

AGENDA ASTORIA CITY COUNCIL

Tuesday, September 2, 2014 7:00 p.m. 2nd Floor Council Chambers 1095 Duane Street • Astoria OR 97103

- CALL TO ORDER
- ROLL CALL
- REPORTS OF COUNCILORS
- 4. CHANGES TO AGENDA
- 5. PRESENTATIONS
 - (a) Bob Johnson 25 Year Service Pin (Fire)
 - (b) GIS Mapping Update (Public Works)
- 6. PROCLAMATIONS
 - (a) Constitution Week
- 7. CONSENT CALENDAR

The items on the Consent Calendar are considered routine and will be adopted by one motion unless a member of the City Council requests to have any item considered separately. Members of the Community may have an item removed if they contact the City Manager by 5:00 p.m. the day of the meeting.

- (a) City Council Minutes of 8/4/14
- (b) Boards and Commissions Minutes
 - (1) Planning Commission Meeting of 7/22/14
 - (2) Traffic Safety Committee Meeting of 7/22/14
- (c) Community Development Department Status Report
- (d) Authorization to Apply for Ready to Read Grant for 2014-2015 (Library)
- (e) Approve Oregon Department of Transportation (ODOT) Letter of Understanding for OR202 Sidewalk Project (Public Works)
- (f) Building Code Services Contract for Fiscal Year 2014-2015 (Community Development)

8. REGULAR AGENDA ITEMS

- (a) Ordinance regarding Development of Code Language and Corresponding Map Amendments to Implement the Civic Greenway (16th to 41st) Area of the Riverfront Vision Plan (1st reading) (Community Development)
- (b) Ordinance regarding Amendment Request (A14-03) by Normadic Properties LLC on behalf of Cannery Loft Condominium Owners Association to the Land Use and Zoning Map to Rezone an Area from GI Zone (General Industrial) to S-2A (Tourist Oriented Shoreland) (2nd reading & adoption) (Community Development)
- (c) Department of Land Conservation and Development (DLCD) Grant Request for Riverfront Vision Plan Implementation Phase 3 (Neighborhood Greenway) (Community Development)

(d) Management Agreement between The Friends of the Astoria Column and the City of Astoria (Parks)

(e) Bowpicker Fish & Chips LLC Lease Agreement (Public Works)

- (f) Resolution Scheduling Public Hearing for Proposed Vacation of 19th Street (Public Works)
- (g) Liquor License Application by Banga Investments LLC, Adip Singh, dba Astoria Downtown Market at 1020 Commercial Street, Astoria for a Change of Ownership for an Off-Premises Sales License (Finance)
- (h) Request to Light the Astoria Column Pink for the Month of October in Recognition of Breast Cancer Awareness Month (Parks)

(i) Astoria City Service Fair (City Manager)

- (j) Recreational Marijuana Sales Tax (Councilor Herzig)
- 9. NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)
- 10. EXECUTIVE SESSION
 - (a) ORS 192.660(2)(a) Employment of Public Officers, Employees and Agents

THIS MEETING IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630 BY CONTACTING JULIE YUILL, CITY MANAGER'S OFFICE, 503-325-5824.

MANAGERIAGENDA 9-2-14



August 28, 2014

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT: ASTORIA CITY COUNCIL MEETING OF SEPTEMBER 2, 2014

PRESENTATIONS

Item 5(a): Bob Johnson 25 Year Service Pin (Fire)

Fire Lieutenant Robert Johnson will be presented with his 25 year service pin.

Item 5(b): GIS Mapping Update (Public Works)

Over the past few years the City of Astoria has been upgrading the Geographical Information System (GIS). This effort has proven to be a larger task than originally anticipated. The GIS is designed to capture, store, manipulate, analyze, manage, and present all types of spatial or geographical data. The Public Works Department uses the system for tracking the location and features of the City's infrastructure.

Staff has contacted other communities that were currently doing the same work to find ideas that may help with the effort. One tool other cities find helpful is ground LiDAR (Light Detection and Ranging). LiDAR is a remote sensing method used to examine the surface of the Earth. A power point presentation will be provided at the City Council meeting to demonstrate the project. With LiDAR equipment street surface features such as water meters, manhole lids and catch basins can be mapped. With this information discrepancies in the maps can be compiled, verified and corrected. The software will be used by staff to perform field investigations from their office computer saving time and effort. Other benefits include a reduction in consultant time when assisting the City with infrastructure projects and in development review research by City staff.

The overall scanning effort is expected to take one day. Scanning would begin downtown and then proceed to residential areas during the hours of 7:00 a.m. to 4:00 p.m. on Tuesday, September 9, 2014. The proposed work includes the following items:

Item 1 - Field Scanning (\$5,000)

Item 2 – Data Processing (\$1,200)

Item 3 – Software (\$5,000)

Item 4 - Training (\$600)

Item 5 - Expenses (less than \$1,200)

It is recommended that City Council authorize the City Manager Pro Tem to execute a goods and services contracts with The PPI Group for individual items that will total up to an amount not to exceed \$13,000 for the GIS Ground LiDAR Project.

PROCLAMATIONS

Item 6(a): Constitution Week

The Mayor will proclaim September 17-23, 2014 as Constitution Week.

CONSENT CALENDAR

Item 7(a): City Council Minutes

The minutes of the City Council meeting of August 4, 2014 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

Item 7(b): Boards and Commissions Minutes

The minutes of the (1) Planning Commission meeting of 7/22/14, and (2) Traffic Safety Committee meeting of 7/22/14 are enclosed. Unless there are any questions or comments regarding the contents of these minutes, they are presented for information only.

Item 7(c): Community Development Department Status Report

Enclosed is a status report regarding major Community Development Department projects. This report is provided for information only.

Item 7(d): Authorization to Apply for Ready to Read Grant for 2014-2015 (Library)

The Ready to Read Grant Program, administered by the Oregon State Library, is to "establish, develop, or improve library services for children" ages birth to five. All legally established public libraries in Oregon are eligible to apply. Astoria Public Library has consistently applied for these funds. Grant funds cannot be used to replace funds appropriated locally. Libraries are encouraged to use these grant funds in a number of "best practices" related to children and libraries. Staff has written the 2014 grant to help more high risk children access early literacy materials. Mini libraries of Spanish/English bilingual books will be

made available to locations frequented by Spanish speaking families in the Astoria area. The collections will include titles intended to be read by parents to children ages birth through age five. The grant award is based on population and determined by the Legislature. The State Library administers the funds. The 2014-2015 award is expected to be \$1,304. It is recommended that Council approve the Ready to Read Grant Application.

Item 7(e): Approve Oregon Department of Transportation (ODOT) Letter of Understanding for OR202 Sidewalk Project (Public Works)

The City has been working towards the goal of continuous sidewalk around the peninsula from 45th Street near the Alderbrook neighborhood to 7th Street past the Old Youngs Bay Bridge. There are two small segments of this stretch that do not have sidewalk, which are on OR202: from Dresden Ave to the Department of Motor Vehicles (DMV) driveway and from the Astoria High School (AHS) driveway to 4th Street.

In November 2013, the City submitted an application for construction of the entire stretch of remaining sidewalk on US202 to the Oregon Department of Transportation (ODOT) for funding as part of the State Transportation Improvement Program (STIP). During evaluation of project applications, the City was encouraged to reduce the scope of the project to increase the likelihood that the project would be funded. Therefore, the final scope submitted consisted of constructing a sidewalk from the AHS driveway to Hanover Street. This segment of highway is an important link between neighborhoods, multifamily units, parks, AHS and sports facilities.

ODOT estimated the total cost for this project to be \$2,243,250 with a 10.27% City match of \$256,750. The City's contribution will come from the Surface Transportation Program (STP) funds. The City received official notification from ODOT that this project has been placed on the ODOT STIP preliminary award list. While this project will not be officially awarded final approval by the Oregon Transportation Commission, ODOT has requested that the City sign a Letter of Understanding outlining the project details, timeline for moving forward and funding match. The attached Letter of Understanding is not a legal agreement. Construction of this project is currently scheduled for summer 2018. It is recommended that Council approve the Letter of Understanding with ODOT for the US202 Sidewalk Project.

Item 7(f): Building Code Services Contract for Fiscal Year 2014-2015 (Community Development)

In the past, City Council approved a contract with Jim Brien to provide building inspection services for vacation and emergency coverage. This contract expired June 30, 2014. In March 2014 the City approved an Intergovernmental Agreement with Clatsop County to provide backup assistance. The purpose of this request is to renew the former contract for services with Jim Brien for one year to cover emergency situations when City or County staff is

unavailable for coverage thereby providing additional backup. The contract rate for services will be \$65.00 per hour for all services. This is well in line with other previous private inspection agency fees with a continued significant reduction in City costs by not having to pay for mileage and travel time as was done with the previous out of town consultants. There is no increase in the previously approved \$65.00 per hour rate. It is recommended that Council approve the attached contract with Jim Brien, Complete Inspection Services Incorporated, to provide inspection services for the 2014-2015 Fiscal Year.

REGULAR AGENDA ITEMS

Item 8(a): Ordinance regarding Development of Code Language and Corresponding

Map Amendments to Implement the Civic Greenway (16th to 41st) Area of
the Riverfront Vision Plan (1st reading) (Community Development)

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 addition of the East Basin Plan District. revised findings of fact were developed as noted in the Council memo on this matter.

The Council closed the public hearing and held a first reading of the ordinance by title only. The associated map amendment for the Compact Residential rezone did not have a first reading at the last Council meeting. 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. It is recommended that the Council consider adoption of the ordinance 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.

Item 8(b): Ordinance regarding Amendment Request (A14-03) by Normadic
Properties LLC on behalf of Cannery Loft Condominium Owners
Association to the Land Use and Zoning Map to Rezone an Area from GI
Zone (General Industrial) to S-2A (Tourist Oriented Shoreland) (2nd reading & adoption) (Community Development)

This proposed ordinance received its first reading at the August 18, 2014 Council meeting. The area proposed to be rezoned is located on the north side of Abbey Lane east of 39th Street. It is two of three platted lots approved for development with three Cannery Loft Condominium buildings and is developed with two condominium buildings. The site was originally zoned S-1 (Marine Industrial Shoreland) but was rezoned to GI (General Industrial) in 1992 as the parcels were not feasible for shoreland activities. The current GI Zone limits the variety of commercial uses allowed and mainly focuses on general industrial uses, but does allow multi-family dwellings above the ground floor under a conditional use permit. The existing buildings are developed with multi-family dwellings above the first floor and with professional office. ministorage, and several vacant general industrial use units on the ground floor. A maximum of 20% of the ground floor may be developed with other than general industrial use. The property to the west of 39th Street (Hampton Inn & Suites) was changed from S-1 Zone (Marine Industrial Shoreland) to S-2A Zone (Tourist Oriented Shoreland) to allow for the development of the new hotel which would support the East End Mooring Basin activities. The vacant property to the east was also recently rezoned from GI to S-2A Zone. The request to rezone the parcels at 3930 Abbey Lane and 3990 Abbey Lane to S-2A would continue with the tourist oriented shoreland possibilities while also allowing the multi-family dwellings. The requested zone change to S-2A would return the property to a waterfront zoning while allowing more flexibility in the range of commercial and tourist-oriented uses allowed. The City Council held a public hearing and first reading of the ordinance at the August 18, 2014 Council meeting. It is recommended that Council conduct a second reading and adopt the ordinance.

Item 8(c): Department of Land Conservation and Development (DLCD) Grant Request for Riverfront Vision Plan Implementation Phase 3 (Neighborhood Greenway) (Community Development)

The City was recently notified that there is funding available through the DLCD Coastal Management Technical Assistance Grants for the FY 2014-2015 grant cycle. Staff has prepared an application for a proposed Code Assistance Project for implementation of Phase 3 of the Astoria Riverfront Vision Plan. Phase 3 of the project would develop land use codes and/or new zones for the Neighborhood Greenway Plan Area (41st to Tongue Point) of the Riverfront Vision Plan. The project would include intensive public involvement with work sessions before the Astoria Planning Commission. The final product would be a

code amendment and/or land use zoning map amendment to be presented to the Planning Commission and City Council for consideration of adoption. The development of codes for Phase 3 could be mostly completed by staff with some additional assistance from a consultant such as Angelo Planning Group (APG). APG is currently working on the Phase 1 Civic Greenway Area and potentially on the Phase 2 Bridge Vista Area, should the City be given final grant approval by the Oregon Transportation Growth Management Program. The subject grant request requires a 1:1 match. The total requested DLCD grant is \$11,000 which would require an \$11,000 match from the City. The match would be met by current staffing and other in-kind activities for the project. It is recommended that Council authorize submittal of the grant request to the Department of Land Conservation and Development in the amount of \$11,000 for a Coastal Management Technical Assistance Grant.

Item 8(d): Management Agreement between The Friends of the Astoria Column and the City of Astoria (Parks)

The Astoria Column was constructed in 1926, is listed on the National Register of Historic Places, and is located in a wooded 30 acre city park on the highest point within the City of Astoria. Since 1988 The Friends of the Astoria Column, an Oregon non-profit corporation established to assist the City in preserving, improving and publicizing the Column and the Park, have diligently provided support and vision by raising and spending over \$3,000,000 in restoring the Column and the Park. Furthermore, the Friends of the Astoria Column have announced its willingness to assume responsibility for the day-to-day operation and maintenance of the Column and Park. This assumption of operation and maintenance is estimated to reduce the Parks and Recreation Department's operating expenses annually by \$25,000 and allow for greater care, maintenance and improvement of the Park. During the July 7, 2014 City Council meeting, Jordan Schnitzer, Friends of the Astoria Column Board Chariman, presented an annual report to the City Council and reviewed the contents of the Management Agreement. Following this presentation, on July 23, 2014 the City of Astoria Parks Advisory Board reviewed and supported the Management Agreement. Due to the Friends of the Astoria Column's ability and long term commitment to the Astoria Column, the positive financial impact to the Parks and Recreation Department, and opportunity to allow for greater care, maintenance, and Park improvements, it is recommended that the City Council approve the management agreement.

Item 8(e): Approve Bowpicker Fish & Chips LLC Lease Agreement (Public Works)

The City has recently obtained ownership of the property between Marine Drive and Duane Street and 16th and 17th Streets. The property was formerly owned by the Columbia River Maritime Museum and has been used for Coast Guard Parking for the 17th Street Dock under an agreement between the City and the Museum. A portion of the property was also rented to the Bowpicker Fish & Chips business. The business was started in 2000. The Bowpicker was located there before the property was donated to the Museum. The Museum

perpetuated the rental of the space to the Bowpicker owners, Ron and Linda Ford. Now that the City owns the property, a lease with the City of Astoria is needed for the business to remain on-site. The term of the proposed lease is 10 years. The rent will be \$6,000 per year and will be paid prior to or on the first day of July each year. It is recommended that City Council approve the Lease Agreement between the City and the Bowpicker Fish & Chips LLC.

Item 8(f): Resolution Scheduling Public Hearing for Proposed Vacation of 19th Street (Public Works)

The City has received a request from the Astoria School District (ASD) for the vacation of 57,600 square feet of the 19th Street and Franklin Avenue right-of-way located within John Warren Field. The School District will be transferring ownership of the property to Columbia Memorial Hospital in the near future and would like to have the unimproved right-of-way within the field area included in the property transfer. The site will be used for expansion of the hospital. Staff has reviewed the application and is in support of ASD's request, with the following conditions:

- Existing utilities would no longer be maintained by the City and would become the property of the ASD.
- The alley on the 19th Street south boundary shall not be vacated.

The City has been working with Columba Memorial Hospital, the Astoria School District and Recology Western Oregon Waste on the improvements identified in the previously approved Four Party Agreement. The transfer of this property is identified in that Agreement and the proposed vacation furthers the intentions and goals of the Agreement. Due to the public benefit that will be provided by the vacation, staff is recommending that an assessment be waived for this proposal; however, the applicant will be charged actual costs for processing the request. It is recommended that Council adopt a resolution of intent to hold a public hearing on September 15, 2014 to take public comment on the proposed vacation.

Item 8(g): <u>Liquor License Application by Banga Investments LLC, Adip Singh, dba</u> <u>Astoria Downtown Market at 1020 Commercial Street, Astoria for a Change of Ownership for an Off-Premises Sales License (Finance)</u>

A Liquor License Application has been filed by Banga Investments LLC, Adip Singh, doing business as Astoria Downtown Market at 1020 Commercial Street, Astoria. The application is for a Change of Ownership for an Off-Premises Sales License. The appropriate departments have reviewed the application and it is recommended that Council consider approval.

Item 8(h): Request to Light the Astoria Column Pink for the Month of October in Recognition of Breast Cancer Awareness Month (Parks)

On February 18, 2014 the Astoria City Council approved a policy to allow the Astoria Column to be colored (through up-lighting) up to two times per year. The approved policy states that lighting events must be in support of causes and must be approved by the City Council. In October 2013, an event was held at the Column to recognize Breast Cancer Awareness Month. It was organized by Columbia Memorial Hospital. The Column was colored pink in October for this event. In February 2014, a request was made by The Harbor (formerly the Women's Resource Center) and the Clatsop County Domestic Violence Council to light the Astoria Column teal for the month of April in recognition of Sexual Assault Awareness Month. This request was approved by the City Council at the same meeting the policy was established. Columbia Memorial Hospital is requesting permission to change the lighting color on the Astoria Column to a pink hue for the month of October 2014 in recognition of Breast Cancer Awareness Month. If approved, this request would be the second time this year where the Column would be lighted a special color for a cause. It is recommended that Council consider the request to light the Astoria Column a pink hue for the month of October in recognition of Breast Cancer Awareness Month.

Item 8(i): Astoria City Service Fair (City Manager)

The City of Astoria will hold a Service Fair on Thursday, September 18, 2014, at the Astoria Aquatic Center parking lot from 4:00 p.m. to 7:00 p.m. This City-wide event will give citizens an opportunity to meet elected officials, employees and volunteers; learn about the various departments; and express comments or concerns about the different aspects of City operations. Games, prizes and food will be provided at no charge. In addition, the City has been granted the use of off-street parking lots by Columbia Memorial Hospital, he Columbia River Maritime Museum, and the OSU Seafood Center.

Item 8(j): Recreational Marijuana Sales Tax (Councilor Herzig)

Councilor Herzig requested an agenda item to discuss the possibility of establishing a sales tax on recreational marijuana should it become legalized in the upcoming November election.

EXECUTIVE SESSION

Item 10(a): ORS 192.660(2)(a) – Employment of Public Officers, Employees and Agents

The Astoria City Council will meet in Executive Session to discuss the employment of public officers, employees and agents.

MANAGER\AGENDA\AGENDA MEMO 9-2-14.DOC



NO DOCUMENTATION IS INCLUDED FOR THIS AGENDA ITEM



August 22, 2014

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: (BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT: GIS MAPPING UPDATE

DISCUSSION/ANALYSIS

Over the past few years the City of Astoria has been upgrading the Geographical Information System (GIS) to include City infrastructure such as water, sanitary sewer and storm drainage. This effort has proven to be a larger task than originally anticipated. The GIS is a computer system designed to capture, store, manipulate, analyze, manage, and present all types of spatial or geographical data. For the City Public Works Department the system is primarily a tool for tracking the location and features of the City's infrastructure. The system allows the Public Works Department to provide information and maps that are needed by other City Departments, such as fire hydrant data for the Fire Department and property mapping for Parks Department. The City's GIS staff person is called upon regularly to provide mapping support for various City efforts.

In an effort to find methods to streamline the process, staff reached out to other communities that were currently doing the same work to find ideas that may help with the effort. One tool that was helping other cities was the technique of ground LiDAR (Light Detection and Ranging). LiDAR is a remote sensing method used to examine the surface of the Earth. A power point presentation will be provided at the City Council meeting to demonstrate the project.

This technique includes scanning the City streets with LiDAR equipment which maps all surface features such as water meters, manhole lids and catch basins. With this information, discrepancies in the maps can be compiled, verified and corrected without the need to field measure. The software will be used by staff to perform field investigations from their office computer saving time and effort. Other beneficial uses include 1) the overall reduction in consultant time on specific infrastructure improvement projects when they can use the data for project planning and development, and 2) development review research by both Planning and Engineering staff.

The overall scanning effort is expected to take one day. In order to obtain the highest benefit from the scanning, the City will be requesting that residents and businesses <u>try</u> to avoid parking on streets if possible. While it is understood that many individuals may not have a place to relocate their vehicles, we are asking that people who have the flexibility do so.

Should Council approve the expenditure, scanning would take place on September 9th from 7:00 am to 4:00 pm. Scanning would start in the downtown business district and then proceed to residential areas. It is anticipated that the downtown area would be completed by 8:00 +/- am. Attached is the informational flyer that staff plans to send out, should Council approve this project.

Modeled after a very successful project undertaken by the City of Troutdale, staff has worked with The PPI Group to develop a scope of goods and services that will serve the City's needs. The proposed work includes the following items:

Item 1 – Field Scanning (\$5,000) – this item includes the rental of the scanner and support vehicle. It also includes a PPI staff person that will drive the vehicle at our direction. The equipment and vehicle need to be used by PPI staff for insurance purposes.

Item 2 – Data Processing (\$1,200) - this item includes the processing of the raw field data so it can be imported into the Orbit GT Basic software for City use.

Item 3 – Software (\$5,000) – this item includes the Orbit GT Basic software required to run the system.

Item 4 – Training (\$600) – this task includes software training to get City staff trained to use the software. Trained staff can then share the knowledge with other City staff as the software is used.

Item 5 – Expenses (less than \$1,200) – this task includes travel, lodging and meal expenses for the LiDAR technicians. Exact expenses are not known but are not expected to exceed \$1,200.

With the estimated fees of task 1-4 and expenses, the estimated total project cost is \$13,000. The project is proposed to be funded from the Public Works Improvement Fund. No individual item exceeds the City Manager's spending authority of \$10,000, but since the items add up to an amount that exceeds the spending limit of \$10,000 City Manager Pro Tem Estes felt it appropriate to request Council Authorization for the work, training and software purchase.

RECOMMENDATION

It is recommended that City Council authorize the City Manager Pro Tem to execute a goods and services contracts with The PPI Group for individual items that will total up to an amount not to exceed \$13,000 for the GIS Ground LiDAR Project.

Submitted By

Ken Cook, Public Works Director

JEFF HARRINGTON

Prepared By

Jeff Harrington, City Engineer

City of Astoria to Electronically Map Entire City

On September 9th from 7:00 a.m. to 4:00 p.m., the City of Astoria Public Works Department, in conjunction with the PPI Group, will be imaging and scanning all streets in and around the City to collect data about the City's infrastructure. Images and data points collected will help accurately locate, measure, and map surface features such as fire hydrants, manholes, catch basins, light poles, and street trees.

