construction. Completion of construction shall be determined by issuance of a temporary and/or final Certificate of Occupancy from the Building Official.”

Section 25. The 1992 Astoria Land Use and Zoning Map is amended to rezone the following area to apply the Civic Greenway Overlay (CGO) Zone as indicated on the map shown as Attachment A and further described below:

The area is generally described as 16th to 41st Street north of Marine Drive / Lief Erikson Drive.

Section 26. The 1992 Astoria Land Use and Zoning Map is amended to rezone the following area to apply the Gateway Overlay (GO) Zone as indicated on the map shown as Attachment B and further described below:

The area is generally described as 16th to 41st Street north of Marine Drive/Lief Erikson Drive, and generally the area south of Marine Drive from 16th Street to mid block between Exchange Street / Franklin Avenue, then south to Franklin Avenue, then east on Franklin Avenue to 19th Street, then south on 19th Street to mid block Franklin Avenue / Grand Avenue, then east on Grand Avenue to mid block 20th/21st Street, then north to Franklin Avenue, then east to 23rd Street, then north to Marine Drive.

Section 27. Section 9.100.B, Permit Extensions, is amended to read as follows:

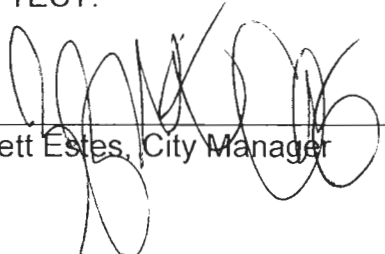
“Permit extension may be granted for all land use permits. Extensions may also be granted for time limits applicable to non-conforming buildings and/or non-conforming uses located over water between 16th and 41st Streets as described in Sections 3.180.D and 3.190.F. One year extensions may be granted in accordance with the requirements of this Section as follows:”

Section 28. 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 6TH DAY OF OCTOBER, 2014.

APPROVED BY THE MAYOR THIS 6TH DAY OF OCTOBER, 2014.

ATTEST:



Brett Estes, City Manager

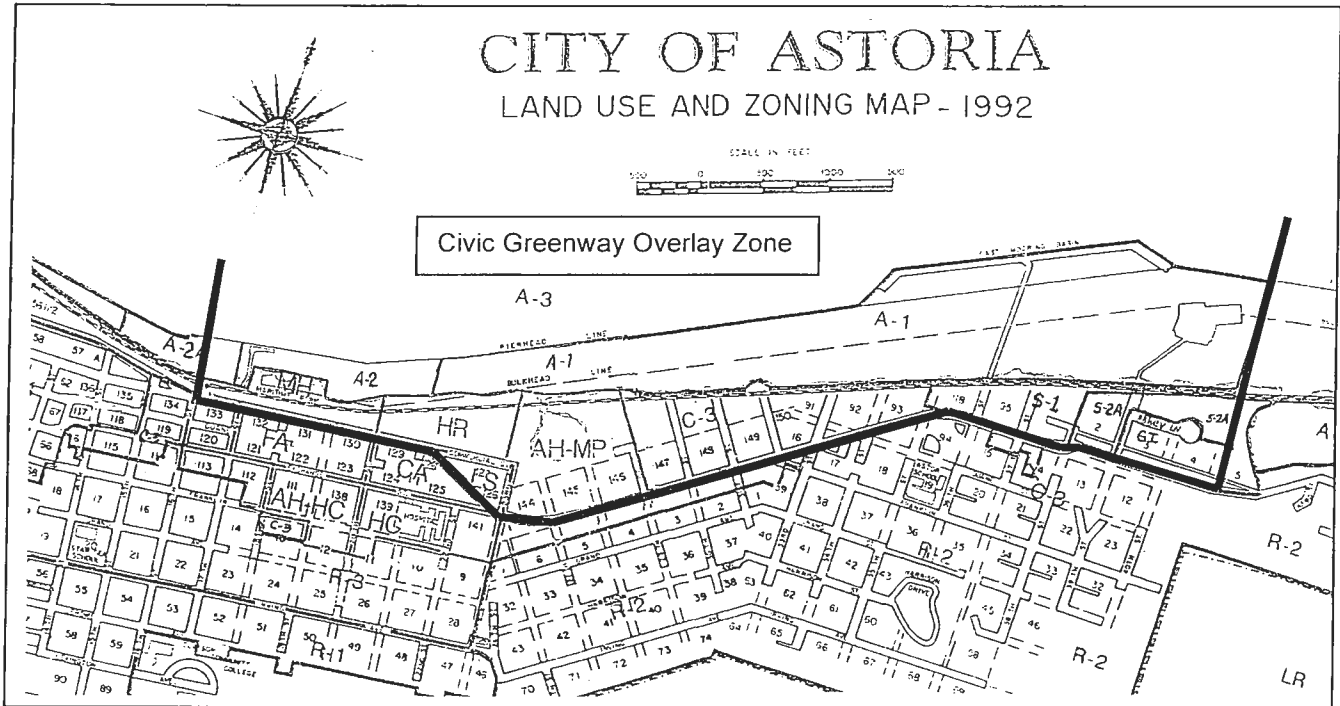


Mayor

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

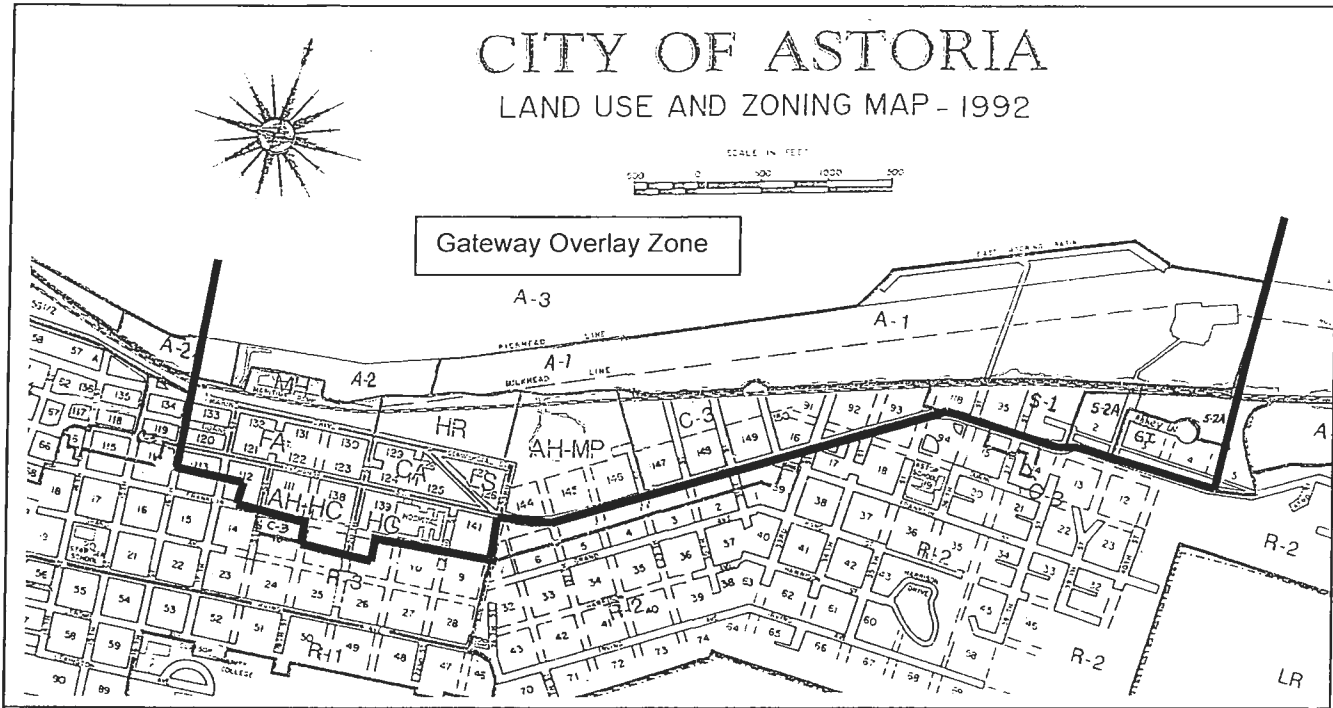
Ordinance 14-____ - Attachment A

CIVIC GREENWAY OVERLAY ZONE



Ordinance 14-____ - Attachment B

GATEWAY OVERLAY ZONE (GO)



BEFORE THE ASTORIA CITY COUNCIL
OF THE CITY OF ASTORIA

Call or Fax
Mail 10/3/14
Email
Web

IN THE MATTER OF AN AMENDMENT REQUEST)
)
FOR THE FOLLOWING PROPERTY: CIVIC GREENWAY AREA)
16TH STREET TO 41ST STREET, MARINE DRIVE TO THE)
COLUMBIA RIVER, ASTORIA, OREGON 97103) ORDER NO. A14-02
)
APPLICANT: COMMUNITY DEVELOPMENT DEPARTMENT,)
CITY OF ASTORIA, 1095 DUANE STREET, ASTORIA OR 97103)
)

The above named applicant filed a request to Amend the Development Code to implement the Riverfront Vision Plan in the Civic Greenway Area (16th to 41st Streets, Marine Drive to the Columbia River); add Compact Residential Zone; add Civic Greenway Overlay zone; add clear and objective design standards for residential development; renumber several zones and overlay zone; misc. related changes with new code references; and rezone the area on the north half of the blocks between Marine Drive and the Columbia River from 30th to 32nd Streets, from C-3 (General Commercial) zone to CR (Compact Residential) zone within the City limits of Astoria, Oregon.

A public hearing on the above entitled matter was held before the Planning Commission on July 22, 2014; and the Planning Commission closed the public hearing and rendered a decision at the July 22, 2014 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 August 18, 2014 meeting; and the Astoria City Council rendered a decision at the October 6, 2014 meeting.