The City is asking all residents and businesses to avoid parking on the street on this day so that as much data as possible can be collected. For more information please contact Public Works.

Contact: Shelley Kirby

City of Astoria, Public Works, GIS Technician

(503) 338-5173

shelleyk@astoria.or.us www.astoria.or.us





PROCLAMATION

WHEREAS, September 17, 2014, marks the 227th anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW, THEREFORE, I, Willis L. Van Dusen, by virtue of the authority vested in me as Mayor of the City of Astoria, in the State of Oregon, do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

and ask our citizens to reaffirm the ideals of the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have herewith set my hand and caused the Seal of the City of Astoria to be affixed this 2nd day of September, 2014.



CITY OF ASTORIA

CITY COUNCIL JOURNAL OF PROCEEDINGS

City Council Chambers August 4, 2014

A regular meeting of the Astoria Common Council was held at the above place at the hour of 6:55 pm.

Councilors Present: LaMear, Herzig, Mellin, Warr, Mayor Van Dusen.

Councilors Excused: None

Staff Present: City Manager Pro Tem Estes, Police Chief Curzon, Parks and Recreation Director Cosby, Financial Analyst Snyder, Fire Chief Ames, Planner Johnson, Library Director Tucker, Public Works Director Cook, and City Attorney Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

Mayor Van Dusen explained that Astoria's Sister City, Walldorf, Germany, closed down to celebrate their soccer team's World Cup win. The German flag and soccer ball were displayed in City Hall because photographs were taken so City Council could send them to Walldorf and wish them congratulations.

Mayor Van Dusen stated City Council met in Executive Session prior to tonight's Council meeting to discuss the vacancy of the City Manager position. The City had four good candidates, whom he thanked for their participation, but none were a good fit for the community. Astoria is a unique community and it takes a unique person to fill the position. The City will not proceed to the next level of the interview process with any of the four candidates.

Councilor LaMear believed the candidates were okay, but Astoria deserved more than just okay. Astoria deserves someone with a lot of enthusiasm for the city, a vision for the city, and that could spur some excitement. She did not believe any of the candidates possessed these qualities. As stated, none of the candidates fit the bill.

Councilor Herzig said in addition to City Council, two other panels interviewed each of the four candidates. One panel was a City management team and the other panel was a citizens' panel. He thanked the citizens who gave up an entire day to talk to each candidate for over an hour. Both panels told City Council they could not wholeheartedly recommend any of the four candidates, and he believed these voices needed to be conclusive.

Councilor Mellin said she liked two of the candidates, but they did not have the scope of experience that Astoria needs. She also decided she would not hire any of the four candidates.

Councilor Warr said he found one of the candidates to possibly be acceptable, but the other three were not qualified in his opinion. Since both the Staff and citizens panels believed the search should start over, he believed it was a good idea to disqualify all of the candidates.

Mayor Van Dusen believed the search was a good process. The open house at the Barbey Train Depot was great. He thanked those who volunteered all day long to conduct interviews. This is the most important job that the City Council does and he believed Council made the right decision. During the Executive Session, City Council also discussed the Finance Director and City Planner positions with City Manager Pro Tem Estes. He explained that when Mark Carlson took another position, City Council decided to postpone filling the Finance Director position until a new City Manager had been hired. Since the City Manager selection process is taking longer than originally anticipated, City Council has directed City Manager Pro Tem Estes to begin searching for a new Finance Director now. City Manager Pro Tem Estes, as Community Development Director, has also been considering options for replacing City Planner Rosemary Johnson upon her upcoming retirement.

REPORTS OF COUNCILORS:

Item 3(a): Councilor Herzig reported that on Saturday, August 2nd, he attended Clatsop County's Vision 2030, the County's visioning process for the next 30 years. The event was interesting and informative. Many passionate people shared ideas and it was fun to be part of the process. He attended the Astoria Fire Department's Open House, where he observed the Fireman's Challenge. He was glad the fire department had

the open house and was sure it would become a great annual event. He attended the Columbia River Symphony performance at the Armory, which was the first symphonic performance at this location in decades. The acoustics were marvelous and turn-out was good. The musicians said they never sounded better, which was a great recommendation for the Armory. He believed the Armory would get a lot more use in future years. Tomorrow August 5, he will be attending the National Night Out in Seaside. The national event, held on the first Tuesday of August, brings out the community to meet one another and enjoy some free food. Cannon Beach is also observing the event. Information is available on the Seaside and Cannon Beach city websites and flyers were available.

Item 3(b): Councilor Warr reported that on July 30th, as he attended the open house for the City Manager candidates, his wife and neighbors met to discuss the Goonies House, which he lives near. For some reason, the number of visitors to the Goonies House has greatly increased in the last year. One of his neighbors claims to have counted more than 800 visitors on a summer weekend, which is up from 300 five years ago. The parking and traffic disruptions have become a big problem. Regina Wilkie from the Chamber of Commerce was at the meeting. She had made signs directing people to park a block away and walk to the house. Since the signs have been posted, parking and traffic has decreased at his house, but he did not know how long the residents a block away would take the visitor traffic before complaining. He spoke with the owner of the Goonies House just before the City Council meeting, who said the signs have solved the problem. The neighbors just wanted to figure out how to make the neighborhood better and he believed they accomplished this very well. On August 5th, he will attend a Col-Pac meeting and a Northwest Economic Alliance meeting. He has been asked to serve as Vice-President of the Northwest Economic Alliance next year.

Item 3(c): Councilor Mellin reported that she attended the Upward Bound Summer Academy Presentation Night at the Performing Arts Center (PAC). The event was packed with families of the high school students in the program, who are from all area high schools. Upward Bound is a program that encourages first time college students in families. Students had five different areas of presentations or projects and there were local teachers and project leaders from all areas. Presentation and project topics included Global Discovery, A Sense of Place, Our Story, The Stream Team, and All About Food. She participated in Our Story by allowing the students to record an interview of her. The Stream Team worked with Lee Cane to study biology. Jennifer Rasmussen was the project leader for All About Food. The students were creative, delightful, and their enthusiasm was evident. The parents were proud and the students were aware that they could attend college and succeed.

Item 3(d): Councilor LaMear reported that she enjoyed the Arts Studio Tour and encouraged people to attend next year. She visited 16 of the 23 studios, which took about 5 hours. There are a lot of artists in Astoria and it is wonderful to see all the variety of art available in the community. One studio she visited belonged to Alex and David Myers, who live at the end of Commercial where a landslide occurred. She reminded that Mr. Myers had presented a photo of a lake in front of their house to City Council and she had been following the progress of the issue. She thanked Director Cook, noting that Mr. and Mrs. Myers are delighted because there was no lake after the last big rain. They are also very pleased with the trail that leads down between the end of Commercial and Hume. Many transients were living in the area before, and now the area is cleaned up. She thanked Staff for correcting this issue.

Item 3(e): Mayor Van Dusen reported that he attended the Fire Department's Open House, which was excellent. He announced the ground breaking for the Irving Street Bridge would be Thursday, August 7, 2014 at 10:00 am on the west side of the bridge. Construction of the bridge will cost a total of \$5.6 million and 90 percent of this will be paid for by Oregon Department of Transportation (ODOT). The Regatta is this week, the largest celebration week of the year for Astoria. This is the 116th year of the Regatta. He invited the entire community to attend the festivities, coronation, and the rose planting at 2:00 pm with the Royal Rosarians. The parade will be on Saturday, August 9, 2014. He asked Deputy Chief Johnson about the parade route, noting that Irving would be closed.

Deputy Chief Johnson said the Police Department had been working with the Public Works Department to make sure a well-signed detour is in place, which will use 8th Street because this is the only way to get down from the hilltop.

Mayor Van Dusen said he lives on Irving and usually Irving is very busy during the Regatta parade. He congratulated Chelsea Gorrow, who has been covering the City Council for four years. This is her last meeting

as she has been offered a prestigious position with the *Eugene Register-Guard*, covering police and fire. Ms. Gorrow said she will begin her new position on August 11, 2014.

Mayor Van Dusen announced that it was Deputy Fire Chief Gascoigne's birthday, noting that Chief Gascoigne has served the fire department for 28 years. City Council, staff, and members of the public sang "Happy Birthday".

CHANGES TO AGENDA: No changes.

CONSENT CALENDAR:

The following items were presented on the Consent Calendar:

- 5(a) City Council Minutes of 7/7/14
- 5(b) Boards and Commission Minutes
 - (1) Parks Board Meeting of 6/25/14
 - (2) Planning Commission Meeting of 5/27/14
 - (3) Planning Commission Meeting of 6/24/14
- 5(c) Parks and Recreation Department Status Report

Councilor Herzig requested Item 5(a) be removed for further discussion.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Mellin, to approve Items 5(b) and (c) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Item 5(a): City Council Minutes of 7/7/14

Councilor Herzig noted that Mr. Woosley's name had been misspelled as Woolsey.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor LaMear, to approve Item 5(a) of the Consent Calendar, as corrected. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

REGULAR AGENDA ITEMS

Item 6(a): Public Hearing for the Vacation of the 23rd and 26th Streets Rights-of-Way (1st Reading) (Public Works)

At their meeting of July 21, 2014, Council received a request from Columbia Memorial Hospital (CMH) for the vacation of 11,463 square feet of 23rd and 26th Streets rights-of-way adjacent to their property located at 2265 Exchange Street and acted to schedule a public hearing on August 4, 2014 to consider the matter. CMH would like to use the 23rd and 26th rights-of-way to construct a parking lot for the Hospital. City Staff has reviewed the application and is in support of the CMH's request, with the following conditions: The proposed vacation will need to include an easement/provision for existing City/Franchise utilities and future utilities. Due to the public benefit that will be provided by the vacation, an assessment does not appear to be applicable for this proposal. The applicant will be responsible for actual costs for processing the request. It is recommended that the City Council conduct the public hearing, and if deemed appropriate, conduct the first reading of the ordinance to vacate.

Mayor Van Dusen called for questions of Staff.

Councilor Mellin asked if there were any buildings on the rights-of-way.

City Manager Pro Tem Estes said there were no buildings, but noted that as part of the redevelopment, the hospital would tear down the former gas station immediately adjacent to the rights-of-way. He confirmed for Councilor Warr that the hospital had already completed the environmental clean-up work at the former gas station. Councilor Herzig confirmed that the trapezoid shaped rights-of-way would be vacated, but the entire triangle shaped lot would be part of the redevelopment. City Manager Pro Tem Estes said the lot is currently a parking lot for the hospital. The hospital will close the driveway off of Marine Drive to better delineate traffic flow and pedestrian connectivity.

Mayor Van Dusen declared that his family business sells water and soft drinks to the Columbia Memorial Hospital cafeteria. He believed he could remain objective, but noted this was a possible financial conflict of interest. He opened the public hearing at 7:21 pm and called for anyone wanting to address the City Council on the vacation of the 23rd and 26th Streets rights-of-way to come forward with any comments or concerns.

Dale Barrett, 4253 A Highway 101, Seaside, said he represented the Applicant. His company is doing the design work for the parking lot and assisting with reconfiguring Marine Drive, which will be extended to the east with some turn lanes on to Franklin Street. His company is also working with ODOT and the City. Deed restrictions will eliminate vehicle access to the lot, which is currently used for overflow parking. Part of the project is to try to improve the parking area for the hospital in advance of the cancer center that will hopefully be built on the other side of the pavilion building. This looks like a win for the community, the hospital, ODOT, and the City.

Chris Farrar, 3023 Harrison Avenue, Astoria, said he did not have any particular feelings about this project. He wanted a complete explanation of what will be done in the area. He often uses a trail that comes in from the south side off of Grand Street. He assumed access to this trail would not be affected. He wondered what had been done about considering traffic flow. He liked Mr. Barrett's comments about a turn-out lane on Marine Drive, but the area was packed at about 5:00 pm that evening, partly because Irving Street has been closed. He was concerned about putting parking lots in an area where they will directly feed into a place that is already really crowded. He did not know if there was an answer to this problem and was sure this had been considered, but traffic is getting out of hand.

Mayor Van Dusen closed the public hearing at 7:25 pm. He explained that the cancer treatment center will be a radiation building that will prevent citizens from having to drive to Portland for a two-minute radiation session. The building will replace the existing parking lot in between the pavilion and the hospital. Parking will be moved from the front door of the pavilion to the back door of the pavilion. An additional parking lot will not be added. The hospital has worked hard on the traffic idea and the next new parking area will be the former practice field at John Warren Field back against the bank, which is a long way from the intersection at 23rd and 26th Streets. He believed this was a good project.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Mellin, to conduct the first reading of the ordinance to vacate the 23rd and 26th Streets rights-of-way adjacent to 2265 Exchange Street. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Financial Analyst Snyder conducted the first reading of the ordinance to vacate the 23rd and 26th Streets rights-of-way adjacent to 2265 Exchange Street.

Item 6(b): Authorization for Healthy Eating Active Living (HEAL) Cities Small Grant Application to Develop and Implement a Policy Encouraging Local Farmers Markets and to Increase Food Access (Parks)

The HEAL Small Grant Program is part of the Heal Cities Campaign, a joint initiative of the League of Oregon Cities (LOC) and the Oregon Public Health Institute (OPHI) that helps civic leaders create healthy communities. The Campaign encourages cities to adopt policies that will, over time, expand the options for city residents, visitors, and employees to eat healthier food and/or be more physically active (HEAL policies). On July 21, 2014 the Astoria City Council adopted a resolution to become a HEAL City. The HEAL Cities Small Grants will offer implementation grants to up to six cities to implement HEAL policies.

The Parks and Recreation Department is requesting authorization to apply for a \$5,000 HEAL Cities Small Grant to develop and implement a policy encouraging and supporting our local farmers markets in proving accessible and fresh produce to the community. If received, the HEAL Cities Small Grant would provide marketing assistance for the SNAP match program, and to establish fun, hands on, educational curriculum for the existing youth market programs that expose children to a variety of locally grown fresh fruits and vegetables. It is suggested the Parks and Recreation Department provide an additional 50% in-kind match with staff time, in the amount of \$2,500. It is recommended that Council approve the application for the HEAL Cities Small Grant in the amount of \$5,000 to develop and implement a policy encouraging and supporting our local farmers markets in their mission to provide accessible fresh produce to the community.

Councilor Herzig explained the SNAP match program, which allows Oregon Trails Card holders to get \$2.00 of produce for \$1.00, up to \$20.00 each week. Kristin Albrecht was responsible for setting up the program with Oregon State University. He wanted to make sure the bulk of the grant would go toward the SNAP match program. Director Cosby said one shortcoming of the grant is that the City cannot use grant funds to directly fund the SNAP match program; however, the City can use grant funds for equipment needed to run the Oregon Trails cards.

Councilor Herzig said any support the SNAP match program can get is fantastic and he was happy the Parks Department was applying for the grant. He clarified for Mayor Van Dusen that the Oregon Trails card is also referred to as a SNAP card or food stamps. Cardholders can spend their food stamps at the Thursday Market and the market will match food stamps, dollar for dollar, up to \$20.00. This allows cardholder to get \$40.00 of produce for \$20.00. The program is fantastic and he believed it was available in Cannon Beach and a few other farmers markets. People will go after fresh local produce if they can afford it. He did not believe the program was well-known and he was glad the Parks Department was supportive of the program.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Mellin to the application for the HEAL Cities Small Grant in the amount of \$5,000 to develop and implement a policy encouraging and supporting our local farmers markets in their mission to provide accessible fresh produce to the community. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Item 6(c): Authorization to Award Franklin Avenue Sewer Replacement Project (Public Works)

Public Works Operations staff has identified a severely deteriorated combined sewer pipe while performing video inspection work on Franklin Avenue between 26th Street and 27th Street. The 15" diameter clay pipe has collapsed in several locations, with significant cracking noted in many other areas. Additionally, a manhole on the alignment has settled substantially causing a reverse grade with resultant poor drainage. On May 5, 2014, City Council authorized staff to solicit bids for the project. The following competitive bids were received:

Contractor	Total Bid
TFT Construction Inc.	\$182,475.45
Big River Construction	\$187,745.00

The Engineer's Estimate prepared for the project is \$120,000. Funding for the project will come from the Public Works Improvement Fund. Bids were significantly higher than anticipated due to the contractor's expectations of challenging soil conditions. City Attorney Blair Henningsgaard has reviewed the contract and approved as to form. It is recommended that City Council authorize award of a construction contract to TFT Construction Inc. in the amount of \$182,475.45 for the Franklin Ave. Sewer Replacement Project and approve the associated budget for contingency and construction support services.

Director Cook confirmed that the clay pipe is over 20 years old and will be replaced with PVC.

Councilor Herzig noted that the total price of the contract can be reduced up to 25 percent if the project is completed at a lower cost. He appreciated Staff including this in the contract.

City Council Action: Motion made by Councilor Warr, seconded by Councilor LaMear to authorize award of a construction contract to TFT Construction Inc. in the amount of \$182,475.45 for the Franklin Ave. Sewer Replacement Project and approve the associated budget for contingency and construction support services. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Item 6(d): Astoria Senior Center Lease Amendment (Parks)

In December, 2013, the City Council entered into a Lease Agreement with the Astoria Senior Center to utilize space in the former Astoria Yacht Club building while the Astoria Senior Center's permanent location is undergoing renovations. At its July 7, 2014 meeting, Council voted to delay distribution of the bid request due to concerns that distribution during the summer could trigger increased construction costs. Completion of the Senior Center remodel is now expected to be completed in August 2015. The Parks and Recreation Department has also relocated the Astoria Recreation Center (ARC) to the former Astoria Yacht Club. The current Lease

Agreement requires the Senior Center to be responsible for paying all of the electrical charges. Given that twothirds of the location is being utilized by the Astoria Recreation Center, the Parks and Recreation Department would like to amend the current Lease Agreement to divide the facilities electrical costs and extend the lease to September 2015. This would require the Parks and Recreation Department to be responsible for two-thirds of all electricity costs, or the total monthly cost minus \$275.00, whichever is greater. The Senior Center is in agreement with this arrangement. It is recommended that Council approve the amended Lease Agreement with the Astoria Senior Center.

City Manager Pro Tem Estes distributed a revised lease agreement to City Council. The original lease stated the Senior Center would be responsible for changing light bulbs, toilet paper, and cleaning the building. The revision states that the Senior Center would only be responsible for changing toilet paper, cleaning the bathrooms and areas used by the seniors, as well as changing light bulbs in those areas.

Councilor Herzig believed Larry Miller and the Senior Center wanted to bear their fair share. This is an equitable settlement and he appreciated Director Cosby working this out with Mr. Miller.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor LaMear to approve the amended Lease Agreement with the Astoria Senior Center. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Item 6(e): Resolution Transferring Appropriations to the Parks Operations Fund (Finance)

As the fiscal year 2013-14 comes to an end Finance staff has reviewed the final numbers for the Parks Operation fund. Parks staff has made a good effort to keep expenses under control. Year-end review indicates that the Parks Fund received total resources of \$1,618,846. Total expenditures were \$1,722,951. This leaves a remaining resource shortfall of \$104,105. Generally Accepted Accounting Principles (GAAP) requires that a given fund should not have a negative fund balance at year end. Finance staff is recommending an additional transfer not to exceed \$110,105 so that the fund balance of the Parks Fund will not be negative. It is recommended that Council consider the attached resolution for adoption.

Mayor Van Dusen said he wished the City did not have to transfer anything, but he believed the Parks Department had done an excellent job. Many people in the community remember when the Aquatics Center alone was budgeted to transfer \$500,000.

City Council Action: Motion made by Mayor Van Dusen, seconded by Councilor Warr to adopt the resolution authorizing a transfer not to exceed \$110,105 to prevent the Parks Fund from being negative. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Item 6(f): Consider Recommendations Regarding Fire Engine and Ladder Truck Purchase (Fire)

Fire Chief Ted Ames presented at the April 21, 2014 City Council meeting, the need to replace two pieces of fire apparatus that ongoing repairs indicate have reached the end of their useful life. The first is the 1999 Fire/Pumper 2522. The recommended replacement is an Arrow XT PUC Pumper. The estimated cost is \$521,279. For purposes of discussion illustrative lease payments over seven (7) years on this amount would be approximately \$79,383 per year. Projections of revenue and expense for the 17th Street Dock Fund indicate that additional resources in this amount would be available over the foreseeable future and can be transferred to the Capital Improvement Fund. The second apparatus that needs replacement is the Quint Aerial Ladder Truck. The recommended replacement is an Arrow XT 105' Aerial Truck. The estimated cost is \$943,989. It has been suggested that a bond measure be placed on the ballot for this November in the amount of \$950,000. It is estimated that a property assessed at \$200,000 would have an increased property tax of \$35.00 per year as a result of this proposal. It is recommended that Council provide direction to initiate the procurement process for replacing the 1999 Fire / Pumper 2522 on a lease basis from the Pierce Corporation financed by transfers from the 17th Street Dock Fund. It is also recommended that Council provide direction to engage a consultant to assist with analyzing the financial aspects of a bond issue and with preparation of a ballot measure for Council's consideration with the intention of placing a measure on the November 4, 2014 ballot.

Possible payment scenarios of the aerial truck were displayed on the screen for illustrative purposes. More details would need to be calculated if Council authorizes proceeding with a bond measure.

Mayor Van Dusen suggested Council discuss the pump truck first. He explained that the Coast Guard does not pay property taxes on the 220 Coast Guard housing units, the Coast Guard Exchange, and other assets and properties in the city limits. The City negotiated a favorable lease of the 17th Street Dock. Mayor Van Dusen had spoken with former Captain Bruce Jones and his officers about using revenue from the rent of the 17th Street Dock to purchase a fire truck. Mr. Jones supported this idea completely. While the Coast Guard does not pay property taxes, they do pay a favorable rate for the 17th Street Dock.

Councilor Warr said when this was discussed about a year ago, he did not believe funds from the 17th Street Dock should be used to purchase a fire truck. He believed reserves should have been kept for repairing the dock. However, he has been assured by Staff that the City can reserve funds for dock repairs and purchase a fire truck. He was in favor of using 17th Street Dock revenue to purchase the fire truck.

Councilor Mellin, Councilor Herzig, and Councilor LaMear supported using 17th Street Dock revenue to purchase the fire truck.

City Council Action: Motion made by Councilor Warr, seconded by Councilor LaMear to direct Staff to initiate the procurement process for the purchase of a pumper fire truck. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Councilor LaMear was concerned about a bond issue for the ladder truck because the college is also going for a bond. If the college's \$8 million bond is passed, they will receive another \$8 million from the State. She wanted to know if there were any grants, State programs, or any other means of paying for the truck, like revenue from the land sales. She asked how old the current ladder truck was. Chief Ames said the ladder truck was built in 1988 and Astoria acquired it in 1989. In his first year and a half with the City, more than \$15,000 was put into keeping the truck operational and on the road.

Councilor LaMear asked if the truck could be purchased with a lease and if a lease would allow the City to finance the purchase. Chief Ames said it would be possible to work the cost of the truck into a lease over time. Based on cost, this lease would be much longer than seven years. Staff could look into a lease option for this truck. He has asked the dealer to look into the possibility of adding a ladder truck to the current lease in a year or two.

Councilor Herzig said a bond measure could go on the May 2015 ballot. He did not believe Chief Ames asked for anything the fire department does not absolutely need. Therefore, this request needs to be taken very seriously. He was concerned because he was not sure if the County was planning to add their bond measure for the jail on the November 2014 ballot. If there is more than one bond measure on the ballot, voters may vote no on all of them. This request for a ladder truck, which is critical to the fire system, must be taken as a priority.

Councilor Mellin agreed the fire truck is a priority. She considered the college bond, but believed Astoria needed to take care of its own responsibilities, including safety, fire, police, sewers, and water. She believed the City should move forward on the purchase of the ladder truck. She asked how much it would cost to put the bond on the ballot. Chief Ames said that regardless of the size of the bond, a bond attorney would cost between \$18,000 and \$22,000. The underwriter will cost about one percent of the bond total.

Councilor Warr agreed that Astoria desperately needed a ladder truck; however, he was not sure that the City needed to go to the voters to get one. He reminded that a few months ago, the City's forester recommended that three percent of the City's timber at the watershed should be cut each year. This year, the City decided to cut 1½ percent, which will net the City \$300,000. By cutting three percent, as recommended, the City would net about \$600,000 per year. The fire truck could be paid off in 1½ years and the forest smartly managed. He did not understand why the City was reluctant to do this. He supported purchasing a new fire truck, but not a bond.

Mayor Van Dusen was convinced that Astoria needs a new fire truck. The maintenance on the trucks has been done so well that they look brand new. He was in favor of putting a bond on the ballot in November because it would involve the citizens. He did not believe the City should be discouraged if the bond does not pass, but he believed it would pass. It is the City's responsibility to consider Astoria's needs. He was in favor of putting the ladder truck on the ballot. While the current truck looks good from a distance, a close look reveals that the community would be safer with a new truck.

Councilor LaMear said some of the funds for this truck were going to be raised with land sales. Citizens did not want the land sales, so the City must use another means of raising money.

Councilor Mellin said the City has a little time before the September 4th deadline. She asked if the issue could be discussed again after Chief Ames and Staff had time to look at other options. City Manager Pro Tem Estes said the City would need to engage an underwriter immediately in order to meet the deadline; hiring an underwriter would cost between \$4,000 and \$6,000.

Mayor Van Dusen understood that this would allow the City to wait to make an informed decision while allowing the City to be prepared, should they decide to put the bond on the ballot. City Council does not unanimously agree on the bond, so he was in favor of postponing the decision and hiring an underwriter.

City Manager Pro Tem Estes confirmed for Councilor Herzig that the underwriter's grant preparation could be useful for the May 2015 ballot, but may need some adjustments. Councilor Herzig understood that moving forward with the preparation would give the City options.

Councilor Warr said he was fine with hiring an underwriter.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Herzig to hire an underwriter in anticipation of voting on adding a bond to the November 2014 ballot at the September 2, 2014 City Council meeting. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Councilor Herzig suggested the City forester be invited to speak at the next City Council meeting about Councilor Warr's suggestion to cut timber as a source of revenue for the fire truck.

Councilor Warr reminded that the forester gave a full report at a City Council meeting three or four months earlier, where he recommended that three percent of the timber be cut each year. Director Cook clarified that the recommendation to cut three percent each year was made by the firm the City hired to complete a timber inventory. This annual average allowable harvest of three percent would maintain the City's inventory.

Item 6(g): Change First Meeting Date in September, 2014 (City Council)

Astoria City Hall will be closed on Monday, September 1, 2014, due to the Labor Day holiday; therefore, the first Council meeting in September will need to be changed. Past practice has been to hold the Council meeting on the following day, which in this case will be Tuesday, September 2, 2014.

City Council Action: Motion made by Councilor Mellin, seconded by Councilor LaMear to reschedule the first City Council meeting in September from September 1, 2014 to September 2, 2014. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS

Bruce Deile, Astoria, said he handed out information he had written about Alcoholics Anonymous (AA). People in Astoria are being court ordered to attend the AA meetings. He said he had been involved with AA for a long time and believed AA promoted religious absolutism. He questioned whether it was appropriate to court order people to attend AA meetings because it violated AA's traditions and could violate religious freedoms and separation of church and state. He encouraged City Council to read the handout that contained more details. AA is a voluntary program of attraction, not promotion, so ordering attendance through the court is contradictory. People are forced to attend and participate in AA against their will. He believed Astoria needed more severe laws against drunk driving because court ordered AA has not deterred or stopped decades of drunk driving. This is a public safety issue. He was also concerned about marijuana issues, which will affect Astoria. It is important to consider that tax revenue from the sale of marijuana is not necessary. He read an excerpt from Noam Chomsky's Understanding Power, Chapter 10, Footnote 28, which indicated that the U.S. tax and transfer system only decreases poverty rates by five percent while in other countries, the poverty rate is decreased by between 50 and 80 percent. Therefore, it is unjustified to say that tax revenues from the sale of marijuana are necessary. Marijuana is a psychotropic drug that is prone to abuse. Choosing the lesser of two evils is still choosing evil.

Cordie Riddle, 1149 Jerome, Astoria, said the City sold a piece of property at 1150 Kensington, which is in a slide zone above her home. The buyer carved 100 feet of land on City owned property, back from 12th Street, to provide access to 1150 Kensington. Vegetation was removed where there are many underground creeks. The buyer has not yet received a building permit, but he has made the slide area more problematic for her. The three properties to the east of her have all been affected. She presented pictures at the dais of the area that had been carved out and of the creeks. She has always experienced flooding, but when the rains begin in September, she ends up with a waterfall coming down toward the back of her house. Director Cook said he was familiar with the property and he did not believe the Kensington property was sold as part of the City's recent land sales.

Ms. Riddle said the buyer purchased the property at an auction and has owned the property for about five years now. This is the first time the buyer has cleared the entire area, which is a problem for everyone living below him. Director Cook believed the City had never auctioned property and the Kensington property had been owned by the County.

Mayor Van Dusen directed staff to look into this issue.

Ms. Riddle believed Kensington, Irving, and other streets in the area never went through because there had been a problem in that area all along. Removal of all of the trees will affect her property.

Mayor Van Dusen asked Ms. Riddle to give her contact information to Director Cook after the meeting.

Councilor Herzig said he was familiar with the property. He got the impression from residents in the area that the owner did not live on the property.

Ms. Riddle said there is no home on the property. The owner had cut City property and the property that he owns. The property is a slide zone above many houses. She wanted to know who would pay for damage when the hill comes down on her house.

Mayor Van Dusen asked City Manager Pro Tem Estes to update City Council on this issue in a memo.

George McCartin, 490 Franklin Avenue. Astoria, said he was pleased that City Council has taken firm action on the fire trucks. He had made a promise to Chief Ames that he will not have to fulfill now. He wanted to know how much monthly revenue the City was receiving from the Coast Guard's lease of the 17th Street Dock. City Manager Pro Tem Estes said the City received \$210,000 each year.

Mr. McCartin understood that the City could depend on this money paying for the lease of the fire truck. He referred to the Certificate of Nondiscrimination included as part of the contract with TFT Construction. He recognized that this conformed with ORS 200.56. However, in the future, he wanted Certificates of Nondiscrimination amended to include age, sexual orientation and gender identification. Astoria is a community that is trying to attract tourists and should be welcoming in all ways and to all people. The City does not need an ordinance, but he suggested a policy be made. Let the vendors know that this is what to expect from Astoria.

L.J. Gunderson, 413 Franklin Avenue, Astoria, thanked the Astoria Police Department for patrolling the Riverwalk, where recently there have been a large number of transients. The police department began moving transients out of the area at 5:00 am that morning. She thanked the Public Works Department for cleaning up an area on the waterfront where a camp was being set up with a mattress and couch. She thanked City Council for choosing not to settle, noting Astoria is a unique city. She and her husband were not impressed after attending the reception for the city manager candidates. At their last meeting, Astoria Downtown Historic District Association (ADHDA) members discussed how well their businesses had been doing. Many of the members indicated that 2013 was their best year since they had been in business and are on track to do just as well in 2014. The ADHDA receives favorable comments from visitors. She thanked the City for their support.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:17 pm.

APPROVED:

City Manager Pro Tem / Community Development Director



ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall July 22, 2014

CALL TO ORDER:

President Nemlowill called the meeting to order at 6:39 pm.

ROLL CALL:

Commissioners Present: President Zetty Nemlowill, Vice President McLaren Innes, Thor Norgaard, Kent

Easom, David Pearson, and Sean Fitzpatrick

Commissioners Excused: Peter Gimre

Staff Present: City Manager Pro Tem/Community Development Director Brett Estes and

Planner Rosemary Johnson. The meeting is recorded and will be transcribed by

ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

ITEM 3(a): May 27, 2014

President Nemlowill, Commissioner Easom, and Commissioner Fitzpatrick noted the following corrections:

- · Page 4, Paragraph 3, line 19: " ... \$6,500, so if Mr. Nebeker wanted to put a new roof on his building..."
- Page 12, Paragraph 3: "Mr. Holcom said that for the last 18 years, he has planned to build ..."
- Page 12, last sentence: "... recalled discussing the height restriction again where his understanding of it
 was ..."
- Page 13, Paragraph 4: "Planner Johnson suggested that overwater development be limited to the height of the riverbank from 16th to 35th Streets, ..."

President Nemlowill moved that the Astoria Planning Commission approve the minutes of the May 27, 2014 meeting as corrected; seconded by Vice President Innes. Motion passed unanimously.

ITEM 3(b): June 24, 2014

Commissioner Fitzpatrick noted the following corrections:

- Page 14, Paragraph 3: "Commissioner Fitzpatrick said he was surprised that he had not heard ..."
- Page 14, Last Sentence: "Commissioner Fitzpatrick asked what the consequences of this would be."

Vice President Innes moved that the Astoria Planning Commission approve the minutes of the June 24, 2014 meetings as corrected; seconded by Commissioner Easom. Motion passed unanimously.

PUBLIC HEARINGS:

President Nemlowill explained the procedures governing the conduct of public hearings to the audience and advised that handouts of the substantive review criteria were available from Staff.

ITEM 4(a):

V14-06 Parking Variance V14-06 by Jennie Hillard for Rod Gramson, from the required two off-

street parking spaces to increase the existing single-family dwelling to a two-family dwelling with zero off-street parking at 1626 Grand in the R-3, High Density Residential zone. The Applicant has requested that this item be continued to the August 26, 2014 meeting.

Commissioner Pearson moved that the Astoria Planning Commission continue the public hearing for Parking Variance V14-06 by Jennie Hillard to August 26, 2014; seconded by Commissioner Easom. Motion passed unanimously.

ITEM 4(b):

CU14-08

Conditional Use CU14-08 by Rickenbach Construction, Inc. for Columbia River Maritime Museum to locate professional offices in an approximate 2,600 square foot portion of an existing commercial structure at 1777 Marine in the FA, Family Activities zone.

President Nemlowill asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. She asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare.

Commissioner Pearson declared that he was employed by the Columbia River Maritime Museum and would stand down from the dais. He stated he had not spoken to any of the Commissioners about the application. He stepped down from the dais.

President Nemlowill asked Staff to present the Staff report.

Planner Johnson reviewed the written Staff report. No correspondence had been received and Staff recommended approval of the request with the Conditions listed in the Staff report.

President Nemlowill called for questions of Staff. Hearing none, she opened the public hearing and called for a presentation by the Applicant.

David Pearson, 3595 Franklin Street, Astoria, said the Columbia River Maritime Museum appreciates the work of Staff when creating the Staff report. The Museum agrees with all of the conditions and has a bike rack ready to be installed. He said he was available to answer questions.

Vice President Innes confirmed there were no elevators in the building, but noted that medical offices were proposed on the second floor. Mr. Pearson stated there were no Americans with Disabilities Act (ADA) accessibility for the second floor. The medical offices would be business offices for a medical business, so all of their public offices would remain at their main facility.

President Nemlowill called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, she called for closing comments of Staff. There were none. She closed the public hearing and called Commission discussion and deliberation.

Commissioner Norgaard said he had no problems with the application and believed this would be a great use of the building. He planned to move forward with the application.

Vice President Innes and Commissioners Fitzpatrick and Easom indicated they also supported the application.

Commissioner Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU14-08 by Rickenbach Construction, Inc. for Columbia River Maritime Museum; seconded by Commissioner Fitzpatrick. Motion passed unanimously.

President Nemlowill read the rules of appeal into the record.

Commissioner Pearson returned to the dais at this time.

ITEM 4(c):

A14-03

Amendment A14-03 by Stefanie Slyman of Harper Houf Peterson Righells, Inc for Nomadic Properties LLC, and Cannery Loft Condominium Owners Association to amend the land use and zoning map to rezone an area from GI (General Industrial) zone to S-2A. Staff recommends the Astoria Planning Commission recommend that City Council adopt the ordinance.

President Nemlowill asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. She asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare. Hearing none, she asked Staff to present the Staff report.

Planner Johnson reviewed the written Staff report. One letter had been received regarding the application, which was presented at the dais. Although the letter referred to the Riverfront Vision Plan, it was actually discussing the condominium rezone. Staff recommended approval of the request.

President Nemlowill called for questions of Staff. Hearing none, she opened the public hearing and called for a presentation by the Applicant.

Stefanie Slyman stated that Dr. Ted Forcum has been authorized by the Cannery Loft Condominium Owners Association to make the application for the zone change. Dr. Forcum is the Applicant and she was representing the Applicant.

Dr. Ted Forcum, 3930 Abbey Lane, Astoria, thanked the Planning Commission for their time. As an owner of a condominium at the Cannery Loft Condominiums, he found the vacancies in the commercial spaces unappealing and obvious. The General Industrial zoning has not been a viable application of this zone for businesses in this particular use; after all, who would want a fish processing plant underneath their home? The intent is to create a more livable rezone application that would allow businesses in the east Astoria community. As an owner, he wants to see the vibe and community maintained in the region. He has businesses there that he has been able to convert. However, he has only been able to convert less than 20 percent of the spaces based on conditional use applications for the zone. Those businesses have shown a track record of being good neighbors to the community. He has made multiple attempts through emails, phone calls, and meetings to educate the owners about the rezoning process. He has met with several owners individually and conducted a survey to determine the level of support for the rezone. Of the 70 percent of owners who participated in the survey, 98 percent were in favor of the rezone. Planner Johnson met with the Association's board and the general membership to answer questions. He also published a 22-minute video online, which recapped much of what transpired during the rezoning of a lot next door to the condominiums. The owners have received an overwhelming amount of information to make an educated decision on the rezoning. The homeowners association conducted a vote and with just over 84 percent of the owners participating in the vote, 93 percent of those voters approved of the rezoning. He would like the Application for the rezone submitted to City Council.

Ms. Slyman thanked Staff for recommending approval of the application. The zone change would make two parcels consistent with the surrounding zoning, helping to revitalize the area and activate some currently underused spaces within the buildings. The rezoning will help the City with its overall commercial deficit without changing the Buildable Lands Inventory. The rezone is consistent with the 2011 Economic Opportunities Analysis. The site is already developed and is fully served by public services. As Planner Johnson stated, a thorough traffic study was completed, which indicated that the zone change would have no significant impacts on the transportation facilities. There will be no need for any mitigation, there are no safety concerns, and all intersection sight distances are still met. The only impact will be a positive change for the site and for the community. She asked the Planning Commission to recommend the zone change to City Council. She offered to answer questions.

President Nemlowill called for any testimony in favor of the application.

Leslie Moorehead, 3990 Abbey Lane, Building B, Unit 406, Astoria, stated she was Vice Chair of the Board of Directors and Chair of the Governance Committee. She was responsible for administering the vote that was conducted in early May 2014. She read into the record the Board's report of the affirmative vote from the owners.

The vote was held among our owners from May 9, 2014 through May 19, 2014. It was a mail-in ballot. They had an 84 percent response rate, which was extraordinarily good for remote voting. Of the 84 percent of the total membership interests, the final tally of votes was 92.7 percent in favor and 7.3 percent opposed. That is 64 votes in favor and 4 votes opposing. They had votes per unit and the voting was done by square footage. Different units have different percentages of voting rights. She wanted the make sure the Planning Commission understood that an overwhelming number of members voted and an overwhelming number of voters approved of the application.

President Nemlowill called for any testimony impartial to, or opposed to the application. Hearing none, she called for closing comments of Staff. There were none. She closed the public hearing and called Commission discussion and deliberation.

Commissioner Pearson stated the application appears to have overwhelming support from the condominium owners at the site. The application meets all of the criteria that the Commission has been asked to review the request which meets the Comprehensive Plan and Development Code. He supported the application as presented.

Commissioner Fitzpatrick agreed, adding the new use seems to make much more sense than the current use.

Vice President Innes and Commissioner Norgaard said they were in favor of the application.

Commissioner Easom agreed, noting that the Applicants gave an informative presentation, did their homework.

Commissioner Norgaard moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report, approve Amendment A14-03 by Stefanie Slyman of Harper Houf Peterson Righells, Inc for Nomadic Properties LLC, and Cannery Loft Condominium Owners Association, and recommend that City Council adopt the ordinance; seconded by Commissioner Easom. Motion passed unanimously.

ITEM 4(d):

A14-02

Amendment A14-02 by the City of Astoria Community Development Department to 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; and clear and objective design standards for residential development; renumber several zones and overlay zone; miscellaneous related changes with the 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. Staff recommends that the Astoria Planning Commission recommend adoption by City Council. The City Council meeting is tentatively scheduled for August 26, 2014 at 7:00 pm in City Hall Council Chambers. This item was continued from the June 24, 2014 Planning Commission meeting. The public hearing was closed at the June 24, 2014 Planning Commission meeting and Commission deliberation was continued to the July 22, 2014 meeting.

President Nemlowill asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. She asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare.

Commissioner Pearson declared that he is employed by the Columbia River Maritime Museum. However, the museum has no role in this application and he will be making a decision as an individual. He believed he could make an unbiased decision.

President Nemlowill declared that she did not believe she had a conflict, adding she had previously consulted with the City Attorney, who agreed. She noted that her husband is co-owner of Fort George Brewery. She asked Staff to present the Staff report.

Planner Johnson reviewed the written Staff report, which had been updated with new meeting dates. The proposed City Council meeting would be on August 18, 2014. Page 18 of the Staff report, Item 14, Findings, the last sentence has been corrected to state, "City ownership of these properties would allow protection as possible public access areas." She also reviewed the comments and discussions made during the public hearing at the previous Planning Commission meeting, noting the conclusions drawn by Staff of those discussions. Correspondence had been received, but was not available for presentation because the correspondence was received after the public hearing closed. However, this correspondence will be presented to City Council at their public hearing. Staff recommended approval of the request.

President Nemlowill called for questions of Staff. Hearing none, she called for Commission discussion and deliberation. She noted that Staff had broken down each issue in the memo and a straw vote was taken on each one with additional comments as noted.

- No variances for height of development over water: Straw vote was 5 to 1 in favor of the proposed ordinance.
 - Commissioner Pearson was opposed because he believed variances are a useful tool.
- 2. Development of the East End Mooring Basin: Straw vote was 5 to 1 in favor of the proposed ordinance.
 - Commissioner Pearson believed it was a good compromise to provide development in certain areas while also protecting the Greenway.
 - Vice President Innes stated she opposed the proposal because it could be the beginning of future viewblocking development in the area.
 - President Nemlowill believed this proposal provided great balance in the Riverfront Vision Plan, which
 states, "promote physical and visual access to the river" and "encourage a mix of uses that support
 Astoria's working water front and the City's economy." The City's Comprehensive Plan also encourages
 development in the East End Mooring Basin, which she also supported.
- 3. Allow restaurants associated with a water dependent use: Straw vote was 3 to 2 in favor of the proposed ordinance, with Commissioner Fitzpatrick undecided.
 - President Nemlowill was opposed because she did not believe eating and drinking establishments are
 maritime related uses, which is the only type of development she saw in the Civic Greenway portion of
 the Riverfront Vision Plan.
 - Vice President Innes was also opposed because restaurants would introduce activities and a different type of population or experience. She wanted a calm, open-viewed environment in the area.
- 4. Land development north of the railroad/Rivertrail property: Straw vote was 6 to 0 in favor of the proposed ordinance.
 - President Nemlowill read from the Staff report noting the ordinance had been amended to state, "The
 Overwater Development Standard shall also apply to on land development north of the Rivertrail 50 ft
 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 that site would
 apply.

President Nemlowill moved that the Astoria Planning Commission find the proposed amendment to be necessary and recommend to the Astoria City Council that the proposed amendment A14-02 be approved; seconded by Commissioner Norgaard. Motion passed unanimously.

REPORTS OF OFFICERS/COMMISSIONERS:

Vice President Innes reported there was a lot of interest in this meeting; many people had talked to her about it.

Planner Johnson announced that she would retire on September 1, 2014. The Planning Commission congratulated her and expressed their appreciation for her work.

Director Estes explained the next steps regarding the implementation of the Riverfront Vision Plan, noting that the Planning Commission's recommendation would be forwarded to City Council, for a public hearing on August 18, 2014 during the regular City Council meeting which starts at 7:00 pm. Any testimony received since the last Planning Commission meeting will be forwarded to City Council in addition to any testimony received over the next few weeks. The hearing will be a de novo hearing, a fully open hearing where the Planning Commission's recommendation will be considered and testimony will be received from all interested parties.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:25 pm. APPROVED: ATTEST: Community Development Director/ Assistant City Manager Secretary

ASTORIA TRAFFIC SAFETY ADVISORY COMMITTEE

Astoria City Hall July 22, 2014

CALL TO ORDER:

President Nemlowill called the meeting to order at 6:30 pm.

ROLL CALL:

Commissioners Present:

President Zetty Nemlowill, Vice President McLaren Innes, Thor Norgaard, Kent

Easom, David Pearson, and Sean Fitzpatrick

Commissioners Excused:

Peter Gimre

Staff Present:

Community Development Director Brett Estes, Planner Rosemary Johnson, and

City Engineer Jeff Harrington. The meeting is recorded and will be transcribed

by ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

President Nemlowill called for changes to the minutes of April 22, 2014.