The City Council found the proposed amendment to be necessary and orders that this application for an Amendment A14-02 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.

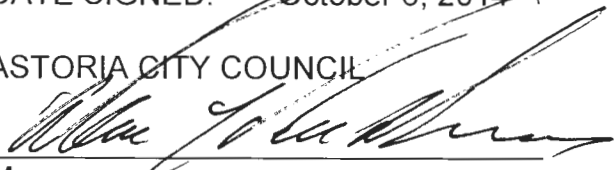
The effective date of this approval is the date of the signing of this Order.

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.

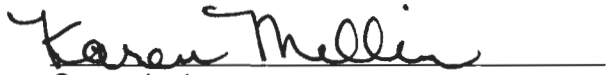
DATE SIGNED: October 6, 2014

DATE MAILED: 10-3-14

ASTORIA CITY COUNCIL

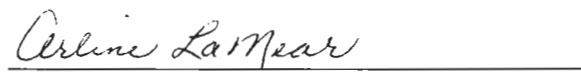


Mayor

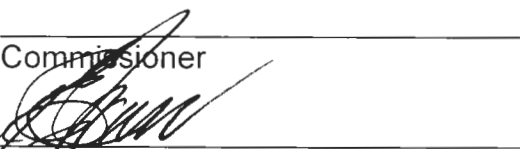


Commissioner

Commissioner



Commissioner



Commissioner



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

September 29, 2014

TO: MAYOR AND ASTORIA CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER

SUBJECT: AMENDMENT REQUEST (A14-02) ON RIVERFRONT VISION PLAN
IMPLEMENTATION ORDINANCES

BACKGROUND

The first step in the process to implement the Riverfront Vision Plan is to address the Civic Greenway Plan Area, generally located from Columbia River Maritime Museum at 16th Street to 41st Street at Abbey Lane and the River to Marine / Lief Erikson Drive.

The Planning Commission held a public hearing at the May 27, 2014 and June 24, 2014 APC meetings. At its July 22, 2014 meeting, the Astoria Planning Commission unanimously recommended that the City Council adopt the proposed amendments. A public hearing on the Amendment was held at the August 18, 2014 City Council meeting. The Council closed the public hearing and held a first reading of the text and map amendment ordinance. As noted in the August 25, 2014 memo, the City Attorney advised that since the Council had made several substantial changes to the ordinance as presented, that a new first hearing needed to be held. The Council held the additional first reading of the ordinance at their September 2, 2014 meeting.

At the September 2, 2014 meeting, the Council directed staff to exclude coal, oil, and liquefied natural gas from the list of allowable over-water uses. In developing the proposed language, it was recommended that the terms "fossil fuel and petroleum product" be used to encompass all forms of these products so that it is clear what is being prohibited. At the September 15, 2014 meeting, the City Council discussed the issue of whether to allow any variances to height for overwater construction. It was determined that in addition to no variances to the top of bank height in the current draft ordinance, that language should be added that no variances would be allowed to the 28' height limitation between 35th and 41st Street for construction greater than 500' from the shore. The City Attorney determined that these were a major change but that the City Council could hold the second reading that evening. However, the changes needed to be read into the record along with the reading of the ordinance by title, and there would need to be a 12 day waiting period until the City Council could vote to adopt the ordinance. The Council held the second reading of the ordinance.

A copy of the Staff Report and Findings of Fact as adopted by the Planning Commission is attached. Also attached are the subsequent memos from staff which are included as part of the Findings of Fact proposed for adoption by the City Council.

RECOMMENDATION

If the Council is in agreement with the ordinance as amended, it would be in order for Council to adopt the Ordinance. The following is sample language for motions for adoption of the Findings of Fact and Ordinances:

“I move that the Astoria City Council adopt the findings and conclusions contained in the staff report, and approve Amendment Request A14-02 to the Development Code and Astoria Land Use and Zoning Map and adopt the Ordinance.”

By:

Rosemary Johnson, Planner



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

September 10, 2014

TO: MAYOR AND ASTORIA CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER

SUBJECT: AMENDMENT REQUEST (A14-02) ON RIVERFRONT VISION PLAN
IMPLEMENTATION ORDINANCES

BACKGROUND

In 2008-2009, the City of Astoria developed the Riverfront Vision Plan (RVP) to address issues dealing with open space, land use, and transportation issues along the Columbia River. Significant public involvement opportunities were designed to gain public input. This process was initiated to plan for these issues in a comprehensive manner and to set a framework for the future of the study area. The City's north Riverfront (Columbia River to West Marine / Marine Drive / Lief Erikson Drive) was divided into four Plan areas of development: Bridge Vista (Port/Smith Point to 2nd Street), Urban Core (2nd to 16th Street), Civic Greenway (16th to 41st Street), and Neighborhood Greenway (41st Street to east end of Alderbrook Lagoon).

The first step in the process to implement the Riverfront Vision Plan is to address the Civic Greenway Plan Area, generally located from Columbia River Maritime Museum to 41st Street at Abbey Lane and the River to Marine / Lief Erikson Drive. The Planning Commission held five public work sessions (October 22, 2013, December 3, 2013, January 7, 2014, January 28, 20, February 25, 2014) on the draft amendments with notifications to the general public and to individuals who expressed interest in the Riverfront Vision Plan or implementation process. A presentation to the City Council on the progress made to date was held on April 7, 2014. The work sessions have been well attended.

The RVP for the Civic Greenway Planning Area identified Land Use Assumptions and Objectives which state that *"It is expected that large amounts of overwater development will not occur in the Civic Greenway ..."* The objectives include:

- Protect river vistas to maintain physical and visual connections to the river.
- Create and enhance open spaces which provide views of the river.
- Encourage maritime related uses consistent with Astoria's working riverfront such as docks, piers and associated uses.
- Create a modest scale residential and mixed use development east of Mill Pond.
- Architectural design standards or design review is recommended for all future development in this area.

Implementation of recommendations from the Riverfront Vision Plan in the Civic Greenway Plan Area will take the form of both map amendments and code amendments.

The Planning Commission held a public hearing at the May 27, 2014 and June 24, 2014 APC meetings. At its July 22, 2014 meeting, the Astoria Planning Commission unanimously recommended that the City Council adopt the proposed amendments. A public hearing on the Amendment was held at the August 18, 2014 City Council meeting. The Council closed the public hearing and held a first reading of the text and map amendment ordinance. As noted in the August 25, 2014 memo, the City Attorney advised that since the Council had made several substantial changes to the ordinance as presented, that a new first hearing needed to be held. The Council held the additional first reading of the ordinance at their September 2, 2014 meeting.

At the August 18, 2014 meeting, Council requested that staff add language to the ordinance to address potential non-conformity of the existing over-water buildings and uses within the Civic Greenway area. Staff was directed to add proposed language concerning the proposed East Basin Plan District, eliminate “eating and drinking establishments” as an allowable over-water use, and include a clarification that variances from the height requirement would not be allowed within 500 feet of the shore (including the area around the East End Mooring Basin). Furthermore, Council did not hold a first reading of an associated map amendment to apply the Compact Residential (CR) Zone to the north half of the blocks between 30th and 32nd Streets.

At the September 2, 2014 meeting, the Council directed staff to exclude coal, oil, and liquefied natural gas from the list of allowable over-water uses. In developing the proposed language, it was recommended that the terms “fossil fuel and petroleum product” be used to encompass all forms of these products so that it is clear what is being prohibited. This change can be found on pages 10 and 12 of the draft ordinance. In addition, the description of the overlay zone boundaries was added on page 49 of the draft ordinance along with the attached zone map amendments.

As of the September 2nd meeting, proposed map amendments will include:

1. Extend the Gateway Overlay (GO) Zone to cover the Civic Greenway Plan Area.
2. Apply the new Civic Greenway Overlay (CGO) Zone to the Civic Greenway Plan Area.

Proposed text/code amendments will include:

1. Add a new Compact Residential (CR) Zone to allow for smaller cottage cluster development on the land side of the River Trail in the Civic Greenway Area. As noted earlier, the first reading to adopt the map amendment to apply the CR zone was not held.
2. Add a new Civic Greenway Overlay Zone to address the standards for:
 - over-water and waterfront development including building height, building mass, width of structures, allowable uses, landscaping, and public access to the water, etc.;
 - land side development including building heights, setback, stepback, and landscaping; and
 - river access requirements.
3. Add new provisions for Cottage Cluster Development detailing the location, size, orientation, public open space, etc. for compact residential development.
4. Add new “clear and objective” design standards for residential uses in the Gateway Overlay Zone and Civic Greenway Area.

5. Make “housekeeping” amendments related to the new CR Zone and CGO Zone. This will include renumbering the Gateway Zones to Article 2 and renumbering all Overlay Zones to Article 14.

A copy of the Staff Report and Findings of Fact as adopted by the Planning Commission is attached. Also attached are the subsequent memos from staff which are included as part of the Findings of Fact proposed for adoption by the City Council.

RECOMMENDATION

If the Council is in agreement, it would be in order for Council to hold a second reading and adopt the Ordinance. The following is sample language for motions for adoption of the Findings of Fact and Ordinances:

“I move that the Astoria City Council adopt the findings and conclusions contained in the staff report, and approve Amendment Request A14-02 to the Development Code and Astoria Land Use and Zoning Map and adopt the Ordinance.”