Vice President Innes noted the minutes erroneously referred to her at times as President Innes and should be corrected.

Vice President Innes moved that the Traffic Safety Committee approve the minutes of April 22, 2014 with the following corrections: Page 1, Approval of Minutes, "Vice-President Innes called for corrections to the minutes ..."; Motion seconded by Commissioner Fitzpatrick. Motion passed 5-0-1. Ayes: President Nemlowill, Vice President Innes, Commissioners Norgaard, Pearson, and Fitzpatrick. Nays: None. Abstentions: Commissioner Easom.

NEW BUSINESS:

Item 4(a): Updates on Various Transportation Projects - Jeff Harrington

Engineer Harrington updated the Traffic Safety Committee on the following transportation projects:

- The 2014 Paving Project was complete. He reminded that the Pavement Management Plan had gone to a two year plan, so this project was larger and the City has saved funds for two years. About 3,300 tons of asphalt was put down and the project cost about \$480,000. Final invoicing and accounting is currently being prepared to determine the balance of revenue. Remaining revenue and existing funds will be used for a crack/seal project planned for completion by October 15, 2014.
- The Oregon Department of Transportation (ODOT) Crosswalk Project was funded by an ODOT grant. Work
 is anticipated to begin in August 2014. All crosswalks within ODOT roadways, mainly Marine Drive and
 Commercial, will be redone. The unsignalized crosswalks will have Continental style striping and the
 signalized crosswalks will be regular crosswalks. Once ODOT has completed its crosswalks, the City will
 begin redoing crosswalks on City streets to match the ODOT crosswalks.
- The Irving Avenue Bridge project is scheduled to begin the week of August 18, 2014. A Frequently Asked Questions (FAQ) page is available on the Public Works website and in the library.
- The striping crew has been notified that the paving project is complete and work should begin in late July or early August. The striping was originally scheduled for September to ensure that it did not conflict with the paving work.
- The Street Ends Project is in the early stages as the City is working on an intergovernmental agreement with ODOT. Design work should begin in 6 to 12 months, with work being completed in 2 to 2½ years. He noted that the work on six bridges have been funded through the ODOT Bridge Program, adding that the funds must be spent by the end of 2018.

 Cleanup work on the 11th Street CSO Project is still ongoing as the striping and arrows are being redone by the contractor. There will also be some street closures while manhole testing is completed.

REPORTS OF OFFICERS/COMMISSIONERS: No reports.

PUBLIC COMMENT:

Drew Herzig, 628 Klaskanine Avenue, Astoria, said he received an email from a constituent about traffic safety on the south slope of 5th Street. Traffic was speeding past the man's residence on the way to South Street. He forwarded the email to Director Estes, who will have Staff look into the issue. He just wanted to remind the Traffic Safety Committee that people regularly have traffic safety concerns. He displayed an image of a solar powered speed indicator on West Klaskanine, which begins to flash when a drive exceeds the speed limit. The sign never fades into the background because it is always doing something different. He believed the sign was very effective and wanted to see more of them around Astoria. The sign would be effective in a few places along 7th Street heading south and on 16th Street heading north from the college. After implementation of the Riverfront Vision Plan is complete, he wanted the Traffic Safety Committee to be more proactive and look for ways to make Astoria safer. Astoria has become a Healthy Eating Active Living (HEAL) City, which means more people will be encouraged to get out and walk. The City needs to make walking in town safe and he believes this was part of the Traffic Safety Committee's mission. The speed indicator signs are slim, freestanding, and they do not take up a lot of space. He finds them very effective. He did not want to wait another three or four months to speak to the Traffic Safety Committee again and hoped the Committee would think about his concerns in the mean time.

President Nemlowill asked how the speed indicator sign came to be installed in that location. Mr. Herzig said he was not sure. The sign is in the Coast Guard housing area near the bus stop.

Director Estes said the Coast Guard installed the sign.

President Nemlowill agreed that traffic safety is an important issue, noting that at the next Traffic Safety Committee meeting, the Committee would love to hear ideas on how to be more proactive. Mr. Herzig said he would keep bringing ideas to the Committee.

ADJOURNMENT:

There being no further business, the meeting was adjourned to convene the Planning Commission Meeting at 6:38 pm.

ATTEST:		APPROVED:
Secretary	7	Community Development Director/
		Assistant City Manager



CITY OF ASTORIA COMMUNITY DEVELOPMENT DEPARTMENT

August 26, 2014

TO:

MAYOR AND CITY COUNCIL

FROM:

BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT!

PROJECT STATUS REPORT - COMMUNITY DEVELOPMENT DEPARTMENT

The following are summaries of Community Development Department projects and activities.

PLANNING PROJECTS

<u>Astoria Transportation System Plan Update</u> – (City Council Goal: Maintain Advocacy for the Astoria Bypass) – PROJECT COMPLETE

After holding public meetings, stakeholder meetings and advisory committee meetings, the TSP citizen advisory committee made a recommendation to the Planning Commission with regards to the TSP. The Planning Commission held a public hearing on February 27, 2014 and recommended approval of the draft Transportation System Plan. The City Council held a public hearing for consideration of TSP and associated code amendment adoption on April 7, 2014. At its April 21, 2014, the City Council held a second reading and adopted the ordinances completing the TSP project.

The website for the Astoria TSP update project can be found at: www.wix.com/dksassociates/astoriatsp. The website link can also be found on the City of Astoria Community Development Department webpage. The final adopted TSP will be placed on the City's web page.

Clatsop County has initiated work on the County-wide TSP. City Planner Rosemary Johnson serves as a member of the Project Advisory Committee for the County TSP. City staff will be assisting with the development and review of the County TSP over the next two years.

Flood Insurance Maps

Over the last few years, the Federal Emergency Management Agency (FEMA) and Department of Geology and Mineral Industries (DOGAMI) have been developing new flood zone maps for the entire nation. In 2010, new FEMA maps were adopted by the City with the knowledge that additional mapping would soon be completed by DOGAMI for coastal communities to better identify the "at risk" areas of each community. DOGAMI has completed a LIDAR survey of the entire Oregon coast, including Astoria, and had prepared a

set of maps to identify potential hazard areas and to eliminate areas that were previously thought to be a hazard based on old, less detailed information. With the LIDAR survey, the maps now can identify the specific elevation of the land in more detail thereby removing guess work from the equation.

FEMA and DOGAMI requested that the local communities enter into a Partnership Agreement. The Partnership Agreement represents a good-faith effort by all parties to share data, communicate findings, and plan mitigation activities to reduce the exposure of the citizens within the communities to hazard risk. It is intended to provide a common strategy to address hazards and increase resilience within the communities. While communities are not required to sign the Agreement, it is encouraged that all participants sign and enter into the Agreement. At their meeting on February 19, 2013, the City Council authorized the Mayor to sign the agreement.

Staff has been working with FEMA and DOGAMI to assure that the information and maps for Astoria reflect the issues and concerns specific to our community. On December 10, 2013, the City received the draft FEMA Flood Insurance Rate Maps (FIRM) for review. Prior to this draft, the adopted 2010 flood zone designations in Astoria had not changed dramatically from the 1978 FIRMs and therefore, Astoria had little concern with the new mapping. With the new drafts, there are major changes that will impact the citizens of Astoria and their ability to obtain flood insurance and/or to develop along the Columbia River and Young's Bay. At the same time as the proposed map changes, the Biggert-Waters National Flood Insurance Reform and Modernization Act (2012) was adopted which drastically increased the flood insurance rates nationwide. Staff spoke with representatives from Clatsop County, Warrenton, and Seaside to coordinate the responses from the various communities concerning the proposed changes. A letter was sent to DOGAMI identifying questions and concerns with the new mapping. A copy of the letter was sent to the City's US Senate representatives to keep them apprised of our concerns. Clatsop County and Warrenton also sent letters of concerns.

Several of the issues/concerns include the change of the Columbia River and Young's Bay to a "velocity zone" which increases the potential flood impact areas and raises the Base Flood Elevation. In addition, the draft maps use an extremely high data point from the Tongue Point Tidal Station that appears to be an anomaly and alters the Base Flood Elevation by one foot or more. The inclusion of this data in the model has a tremendous impact on not only development in these areas, but could also have an effect on insurance rates for citizens in these areas. There were several other issues noted in the letter to DOGAMI. Staff have been in contact with the US Senators who continue to monitor and work on this issue on the Federal level.

Staff has been working closely with Clatsop County and Warrenton on the above issues that impact the entire north County / Columbia River area. DOGAMI forwarded the letters to FEMA. The City received a response from FEMA in June 2014 which did not completely answer the City's concerns. There is still question as to the accuracy of the information in the new mapping and the data and model used to calculate the potential flood risks in Clatsop County. Department of Land Conservation and Development representative Patrick Wingard is assisting with the map overview and getting the answers needed to address the City's concerns. Staff will continue to work with the representatives and other local

communities on the draft maps. Staff will ultimately present the draft maps to the Planning Commission and City Council for consideration once they are finalized by FEMA and DOGAMI.

CODE AMENDMENTS

<u>Riverfront Vision Plan Implementation</u> – (City Council Goal: Continue Implementation of the Riverfront Vision Plan)

In 2009 the City of Astoria adopted the Astoria Riverfront Vision Plan. The Riverfront Vision Plan describes a future vision and specific recommended implementation measures related to open space, land use, and transportation plans along the Columbia River waterfront. For purposes of the Riverfront Vision Plan, the City's riverfront was divided into four plan areas: Bridge Vista, Urban Core, Civic Greenway, and Neighborhood Greenway.

In 2011-2012 and 2012-2013, the City Council adopted a goal to: Implement the Riverfront Vision Plan on a Zone by Zone basis. In 2012-2013, the City of Astoria requested and received a Transportation and Growth Management (TGM) Code Assistance grant to develop and write updated Comprehensive Plan language, Development Code text, and map amendments to implement policies and recommendations in the City's adopted Riverfront Vision Plan for the Civic Greenway Plan Area (Phase 1) and Bridge Vista Plan Area (Phase 2). The intent of the implementation process is not to revisit or revise recommendations from the Riverfront Vision Plan which has been accepted by the Astoria City Council.

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 east side of 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 Pan 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 on the draft amendments with mailed, emailed, and published notification to the general public and to anyone who has expressed interest in the Riverfront Vision Plan or implementation process. The work sessions were well attended.

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 project consultant, Matt Hastie, Angelo Planning Group, gave an overview of the draft amendments as developed with the Astoria Planning Commission at the April 7, 2014 City Council. The Planning Commission held a public hearing on May 27 and June 24, 2014. At its July 22, 2014 meeting, the Planning Commission recommended that the City Council adopt the proposed ordinances. A public hearing before the City Council was held August 18, 2014. The City Council closed the hearing and held a first reading at that meeting. The draft materials are accessible on the City's web site at www.astoria.or.us, Community Development, Projects, Riverfront Vision Plan, or they can be viewed at City Hall, 1095 Duane Street.

Wind Energy Amendment

Beginning in 2010, the City saw an increase in inquiries for smaller scale wind energy facilities. Current Development Code language does not specifically address these issues. At the petitioning of a potential wind energy developer, the Planning Commission made an interpretation that wind energy facilities would be allowed similar to "utilities" in the IN Zone (Institutional) and S-2 Zone (General Development Shorelands) but that they needed to comply with the height regulations of those zones or obtain a variance.

This issue was brought back to the Planning Commission in August 2012 for a work session to continue discussions on draft ordinance language. The Planning Commission agreed that the two draft codes (wind and solar) should be addressed separately. Legislative changes in 2012 impacted how cities can regulate solar facilities and staff addressed these changes in the draft solar energy ordinance. Multiple work sessions with the Planning Commission and City Council were held and at their September 24, 2013 meeting, the Planning Commission recommended approval of the ordinance. The City Council adopted the Solar Ordinance at their November 4, 2013 meeting.

The Planning Commission will continue work on the wind energy ordinance following completion of / or between gaps in work on the Riverfront Vision Plan implementation project. Once the Planning Commission has held a public hearing(s) on this code language, it will be forwarded to City Council for final consideration.

<u>Hillside Development Ordinance Amendment</u>

In order to better address construction in geologic hazard and/or steep hillside areas, staff has been developing possible Development Code revisions to address this issue. Staff initiated this process several years ago but it was not finalized anticipating the integration of LIDAR study results. However, a preliminary draft was circulated among professionals in the field, the Planning Commission, City Council, and staff for review and comment. The LIDAR survey completed by the State Department of Geology and Mineral Industries (DOGAMI) to identify areas of past slides and weak soil areas was completed. Staff has integrated comments received from the earlier draft and has been coordinating with DOGAMI to find the best way to integrate LIDAR information into the draft code language. With this new information/data, it was determined that it would be beneficial to establish "hazard zones" that could be addressed individually based on the severity of the hazard and the nature of the proposed work within the City. Work between the Planning and Engineering Departments continues on the draft ordinance. The Engineering Department is in the process of hiring a geologist to map the known landslide areas to be entered into the City's GIS mapping system. This additional information will further assist in development of the Hillside Development Ordinance language.

URBAN RENEWAL

<u>Garden of Surging Waves</u> – (City Council Goal: Complete the Garden of Surging Waves) – PROJECT COMPLETE

On February 19, 2013, City Council authorized the award of a construction contract to Robinson Construction Company for the first sequence of the Garden of Surging Waves (GSW). With additional donations, the City was able to continue with the subsequent sequences to complete the GSW. The majority of construction at the GSW site was completed in March 2014. A formal dedication was held on Saturday, May 17, 2014. This project is now complete.

Heritage Square

With the completion of the Garden of Surging Waves, the City will be continuing with the next phase of improvements to Heritage Square including the gathering area for concerts and community festivals, and to provide a permanent space for the Sunday Market.

In 2012, the US Environmental Protection Agency (EPA) awarded the City of Astoria a Brownfields Multi-Purpose Grant. The grant consists of \$200,000 for assessment and \$200,000 for cleanup of the Heritage Square property. This grant assisted in testing top soil from the Garden of Surging Waves and will address brownfield contamination issues required to be addressed prior to construction on the next phase of the Square. Prior to receiving the grant, several environmental investigations had been conducted at the property. These investigations determined that there are multiple contaminates on the site from past uses of the property which included an automobile repair garage and paint shop, a car sales business, a dry cleaning establishment, a newspaper printing company.

A public meeting on this project was held on May 21, 2014. An informational sign concerning the environmental work on Heritage Square has been developed and was installed on the east side of the Garden of Surging Waves. Additional soil samples funded by the EPA grant were taken in June. A report is currently being prepared by project consultants and will be presented to the City Council in September or October 2014.

Astor-West Incentive Program for Development / Redevelopment

In order to address the 2012-2013 City Council goal on this issue (Develop an Incentive Program to Promote Development and Redevelopment within the Boundaries of the Astor-West Urban Renewal District, with a Focus on Properties Along the West Marine Drive Corridor), staff has been collecting and reviewing information on City urban renewal programs for building facade grant and/or loan programs. Staff has also been talking to the staff of these Oregon communities to understand what has worked well in their respective cities. Starting in 2013, staff worked with City urban renewal consultant Elaine Howard to develop a program for the Astor-West District. Design guidelines need to be established for this project. Code implementation of the Bridge Vista Area of the Riverfront Vision Plan is anticipated to begin in fall 2014. Design Guidelines for the Astor West Urban Renewal District could be a part of that project. The draft program and process/guidelines will be submitted to the Development Commission for consideration this fall / winter.

OTHER PROJECTS

Senior Center Remodel

In April 2013, the City of Astoria received a \$1.5 million Community Development Block Grant (CDBG) to renovate the Astoria Senior Center. Astoria Senior Center members partnered with the City by providing cash match for the renovation. CDBG funding comes from the US Department of Housing and Urban Development (HUD), administered by Business Oregon. Use of CDBG funding requires meeting multiple HUD special conditions and requirements:

- Completion of a Section 3 Plan describing the activities and tasks the City of Astoria will
 follow to ensure contractors hired by the City make a good faith effort to provide equal
 employment opportunity. The Plan was completed and approved by the City Council on
 October 21, 2013.
- Completion of a Limited English Proficiency Plan describing activities the City undertakes
 to ensure persons with limited English proficiency are provided meaningful access to, and
 participation in, programs and services provided by the City. The Plan was completed
 and approved by the City Council on October 21, 2013.
- Completion of an Updated 504 Checklist—Current inventory of all City public facilities and their accessibility by persons with disabilities. The Update was completed on January 31, 2014.
- Completion of an Environmental Review/Assessment of the Senior Center— The
 Assessment includes 50 different factors that relate to the Senior Center's potential
 impact on the local environment. Due to changes in the CDBG grant process, the
 Assessment was approved until June 2014. The project could not go out to bid until the
 Environmental Assessment was complete and approved.

Concurrent with completion of the CDBG pre-construction activities, an architectural firm (Scott Edwards Associates) and Al Jaques, construction manager, were hired in June 2013. Public meetings were held at the Senior Center in July and October 2013 to receive feedback on preferences/needs for the renovated facility.

- Architectural drawings were completed in March 2014.
- The construction budget is 95% finalized, including an additional \$75,000 in matching funds providing by members of the Senior Center.
- Preliminary bid documents have been completed and are under review by Business Oregon.

Two additional activities have been completed:

- Identification of an out-of-service underground fuel tank outside the front door of the Center, which will be decommissioned Summer 2014 prior to the onset of the renovation; and
- Identification of asbestos found in the Center's ceiling and floor tiles and a plan for removal and disposal of the tiles.

Due to the delay in obtaining the Environmental Assessment review, renovation of the Center was delayed. At its July 7, 2014 meeting, Construction Manager Al Jaques made a presentation to City Council concerning the construction delay. The Board of the Astoria

Senior Center supported the delay to avoid potential higher construction costs which would be anticipated should the project go out to bid in the summer. The City Council concurred with a proposal to initiate the bidding project in December 2014. The project is proposed to be completed in August / September 2015. The Senior Center activities have moved to the Astoria Yacht Club and will share the facility with the Parks and Recreation Department until the construction is completed.

<u>Downtown Mainstreet Program</u> – (City Council Goal: Support the Astoria Downtown Historic District Association in Development and Implementation of a Downtown Master Plan and in Promotion of the Arts) (City Council Goal: Maintain Advocacy for Business Development/Expansion through the Astoria Downtown Historic District Association Business Development Committee)

Staff has been working with the Astoria Downtown Historic District Association (ADHDA) on various items identified in the Building Blocks for a Successful Downtown plan. Planner Rosemary Johnson serves on the Design Committee as a liaison to the City. The Design Committee reviews and suggests ways to improve the aesthetics of the downtown. This committee manages the spring downtown clean up, and was instrumental in getting merchants to adopt planters which were installed with the Downtown Streetscape project.

In conjunction with the City of Astoria, a wayfinding sign project for the River Trail and downtown area has been initiated. A stakeholder group (comprised of representatives from ADHDA Design Committee, Chamber, Trolley Association, and Cruise Hosts) have been reviewing draft designs from the consultants. A public meeting on this project to receive community feedback was held on August 19, 2014. Comments from the public are currently being reviewed and addressed. This project is anticipated to be completed Fall 2014.

Additionally, the Design Committee has been working with City Manager Pro Tem Brett Estes and City Engineer regarding new street signs for the downtown intersection that indicate that it is a National Register Historic District. These would replace the current signs and "toppers" presently used. They have been working closely with ODOT on what is permissible and determining if any funding could be provided by the State. ODOT is currently working on a mockup of a possible sign design so it could be reviewed by the City and ADHDA.

City Manager Pro-Tem Brett Estes serves on the Business Development Committee which assists business owners in developing and / or growing their operations. The Business Development Committee has been working on strategies to fill vacant spaces and has been working to have tours oriented to locals which showcase downtown success stories. John Goodenberger and Mr. Estes hosted a tour in June which was at capacity and plans are being made for another tour this fall.

Certified Local Government Grant

In alternating years, Certified Local Government (CLG) cities are eligible to submit grant applications to the State Historic Preservation Office (SHPO) for historic preservation related work. On April 7, 2014, the City Council accepted a grant to provide a "pass-through" grant to both commercial and residential property owners for facade renovations. The City has had this grant program in past years and has initiated the program for this year. The availability of the grant funds for facade restoration was advertised widely to make the public aware of the opportunity. Individual grants would be processed by staff and reviewed by the Historic Landmarks Commission, if necessary. Grants would be limited to a maximum of \$3,000 and the grant would be matched by the property owner. For example, if an owner wanted to replace non-original aluminum windows on the front of the structure with wood or steel windows, and the cost to purchase and install the windows was \$4,200, the Facade Restoration Grant would provide \$2,100 toward the work. The grant would be eligible.

In addition, the CLG grant includes \$1,000 in architectural assistance funds for historic buildings. The architectural assistance funds are used to hire an architect or historic building designer to assist property owners in rehabilitating the exteriors of their buildings. Over the years, the City has retained John Goodenberger as a temporary employee to serve in this capacity. The City has provided this service each year under the CLG Grant program. The grant funds of \$1,000 will provide approximately 15 hours of design time to approximately 15 property owners.

Historic Design Guidelines

Staff has been working with John Goodenberger to develop a set of residential design guidelines which would assist owners of historic properties with their restoration projects. The guidelines identify best practices, not regulations. They provide examples of good design features and materials that should be used or implemented when working on historic properties and will assist citizens through the historic design review process. It is intended as a tool for property owners to use when planning their projects. The Historic Landmarks Commission reviewed and accepted the guidelines at their February 18, 2014 meeting. The design guidelines, "Rehab Astoria Right: A guide to working with Astoria's historic residences", has been completed and is available to the public at City Hall and on the City's web site. Staff is now working on a new set of design guidelines for commercial properties which are anticipated to be completed during this two-year grant cycle.

City Hall Facade Renovation

City Hall interior renovation was completed in 2012. Several exterior features were not addressed during the previous renovations. Windows are steel and many are rusting and need to be reglazed. The front entry to City Hall has some rust and deterioration including one metal panel that was replaced with a wood panel many years ago. Staff got an estimate for repair of the first floor windows and the front entry doorway of \$14,250. At their September 24, 2013 meeting, City Council authorized submittal of two grant applications to help fund this project. One grant was received from the Kinsman Foundation for \$5,000. The Public Works Department hired a local metal worker as a temporary employee to

complete the restoration work. He has completed most of the windows and continues to work on the remaining ones and the front door. The project should be completed by fall.