By:

Rosemary Johnson, Planner



CITY OF ASTORIA

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COMMUNITY DEVELOPMENT

August 25, 2014

TO: MAYOR AND ASTORIA CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT: AMENDMENT REQUEST (A14-02) ON RIVERFRONT VISION PLAN
IMPLEMENTATION ORDINANCES

BACKGROUND

At its August 18, 2014 meeting, the City Council held a public hearing on the Amendment to implement the Riverfront Vision Plan in the Civic Greenway Area between 16th and 41st Streets. The Port requested that the City consider adding language to the draft ordinance to establish a process for adoption of an East Basin Plan District to allow flexibility in the proposed codes for the area between 35th and 41st Street for the East End Mooring Basin. In addition, at the meeting, staff proposed language to address potential non-conformity of the existing over-water buildings and uses within the Civic Greenway Area. Staff also clarified that a variance from height would not be allowed within 500' of the shore in the Port area. The Council closed the public hearing and made several changes to the draft ordinance as presented. Council agreed that the Plan District area should be included for the land and water area between 35th and 39th Street, and the water area between 39th and 41st Street. At the Council's direction staff also eliminated "eating and drinking establishments" as an allowable use over-water.

With the proposed East Basin Plan District addition by the Port, the following is an addendum to the Findings of Fact for approval of the proposed amendment.

- C. Section 10.070(A)(1) concerning Text Amendments, requires that *"The amendment is consistent with the Comprehensive Plan."*
5. CP.020(2), Community Growth, Plan Strategy, states that *"New small scale industrial growth will be encouraged on the scattered sites identified in the Economic Section of the Plan. Major port development will be encouraged at the existing Port docks and at the East End Mooring Basin. North Tongue Point is considered a major deep draft port expansion area for use as a cargo handling and shipping facility. South Tongue Point is primarily designated for multiple water-dependent uses requiring medium draft water access."*

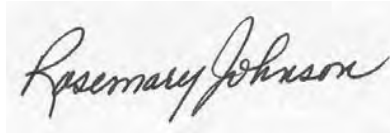
Finding: The City Council finds that the land and water area between 35th and 39th Street and the water area between 39th and 41st Street are located in the general area of the East End Mooring Basin and may be considered for development under an East Basin Plan District in the future. This area is generally controlled by the Port

of Astoria, private owners, and leased submerged lands from the Department of State Lands. While a Plan District does not exist at this time, an amendment to the Development Code may be considered in the future that would address any special characteristics or problems of the area with potential new development standards for specific development projects. The proposed Code language would establish criteria and the process for approving future review of a potential Plan District. The proposed amendment supports this Comprehensive Plan Section.

The Council closed the public hearing and held a first reading of the ordinance by title only. After the meeting, the City Attorney advised staff that since there were a number of changes to the proposed text of the ordinance, that the changes would have had to be read in full and not just by title, or that the City Council would need to conduct a new first reading after the revised draft was available to the public as required by City Charter Section 8.2 concerning ordinance adoption by Council. Since that meeting, the revised draft has been available at City Hall and was included in the City Council packet. Therefore, it would be in order for the Council to hold another first reading of the ordinance by title only.

RECOMMENDATION

It is recommended that the Council consider adoption of the ordinances as amended. If the Council is in agreement with the recommendation of the Planning Commission as amended by City Council, it would be in order for Council to hold a first reading of the Ordinance to amend the Astoria Development Code Pertaining to the Civic Greenway Area issues.



By:

Rosemary Johnson, Planner



CITY OF ASTORIA

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COMMUNITY DEVELOPMENT

August 8, 2014

TO: MAYOR AND ASTORIA CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT: AMENDMENT REQUEST (A14-02) ON RIVERFRONT VISION PLAN IMPLEMENTATION ORDINANCES

BACKGROUND

In 2008-2009, the City of Astoria developed the Riverfront Vision Plan (RVP) to address issues dealing with open space, land use, and transportation issues along the Columbia River. Significant public involvement opportunities were designed to gain public input. This process was initiated to plan for these issues in a comprehensive manner and to set a framework for the future of the study area. The City's north Riverfront (Columbia River to West Marine / Marine Drive / Lief Erikson Drive) was divided into four Plan areas of development: Bridge Vista (Port/Smith Point to 2nd Street), Urban Core (2nd to 16th Street), Civic Greenway (16th to 41st Street), and Neighborhood Greenway (41st Street to east end of Alderbrook Lagoon).

During the Plan development, four community-wide forums, three open houses, and numerous community meetings were held at various locations within the four Plan areas. In addition, staff and/or consultants conducted stakeholder interviews, distributed and tabulated surveys. Development of the Vision Plan was structured to gain as much public input as possible. On December 7, 2009, after holding a final public hearing, the City Council accepted the Riverfront Vision Plan. For Fiscal Years 2011-2012, 2012-2013, 2013-2014, and 2014-2015 the City Council set goals regarding implementation of the Riverfront Vision Plan.

On October 22, 2012, the City was notified that an application to the Department of Land Conservation and Development (DLCD) to fund code writing activities for up to two areas of the Riverfront Vision Plan was approved. The funding would be a Transportation Growth Management (TGM) grant through the Oregon Department of Transportation (ODOT). Under the TGM program, no cash is provided to the City and ODOT uses the services of planning firms already under contract with ODOT. The proposed Code Assistance Project is for the implementation phase of the Astoria Riverfront Vision Plan. Phase 1 of the project would develop land use codes and/or new zones for the Civic Greenway Plan Area. Phase 2 of the project would develop land use codes and/or new zones for the Bridge Vista Plan Area, contingent upon available funds as approved by TGM staff.

The consultant team identified to work on this project is Angelo Planning Group. One of the project team members is Matt Hastie, who was directly involved in development of the Riverfront Vision Plan. The scope of work for the TGM grant included public involvement opportunities held during Planning Commission work sessions. The final product would be code amendments and land use

zoning map amendments which are being presented to the City Council for consideration of adoption. There would be two separate approval processes for Phase 1 and Phase 2. The first step in this process is to address the Civic Greenway Plan Area, generally located from Columbia River Maritime Museum to 41st Street at Abbey Lane and the River to Marine / Lief Erikson Drive. After reviewing the Code Evaluation Report, the Astoria Planning Commission and the project team began drafting preliminary code amendment language to address selected code issues for the Civic Greenway Plan Area. The team divided the amendments into three sections to allow for adequate review of the draft code amendments with the Planning Commission and public. The Planning Commission held five public work sessions (October 22, 2013, December 3, 2013, January 7, 2014, January 28, 20, February 25, 2014) on the draft amendments with notifications to the general public and to individuals who expressed interest in the Riverfront Vision Plan or implementation process. A presentation to the City Council on the progress made to date was held on April 7, 2014. The work sessions have been well attended.

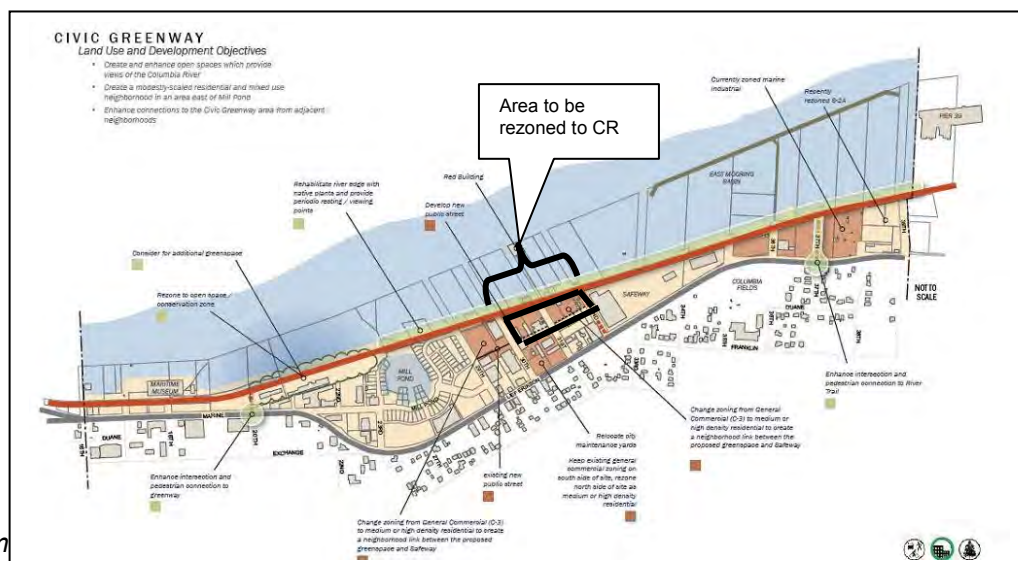
The RVP for the Civic Greenway Planning Area identified Land Use Assumptions and Objectives which state that *"It is expected that large amounts of overwater development will not occur in the Civic Greenway ..."* The objectives include:

- Protect river vistas to maintain physical and visual connections to the river.
- Create and enhance open spaces which provide views of the river.
- Encourage maritime related uses consistent with Astoria's working riverfront such as docks, piers and associated uses.
- Create a modest scale residential and mixed use development east of Mill Pond.
- Architectural design standards or design review is recommended for all future development in this area.

Throughout the RVP implementation process, the Planning Commission (APC) focused on these Assumptions and Objectives and did not attempt to change the Vision Plan as adopted. There was discussion and public comment during the work sessions on the interpretation of these objectives. Implementation of recommendations from the Riverfront Vision Plan in the Civic Greenway Plan Area will take the form of both map amendments and code amendments.

Proposed map amendments will include:

1. Rezone the northern half of the blocks between 30th Street and 32nd Street from C-3 (General Commercial) to the new Compact Residential Zone (CR).
2. Extend the Gateway Overlay (GO) Zone to cover the Civic Greenway Plan Area.
3. Apply the new Civic Greenway Overlay (CGO) Zone to the Civic Greenway Plan Area.



Proposed text/code amendments will include:

1. Add a new Compact Residential (CR) Zone to allow for smaller cottage cluster development on the land side of the River Trail in the Civic Greenway Area.
2. Add a new Civic Greenway Overlay Zone to address the standards for:
 - over-water and waterfront development including building height, building mass, width of structures, allowable uses, landscaping, and public access to the water, etc.;
 - land side development including building heights, setback, stepback, and landscaping; and
 - river access requirements.
3. Add new provisions for Cottage Cluster Development detailing the location, size, orientation, public open space, etc. for compact residential development.
4. Add new “clear and objective” design standards for residential uses in the Gateway Overlay Zone and Civic Greenway Area.
5. Make “housekeeping” amendments related to the new CR Zone and CGO Zone. This will include renumbering the Gateway Zones to Article 2 and renumbering all Overlay Zones to Article 14.

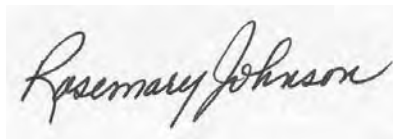
At the last Planning Commission (APC) meeting, the APC directed staff to have a landscaper review the proposed landscape material and revise the list to best address the desires of the proposed code language. Staff had that section reviewed and have revised the list of plant materials which has been incorporated into the draft code amendment presented to the Council.

The Planning Commission held a public hearing at the May 27, 2014 and June 24, 2014 APC meetings. At its July 22, 2014 meeting, the Astoria Planning Commission unanimously recommended that the City Council adopt the proposed amendments. A copy of the Staff Report and Findings of Fact as adopted by the Planning Commission is attached. Also attached to this memo are the proposed ordinances, minutes of the meetings, and public comments received. A public hearing on the Amendment has been advertised and is scheduled for the August 18, 2014 City Council meeting.

RECOMMENDATION

It is recommended that the Council hold a public hearing and consider adoption of the ordinances. If the Council is in agreement with the recommendation of the Planning Commission, it would be in order for Council to hold a first reading of the two separate Ordinances as follows:

1. Amending the Astoria Development Code Pertaining to the Civic Greenway Area issues
2. Amending the Astoria Land Use and Zoning Map to rezone an area from C-3 (General Commercial to CR (Compact Residential



By:

Rosemary Johnson, Planner



CITY OF ASTORIA
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COMMUNITY DEVELOPMENT

July 15, 2014

TO: ASTORIA PLANNING COMMISSION
FROM: ROSEMARY JOHNSON, PLANNER
SUBJECT: AMENDMENT REQUEST (A14-02) ON RIVERFRONT VISION PLAN
IMPLEMENTATION ORDINANCE

Background

At its June 24, 2014 meeting, the Astoria Planning Commission closed the public hearing on the Amendment Request (A14-02) concerning the implementation ordinance for the Civic Greenway Area of the Riverfront Vision Plan. Since the public hearing was closed, any written testimony received since the last meeting will not be transmitted to the Commission along with this memorandum. Letters received since the last APC meeting will be presented to the City Council for their consideration at a City Council public hearing on this matter.

At the June 24 meeting, the APC determined that there was general consensus on the issues related to on-land development including the design guidelines and standards, landscaping, Compact Residential Zone, cluster development, and other site development standards. The APC recommended City Council approval on the portion of the ordinance concerning the land area of the proposed amendments. However, there were several issues concerning the over-water standards that the APC determined needed additional discussion at the next meeting.

The following is a list of the key issues that were still pending after that meeting.

1. Height of development over-water

It was generally agreed that “top of bank” should be the maximum height for over-water development for much of the Plan area. The majority of Commissioners agreed that no variance from that height limitation should be established for portions of the area. There was discussion as to whether the “no variance” option should apply to 16th to 31st/35th Street or if it should apply to the entire area 16th to 41st Street. The proposed ordinance states that no variance may be granted to the bank height limitation for the entire area.

2. Development at the East End Mooring Basin

The draft ordinance proposes exceptions to building height, size, and width for development 500' from the shoreline between 35th and 41st Streets. This would allow for some development in this area while preserving the broad vistas and views for the majority of the Civic Greenway Area.

3. Restaurants

The APC was split on the concept of allowing restaurants to be constructed over-water in the 35th to 41st Street area. The majority of APC members agreed that a restaurant could be allowed if it is associated with a water-dependent use. The draft ordinance includes restaurants associated with a water-dependent use as an allowable use.

4. Land Development North of the Railroad / River Trail Property

Towards the end of the last meeting, the APC agreed that on-land development north of the Railroad / River Trail Property would have the same impact as over-water development in that same area. It was agreed that the over-water development standards would also apply to this shoreline land area. There are very few areas that could accommodate on-land development. The draft ordinance includes language to include the land area north of the River Trail to be subject to the same standards as over-water development in that area.

After the meeting, staff realized that one land area north of the River Trail is already developed with the Columbia River Maritime Museum (CRMM). This is the largest land area north of the River Trail. Therefore, the draft ordinance has been amended to state *“The Overwater Development standards shall also apply to on-land development north of the River Trail / 50’ wide railroad line property between 19th and 41st Streets.”* This draft would exclude the land area between 16th and 19th Street from the overwater standards. All other standards for development of this site would apply.

Recommendation

Staff recommends that the APC approve the draft ordinance and adopt the Findings of Fact to recommend that the City Council approve the Amendment Request. A public hearing will be held at the City Council meeting prior to their decision on adoption.

This memo is incorporated as part of the Findings of Fact on Amendment A14-02.



CITY OF ASTORIA
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COMMUNITY DEVELOPMENT

July 15, 2014

TO: ASTORIA PLANNING COMMISSION

FROM: ROSEMARY JOHNSON, PLANNER

SUBJECT: AMENDMENT REQUEST (A14-02) ON RIVERFRONT VISION PLAN
IMPLEMENTATION ORDINANCE

I. BACKGROUND SUMMARY

A. Applicant: Community Development Department
City of Astoria
1095 Duane Street
Astoria OR 97103

B. Request: Amend the Development Code and Zoning map to implement the Riverfront Vision Plan in the Civic Greenway Area (16th to 41st Streets, Marine Drive to the Columbia River); add Compact Residential zone; add Civic Greenway Overlay zone; add clear and objective design standards for residential development; renumber several zones and overlay zone; misc. related changes with new code references; and rezone the area on the north half of the blocks between Marine Drive and the Columbia River from 30th to 32nd Streets, from the C-3 (General Commercial) zone to CR (Compact Residential) zone.

C. Location: City-wide

II. BACKGROUND

In 2008-2009, the City of Astoria developed the Riverfront Vision Plan (RVP) to address issues dealing with open space, land use, and transportation issues along the Columbia River. Significant public involvement opportunities were designed to gain public input. This process was initiated to plan for these issues in a comprehensive manner and to set a framework for the future of the study area. The City's north Riverfront (Columbia River to West Marine / Marine Drive / Lief Erikson Drive) was divided into four Plan areas of development: Bridge Vista (Port/Smith Point to 2nd Street), Urban Core (2nd to 16th Street), Civic Greenway (16th to 41st Street), and Neighborhood Greenway (41st Street to east end of Alderbrook Lagoon).

During the Plan development, four community-wide forums, three open houses, and numerous community meetings were held at various locations within the four Plan areas. In addition, staff and/or consultants conducted stakeholder interviews, distributed and tabulated surveys. Development of the Vision Plan was structured to gain as much public input as possible. On December 7, 2009, after holding a final public hearing, the City Council accepted the Riverfront Vision Plan. For Fiscal Years 2011-2012, 2012-2013, and 2013-2014, the City Council set goals to “Implement Riverfront Vision Plan on a Zone by Zone Basis.”

At its August 2, 2012 meeting, the City Council approved submittal of a funding application to the Department of Land Conservation and Development (DLCD) to fund code writing activities for up to two areas of the Riverfront Vision Plan. The funding would be a Transportation Growth Management (TGM) grant through the Oregon Department of Transportation (ODOT). On October 22, 2012, the City was notified that the project had been approved for funding. Under the TGM program, no cash is provided to the City and ODOT uses the services of planning firms already under contract with ODOT.

The proposed Code Assistance Project is for the implementation phase of the Astoria Riverfront Vision Plan. Phase 1 of the project would develop land use codes and/or new zones for the Civic Greenway Plan Area. Phase 2 of the project would develop land use codes and/or new zones for the Bridge Vista Plan Area, contingent upon available funds as approved by TGM staff.

The consultant team identified to work on this project is Angelo Planning Group. One of the project team members is Matt Hastie, who was directly involved in development of the Riverfront Vision Plan. The project includes public involvement opportunities held during Planning Commission work sessions. The final product would be code amendments and land use zoning map amendments which would ultimately be presented to the City Council for consideration of adoption. There would be two separate approval processes for Phase 1 and Phase 2.

As a first step in this process to address the Civic Greenway Plan Area, the project team prepared a Code Evaluation Report summarizing development code issues to be addressed in drafting amendments. The Civic Greenway Plan Area is generally located from Columbia River Maritime Museum to 41st Street at Abbey Lane and the River to Marine / Lief Erikson Drive. After reviewing the Code Evaluation Report, the Astoria Planning Commission and the project team began drafting preliminary code amendment language to address selected code issues for the Civic Greenway Plan Area. The team divided the amendments into three sections to allow for adequate review of the draft code amendments with the Planning Commission and public. The Planning Commission held five public work sessions (October 22, 2013, December 3, 2013, January 7, 2014, January 28, 20, February 25, 2014) on the draft amendments with mailed, e-mailed, and published notification to the general public and to anyone who has expressed interest in the Riverfront Vision Plan or implementation process. A presentation to the City Council on the progress made to date was held on April 7, 2014. The work sessions have been well attended.