US Coast Guard Housing

Over the last three years, the City has been working with the US Coast Guard (USCG) concerning potential expansion of their existing housing area on the South Slope. The property was sold by the City to the USCG in 1991 with a Memorandum of Agreement concerning development of the site. The Community Development Department received the Governor's Livability Award in 1995 for the existing housing area and its integration into the community. The USCG proposes to build approximately 50 housing units in two-family, three-family, and multi-family dwellings in two phases. The housing is proposed for the area north of the existing houses and would be accessed from Klaskanine Avenue. The USCG and staff have met several times over the last year to assure that the new development will comply with the intent of the Memorandum of Agreement and meet the requirements of the USCG. Part of the process included a street vacation for the unimproved Niagara Avenue which is located in the northern portion of the USCG property and a zone change to allow multi-family dwellings (approved 11-5-12). At its June 2, 2014 meeting, the City Council approved a street vacation for the USCG allowing for the proposed construction. The USCG has awarded a construction contract and will be scheduling a public informational meeting in the next few months. Once the meeting has been set by the Coast Guard, they will notify City staff so the City could pass the information on to interested parties. The USCG anticipates construction of Phase I of these houses in 2015.

<u>Business Development</u> – (City Council Goal: Maintain Advocacy Business Development/Expansion through Columbia Pacific Economic Development District (Col-Pac), and Clatsop Economic Development Resources (CEDR)

City Manager Pro Tem attends Col-Pac committee meetings with City Councilor Warr to coordinate the efforts of the region for business development. Additionally, City Manager Pro Tem serves on the CEDR Board of Directors to address economic development issues in Clatsop County. Staff regularly meets and works with CEDR staff concerning assistance for new businesses to the area. New Business License applicants are referred to CEDR for assistance and CEDR provides them with information on how to work through the required City processes and other needed State and Federal permits.

Climate Change Adaptation

Staff has met with the State of Oregon Department of Land Conservation and Development (DLCD) and other Clatsop and Tillamook County jurisdictions regarding a DLCD led initiative for planning for climate change for this region. DLCD has organized several meetings over the next few months with local, State, and Federal agencies to work with local jurisdictions concerning what actions may be needed and how to develop a regional-scale adaptation plan or framework. Planning and Engineering staff have begun to address questions identified by DLCD. These deal with factors which could potentially affect City facilities, analyzing risks and vulnerabilities, and will then begin to prioritize a management plan for consideration. Staff will continue to work with DLCD on this issue over the next few months.

BUILDING CODES

At their March 24, 2014 meeting, City Council adopted a resolution which provided an increase in fees for the Astoria Building Division. In addition to addressing budget issues, the new fee structure now meets current State requirements and allows the City to start implementation of the Statewide E-permitting program. At its July 7, 2014 meeting, the City Council adopted the updates to the Building Codes Division Operational Plan as required by the State.

The State of Oregon assesses a surcharge on all building permits which funds this program. The City of Astoria has been collecting the required fee for several years and is now moving forward to start using the permit tracking software provided. The cost of the software is covered by the surcharge collected by the State. The Building Division has been told that installation of software and training will begin fall 2014.

This new software will allow the Building Department to transition from a paper-based tracking system to a computer-based system and will provide internal efficiencies for review / issuance of permits. Additionally over time, E-permitting will allow contractors to buy simple, non-plan review building permits online and will provide our customers a virtual 24 hour service counter for these types of permits. It will also allow contractors to schedule inspection and review results of field inspections online. It is anticipated that the time frame to get the program running will likely take around 6 months with implementation, testing, and training.

CODE ENFORCEMENT

<u>Derelict Building Ordinance Enforcement</u> – (City Council Goal: Continue Enforcement of the Derelict Building Ordinance)

Community Development staff continues to address nuisance, property maintenance, and derelict building violations. Staff regularly attends community meetings and events to get the word out and answer questions about code enforcement. An update on specific code enforcement efforts is included below.

1. Enforcement progress continues with the downtown commercial properties (904-936 Commercial and 905-943 Commercial) and house (627 15th) owned by Mary Louise Flavel. City staff has been working with the City Attorney in 2013-2014 to file liens and foreclose on existing liens for these properties. The City now has three judgments for \$456,000, \$474,000 and \$474,000. On March 20, 2014, the City Attorney and Community Development staff attended a Municipal Court hearing to have the judge sign an order approving the Sherriff's sale of the properties and affirming the house is not a "homestead" property. A judgment was then entered against Ms. Flavel. The Sheriff's property sale was scheduled for July 22, 2014; however, prior to the sale, the City received correspondence from Ms. Flavel's attorney requesting a delay to September 2014 as the Washington County Circuit Court was appointing a conservator for the Flavel estate who would then be working with the City on the necessary repairs to the properties. City Attorney Blair Henningsgaard is working with the attorney and conservator on the conditions of the City's approval of the delay of

the Sheriff's sale. The conservator has begun cleanup of the house and will preparing the house and property on the north side of Commercial Street for sale with the proceeds from the sale to be used for the needed repairs to the property on the south side of Commercial Street. Enforcement continues on this matter and staff will be working on the next steps with Council.

2. The property at 4867 Birch Street has been the subject of numerous code violations and enforcement actions since 2005. The derelict condition of this property was brought to the City's attention again during the process for the proposed sale of adjacent City-owned land. Staff sent letters to and attempted to contact the property owner several times in May and June. The property owner, M LeRoy Olvey, responded by mail that he was seeking legal actions against several government agencies, including the City of Astoria, and that he could not comply with the order to clean up the property. A citation was issued and Mr. Olvey did not appear at the Municipal Court date on July 14, 2014. He was fined \$1,000 each for three separate offenses. The Court set Mr. Olvey up on a payment contract but has advised him that his payment is delinquent. Mr. Olvey has begun cleanup of the site. Staff is continuing to monitor the situation to insure that progress continues to be made.

Each spring and summer, the City receives a large number of grass and vegetation complaints amounting to around 40% of all complaints. Many of these cases are resolved right away with placing a notice at the door and providing a warning and the owner quickly addressing the issue. These take most of the code enforcement available time to monitor, inspect, write letters and citations and attend court if needed. Repeat offenders will likely be cited for continued violations. Staff routinely inspects these and other sites to ensure that progress continues to be made. The complaint form is now available on the City's web site to make the complaint process much easier for citizens to access.

By:

Rosemary Johnson, Planner



August 25, 2014

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: | | BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT: READY TO READ GRANT APPLICATION 2014/2015

DISCUSSION/ANALYSIS

The Ready to Read Grant program, administered by the Oregon State Library, is to "establish, develop, or improve library services for children" ages birth to five. All legally established public libraries in Oregon are eligible to apply. Astoria Public Library has consistently applied for these funds. Grant funds cannot be used to replace funds appropriated locally. Libraries are encouraged to use these grant funds in a number of "best practices" related to children and libraries.

Staff has written the 2014 grant to help more high risk children access early literacy materials. Mini libraries of Spanish/English bilingual books will be made available to locations frequented by Spanish speaking families in the Astoria area. The collections will include titles intended to be read by parents to children ages birth through age five. The grant award is based on population and determined by the Legislature. The State Library administers the funds. The 2014/2015 award is expected to be \$1304.00.

RECOMMENDATION

Staff recommends that Council approve the Ready to Read grant application.

Jape Tucker, Library Director



State Library

250 Winter St. NE Salem, OR 97301-3950 (503) 378-2528

FAX (503) 378-6439

Ready to Read Grant Application 2014-2015

The purpose of the Ready to Read Grant program is to "establish, develop or improve public library early literacy services for children from birth to six years of age and to provide the statewide summer reading program for children from birth to 14 years of age." Any legally established public library in Oregon is eligible to apply for this grant.

Attached is the "Proposed Ready to Read Grants for 2014-2015" showing the grants that will be made for 2014-2015 grant cycle, assuming all eligible libraries apply for a grant. As the table indicates, a total of \$729,473 is available.

GUIDELINES

- All projects must adhere to the intent of the Ready to Read Grant which is to "establish, develop or improve public library early literacy services for children from birth to six years of age and to provide the statewide summer reading program for children from birth to 14 years of age." (ORS 357.750).
- We encourage you to develop a project that relates to the mission and activities of your library, and will benefit your community.
- Grant funds may not be used to replace funds already appropriated by local governments.
- 4. Applications must be postmarked by August 31, 2014 and mailed with original signatures to Oregon State Library, Ready to Read, 250 Winter St. NE, Salem, OR 97301. Late applications will not be accepted. Faxed or emailed applications will not be accepted.

A final report on your library's grant project is required and will be due at the Oregon State Library December 1, 2015.

Contact Katie Anderson at 503-378-2528 or katie.anderson@state.or.us with questions.

(Intentionally blank for filing purposes.)

Library's LEGAL name: Asto	oria Public Library	Clatsop County in which library resides:
Alternate library name:		
Library's MAILING address:	450 10th Street A	Astoria, OR 97103
Library director's name: Jane	Tucker	
Email address: jtucker@ast	oria.or.us	
Phone number: 503-298-24	150	
Key contact's name (if not direct	etor): Patty Skinne	er .
Key contact's position/job title:	Senior Library Ass	sistant
Email address: pskinner@a	storia.or.us	
Phone number: 503-298-245	51	
receive grant deadline reminders	s and other information f who are involved in	ed to the Ready to Read Grant email list on regarding the grant. If you would like your library's Ready to Read project to be aames and email addresses.
Name:		
Position/job title:		
Email address:		
Name:		
Position/job title:		
Email address:	, and the second	
***	STATE LIBRARY	Y USE ONLY



Received:

Approved:

EARLY LITERACY PROJECT PROPOSAL

(Don't fill out this section if you are only doing a summer reading project.)

- Please check the box in front of at least one outcome your library plans to achieve with your early literacy Ready to Read Grant project.
 - Parents and caregivers will increase the amount of time they read, talk, sing, write, and play with their young children.
 - Young children will increase their print motivation, vocabulary, print awareness, narrative skills, letter knowledge, phonological awareness, and writing/drawing skills.
 - Preschoolers will increase their letter knowledge, phonological awareness, writing letters, drawing pictures recognizable to others, and ability to independently complete tasks (such as crafts!) involving two or more steps so they are ready for kindergarten.
 - More families with young children will access early literacy services and participate in early literacy programs together as a family.
 - Childcare providers, Head Start teachers, Healthy Start home visitors, and other community partners will increase their partnerships with the library to coordinate early literacy service delivery community-wide.
- More high risk children will access early literacy materials, resources, services, and programs. (High risk children are minorities, English language learners, immigrants, children with special needs, children in poverty, and children in families dealing with abuse, neglect, substance abuse, and other traumatic situations.)
- Families with high risk children will increase meaningful engagement around library early literacy services. (i.e. libraries will update materials, services, and programs so they are culturally appropriate and relevant to high risk children and their families.)
- Libraries will improve collection of early literacy-related data and increase use of the data for continuous improvement of library materials, resources, services, and programs to achieve outcomes.
- 2. Describe the early literacy activities your library plans to implement to achieve these outcomes. (Only describe activities funded in part or in whole by your Ready to Read Grant.) Mini libraries of Spanish/English bilingual books will be made available in locations frequented by Spanish speaking families in the Astoria area. The collections will include titles intended to be read by parents to children birth age 5. Parents and children may read the books at the location or take them home and return them when done. Included with the books will be informational brochures about Early Literacy and reading development along with information about library programs and services.

1.0	3. Do these activities include conducting training for parents, childcare providers, or preschool teachers in a research-based early literacy curriculum such as Every Child Ready to Read or Baby Signs classes? Yes No
	Do these activities include bringing library services, resources, or programs out of the library to young children, parents, child care providers, or other groups to other locations? Yes No
4	. How will you evaluate whether or not these activities achieve your desired outcome(s)?
	Each book will have a form in the back. Parents and children will indicate on the form if they read the book together or if the child read it independently. This will let us know how many of the books are being read and how much adults and children are reading them together. The project will be deemed successful if at least 50% of the books are read over the course of six months and at least 70% of the books read involved reading with adults.
5	. If you are partnering with any daycares, schools, businesses, or other organizations to make this project happen, list them here.
	Clatsop County Health Dept.
	Clatsop Community Action
	Bayshore Apartments
	Emerald Heights Apartments
6.	If you are providing programs in and/or out of the library, how many people total to do you
	expect will attend these programs? (No need to verify age, just use your best judgment.) Youth ages 0-14 Adults ages 15 and older
- 6	
7.	Do you anticipate this will be an ongoing project? Yes
	No
8.	If yes, and the project is successful, how will you continue to fund this project? Local funds Other grant funds Ready to Read funds

EARLY LITERACY PROJECT BUDGET (Don't fill out this section if you are only doing a summer reading project.)

	List things necessary for implementing your Ready to Read Grant Project	Amount of Ready to Read funds used to pay for this	Amount of Library Budget used to pay for this	Amount of other sources used to pay for this	TOTAL
Library Staff	Development of partnerships Acquisition of books, brochures and fliers. Distribution and maintenance of library materials		\$1,000		\$1,000
Materials for Circulating Collection	200 Spanish / English Books 100 Early Lit Brochures in Spanish 100 Early Lit Brochures in English	\$704 \$150 \$150			\$1,004
Equipment, Furniture, and/or Fixtures	Containers for books, brochures and fliers	\$200			\$200
Contracted Programs					
Incentives					
Other	Translations of forms for books, fliers promoting library services and signs	\$100			\$100
TOTAL		\$1,304	\$1,000		\$2,304

STATEWIDE SUMMER READING PROGRAM PROJECT PROPOSAL

(Don't fill out this section if you are only doing an early literacy project.)

According to ORS 357.750, libraries using Ready to Read funds on summer reading must provide the statewide summer reading program which is defined by OAR 543-040-0010 as "the Collaborative Summer Library Program Annual Summer Reading Program funded by the State Library for Oregon public Libraries". The 2015 statewide summer reading theme will be *heroes* and the slogans are "Every Hero Has a Story" for children, "Unmask!" for teens, and "Escape the Ordinary" for adults.

- Please check the box in front of at least one outcome your library plans to achieve with your summer reading Ready to Read Grant project.
- Youth will increase the amount they read and/or parents and guardians will increase the amount they read, talk, write, and do activities with their youth.
- Youth will increase their reading/listening comprehension and ability to effectively communicate their understanding of and opinions about what they are reading/listening.
- More youth will create responses to their reading/listening with technology, arts and crafts, and other mediums.
- More families with youth will participate in the summer reading programs together as a family.
- Schools, childcare providers, summer lunch sites, out-of-school-time programs (e.g. Boys & Girls Club, Park and Rec, YMCA), and other community partners will increase their partnerships with the library to coordinate the summer reading program community-wide.
- More high risk youth will participate in the summer reading program. (High risk youth are minorities, English language learners, immigrants, children with special needs, children in poverty, and children in families dealing with abuse, neglect, and substance abuse.)
- Families with high risk youth will increase meaningful engagement in the summer reading program. (i.e. libraries will update materials, activities, and programs so they are culturally appropriate and relevant to high risk youth and their families.)
- Libraries will improve collection of summer reading data and increase use of the data for continuous improvement of library materials, resources, services, and programs to achieve outcomes.

	 Describe the summer reading activities your library plans to implement to achieve these outcomes. (Only describe activities funded in part or in whole by your Ready to Read Grant.)
3.	Do these activities include bringing library services, resources, or programs out of the library to children, teens, parents, child care providers, or other groups to other locations? YesNo
4.	How will you evaluate whether or not these activities achieve your desired outcome(s)?
5.	If you are partnering with any schools, out-of-school-time programs (e.g. Boys & Girls Club Park and Rec, YMCA), businesses, or other organizations to make this project happen, list them here.
6.	If you are providing programs in and/or out of the library, how many people <i>total</i> to do you expect will attend these programs? (No need to verify age, just use your best judgment.) Youth ages 0-14 Adults ages 15 and older
7.	Do you anticipate this will be an ongoing project? Yes No
8.	If yes, and the project is successful, how will you continue to fund this project? Local fundsOther grant fundsReady to Read funds

STATEWIDE SUMMER READING PROGRAM PROJECT BUDGET (Don't fill out this section if you are only doing an early literacy project.)

	List things necessary for implementing your Ready to Read Grant Project	Amount of Ready to Read funds used to pay for this	Amount of Library Budget used to pay for this	Amount of other sources used to pay for this	TOTAL
Library Staff					
Materials for Circulating Collection					
Equipment, Furniture, and/or Fixtures					
Contracted Programs					
Incentives					
Other					
TOTAL					

DATES TO REMEMBER

August 31, 2014	Date proposals must be postmarked and sent to the State Library.
October 1, 2014	Revised Ready to Read Grants for 2014-2015 mailed to libraries.
October 15, 2014	Deadline for libraries to appeal the proposed grant awards.
December 31, 2014	Grant awards mailed to libraries.
December 1, 2015	Date final report must be postmarked and sent to the State Library.

CRITERIA FOR APPROVAL

- Proposal demonstrates how the project will "establish, develop or improve public library early literacy services for children from birth to six years of age and to provide the statewide summer reading program for children from birth to 14 years of age."
- 2. Plan includes outcomes for project participants.
- 3. Proposal includes plan for evaluating outcomes of the project.
- Summer reading projects use the statewide summer reading program.

CERTIFICATION OF READY TO READ GRANT APPLICATION

To the best of our knowledge and belief, the information in this application is true and correct. We certify that, when the grant is awarded, the Ready to Read Grant will be used to supplement the library's budget from local sources and will be used to "establish, develop or improve public library early literacy services for children from birth to six years of age and to provide the statewide summer reading program for children from birth to 14 years of age." (ORS 357.750).

Library director's name: JANE TUCKEN	•
Library director's signature: Jane Tucke	12 Date: 8/35/14
Name of local government official authorized to apply for gr	ants:
Local official's title:	
Local official's signature:	Date:



August 20, 2014

MEMORANDUM

TO:

MAYOR AND CITY COUNCIL

FROM:

BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT:

OR202 SIDEWALK PROJECT - ODOT LETTER OF UNDERSTANDING

DISCUSSION/ANALYSIS

The City has been diligently working towards the goal of completing continuous sidewalk around the peninsula along the state highways from 45th Street near the Alderbrook neighborhood on US30 through the US101 stretch beyond the Astoria-Megler Bridge onramp to 7th Street past the Old Youngs Bay Bridge on OR202 (Business US101). There are two small segments of this alignment that do not have sidewalk, which are on OR202: from Dresden Avenue to the Department of Motor Vehicles (DMV) driveway, and from the Astoria High School (AHS) driveway to 4th Street.

In November 2013, the City submitted an application for construction of the entire stretch of remaining sidewalk on US202 to the Oregon Department of Transportation (ODOT) for funding as part of the State Transportation Improvement Program (STIP). During preliminary evaluation of the project applications, the City was encouraged by ODOT to reduce the scope of the sidewalk project. The reduction in scope was suggested due to intense statewide competition for a limited amount of STIP funding. The scope reduction would increase the likelihood of a funding award through this program. Therefore, the final scope that was submitted for consideration under the STIP was construction of sidewalk from the AHS driveway to Hanover Street.

The City recently received official notification from ODOT that this sidewalk project has been placed on the ODOT STIP Enhance Project preliminary award list. While this project will not be officially awarded funding until final approval by the Oregon Transportation Commission, ODOT has requested that the City sign a Letter of Understanding outlining the project details, timeline for moving forward and funding match. The attached Letter of Understanding is not a legal agreement.

OR202 between the AHS driveway and Hanover Street has a curve in the roadway with a steep, vegetated hillside adjacent to the inside of the curve. There is currently only a 6 foot paved shoulder between the vehicular travel lane and the hillside. This is a potentially unsafe environment that is heavily used during the school year by students. When the proposed improvements are made, more pedestrians and bicyclists will be encouraged to utilize this main route. This segment of highway is an important link between neighborhoods, multifamily units, parks, AHS, and sports facilities.

The proposed improvements will be located on the north side of OR202 and includes a dedicated 6 foot bike lane along the existing shoulder, new 6 foot sidewalk, retaining walls, and drainage facilities. New and replaced retaining walls will range in height from 4 to 12 feet for a portion of the proposed alignment. Retaining walls are necessary to widen the street for the new sidewalks.

ODOT estimated the total cost for this project to be \$2,243,250 with a 10.27% City match of \$256,750. The City's contribution will come from the ODOT Surface Transportation Program (STP) funds. Construction of this project is currently scheduled for summer 2018.

RECOMMENDATION

It is recommended that Council approve the Letter of Understanding with ODOT for the OR202 Sidewalk Project.

Submitted By:	Ken P. Cook, Public Works Director
Prepared By:	Cindy D. Moore, City Support Engineer



Department of Transportation

ODOT Region 2 Headquarters 455 Airport Road, SE Bldg B Salem, OR 97103

Phone: (503) 986-2600

August 6, 2014

Astoria City Council City of Astoria 1095 Duane Astoria Dr. Astoria, OR 97103

Subject: Project Letter of Understanding - 2015-2018 STIP Enhance Project Project Name: OR202: H.S. TO HANOVER, SIDEWALKS (ASTORIA)

KN: 18735

We are pleased to announce the above project has been placed on the Oregon Transportation Commission preliminary award list. This list is referred to as the STIP Enhance 100% list and is moving forward in the process.

While the project will not be "officially" awarded funding until final approval by the OTC, ODOT has been working with you to finalize the details of your project. Based on the application, the project scoping visits, and the information received from the Pre-Award Letter, our final understanding of the project details are listed below.

It is important to note that this letter is not a legal agreement. The intent, of this letter, is to document each parties understanding of the project details and the timeline for moving forward. The details of your project as stated below will be used to prepare the Intergovernmental Agreement (IGA).

Final Project Details

	Final Project Details
Project Financials:	A STATE OF THE STA
Enhance STIP Funding Amount:	\$2,243,250.00
Required Non-federal Minimum Match (10.27%):	\$256,750.00
Additional Match:	\$0.00
Other Funding:	\$0.00
Estimated Total Project Cost:	\$2,500,000.00
*Funding Ratio:	MTEP - 89.73% Agency - 10.27%
Match Type:	Cash
Match Provided By:	LPA
Project Details:	A Committee of Marin
STIP Project:	Requires - New IGA
Project Scope (IGA Exhibit B SOW):	Design and construct 6 ft sidewalks, dedicated 6 ft (min.) adjacent bike lane, new retaining walls, and drainage facilities on OR 202 from Astoria High School east to Hanover St. (0.4 miles). Additional segments along OR 202 may be constructed in future phases.
Delivery Method:	Non-Certified Local Administered
**Estimated Obligation Month/Year - PE:	3/30/2016
Estimated Obligation Month/Year - ROW:	3/30/2017
Estimated Obligation Month/Year - Construction:	4/30/2018
Date IGA must be executed by:	1/30/2016 = 60 days prior to Estimated Obligation Month/Year – PE: above, (or sooner).
State Contact Information:	
- Signature Authority Contact Name:	Astoria City Council
Title:	
Email:	jharrington@astoria.or.us
Phone:	(503) 338-5173
Mailing Address:	1095 Duane Astoria Dr.
City:	Astoria
State:	OR
Zip:	97103-6206

- LAL/PM Contact Name:	Michael Schroeder
Email:	michael.k.schroeder@odot.state.or.us
Phone:	503.325.8274
Mailing Address:	350 W Marine Dr
City:	Astoria
State:	OR
Zip Code:	97103-6206

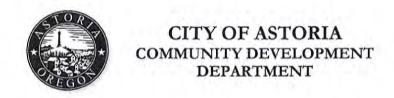
^{*}Funding Ratio is defined as the relationship between STIP Enhance funds and total project cost and Agency funds and the total project cost.