The RVP for the Civic Greenway Planning Area identified Land Use Assumptions and Objectives which state that *“It is expected that large amounts of overwater development will not occur in the Civic Greenway ...”* The objectives include:

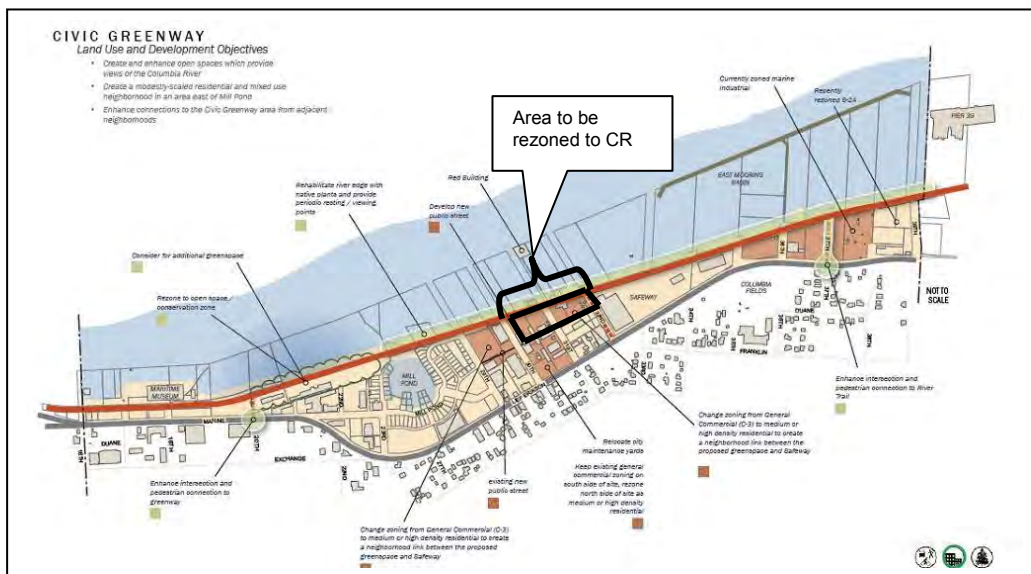
- Protect river vistas to maintain physical and visual connections to the river.
- Create and enhance open spaces which provide views of the river.
- Encourage maritime related uses consistent with Astoria’s working riverfront such as docks, piers and associated uses.
- Create a modest scale residential and mixed use development east of Mill Pond.
- Architectural design standards or design review is recommended for all future development in this area.

Throughout the RVP implementation process, the Planning Commission (APC) focused on these Assumptions and Objectives and did not attempt to change the Vision Plan as adopted. There was discussion and public comment during the work sessions on the interpretation of these objectives.

At work sessions through Commissioner feedback and straw votes, the Planning Commission ultimately developed a set of proposed amendments to implement the Civic Greenway Plan Area. Implementation of recommendations from the Riverfront Vision Plan in the Civic Greenway Plan Area will take the form of both map amendments and code amendments.

Proposed map amendments will include:

1. Rezone the northern half of the blocks between 30th Street and 32nd Street from C-3 (General Commercial) to the new Compact Residential Zone (CR).
2. Extend the Gateway Overlay (GO) Zone to cover the Civic Greenway Plan Area.
3. Apply the new Civic Greenway Overlay (CGO) Zone to the Civic Greenway Plan Area.



Proposed text/code amendments will include:

1. Add a new Compact Residential (CR) Zone to allow for smaller cottage cluster development on the land side of the River Trail in the Civic Greenway Area.
2. Add a new Civic Greenway Overlay Zone to address the standards for:
 - over-water and waterfront development including building height, building mass, width of structures, allowable uses, landscaping, and public access to the water, etc.;
 - land side development including building heights, setback, stepback, and landscaping; and
 - river access requirements.
3. Add new provisions for Cottage Cluster Development detailing the location, size, orientation, public open space, etc. for compact residential development.
4. Add new “clear and objective” design standards for residential uses in the Gateway Overlay Zone and Civic Greenway Area.
5. Make “housekeeping” amendments related to the new CR Zone and CGO Zone. This will include renumbering the Gateway Zones to Article 2 and renumbering all Overlay Zones to Article 14.

III. PUBLIC REVIEW AND COMMENT

A. Astoria Planning Commission

A public notice was mailed to Neighborhood Associations, various agencies, and interested parties on May 2, 2014. In accordance with ORS 227.186(5), a notice was mailed on May 2, 2014 to all property owners within the area and within 250’ of the area proposed for the code and map amendments advising that “. . . the City of Astoria has proposed a land use regulation that may affect the permissible uses. . .” of their or other property. In accordance with Section 9.020, a notice of public hearing was published in the Daily Astorian on May 20, 2014. The proposed amendment is legislative as it applies City-wide. Any comments received will be made available at the Astoria Planning Commission meeting.

The public hearing was opened at the May 27, 2014 APC meeting and was continued to and closed at the June 24, 2014 meeting.

The APC’s recommendation will be forwarded to the City Council for public hearing tentatively at the August 18, 2014 City Council meeting.

B. City Council

Should the APC make a recommendation at their July 22, 2014 meeting, a public notice will be mailed to Neighborhood Associations, various agencies, and interested parties on July 25, 2014 for a public hearing at the City Council meeting on August 18, 2014. In accordance with Section 9.020, a notice of public hearing

will be published in the Daily Astorian on August 11, 2014. 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, a person owning property in the City, or a City resident.”*

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 amend the text of the Astoria Development Code Article 2 concerning Use Zones, and Article 14 concerning Overlay Zones. The amendment would create new overlay zone standards. The request is also to amend the Astoria Land Use and Zoning Map to create a new Compact Residential (CR) Zone. The Code is applicable to a large area of the City. Processing as a legislative action is appropriate.

- C. Section 10.070(A)(1) concerning Text Amendments, requires that *“The amendment is consistent with the Comprehensive Plan.”*
1. CP.005(5), 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 City adopted the Riverfront Vision Plan in 2009 to address the changing needs and desires of the citizens concerning Riverfront development and the need to protect the environment. The City Council directed staff to initiate Development Code amendments to implement the Plan recommendations. The renumbering of various sections of the Code creates a more useable format for the Development Code sections.

2. CP.010(2), Natural Features states that *“The City will cooperate to foster a high quality of development through the use of flexible development*

standards, cluster or open space subdivisions, the sale or use of public lands, and other techniques. Site design which conforms with the natural topography and protects natural vegetation will be encouraged. Protection of scenic views and vistas will be encouraged.”

Finding: The proposed amendments will implement the Riverfront Vision Plan for the Civic Greenway Area. The amendments include design standards for development, protection of scenic views and vistas, and the development of a Compact Residential Zone and new cluster development standards.

3. CP.010(3), Natural Features states that *“Density of housing developments in a planned unit or cluster subdivision will be consistent with the density of the zone in which it is located; however, a mixture of housing types will be encouraged in order to promote diverse neighborhoods and to preserve open space.”*

Finding: The proposed cluster development standards and new CR Zone allow for a mixture of housing types and encourages a compact neighborhood that preserves communal open space as well as protects the Riverfront open space vistas and views. The density of the CR Zone is less than, but consistent with, the neighborhood due to the location of the CR Zone adjacent to the existing C-3 Zone which allows denser multi-family dwellings.

4. CP.015(1), General Land & Water 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(1), General Land & Water Goals states that *“Because of the City's strong water orientation, the Plan supports continuing regional efforts to manage the Columbia River estuary and shorelands. The City's land use controls, within this regional context, will be aimed at protecting the estuary environment and at promoting the best use of the City's shorelands.”*

Finding: The proposed amendments create a new Compact Residential Zone and new cluster development standards. This addresses the need to encourage a compact urban form. The design and landscaping standards protect the historic character of the City and waterfront areas. The reduction in allowable uses and development along the shoreland in this area, and the use of native vegetation will help protect the estuary environment. The proposed ordinance is intended to provide the guidance to help achieve these goals.

5. CP.020(2), Community Growth, Plan Strategy, states that *“New small scale industrial growth will be encouraged on the scattered sites identified in the Economic Section of the Plan. Major port development will be encouraged at the existing Port docks and at the East End Mooring Basin. North Tongue Point is considered a major deep draft port expansion area for use as a cargo handling and shipping facility. South Tongue Point is primarily designated for multiple water-dependent uses requiring medium draft water access.”*

CP.020(2), Community Growth, Plan Strategy, states that *“The Columbia River waterfront is considered a multiple use area. The development of this area is to be encouraged in a flexible manner, under the shorelands and estuary section.”*

CP.185(A.3), Regional Estuary and Shoreland Policies, Deep Water Navigation, Port and Industrial Development, states that *“Development, improvement and expansion of existing port sites is preferred prior to designation of new port sites.”*

CP.185(H.2), Regional Estuary and Shoreland Policies, Fisheries and Aquaculture Policies, states that *“Sufficient space for present and anticipated needs shall be reserved for the following uses: Fishing vessel moorage; seafood receiving and processing; boat repair; gear storage; ice making; cold storage; other seafood industry support facilities.”*

CP.203, Economic Development Goal 4 and Goal 4 Policies, goal states *“Continue to encourage water-dependent industries to locate where there is deep water, adequate back-up space, and adequate public facilities.”* Policies states *“1. Maintain areas of the City in order to provide sufficient land for water dependent as well as non-water dependent industries.”*

CP.210(1), Economic Element, Economic Development Recommendations, states that *“The City should reevaluate its Plan and zoning designation for its waterfront in light of the decline of the fishing industry. The reevaluation should focus on the waterfront's potential for tourist oriented development. Plan policies and implementing measures should be developed to encourage and promote tourist oriented development of the waterfront. Possible rezonings should include the A-1 area between 6th and 10th Streets, and in the vicinity of the former Samuel Elmore Cannery between Columbia Avenue and 1st Street.”*

Finding: While the proposed amendments create new design criteria and limit development within the Civic Greenway Area, it does not prohibit development. It would allow flexibility for some limited development. Structure height, width, and size would be regulated so there would not be large amounts of over water from 16th to 41st Street. It is anticipated that there may be future development at and around the East End Mooring Basin that would be compatible with the Riverfront Vision Plan for this area such as moorage, and other piers and dock activities. However, seafood

industry, and other maritime related buildings would require larger facilities. Therefore, for the established East End Mooring Basin area between 35th Street and 39th Street which is currently owned by the Port and in private ownership, it is proposed that if a structure is located 500' from the shoreline, that it may be 28' high and a maximum width of 150' with no limitation on the square footage of the building. This would allow some development in this area where some overwater and in-water activity has occurred in the past while preserving the broad vistas as viewed from the River Trail and adjacent properties.

The proposed allowable uses within the Civic Greenway Area eliminate some of the non-maritime related uses from the A-1 and A-2 Zones within this area. The allowable uses would support marinas, docks, piers, water-related commercial and industrial uses, and the associated maintenance related uses such as dredging, piling, and utilities. The following is a list of uses proposed to be eliminated from the Civic Greenway Area that are currently allowed in the A-1 and A-2 Zones. These uses would continue to be allowed within the A-1 and A-2 Zones in other portions of the City.

Current Allowable Uses	A-1 Zone	A-2 Zone
Water dependent commercial or industrial use	Outright	Outright
Mining and mineral extraction	Conditional Use	Conditional Use
In-water log dump, sorting operation	Conditional Use	
Aquaculture and water dependent portion of aquaculture facility		Conditional Use
Eating and drinking establishment not associated with a water depended use such as marina/seafood processing		Conditional Use
Hotel, motel, inn, bed and breakfast		Conditional Use
Tourist oriented retail sales		Conditional Use
Indoor amusement, entertainment, and/or recreation establishment		Conditional Use
Professional and business office, personal service establishment, residence, arts and crafts meeting the requirements of Section 2.540.10 (limited to upper stories or 25% max of first floor)		Conditional Use
Conference Center		Conditional Use
Public use in conjunction with the CRMM – <i>removed reference to CRMM and changed to maritime related use</i>		Outright

As noted in this Comprehensive Plan Section, the North and South Tongue Point areas are the areas identified for deep and medium draft water access development. The East End Mooring Basin is not identified as a “deep water” site and there is limited shoreland space for the supporting

facilities for a deep water site. The requirements for shoreland and estuary development in Development Codes Articles 4 and 5 would remain applicable to any development in this area.

The rezoning of the C-3 Zone adjacent to the River Trail to CR Zone would create a new residential neighborhood that is compatible with the River Trail development and would buffer it from the more intrusive commercial development along Marine Drive. This area is not conducive to maritime related industries as it is not immediately accessible to the waterfront as it sits south of the trolley line and does not abut the River and shoreland. It would not eliminate any shoreland/maritime related zoned land.

6. CP.020(7), Community Growth, Plan Strategy, states that *“Future development of the Gateway Overlay Area should be planned in accordance with the Gateway Master Plan. Special attention should be given to architectural design, landscaping, street frontages, location of parking lots, and other circulation issues. Future uses should serve to complement the Downtown Area.”*

CP.058, Gateway Overlay Area Policies, states that

- “1. *The City will utilize the general vision of the Gateway Master Plan to direct future development in the Gateway Overlay Area. The overall Comprehensive Plan objectives are to:*
 - a. *promote development that complements the Downtown Area;*
 - b. *enhance the primary uses, such as the Columbia River Maritime Museum and Columbia Memorial Hospital, and work to redevelop areas such as the former Plywood Mill Site, which have significant development potential;*
 - c. *promote new land uses complementary to the riverfront and existing development, particularly visitor oriented uses and high density housing;*
 - d. *establish visual and physical linkages within and around the Gateway Overlay Area, with special emphasis on the Columbia River riverfront;*
 - e. *create a pedestrian-friendly environment throughout the Gateway Overlay Area through the careful siting of buildings and parking lots, careful consideration of street frontage design, and extension of the Astoria River Trail; and*
 - f. *create investor interest by promoting complementary land uses and quality development in the surrounding area.*
2. *The City will maintain the Gateway Overlay Area plan element of the Comprehensive Plan through its Development Code, including new planning zones and development standards, and through a design review process.*
3. *The City, through its Development Code, will maintain 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.”

CP.204, Economic Development Goal 5 and Goal 5 Policies, Goal states *“Encourage the preservation of Astoria’s historic buildings, neighborhoods and sites and unique waterfront location in order to attract visitors and new industry.”* Policy 2 states *“The City will use the Gateway Master Plan as the guiding document for redevelopment of the Gateway Overlay Area.”*

Finding: The project includes the Gateway Overlay Area. The proposed amendments draw from the existing Gateway Overlay Area Zone (GOZ) standards and guidelines and expands the GOZ to be applicable to the entire Civic Greenway Area from 16th to 41st Streets. The proposed amendments create increased visual and physical linkages along the Columbia River with limitation on development and special siting standards for buildings and landscaping. The proposed amendments include additional architectural design, landscaping, lighting, and circulation, etc. consistent with the GOZ and Uppertown and Downtown areas.

7. CP.020.9, Community Growth - Plan Strategy, states *“The Buildable Lands Inventory completed in April 2011 identified a deficit of 15.54 net acres of residential buildable lands. In order to address this deficit, OAR 660-24-0050 requires that the City amend the Plan to satisfy the need deficiency, either by increasing the development capacity of land already inside the boundary or by expanding the UGB, or both.”*

Finding: 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 (27.8 acre surplus), 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.”* With other recent amendments to rezone properties, there is an overall deficit of Residential land of 15.84 acres and an excess of Employment land of 7.1 acres. This includes a deficit of 20.7 acres for Commercial and excess of 27.8 acres for Industrial lands.

The area proposed to be rezoned from C-3 (General Commercial) to CR (Compact Residential) is approximately 4.7 acres. Much of the land is currently developed leaving approximately 0.84 acres included in the BLI as buildable lands. The proposed map amendment reduces the Employment Total for Commercial Land Supply by approximately 0.84 acres and increases the Residential Land Supply by approximately 0.84 acres. While it will reduce the amount of Commercial land, the overall Employment land would result in an excess of 6.26 acres and it would reduce the overall deficit of Residential land from 15.84 acres to a deficit of 15.0 acres.

Estimated Net Land Surplus/(Deficit) by Zoning Designation, Astoria UGB, 2027				
Growth Scenario	Type of Use	Commercial (Office/Retail)	Industrial/Other	Total
Medium	Land Need	38.2	11.5	49.7
	Land Supply	17.1	39.3	56.4
Surplus/(Deficit)	Surplus/(Deficit)	(21.1)	27.8	6.7

Source: Cogan Owens Cogan

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	236.3*
Land Supply	25.20	74.99	119.18	1.49	220.86
Surplus/(Deficit)	(90.20)	23.79	52.18	(1.21)	(15.44)*

Source: Wingard Planning & Development Services

* Note: Scrivener's Error in actual figure. BLI shows 236.4 and (15.54) but should be 236.3 and (15.44).

The proposed map amendment would rezone Employment land to Residential land supply thereby addressing the overall deficit of available Residential buildable land.

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

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

Finding: Consistency with the goals and policies of the Comprehensive Plan are addressed in this Section of the Findings of Fact. The factors are addressed in this Section and Sections D & E below of the Findings of Fact.

9. CP.175 (F), Uppertown / Alderbrook Subarea Plan, Aquatic and Shoreland Designations states that *“The aquatic area between 29th and 41st Streets is designated Development to the pierhead line, except at the East End Mooring Basin where the designation corresponds to the outer boundary of the pier. East of 41st Street, the aquatic area is designated Conservation.*

Shorelands are designated Development, except for the Water-Dependent Development site west of Alderbrook Cove between 35th and 41st Streets.”

Finding: The proposed amendments do not change the zoning in the aquatic areas. The area between 30th and 32nd Streets is zoned C-3 and is not a shoreland designation.

10. CP.185(M), Regional Estuary and Shoreland Policies, Public Access Policies, states that *“Public access” is used broadly here to include direct*

physical access to estuary aquatic areas (boat ramps, for example), aesthetic access (viewing opportunities, for example), and other facilities that provide some degree of public access to Columbia River Estuary shorelands and aquatic areas.”

CP.185(M.2 to 5), Regional Estuary and Shoreland Policies, Public Access Policies, states that

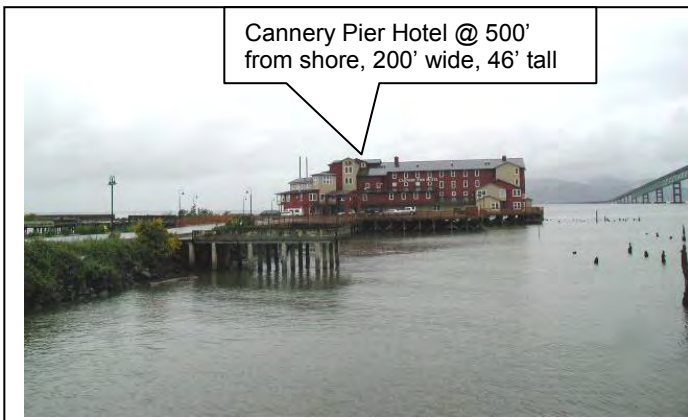
- “2. *Public access in urban areas shall be preserved and enhanced through waterfront restoration and public facilities construction, and other actions consistent with Astoria's public access plan.*
3. *Proposed major shoreline developments shall not, individually or cumulatively, exclude the public from shoreline access to areas traditionally used for fishing, hunting or other shoreline activities.*
4. *Special consideration shall be given toward making the estuary accessible for the physically handicapped or disabled.*
5. *Astoria will develop and implement programs for increasing public access.”*

CP.185(N.2), Regional Estuary and Shoreland Policies, Recreation and Tourism Policies, states that *“Recreation uses in waterfront areas shall take maximum advantage of their proximity to the water by: providing water access points or waterfront viewing areas; and building designs that are visually u {typo from original ordinance} with the waterfront.”*

CP.204, Economic Development Goal 5 and Goal 5 Policies, Goal states *“Encourage the preservation of Astoria's historic buildings, neighborhoods and sites and unique waterfront location in order to attract visitors and new industry.”* The Policy 1 states *“Provide public access to the waterfront wherever feasible and protect existing access. The importance of the downtown waterfront in terms of aesthetics, public access and business improvement cannot be overemphasized. The City supports the concept of the "People Places Plan," and encourages local organizations in the construction and maintenance of waterfront parks and viewing areas.”*

Finding: One of the reasons the Riverfront Vision Plan was developed was to enhance public access to the estuary and allow for preservation of public open space and park areas along the Columbia River. Public access includes both physical and visual access. The River Trail along the Columbia River is used by locals as well as visitors and is maintained for its aesthetic values as well as for its transportation values. The Civic Greenway Area was identified as an area to allow more visual and public access than the more developed areas to the west (Bridge Vista and Urban Core). The proposed on-land building and landscaping setback and stepbacks create wider view corridors from Marine Drive / Lief Erikson Drive.