We are asking that a representative from your Agency sign and return a scanned copy of this letter via Email to Larry McKinley, at Larry.McKinley@odot.state.or.us and CC: the ODOT mailbox at STIP-Enhance@odot.state.or.us, within 30 days of receipt. If we do not hear back from your Agency within 30 days the funds will be in jeopardy of redistribution to another recipient.

Please don't hesitate to contact me if you have any questions, (503) 325-7222.

Regards, Larry McKinley Area Manager	
Please check one of the following:	
☐ Upon final approval by the OTC - My agency will accept the this project. ☐ My agency has decided to decline the STIP Enhance Award	STIP Enhance Award for this project and has secured the match for
Agency Representative & Title	Date:
ODOT Representative Title Rece Manage	Date: 8/1/19/

^{**}If Delivery method is "State Administered-Region Technical Center", PE date is only used to generate IGA draft in timely manner.



MEMORANDUM

August 26, 2014

TO: ASTORIA CITY COUNCIL

FROM: \ \ BRETT ESTES, CITY MANAGER PRO-TEM

SUBJECT: 2014/2015 BUILDING CODE SERVICES CONTRACT WITH JIM BRIEN

DISCUSSION/ANALYSIS

In the past City Council approved a contract with Jim Brien to provide building inspection services for vacation and emergency coverage. This contract expired June 30th 2014. In March 2014 the City approved an Intergovernmental Agreement with Clatsop County to provide backup assistance. The purpose of this request is to renew the former contract for services with Jim Brien for one year to cover emergency situations when City or County staff is unavailable for coverage thereby providing additional backup.

The contract rate for services will be \$65.00 per hour for all services well in line with other previous private inspection agency fees with a continued significant reduction in City costs by not having to pay for mileage and travel time as was done with the previous out of town consultants. There is no increase in the previously approved \$65.00 per hour rate.

RECOMMENDATION

It is recommended that Council approve the attached contract with Jim Brien, Complete Inspection Services Incorporated to provide inspection services for the 2014/2015 Fiscal Year.

Bv:

Jack E. Applegate, Building Official/Code Enforcement Officer

CITY OF ASTORIA CONTRACT FOR PROFESSIONAL SERVICES

This Contract, made and entered into this ____ day of July 2014, by and between the City of Astoria, a municipal corporation of the State of Oregon, hereinafter called "CITY", and Jim Brien, of Combined Inspection Services Inc. hereinafter called "CONSULTANT", duly authorized to perform such services in Oregon.

WITNESSETH

WHEREAS, CONSULTANT is undertaking to provide on call as needed building inspection service, plan review service, to the CITY.

WHEREAS, the projects involved are all types of construction projects requiring the issuance of a building permit within the City.

WHEREAS, CONSULTANT represents itself as possessing the skills and experience necessary to perform said services.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants hereinafter recited, hereby agree as follows:

- Scope of Services. CONSULTANT shall provide professional services at the request of, and in consultation with, the CITY, under the direction of the Director, Community Development. The specific services that CONSULTANT shall provide are set forth in the Statement of Services attached hereto as Exhibit A.
- 2. Term of Agreement. This agreement shall be valid beginning September 1, 2014 through June 30, 2015.
- 3. Time of Performance. CONSULTANT shall complete the scope of services as follows: Residential plans deemed simple under Oregon Revised Statue (ORS) 455.455 and 455.457, within ten (10) working days. Commercial plans may vary depending on the complexity, however a normal plan review time will be within fifteen (15) working days.
- Compensation. The CITY shall pay CONSULTANT for services rendered in accordance
 with the attached Fee Schedule marked Exhibit B. Payment shall be made within 30 days
 after CONSULTANT submits an itemized statement for work performed to the CITY
 Building Department.
- 5. Obligations of CITY. The CITY shall, to the extent reasonable and practicable, assist and cooperate with CONSULTANT in the performance of CONSULTANT services hereunder. Such cooperation and assistance shall include, but not be limited to, (a) providing two sets of plans and documents to CONSULTANT at their designated office; (b) obtaining from the applicant, the necessary items to allow plan checking to be completed expeditiously- such items shall include complete plans, construction specifications, soils reports, energy calculations, structural calculations, name, address, and telephone number of the applicant or his designee and similar items necessary for a particular project; (c) providing the valuation for proposed construction or requesting that

CONSULTANT calculate the valuation; and (d) providing CONSULTANT with copies of any CITY ordinances that modify the Standard regulations of review.

Right to Terminate Contract. Contract may be terminated at any time, by either party, without cause, upon 30 days prior written notice.

All terms and conditions of the contract are considered material and failure by CONSULTANT to comply with any said terms or conditions shall, at the City's option, be deemed a breach of contract. Upon such failure, the CITY shall have the right, whether an alternative right is provided or not, to declare the contract terminated. Notice shall be given in writing to the CONSULTANT and shall be effective 15 days from the date of delivery.

CITY may cancel all or any part of the Contract in the event of any of the following: Insolvency of CONSULTANT; voluntary or involuntary petition in bankruptcy by or against CONSULTANT; appointment of a receiver or trustee for CONSULTANT, or an assignment for benefit of creditors of CONSULTANT. Damages for breach shall be those allowed by Oregon Law, reasonable and necessary attorney's fees, and other costs of litigation at trial and upon appeal. Notice shall be given in writing to the CONSULTANT and shall be effective 30 days from the date of delivery.

- 7. Insurance. CONSULTANT shall purchase and maintain a policy of general liability insurance from a reputable company in an insurable amount not less than \$1,000,000 combined single limit per occurrence. This insurance shall be in force during the life of this contract and the insurer shall agree to provide the CITY with 30 days notice of cancellation or change of policy. CITY include Consultant ina Professional Liability (Errors & Omissions) Insurance in an amount not less than \$1,000,000 in the aggregate. This insurance shall be in force during the life of this contract.
- 8. Independent Consultant. CONSULTANT'S services shall be provided under the general supervision of City's project director or his designee, but CONSULTANT shall be an independent CONSULTANT for all purposes and shall be entitled to no compensation other that the compensation provided for under Section 4 of this Contract.

CONSULTANT acknowledges that for all purposes related to this Contract, CONSULTANT is and shall be deemed to be an independent CONSULTANT and not an employee of the City, shall not be entitled to benefits of any kind to which an employee of the City is entitled and shall be solely responsible for all payments and taxes required by law; and furthermore in the event that CONSULTANT is found by a court of law or an administrative agency to be an employee of the City for any purpose, City shall be entitled to offset compensation due, or to demand repayment of any amounts paid to CONSULTANT under the terms of the Contract, to the full extent of any benefits or other remuneration CONSULTANT receives (from City or third party) as result of said finding and to the full extent of any payments that City is required to make (to CONSULTANT or a third party) as a result of said finding.

The undersigned CONSULTANT hereby represents that no employee of the City of Astoria, or any partnership or corporation in which a City of Astoria employee has an

interest, has or will receive any remuneration of any description from the CONSULTANT, either directly or indirectly, in connection with the letting or performance of this Contract, except as specifically declared in writing.

9. Indemnification. With regard to Comprehensive General Liability, CONSULTANT agrees to indemnify and hold harmless the City of Astoria, its Officers, and Employees against and from any and all loss, claims, actions, suits, reasonable defense costs, attorney fees and expenses for or on account of injury, bodily or otherwise to, or death of persons, damage to or destruction of property belonging to city, consultant, or others resulting from or arising out of CONSULTANT'S negligent acts, errors or omissions in services pursuant to this Agreement. This agreement to indemnify applies whether such claims are meritorious or not; provided, however, that if any such liability, settlements, loss, defense costs or expenses result from the concurrent negligence of CONSULTANT and the City of Astoria. This indemnification and agreement to assume defense costs applies only to the extent of the negligence or alleged negligence of the CONSULTANT.

With regard to Professional Liability, CONSULTANT agrees to indemnify and hold harmless the City of Astoria, its Officers and Employees from any and all liability, settlements, loss, reasonable defense costs, attorney fees and expenses arising out of CONSULTANT'S negligent acts, errors or omissions in service provided pursuant to this Agreement; provided, however, that if any such liability, settlements, loss, defense costs or expenses result from the concurrent negligence of CONSULTANT and the City of Astoria, this indemnification and agreement to assume defense costs applies only to the extent of negligence of CONSULTANT.

- 10. Attorney's Fees. In the event suit or action is instituted to enforce any of the terms of this contract, the prevailing party shall be entitled to recover from the other party such sum as the court may adjudge reasonable as attorney's fees at trial or on appeal of such suit or action, in addition to all other sums provided by law.
- 11. Non-Assignability. This agreement is for the professional services of CONSULTANT and is non-assignable with prior written consent of the CITY.
- 12. Notices. Any notices required pursuant to this Agreement shall be served at the following addresses:

CITY
City of Astoria
Community Development Dept.
1095 Duane Street
Astoria, Oregon 97103

CONSULTANT
Combined Inspection Services, Inc.
766 Ave S
Seaside Oregon 97138

13. Force Majeure. Neither CITY nor CONSULTANT shall be considered in default because of any delays in completion of responsibilities hereunder due to causes beyond the control and without fault or negligence on the part of the party so disenabled provided the party so disenabled shall, within ten (10) days from the beginning of such delay, notify the other party in writing of the causes of delay and its probable extent. Such notification shall not be the basis for a claim for additional compensation.

- 14. Nonwaiver. The failure of the CITY to insist upon or enforce strict performance by CONSULTANT of any of the terms of this Contract or to exercise any rights hereunder shall not be construed as a waiver or relinquishment to any extent of its right to assert or rely upon such terms or rights on any future occasion.
- 15. Public Contract Clause. The City of Astoria is a municipal corporation and certain contract terms are required to be included in all public contracts by Oregon law. Therefore, the parties incorporate by this reference the provisions contained in Exhibit C, attached.

Approved as to form	n:		ASTORIA, a munic	cipal corporation
Balana DN:	lly signed by pple dims.applied.prd.49317566476 677541145466593246744d3546773 mapple.idms.applied.prd.4931756 4433677541445546593246744d354	of the Stat	e of Oregon	
e773d		BY:		
City Attorney		M	ayor	Date
		BY:		
		Ci	ty Manager	Date
		Combined	Inspection Services	s, Inc.
		BY:	nsultant	I

EXHIBIT A STATEMENT OF SERVICES

Building Codes Consultancy (CONSULTANT) will provide professional services for the review of proposed building plans for conformance to regulations contained in the State mandated Specialty building and mechanical codes, as those codes are amended by the CITY or State; in State laws governing energy conservation in buildings, provisions for access to buildings by disabled persons.

I. ON CALL BUILDING OFFICIAL SERVICES

In providing on call as needed Building Official services, CONSULTANT will perform the duties as Building Official as outlined in operating plans of the CITY. These are filed with the State of Oregon Building Codes Division. CONSULTANT will supervise all inspectors and plans examiners performing services to CITY. Any temporary Building Official services shall be provided only with properly licensed and Oregon certified building official personnel approved by the CITY.

II. PLAN CHECKING SERVICES

In providing plan review services, CONSULTANT will do the following:

- Perform traditional Fire and Life-Safety plan review services of submitted plans to determine compliance with ORS 479.155(2) the most recent CITY adopted:
 - Oregon Residential Specialty Code (including structural plan review), latest edition
 - b. Oregon Structural Specialty Code, latest edition
 - c. The currently adopted NFPA 72
 - All other codes required to be enforced under ORS 455
 - e. International Existing Building Code, latest edition as amended by the State of Oregon per ORS 455.060
 - f. City of Astoria Municipal Codes
- Provide the applicant (or their designee) and the CITY, a typed list of items
 including all applicable code sections cited and needing clarification or change
 to achieve conformance with the above regulations.
- 3. Perform all necessary liaisons with the applicant's designee, either by phone, mail, or meetings in CONSULTANTS' office, and perform one re-check. If any additional re-checks are necessary, they shall be performed and billed to the City at the rate of \$65.00 per hour. Preapproval is required by the CITY Building Official or Community Development Director prior to any plan review services outside the city jurisdiction
- Perform all necessary liaison with the Building Official or his designee, either by mail, phone or in meetings to insure compliance with the Oregon Specialty Structural Code Sections 105 and 106 and to insure compliance with local policy interpretations.

III. BUILDING INSPECTION SERVICES:

In providing building inspection services, CONSULTANT will do the following:

- Perform traditional building inspection services to determine compliance with approved plans and documents and the most recent City of Astoria adopted building codes and regulations.
- 2. Furnish State Certified inspection personnel with the required State of Oregon SRB Business License, SRI and/or SRL license required by OAR 918-090-0110 and OAR 918-090-0200 for third party service providers. The City of Astoria shall have the right to interview and approve the qualifications of each inspector assigned by CONSULTANT. A current copy of the Plan Review & Inspection, Business Registration (SRB) and individual license should be given to the CITY at time of contract acceptance and annually thereafter.
- Perform traditional building and plumbing inspections in accordance with established policies and procedures, including preparation and keeping of inspection records, logs, and notices. All correction notices shall cite the applicable code section for each violations noted when the inspection is failed.
- Attend meetings related to building inspection projects when requested or authorized by the Building Official.
- Perform inspections during the normal working hours and days as performed by regular inspectors or as otherwise agreed.
- 6. Ensure an Oregon licensed commercial plumbing inspector is available to provide as needed services and inspections. Plumbing inspector shall be available during the normal working hours and days as performed by regular inspectors or as otherwise agreed. CONSULTANT shall notify the Building Official in writing not less than 7 business days prior to any absentees of the plumbing inspector where services will not be provided for more than 3 consecutive business days. Consultant shall be responsible for scheduling any required substitute plumbing inspectors should regular personnel be unable to provide required services.
- Maintain the required City of Astoria annual Business License.
- 8. Building Finals and Certificate of Occupancy approvals shall only be issued by prior written approval of the CITY Building Official or designee.

EXHIBIT B FEE SCHEDULE

The fee for CONSULTANT services will be calculated as follows:

Combined Inspection Services, Inc. (CONSULTANT) will provide partial Building Code Services to the City of Astoria (CITY) for the period beginning September 1, 2014 through June 30, 2015 on an as needed on call basis at a rate of \$65.00 per hour. Travel time and mileage will not be charged to the CITY. The scope of services will provide the following:

- CONSULTANT will provide inspectors on site on call as needed to provide temporary vacation or emergency coverage. Building official services will be provided only on an as needed basis for emergency coverage at the CITY as needed and services will be charged at \$65.00 per hour. Scheduling may vary based on mutual consent and written approval of the CITY Building Official.
- Plan reviews that have been authorized by CITY Building Official to send to the CONSULTANTS office for review will be charged at \$65.00 per hour.
- Fire and Life Safety plan review services that have been authorized by CITY Building Official to be sent to the CONSULTANTS office for review will be charged at \$65.00 per hour.
- 4. Where CONSULTANT performs both the Structural and Fire and Life Safety plan reviews combined it shall be charged at a rate of 50% of the total plan review fees regardless of the project valuation.
- City will ship plans next day to CONSULTANT Office for review at CITY expense.
 CONSULTANT will ship plans back next day service to CITY and submit monthly
 receipts to be reimbursed for all return shipping costs unless other shipping arrangements
 have been pre-approved by CITY.
- 6. Commercial plumbing inspection and plan review services when needed will be billed at a rate of \$65.00 per hour. Services shall be pre-approved by the CITY. All Commercial plumbing plan reviews shall be performed at the City of Astoria office.
- Nuisance and Abatement Services will be included as needed on call only and will be billed out at the rate of \$65.00 per hour. Prior approval of the CITY Building Official is required.

EXHIBIT C

WORKMEN'S COMPENSATION

The CONSULTANT, its sub consultants, if any, and all employers working under this Agreement are either subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers, or are employers that are exempt under ORS 656.126.

LABORERS AND MATERIALMEN, CONTRIBUTIONS TO INDUSTRIAL ACCIDENT FUND, LIENS AND WITHHOLDING TAXES

CONSULTANT shall make payment promptly, as due, to all persons supplying CONSULTANT labor or material for the prosecution of the work provided for this contract.

CONSULTANT shall pay all contributions or amounts due the Industrial Accident Fund from CONSULTANT or any sub consultant incurred in the performance of the contract.

CONSULTANT shall not permit any lien or claim to be filed or prosecuted against the CITY on account of any labor or material furnished.

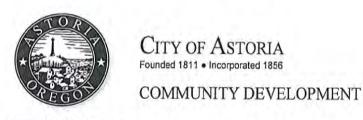
CONSULTANT shall pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167.

OVERTIME

Employees shall be paid at least time and a half for work performed on legal holidays and for all overtime worked in excess of ten (10) hours per day, or in excess of 40 hours in any one week, whichever is greater, except for individuals under these contracts who are excluded under ORS 653.010 to 653.261 or under 29 USC Sections 201 to 209 from receiving overtime.

PAYMENT OF MEDICAL CARE

CONSULTANT shall promptly, as due, make payments to any person, copartnership, association or corporation, furnishing medical, surgical and hospital care or other needed care and attention, incident to sickness or injury to the employees of such CONSULTANT, of all sums which the CONSULTANT agrees to pay for such services and all moneys and sums which the CONSULTANT collected or deducted from the wages of employees pursuant to any law, contract or agreement for the purpose of providing or paying for such services.



August 25, 2014

TO:

MAYOR AND ASTORIA CITY COUNCIL

FROM: RETT 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."

<u>Finding</u>: 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 text amendment ordinance by title only. A reading of the map amendment ordinance to apply the Compact Residential (CR) Zone on the northern half of the blocks between 30th and 32nd Streets was not held; however, to implement the code language contained in the ordinance, two map amendments are required as outlined and discussed at prior hearings. The two map amendments include: 1) extending the Gateway Overlay (GO) Zone to cover the entire Civic Greenway Plan Area; 2) apply the new Civic Greenway Overlay (CGO) Zone to the Civic Greenway Plan Area. At the time of the ordinance preparation a detailed map and description were not available for the two overlay areas. Interim maps showing the general areas were included with the ordinance. Maps illustrating the specific areas, as well as descriptions of these areas, will be provided at the following Council meeting for the second reading. The extent of the application of the CGO and GO Overlay Zones will remain unchanged from Planning Commission and City Council hearings.

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:

Roseman Johnson, Planner



CITY OF ASTORIA Founded 1811 • Incorporated 1856

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.

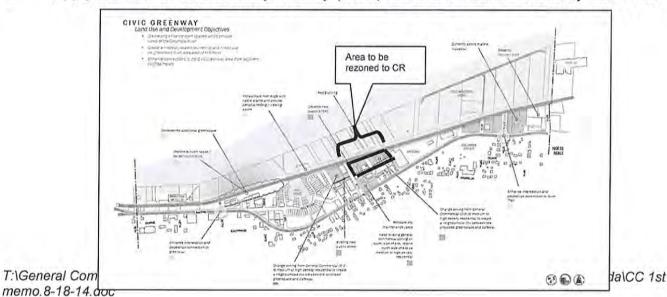
The RVP for the Civic Greenway Planning Area identified Land Use Assumptions and Objectives which state that "It is expected that large amounts of overwater development will not occur in the Civic Greenway ..." The objectives include:

- 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:

- 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.
- 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.
- 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.

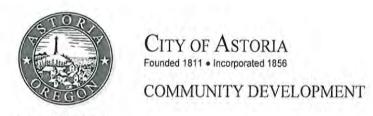
RECOMMENDATION

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
- Amending the Astoria Land Use and Zoning Map to rezone an area from C-3 (General Commercial to CR (Compact Residential

By:

Rosemary Johnson, Planne



July 15, 2014

TO:

ASTORIA PLANNING COMMISSION

FROM:

ROSEMARY JOHNSON, PLANNER & server

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 overwater 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 overwater 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.

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.

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 Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

July 15, 2014

TO:

ASTORIA PLANNING COMMISSION

FROM:

ROSEMARY JOHNSON, PLANNER

SUBJECT:

AMENDMENT REQUEST (A14-02) ON RIVERFRONT VISION PLAN

IMPLEMENTATION ORDINANCE

1. 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.

Location:

City-wide

11. 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:

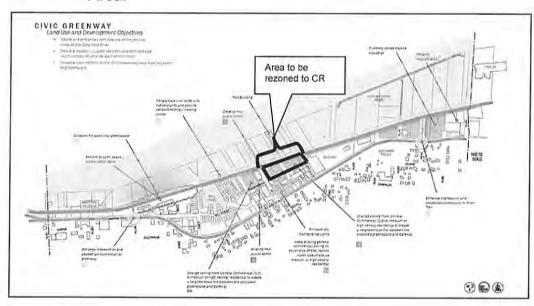
- Protect river vistas to maintain physical and visual connections to the river.
- Create and enhance open spaces which provide views of the river.
- Encourage maritime related uses consistent with Astoria's working riverfront such as docks, piers and associated uses.
- Create a modest scale residential 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:

- 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.
- Apply the new Civic Greenway Overlay (CGO) Zone to the Civic Greenway Plan Area.



Proposed text/code amendments will include:

- 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.
- 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. <u>City Council</u>

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 <u>Daily Astorian</u> 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."

<u>Finding</u>: 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:
 - An amendment to the text of the Development Code or Comprehensive Plan.
 - 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."

<u>Finding</u>: 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."

<u>Finding</u>: 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."

<u>Finding</u>: 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.

 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."

<u>Finding</u>: 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."

<u>Finding</u>: 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."

<u>Finding</u>: 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 – removed reference to CRMM and changed to maritime related use		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;
 - 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;
 - 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
 - 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."

<u>Finding</u>: 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."

<u>Finding</u>: 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.

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

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

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."

<u>Finding</u>: 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."

<u>Finding</u>: 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.