The proposed implementation of the RVP will allow for limited over-water development of maritime related facilities while protecting public visual and physical access to the River. The proposed amendment would limit the size, height, and location of development to minimize the impact on public access. The maximum height of buildings is proposed to be at existing shoreline bank height which would limit the type of development that could occur. However, it is recognized that some development could occur near the established East End Mooring Basin. The draft ordinance includes an exception for the area between 35th and 39th Street to allow 28' high buildings with larger footprint and width if the building is located a minimum of 500' from the shoreline. These standards were based on the visual impacts of the dimensions and site location of the existing Cannery Pier Hotel (10 Basin Street) located on the west end of the River Trail, and two other over-water structures at 100 31st Street (Big Red) and 100 39th Street (Pier 39). Big Red and Pier 39 are located out from the shoreline (approximately 350' and 400' respectively) and are existing historic buildings. Future development in the East End Mooring Basin area would still be subject to allowable uses, design, and other development standards of the proposed Civic Greenway Area Overlay.

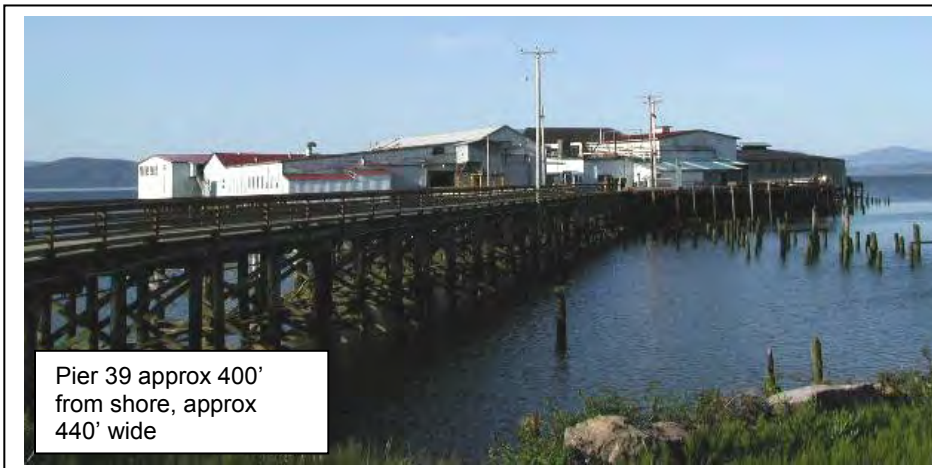


Cannery Pier Hotel @ 500' from shore, 200' wide, 46' tall



35th Street @ 500' mark

Dock at @ 500' from shore

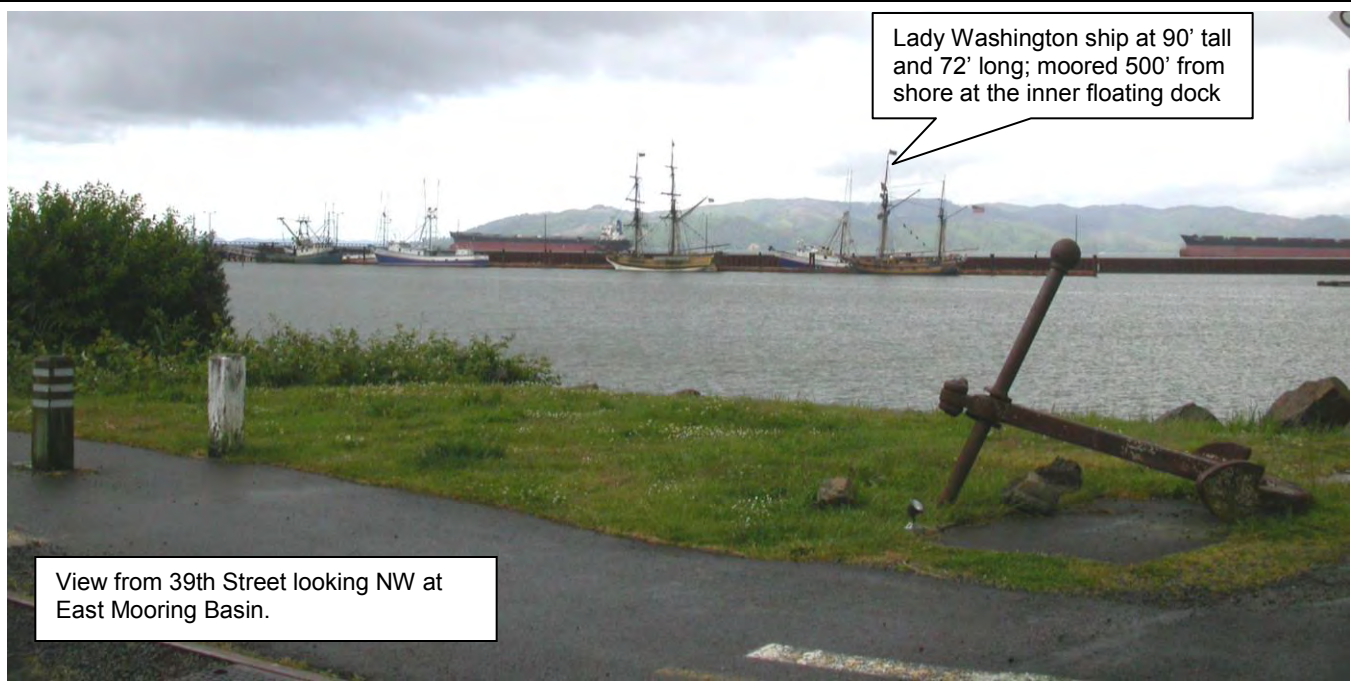


Pier 39 approx 400' from shore, approx 440' wide



Big Red viewed from about 34th looking west

Lady Washington ship at 90' tall and 72' long; moored 500' from shore at the inner floating dock



View from 39th Street looking NW at East Mooring Basin.

Area proposed for 28' height at 500' from shoreline



Big Red, 100 31st, approx 350' from shore and 100' wide x 100' deep

View from 23rd Street looking west

Approx 500' from shoreline at 35th Street



View from 36th Street looking west



11. CP.185(G), Estuary and Shoreland Policies states that *“This subsection applies to uses and activities with potential adverse impacts on fish or wildlife habitat, both in Columbia River estuarine aquatic areas and in estuarine shorelands.*
1. *Endangered or threatened species habitat shall be protected from incompatible development.*
 2. *Measures shall be taken protecting nesting, roosting, feeding and resting areas used by either resident or migratory bird populations.*
 3. *Major nontidal marshes, significant wildlife habitat, coastal headlands, and exceptional aesthetic resources within the Estuary Shorelands Boundary shall be protected. New uses in these areas shall be consistent with the protection of natural values, and may include propagation and selective harvest of forest products, grazing, harvesting, wild crops, and low intensity water-dependent recreation.”*

CP.460(1), Natural Resource Policies states that *“The Plan land and water use designations will protect those areas that have high natural value, and direct intensive development into those areas that can best support it.”*

CP.460(3) , Natural Resource Policies states that *“The City recognizes the importance of "trade offs" that must occur in the planning process. Although certain estuary areas have been designated for intensive development, other areas will be left in their natural condition in order to balance environmental and economic concerns.”*

Finding: The proposed amendment allows for minimal over water development and encourages the use of native plants along the Riverfront. The standards maintain open areas for protection of the estuary habitat and to maintain vistas and views.

12. CP.204(3 & 4), Economic Development Goal 5 and Goal 5 Policies, Goal states *“Encourage the preservation of Astoria’s historic buildings, neighborhoods and sites and unique waterfront location in order to attract visitors and new industry.”* The Policies state
 3. *Encourage the growth of tourism as a part of the economy.*
 - a. *Consider zoning standards that improve the attractiveness of the City, including designation of historic districts, stronger landscaping requirements for new construction, and Design Review requirements.*
 4. *Protect historic resources such as downtown buildings to maintain local character and attract visitors.”*

CP.250(1), Historic Preservation Goals states that *“The City will Promote and encourage, by voluntary means whenever possible, the preservation, restoration and adaptive use of sites, areas, buildings, structures, appurtenances, places and elements that are indicative of Astoria’s historical heritage.”*

CP.250(3), Historic Preservation Goals states that *“The City will Encourage the application of historical considerations in the beautification of Astoria’s Columbia River waterfront.*

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

CP.205(5), Economic Development Policies states that *“The City encourages the growth of tourism as a 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: The proposed amendments will adopt design standards to allow for development that is consistent with the design of the historic Uppertown area and that is compatible with the existing development within the area. The River and River Trail are important tourism/economic assets for the City and will be protected from incompatible development with the proposed amendments. The proposed amendments exempt the existing historic over water buildings from some of the requirements so as to encourage and support the restoration of these buildings. However, additions to these buildings would be subject to the proposed development standards. The code would also protect the scenic views of the Columbia River waterfront

with standards for height, design, and location of development. It establishes design standards that would protect historic neighborhoods and the many scenic views that bring visitors to the community.