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

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

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

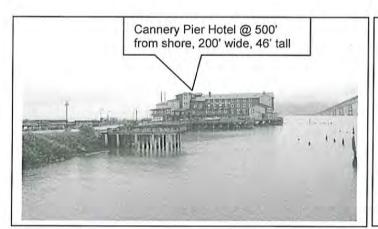
- "2. Public access in urban areas shall be preserved and enhanced through waterfront restoration and public facilities construction, and other actions consistent with Astoria's public access plan.
- Proposed major shoreline developments shall not, individually or cumulatively, exclude the public from shoreline access to areas traditionally used for fishing, hunting or other shoreline activities.
- 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."

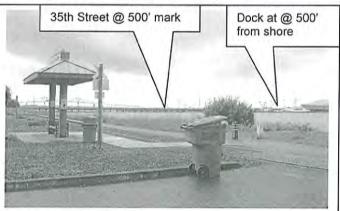
CP.185(N.2), Regional Estuary and Shoreland Policies, Recreation and Tourism Policies, states that "Recreation uses in waterfront areas shall take maximum advantage of their proximity to the water by: providing water access points or waterfront viewing areas; and building designs that are visually u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

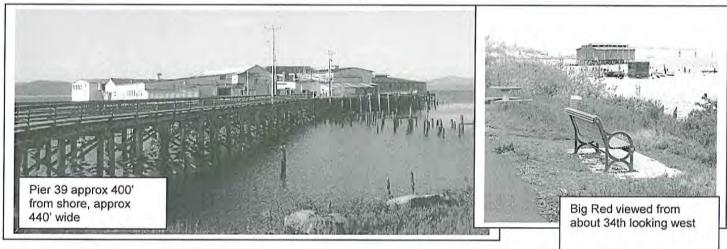
CP.204, Economic Development Goal 5 and Goal 5 Policies, Goal states "Encourage the preservation of Astoria's historic buildings, neighborhoods and sites and unique waterfront location in order to attract visitors and new industry." The Policy 1 states "Provide public access to the waterfront wherever 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."

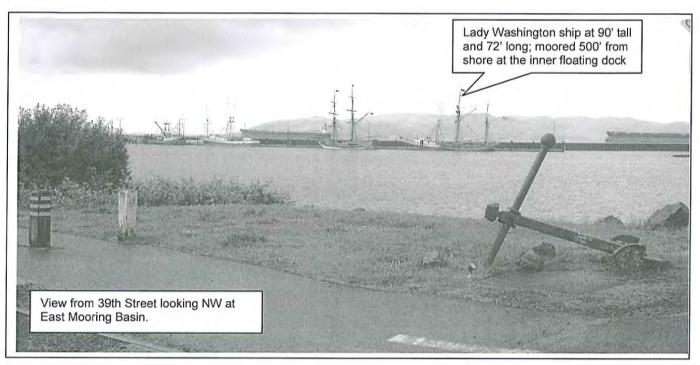
<u>Finding</u>: One of the reasons the Riverfront Vision Plan was developed was to enhance public access to the estuary and allow for preservation of public open space and park areas along the Columbia River. Public access includes both physical and visual access. The River Trail along the Columbia River 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.

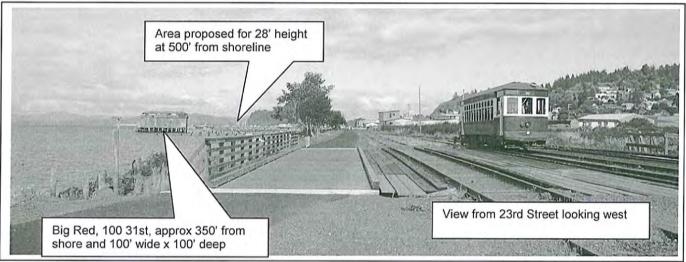
The proposed implementation of the RVP will allow for limited over-water development of maritime related facilities while protecting public visual and physical access to the River. The proposed amendment would limit the size, height, and location of development to minimize the impact on public access. 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.

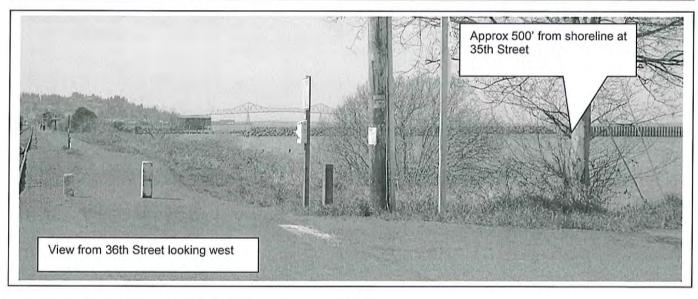


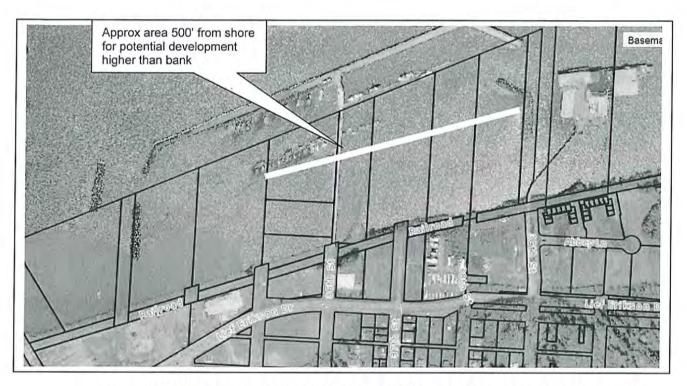












- CP.185(G), Estuary and Shoreland Policies states that "This subsection applies to uses and activities with potential adverse impacts on fish or wildlife habitat, both in Columbia River estuarine aquatic areas and in estuarine shorelands.
 - Endangered or threatened species habitat shall be protected 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."

<u>Finding</u>: 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.
 - 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."

<u>Finding</u>: 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.

- 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. . .
 - 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."

<u>Finding</u>: 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:
 - 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:
 - The construction of public access points, pathways, and street ends;
 - 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."

<u>Finding</u>: 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 APC February 25, 2014 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 . . ."

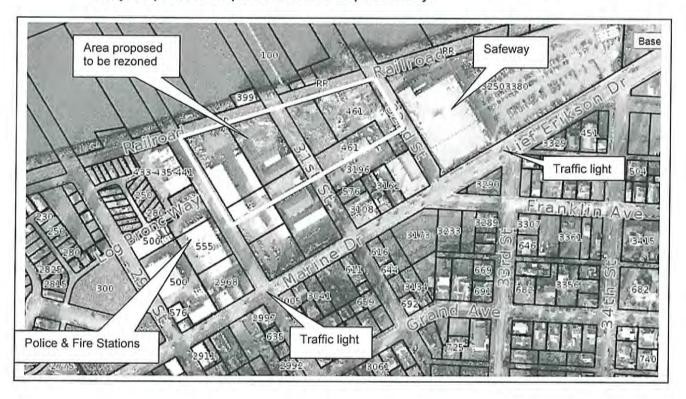
Finding: The proposed amendment will satisfy land use needs in that it will allow for the development of private properties while protecting the vistas and views along the Civic Greenway Area of the River Trail. The proposed amendment limits the allowable development in this area thereby reducing some 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:
 - Satisfy land and water use needs; or
 - b. Meet transportation demands; or
 - c. Provide community facilities and services."

<u>Finding</u>: 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.

C-3 Zone		CR Zone	
Outright	CU	Outright	CU
X			
X			
X			
X			
X			
X	LIT	X	171
	Х		X in community building only
	Х		X home stay lodging only
X			
X			
X			
X			
X			
X with		Х	
1 - 1 - 1		X	
X			
	X		
	X		
	Х		Х
100	X		
	Х		
	Х		
	Х		
X	_	-	Х
	X X X X X X X X X X X X X X X X X X X	Outright CU X X X X X X X X X X X X X	Outright CU Outright X X X X X X X X X X X X X X X X 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.

ORDINANCE	NO. 14-	
------------------	---------	--

AN ORDINANCE AMENDING THE ASTORIA DEVELOPMENT CODE PERTAINING TO IMPLEMENTATION OF THE ASTORIA RIVERFRONT VISION PLAN

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

<u>Section 1</u>. 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."

<u>Section 2</u>. 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."

<u>Section 3</u>. 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."

<u>Section 4</u>. 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."

<u>Section 5</u>. 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."

<u>Section 6</u>. 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."

<u>Section 7</u>. 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 STANDARD

<u>Section 8</u>. 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."

<u>Section 9</u>. 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."

<u>Section 10</u>. 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."

<u>Section 12</u>. 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."

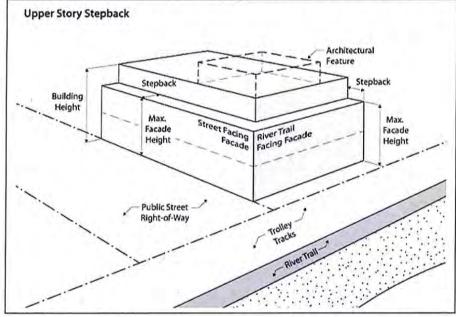
"COMMON OPEN SPACE: An area improved for recreational use or gardening that all owners in the development own and maintain in common through a homeowner's association, condominium association, or similar mechanism."

"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 stepbacks are stepped or progressive recessions in a building's face as the building rises higher. Stepbacks 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:

- Arts and crafts studio.
- Family day care center.
- 3. Home occupation, which satisfies the requirements of Section 3.095.
- 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.
- Residential home.

2.210. <u>CONDITIONAL USES PERMITTED</u>.

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:

- 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.

- 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.
- 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:

- 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.
- 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.

- Minimum landscaping for individual lots in the CR Zone shall be 20%, except for cottage cluster development.
- 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.

- 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.
- Outdoor storage areas will be enclosed by appropriate vegetation, fencing, or walls.
- 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);
 - 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.
- Where feasible, joint access points and parking facilities for more than one use should be established.
- Access drives and parking areas should be located on side streets or nonarterial 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.
- 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.
- 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.

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.

- Small boat building and repair.
- Water-dependent facilities including dock, moorage, pier, terminal, transfer facility and marina for commercial and recreational marine craft, for passengers, or for waterborne commerce.
- Public pier.
- Public use associated with a maritime use.
- Navigational structure.
- Shoreline stabilization.
- Flowlane disposal of dredged material.
- Pipeline, cable, and utility crossing.
- Storm water and treated wastewater outfall.
- Communication facility.
- 11. Temporary dike for emergency flood protection limited to 60 days subject to State and Federal requirements.
- 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:
 - Boat and/or marine equipment sales;
 - b. Fish or shellfish retail or wholesale outlet;
 - c. Charter fishing office;
 - Sports fish cleaning, smoking, or canning establishment;
 - 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;
 - Eating and drinking establishment that provides a view of the waterfront, and that is in conjunction with an associated water dependent use such as a marina or seafood processing plant;
 - g. Cold storage and/or ice-processing facility independent of seafood processing facility.
- Navigation aid.
- 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.

- Active restoration.
- Bridge crossing and bridge crossing support structure.
- Water-dependent or water-related recreational use not listed elsewhere in this zone.
- A use for which an exception to the Estuarine Resources Goal has been adopted as an amendment to the Astoria Comprehensive Plan.
- Fill in conjunction with any of the conditional uses 1 through 4 listed above pursuant to the applicable standards in Section 4.050.
- 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.

- Dredged material disposal at sites designated for dredged material disposal in the Comprehensive Plan.
- 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.
- Water-related commercial or industrial use other than those listed under Section 14.045(15) of this zone.
- 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.
- 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.

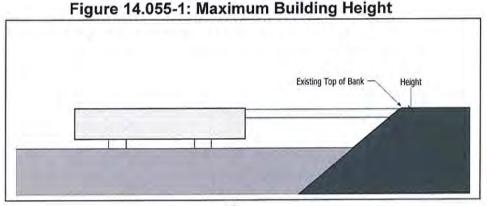
14.055. STANDARDS FOR OVERWATER DEVELOPMENT.

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.

 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.



- 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.

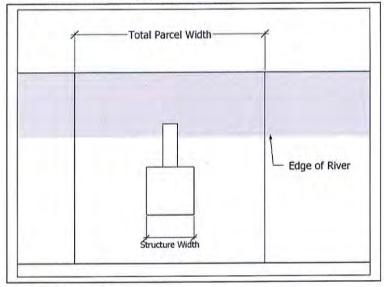
- The maximum gross floor area of enclosed structures is 4,000 square feet.
- 2. 35th to 41st Street Exception.

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

C. Width.

- 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.

New Access

New Building

River Trail

Trolley Tracks

Existing
Buildings

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.

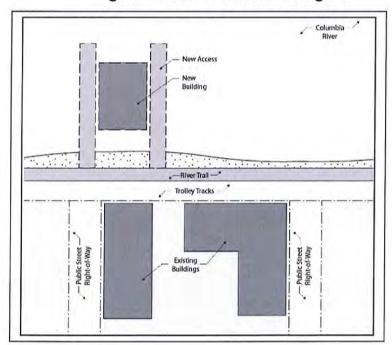
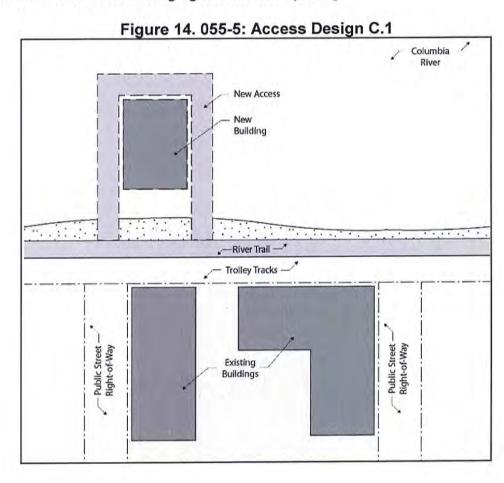


Figure 14.055-4: Access Design B

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.]



New Access

River Trail

Trolley Tracks

Existing
Buildings

Existing
Buildings

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).

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.

- 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).
- 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.

Upper Story Stepback

Stepback

Stepback

Max.
Facade
Height

Facade
Facade
Facade
Facade
Facade

Public Street
Right-of-Way

Trokey
Trokey
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:

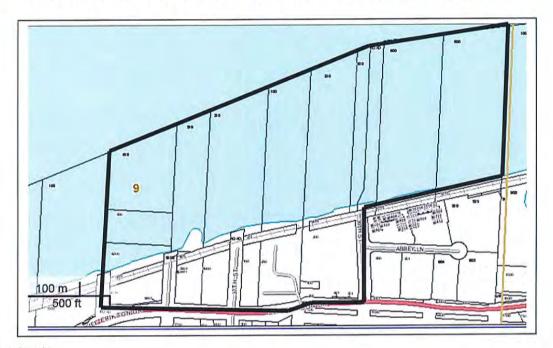
- The area proposed for the Plan District has special characteristics or problems
 of a natural, economic, historic, public facility, or transitional land use or
 development nature which are not common to other areas of the Civic
 Greenway Area;
- Existing base and overlay zone provisions are inadequate to achieve a desired public benefit as identified by the City Council, and/or to address identified needs or problems in the area;
- 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:

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

E. Application Procedure An application to establish the East Basin Plan District shall be processed through the following procedures: The City or Port of Astoria may apply to establish development regulations that affect one or more properties within the East Basin Plan District. An application to establish regulations that would govern development b. 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. 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. An application to apply the East Basin Plan District regulations to a specific project shall be processed through the following procedures: The Port of Astoria as a public entity shall be the applicant or coapplicant on all applications. 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.

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 multifamily dwelling unit buildings), unless specified otherwise.

- 1. Building Forms.
 - All dwelling unit buildings shall be based on a rectangular or square a. 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

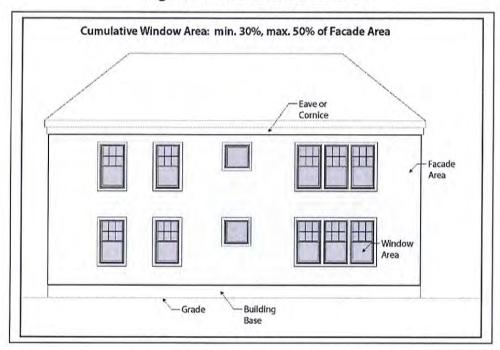


2. Window Design.

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

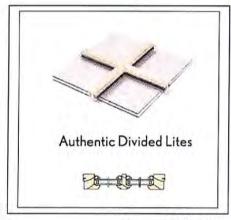
- Windows required. All facades facing a right-of-way, River Trail, or a. common open space shall have windows.
- b. Window area. Window area shall cover a minimum of 30% of all streetfacing facade areas and shall not exceed 50% of street-facing facade areas.

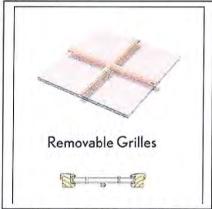
Figure 14.065-2: Window Area

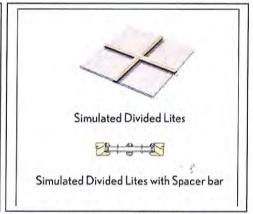


- c. Window lites. Window lite design shall be one of the following:
 - 1) Single-lite windows; or
 - 2) Multiple-lite true-divided windows; or
 - 3) Combination of single and multiple-lite true-divided windows; or
 - Applied muntins with profile facing window exterior.

Figure 14.065-3: Window Lites



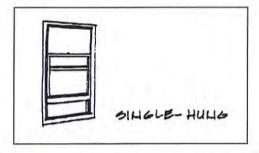


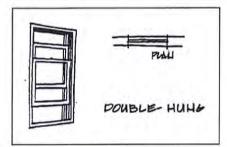


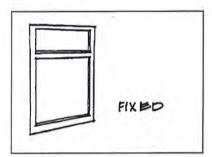
- d. Windows shall be fixed or open in one of the following configurations:
 - 1) Fixed window; or
 - 2) Single-hung windows; or
 - Double-hung windows; or

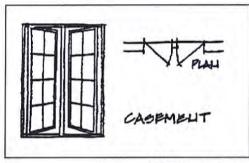
- 4) Awning or hopper windows; or
- 5) Casement windows.

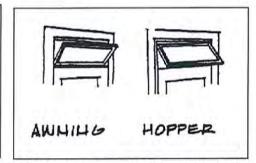
Figure 14.065-4: Fixed and Opening Windows







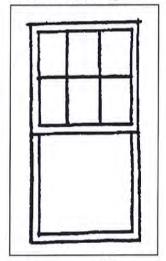




- e. <u>Window shape</u>. Window shape shall be one of the following:
 - 1) Vertical rectangle; or
 - 2) Square.
 - Arched or decorative windows are permitted but should not exceed more than 30% of the total window coverage on all facades of the building.

Figure 14.065-5: Window Shapes

Vertical rectangular window

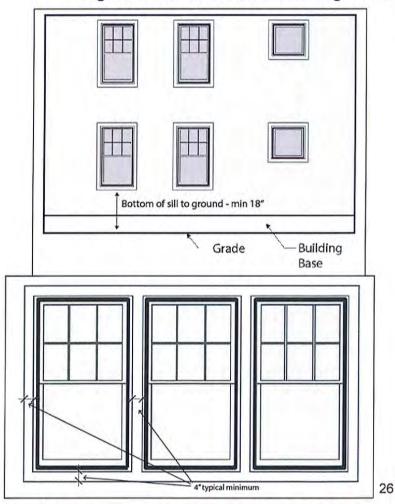


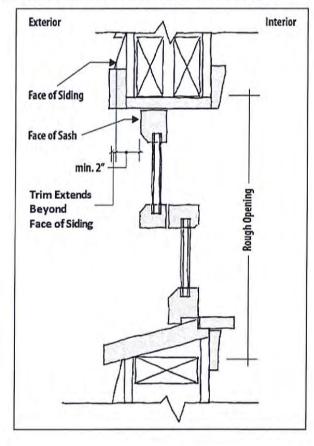
Examples of arched or decorative windows



- f. <u>Window detailing</u>. 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



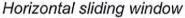


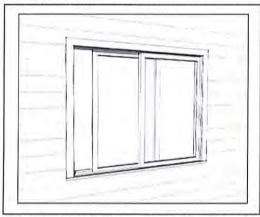
C:\Users\jiampi\AppData\Loca\Microsoft\Windows\Temporary Internet Files\Content.Outlook\ON81V8PI\A14-02 Ordinance Dev Code 9-2-14 (BE),docT:\General CommDev\APC\Permits\Amendments\2014\A14-02 Riverfront Vision Plan\9-2-14 CC agenda\A14-02 Ordinance Dev

Code.9-2-14.doc

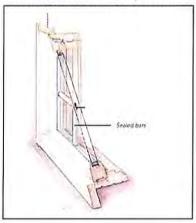
- g. <u>Window design prohibited</u>. The follow window design features are prohibited.
 - Applied muntins that have no profile.
 - Smoked, tinted, or frosted glass, except for bathroom windows not on the street-facing facade.
 - Mirrored glass.
 - 4) Horizontal sliding windows.
 - 5) Aluminum frame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

Figure 14.065-7: Window Design Prohibited





Muntins with no profile

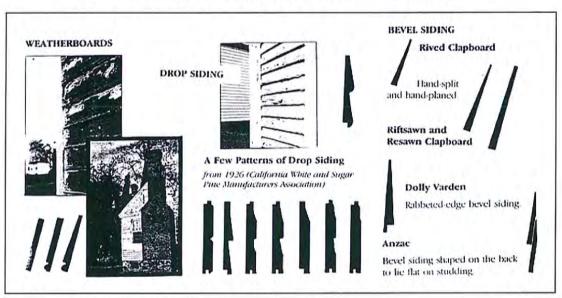


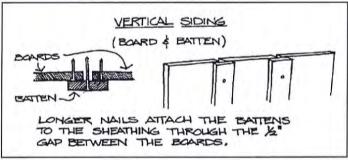
Exterior Wall Treatments and Materials.

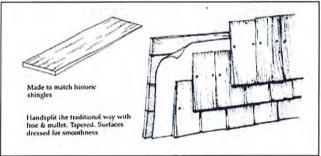
The following design standards apply to all dwelling unit types.

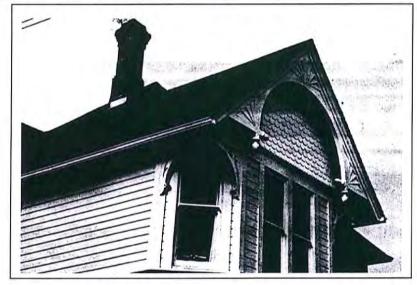
- A minimum of 80% of exterior walls shall be constructed of one or more of the following sets of treatments and materials.
 - Drop siding; or
 - 2) Weatherboard siding; or
 - Clapboard; or
 - Rectangular wood shingle; or
 - 5) Decorative wood shingle; or
 - Board and batten.
- Horizontal siding shall have six inches or less exposure.
- 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.