13. CP.218 (1), Housing Element, Housing Goals, states *“Provide opportunities for development of a wide variety of housing types and price ranges within the Urban Growth Boundary.”*

CP.220, Housing Element, Housing Policies, states

- “1. Maintain attractive and livable residential neighborhoods, for all types of housing. . .*
- 4. Encourage planned unit and clustered developments that preserve open space, reduce infrastructure and construction costs, and promote variety in neighborhoods.*
- 5. Encourage low and moderate income housing throughout the City, not concentrated in one area. . .*
- 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 Element, Housing Tools and Actions, states *“Revise zoning requirements to accommodate a variety of housing types as identified in the City’s Housing Needs Analysis.”*

Finding: The request to rezone approximately 4.7 acres of C-3 Zone to CR to accommodate medium density residential development would allow for smaller, compact housing development. The CR Zone and the proposed cottage cluster development standards would establish maximum square footage for the dwellings encouraging homes that would be more affordable. The compact nature of these developments with smaller lot sizes would provide more options for housing types rather than the standard 5,000 square foot minimum lot size for single-family dwellings. This would also reduce the infrastructure costs associated with a traditional subdivision plan. The proposed amendments also allow for an accessory dwelling above the garage area of the cottage cluster development. The proposed rezone would support the goals of the Comprehensive Plan to find alternative ways to address the need for housing identified in the *City’s Housing Needs Analysis*.

The Riverfront Vision Plan adopted by the City Council on December 7, 2009, established a goal for the Civic Greenway Area to *“Create a modest scale residential and mixed use neighborhood in an area east of Mill Pond.”* It states that *“A new residential neighborhood is proposed for the area between Mill Pond and Safeway. . .”* The Plan calls for single-family and duplex housing types, pedestrian scaled development in this area. The

area proposed to be rezoned to a CR Zone is the same area identified in the Riverfront Vision Plan.

14. CP.270, Parks, Recreation, and Open Space Element, Goals states that *“The City of Astoria will work:*
1. *To develop a balanced park system.*
 2. *To reflect Astoria's special qualities and characteristics. . .*
 5. *To provide or encourage waterfront parks. . .*
 7. *To promote general beautification. . .*
 12. *The City will continue its efforts to improve public access to the shoreline through:*
 - a. *The construction of public access points, pathways, and street ends;*
 - b. *The encouragement of public access projects in conjunction with private waterfront development actions, possibly through the use of local improvement districts and/or grant funds; and*
 - c. *The protection of street ends and other public lands from vacation or sale where there is the potential for public access to the water. The City will work with the Division of State Lands (DSL) to determine the status of submerged and submersible lands adjacent to the City street ends.”*

Finding: The City has established a River Trail along the Columbia River as a City park. The Riverfront Vision Plan identifies this as a public area and encourages protection of the public views and vistas in the Civic Greenway Area. The proposed amendments address the design, location, size, height, etc. for development on both the water and land side of the River Trail. Setbacks, building stepbacks, and landscape view corridors are proposed to allow street end visual access to the River. The proposed amendments also address public amenities and the ability of a developer to provide specific public amenities in conjunction with their development and promote the general beautification of the waterfront area. The limitation of building size and height, and reduction in allowable uses along the waterfront would protect the waterfront park from incompatible intrusions. The City owns several of the lots within the Civic Greenway Area and there are numerous street ends. These properties would be protected as public access areas.

15. CP.470(1), Citizen Involvement states that *“Citizens, including residents and property owners, shall have the opportunity to be involved in all phases of the planning efforts of the City, including collection of data and the development of policies.”*

Finding: Throughout the process of drafting the proposed ordinance, the City has provided extensive public outreach. The APC has held five work sessions over the last year with invitations and notices sent to interested parties, neighborhood associations, stakeholders, email lists, web site, etc. Anyone interested in the proposed ordinance was encouraged to submit suggestions and comments. Work sessions were open for discussion with

the public to allow for interactive feedback at this early stage of the adoption process. The following is a list of public work sessions, public hearings, and newspaper articles concerning the draft ordinance:

October 22, 2013	APC
December 3, 2013	APC
December 4, 2013	Daily Astorian article
January 7, 2014	APC
January 28, 2014	APC
February 25, 2014	APC
April 7, 2014	City Council presentation
May 27, 2014	APC public hearing
June 24, 2014	APC public hearing

The City was very conscious of the interest in protection of the Riverfront and the need to have an ordinance that would meet the needs of the citizens, protect the environment and historic resources, be in compliance with State regulations, and would be a permit process that was easy for both the citizens and staff.

Finding: The request is consistent with the Comprehensive Plan.

- D. Section 10.070(A)(2) concerning Text Amendments requires that *“The amendment will not adversely affect the ability of the City to satisfy land and water use needs.”*

Section 10.070(B.2) concerning Map Amendments requires that *“The amendment will: a. Satisfy land and water use needs; or . . .”*

Finding: The proposed amendment will satisfy land use needs in that it will allow for the development of private properties while protecting the vistas and views along the Civic Greenway Area of the River Trail. The proposed amendment limits the allowable development in this area thereby reducing some of the impacts associated with a more intensive development. Most of the area is zoned A-1 (Aquatic One Development) and A-2 (Aquatic Two Development) which have limited allowable development, most of which is maritime related. Proposed lighting and open space landscaping standards would decrease impacts to Police and Fire protection services by the creation of appropriately lit and open areas. As noted in Section C.7 above concerning the BLI, the proposed amendment will not adversely affect the ability of the City to satisfy land and water use needs.

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

Finding: As noted in Section C.7 above concerning the BLI, the proposed map amendment will reduce the deficit of Residential lands while maintaining an excess in Employment lands.

The site is located on the north side of and halfway between Marine Drive and the Riverfront. It is currently partially developed with the City Public Works Shops and Bee-Line Roofing yard area. The site fronts the River Trail and the Civic Greenway Area of the Riverfront Vision Plan. Other development in the general area include the Mill Pond and Columbia Landing housing areas, City Police and Fire Station to the west; gas station, veterinary, animal grooming, and Education Service District offices to the south; and Safeway retail store to the east. The developed area to the south facing Marine Drive would remain zoned C-3 (General Commercial).

There is a traffic light at 30th Street. In accordance with Statewide Planning Goal 12 concerning Transportation, and the Transportation Planning Rule (TPR) (OAR 660-12-060), any plan amendment having a significant effect on a transportation facility (i.e. Highway 30) must assure that the allowed land uses are consistent with the function, capacity, and level of service of the facility. In addition, OAR 734-051-0080, and OAR 734-051-0100 state that a proposed development or land use action where an on-site review indicates that operational or safety concerns may be present requires a Traffic Impact Study.



The following is a comparison of some of the uses for both the existing and proposed zones.

Uses	C-3 Zone		CR Zone	
	Outright	CU	Outright	CU
Business Service	X			
Commercial laundry or dry cleaning	X			
Communication service	X			
Construction service	X			
Educational service	X			
Family day care center	X		X	
Day care center		X		X in community building only
Motel, hotel, bed & breakfast, home stay, or other tourist lodging		X		X home stay lodging only
Multi-family dwelling	X			
Personal service	X			
Professional service	X			
Repair service	X			
Retail sales	X			
Single-family and two-family dwelling	X with limitations		X	
Arts & crafts studio			X	
Commercial or public parking lot.	X			
Transportation service		X		
Indoor family entertainment		X		
Temporary use meeting the requirements of Section 3.240		X		X
Animal hospital or kennel		X		
Automotive repair, service, and garage; gas station		X		
Hospital		X		
Light manufacturing; wholesale trade; warehousing		X		
Public or semi-public use	X			X

The zone change to CR Zone will provide for less variety of uses within the approximate 4.7 acre site, decreasing most of the commercial uses while retaining the single and two-family dwelling and associated uses. All of the uses proposed in the CR Zone are currently allowed in the C-3 Zone except for the addition of arts and craft studio. Therefore the traffic impact would be reduced due to the elimination of some of the heavier commercial uses. All City utility services are available to the area. The nature of the traffic would be more private vehicles versus the larger commercial trucks and patron/client vehicles associated with the commercial uses. There is no indication that operational or safety concerns are present nor would they be increased as a result of the proposed uses on the existing transportation system. Any future development would be subject to a Traffic Impact Study as required by Development Code Article 3.

The site is relatively flat and there are no designated wetlands.

In April 2014, the City Council adopted the Transportation System Plan (TSP). This Plan was conducted by the City of Astoria in conjunction with the Oregon Department of Transportation (ODOT) and studied the existing and forecasted transportation needs in the City. The subject property proposed for rezone is located on Marine Drive between 30th and 32nd Streets. These intersections were not identified in the TSP as having any major concerns. Project D3 identifies "Marine Drive Coordinated Signal Timing Plans" as a project for this area. Bike lanes are proposed to be enhanced in this general area with Project B48. Project D27 identifies Log Bronc Way, a frontage road parallel to Marine Drive, to be extended from 30th to 32nd Street within the area to be rezoned. Project D31 identifies US Highway 30 Safety Enhancement with the addition of a center turn lane/median between 27th and 33rd Street. Redevelopment of this area for residences would support and be consistent these projects.

Since the area proposed to be zoned CR is accessed from City streets and not directly from the State Highway, ODOT no longer comments on the TPR review. However, ODOT has been included in the draft amendment review process. From the existing TSP and projected traffic volumes and projected uses, it appears that the transportation facilities in this area are sufficient to accommodate the uses allowed in the proposed CR Zone.

V. CONCLUSION AND RECOMMENDATION

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