Preferred exterior panel seam pattern if seams cannot be avoided

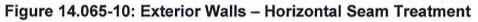
Building
Corner

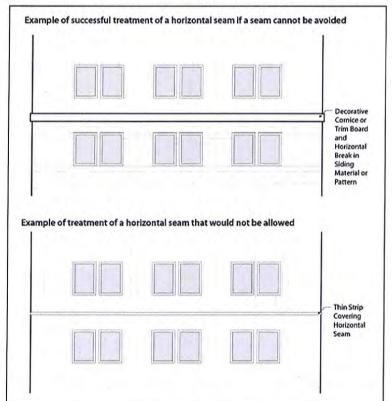
Equidistant

Window Centered
on Seam

Example of exterior seam pattern that is prohibited

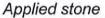
Figure 14.065-9: Exterior Walls - Seam Treatment

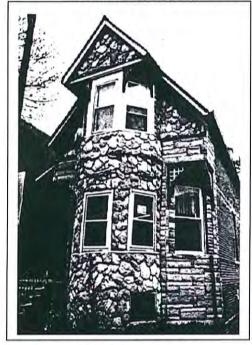




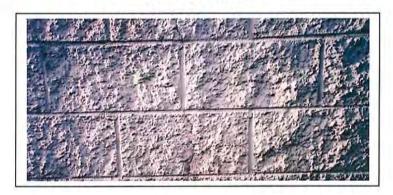
- e. Exterior wall treatments and materials prohibited. The following types of treatments and materials are prohibited.
 - Exposed textured concrete block.
 - Flagstone or other applied stone products.
 - Precast concrete or decorative concrete panels.
 - Wood shakes.
 - 5) Plywood paneling.

Figure 14.065-11: Exterior Wall Treatments and Materials Prohibited





Textured concrete



Roof Elements.

The following design standards apply to all dwelling unit types.

- a. Roof design shall be one of the following:
 - Steep (minimum 5:12 pitch) gable with broad (minimum 1 foot) eaves;
 - 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

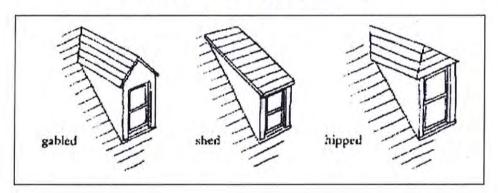




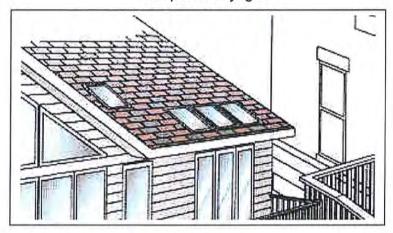
- A roof may consist of sections of flat roof for up to 75% of the roof area.
- Roof elements permitted. The following roof design elements are permitted.
 - Dormers with gable, hip, or shed roofs.
 - 2) Flat panel skylights or roof windows on secondary elevations.

Figure 14.065-13: Roof Elements Permitted

Gabled, shed, and hipped dormers

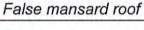


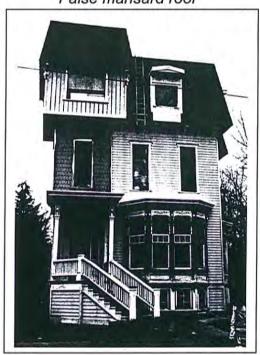
Flat panel skylights



- Roof elements prohibited. The following roof design elements are C. prohibited.
 - False mansard or other applied forms. 1)
 - 2) Dome skylights.

Figure 14.065-14: Roof Elements Prohibited



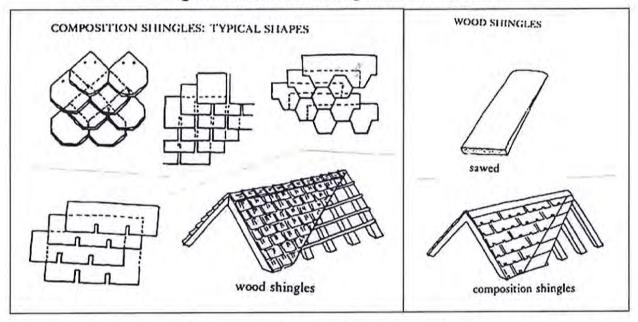


5. Roofing Materials.

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
 - Composition roofing; or
 - 3) Metal with no-profile seams or low-profile seams (less than 1/4 inch x 1 ¼ inch).

Figure 14.065-15: Roofing Material Permitted



- 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.
- Roofing materials prohibited. The following roofing materials are prohibited.
 - 1) High profile standing seam (1/4 inch x 1 ¼ inch or greater) metal roof.
 - Brightly colored roofing material, as determined by the Community Development Director.

Figure 14.065-16: Roofing Material Prohibited

High profile metal seam roof



Signs.

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

Doors.

The following design standards apply to all dwelling unit types.

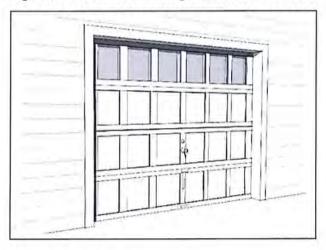
- a. Doors shall have at least one light (glass) panel.
- b. Sliding doors are not permitted on the ground floor of the front façade.
- c. All materials are permitted.
- d. Metal or metal-clad doors shall be painted.

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



B. Other Development Standards.

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.

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.

Fences.

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

C. <u>Landscaping</u>.

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

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.

Height and spacing.

- 1) Maximum shrub height is 30 inches.
- Maximum width of clusters of trees is 50 feet.
- Clusters of trees shall have a minimum of 50 feet clear between branches at maturity.
- 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.

River Side

Columbia River

Tree Cluster Width

Clear Distance

No Trees

River Trail

Trolley Tracks

Public Street Right-of-Way

Land Side

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 14.065.C.4 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.

Land side or upland standards.

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

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

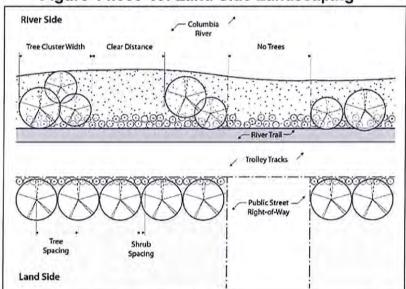


Figure 14.065-19: Land Side Landscaping

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.

- Landscaping credits for non-vegetation features.
 - The Community Development Director may approve nonvegetative features to account for up to 10% of required landscaping.
 - 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 nonvegetative feature will result in the requirement for installation of the landscaping in accordance with the Code at the time of the loss.

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).

- Maximum height for street trees along north-south streets between Marine Drive and the Columbia River is 45 feet.
- 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.

Native Plants.

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

a. Trees

Native Trees

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

Street Trees - 15 feet diameter

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

3) 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

b. Shrubs

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

2) Non-native shrubs – widely used ornamentals with many varietals in each of the following plant groups

Barberry

Ceanothus

Cistus

Chaenomeles (Flowering quince)

Escallonia

Euonymus

Fuschia (hardy)

Laurel - 'Schipka'

Rhododendron

Rosa rugosa

Salix purpurea - Alaska blue willow

Syringa vulgaris - Lilac

Viburnum (Hydrangea, etc)

Herbaceous Perennials, Grasses and Groundcover Plants

Natives

Adiatum pedatum - Northern Maidenhair Fern

Alopecurus geniculatus - Water Foxtail

Aquilegia formosa - Red Columbine

Angelica arguta - Sharptooth Angelica

Amica amplexicaulis var. piperi - Clasping Arnica

Aruncus sylvester - 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 Strawbery

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

Juneus anaifalius Dagger Joef Duch

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 glycrrhiza - Licorice Fern

Polystichum munitum - Sword Fern

Pteridium aquilinum - Bracken Fern

Pyrola asarifolia - Wintergreen

Scirpus cyperinus - Wooly Sedge

Streptopus amplexifolius - Clasping-leaved Twisted-stalk

Tellima grandiflora - Fringecup

Thalictrum occidentale - Western Meadowrue

Tiarella trifoliata - Laceflower Trillium

Vancouveria hexandra - White Inside-out Flower

Viola glabella - Stream Violet

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"

<u>Section 19</u>. 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.

- Applications for cottage cluster development on a single lot will be reviewed by the Community Development Director.
- 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.

Number of cottages.

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

Cottage design.

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

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.

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.

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.

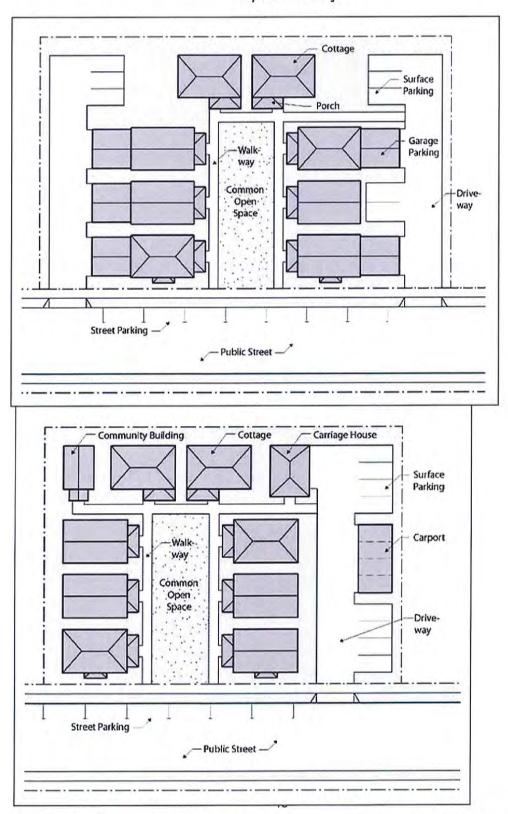
Community buildings.

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.]



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

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.

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.

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.

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. <u>Conflicts</u>.

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

<u>Section 20</u>. 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"

<u>Section 21</u>. 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."

<u>Section 22</u>. 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)
- Compact Residential Zone (CR)"

Section 22. 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:

- 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
- 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
- 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
 - Substantial construction of the building shall begin within two years of the date of destruction; and
 - 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 23. 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 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 and reestablishment of the use complies with the standards in Section 3.190.F."

Section 24. 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:

[Specific description to be provided at the second reading of the ordinance]

Section 25. 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:

[Specific description to be provided at the second reading of the ordinance]

<u>Section 26</u>. <u>Effective Date</u>. This ordinance and its amendment will be effective 30 days following its adoption and enactment by the City Council.

	HE COMMON COUN				
APPROVED BY	THE MAYOR THIS _	DAY	OF		_, 2014.
ATTEST:		_	М	ayor	
	Manager Pro Tem) 11.222.3 (11.11	19247711	11702010	
ROLL CALL ON	ADOPTION:	YEA	NAY	ABSENT	
Commissioner	LaMear Herzig Mellin Warr				

Mayor Van Dusen

ATTACHMENT A CIVIC GREENWAY OVERLAY (CGO) ZONE



ATTACHMENT B GATEWAY OVERLAY (GO) ZONE





August 25, 2014

TO:

MAYOR AND ASTORIA CITY COUNCIL

SUBJECT:

AMENDMENT REQUEST (A14-03) BY NORMADIC PROPERTIES LLC ON BEHALF OF CANNERY LOFT CONDOMINIUM OWNERS ASSOCIATION TO THE LAND USE AND ZONING MAP TO REZONE AN AREA FROM GI ZONE (GENERAL INDUSTRIAL) TO S-2A (TOURIST ORIENTED SHORELAND)

BACKGROUND

The area proposed to be rezoned is located on the north side of Abbey Lane east of 39th Street. It is two of three platted lots approved under Conditional Use permit (CU04-04) as amended by AEP05-05 for development with three Cannery Loft Condominium buildings and is developed with two condominium buildings. The third vacant lot to the east was rezoned (A13-02) to S-2A on June 3, 2013. The site was originally zoned S-1 (Marine Industrial Shoreland) but was rezoned to GI in 1992 (A92-03) as the parcels were not feasible for shoreland activities as they were cut off from the River and shoreland development opportunities.

The current GI Zone limits the variety of commercial uses allowed and mainly focuses on general industrial uses, but does allow multi-family dwellings above the ground floor under a conditional use permit. The existing buildings are developed with multi-family dwellings above the first floor and with professional office, ministorage, and several vacant general industrial use units on the ground floor. A maximum of 20% of the ground floor may be developed with other than general industrial use. The property to the west of 39th Street (Hampton Inn & Suites) was changed from S-1 Zone (Marine Industrial Shoreland) to S-2A Zone (Tourist Oriented Shoreland) to allow for the development of the new hotel which would support the East End Mooring Basin activities more than the industrial uses allowed by the S-1 Zone. The request to rezone the parcels at 3930 Abbey Lane and 3990 Abbey Lane to S-2A would continue with the tourist oriented shoreland possibilities while also allowing the multi-family dwellings. The requested zone change to S-2A would return the property to a waterfront zoning while allowing more flexibility in the range of commercial and tourist-oriented uses allowed.

With separate individual ownership of each condominium unit, the City Attorney determined that the Cannery Loft Condominium Owners Association (CLCOA) had authority through their Bylaws to act on behalf of the entire body of owners to submit an application. The CLCOA held the necessary voting and adopted "Resolution 2014-14 of the Board of Directors of the Cannery Loft Owners Association Regarding Application to the City of Astoria to Rezone

Cannery Loft Property to S-2A" on May 29, 2014. Therefore, the proposed amendment to the zone boundary is being initiated by the property owners.

At its July 24, 2014 meeting, the Astoria Planning Commission held a public hearing and recommended that the City Council adopt the proposed amendment. A copy of the Staff Report and Findings of Fact as adopted by the Planning Commission is attached. Also attached to this memo is the proposed ordinance. A public hearing and first reading on the Amendment was held at the August 18, 2014 City Council meeting.

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 A14-03 to the Astoria Land Use and Zoning Map and adopt the Ordinance."

By:

Rosemary Johnson, Planner

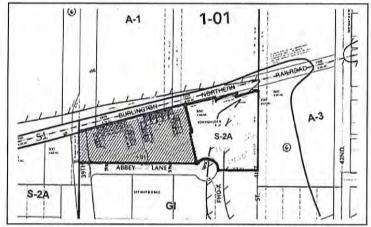
ORDINANCE NO	. 14-
--------------	-------

AN ORDINANCE AMENDING THE ASTORIA LAND USE AND ZONING MAP BY REZONING PARCELS AT 3930 AND 3990 ABBEY LANE FROM GI (GENERAL INDUSTRIAL) TO S-2A (TOURIST-ORIENTED SHORELAND)

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

<u>Section 1</u>. The 1992 Astoria Land Use and Zoning Map is amended to rezone the following area from GI (General Industrial) to S-2A (Tourist-Oriented Shoreland) as indicated on the map:

Map T8N-R9W Section 9AA, Tax Lots 80000 & 90000, etal condominium tax lots; Cannery Loft Condominium and Cannery Loft Condominium Stage 2



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

ADOPTED BY T	HE COMMON COL	JNCIL THIS _	DAY OF		, 2014.
APPROVED BY	THE MAYOR THIS	S DAY	OF		_, 2014.
ATTEST:		-	М	ayor	
Brett Estes, City	Manager Pro Tem				
ROLL CALL ON	ADOPTION:	YEA	NAY	ABSENT	
Commissioner	LaMear Herzig Mellin Warr				
Mayor	Van Dusen				

STAFF REPORT AND FINDINGS OF FACT

July 15, 2014

TO:

ASTORIA PLANNING COMMISSION

FROM:

ROSEMARY JOHNSON, PLANNER

SUBJECT:

Amendment Request (A14-03) by Nomadic Properties LLC for Cannery Loft Condominium Owners Association to amend the Land Use and Zoning Map to rezone the property at 3930 and 3990 Abbey Lane from GI Zone (General

Industrial) to S-2A Zone (Tourist-Oriented Shoreland)

1. BACKGROUND SUMMARY

A. Applicant: Normadic Properties LLC (on behalf of the Condo owners)

10139 NW Skyline Heights Drive

Portland OR 97229

Stefanie Slyman

Harper Houf Peterson Righellis Inc 205 SE Spokane Street #200

Portland OR 97202

B. Owner:

Cannery Loft Condo Owners Assoc (representing all Condo owners)

Community Assoc Partners LLC

PO Box 2429

Beaverton OR 97075

Cannery Loft Condominium Owners Association

Gregory Kenney, Associate President

6600 SE Montego Bay St Milwaukie OR 97267-1960

C. Request: Amend the Land Use and Zoning Map to rezone the lots at 3930 and

3990 Abbey Lane from GI (General Industrial) to S-2A Zone (Tourist-

Oriented Shoreland); approximately 2.3 acres

D. Location: 3930 and 3990 Abbey Lane; Map T8N-R9W Section 9AA, Tax Lots

90000, 80000, et al condominium tax lots; Cannery Loft Condominium and Cannery Loft Condominium Stage 2

E. Current Zone: GI (General Industrial)

Proposed Zone:

S-2A (Tourist-Oriented Shoreland)

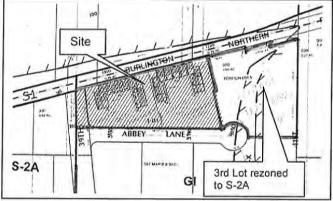
II. BACKGROUND

Subject Site:

The property to be rezoned is approximately 2.3 acres in size and is part of the Astoria Business Park general industrial area. It is located on the north side of the dead end cul-de-sac of Abbey Lane accessed from 39th Street off Lief Erikson Drive.

The lots are two of three platted lots approved for development with three Cannery Loft Condominium buildings. Only two of the approved buildings were constructed and the third lot remains vacant. The site is flat and developed with the two condo buildings. The third lot was rezoned to S-2A in 2013 under permit A13-02.





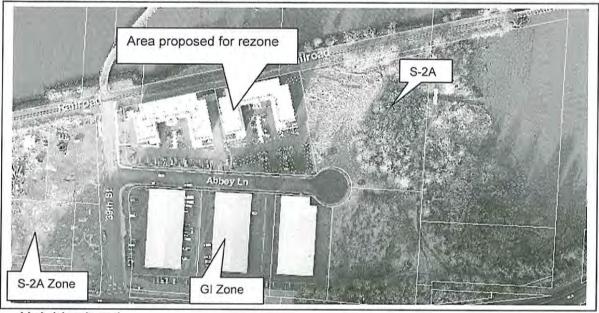
The site was originally zoned S-1 (Marine Industrial Shoreland) but was rezoned to GI in 1992 (A92-03) as the parcels were not feasible for shoreland activities as they were cut off from the River and shoreland development opportunities. With the change to GI Zone, the property is no longer included in the City's inventory of Goal 17 shorelands, or those lands which are Especially Suited for Water Dependent (ESWD) uses. An amendment was approved in 2001 (A01-03) which increased some of the allowable uses within the GI Zone.

The current GI Zone limits the variety of commercial uses allowed and mainly focuses on general industrial uses, but does allow for multi-family dwellings above the ground floor under a conditional use permit. The site was included in the Cannery Loft Condominium development proposal and approved under Conditional Use permit (CU04-04) as amended by AEP05-05 for construction of multi-family dwellings. The original owners were never able to complete construction of the third building and the lot subsequently changed ownership and was recently rezoned to S-2A (A13-02).

The property to the west of 39th Street was changed from S-1 Zone (Marine Industrial Shoreland) to S-2A Zone (Tourist Oriented Shoreland) to allow for the development of the new hotel which would support the East End Mooring Basin activities more than the industrial uses allowed by the S-1 Zone. The request to rezone the parcels at 3930 and 3990 Abbey Lane to S-2A would continue with the tourist oriented shoreland possibilities while allowing the multi-family dwellings to remain as allowable uses in the existing buildings.

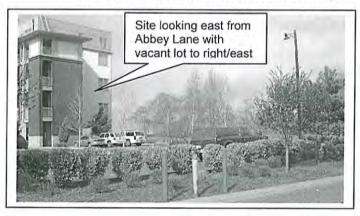
The applicant has stated that the nature of the two existing condominium buildings has not been conducive to general industrial uses and much of the ground floor spaces have remained vacant. There was a recent code amendment to allow mini storage in the two existing buildings to expand the allowable uses within those buildings. The requested zone change to S-2A would return the property to a waterfront zoning while allowing more flexibility in the range of commercial and tourist-oriented uses allowed.

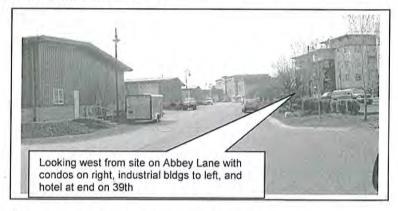
The applicant has submitted Findings of Fact with the application dated June 4, 2014 which are hereby incorporated by reference into this report.



Neighborhood:

To the west across the 39th Street right-of-way is the Hampton Inn Hotel; to the northwest is the East End Mooring Basin, water area; to the north is the Columbia River, Pier 39, and River Trail (the trolley line ends at 39th Street); to the east a vacant parcel, the Alderbrook Lagoon, and wetlands; to the south are four industrial lots developed with three industrial buildings on the south side of Abbey Lane adjacent to Lief Erikson Drive. The area to the east is zoned S-2A (Tourist Oriented Shoreland) and A-3 (Aquatic Conservation). Properties to the south are zoned Gl Zone (General Industrial). The area west of 39th Street is zoned S-2A (Tourist Oriented Shoreland).





III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 100 feet, pursuant to Section 9.020 on June 27, 2014. In accordance with Section 9.020, a notice of public hearing was published in the <u>Daily Astorian</u> on July 15, 2014. Any comments received will be made available at the Planning Commission meeting.

IV. FINDINGS OF FACT

A. Section 10.020(B) states that "An amendment to a zone boundary may only be initiated by the City Council, Planning Commission, the Community Development Director, or the owner or owners of the property for which the change is proposed."

<u>Finding</u>: The area proposed to be rezoned is developed with two condominium buildings with separate individual ownership of each unit. The City Attorney has determined that the Cannery Loft Condominium Owners Association (CLCOA) had authority through their Bylaws to act on behalf of the entire body of owners to submit an application. The CLCOA held the necessary voting and adopted "Resolution 2014-14 of the Board of Directors of the Cannery Loft Owners Association Regarding Application to the City of Astoria to Rezone Cannery Loft Property to S-2A" on May 29, 2014. Therefore, the proposed amendment to the zone boundary is being initiated by the property owners.

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

<u>Finding</u>: The proposed amendment is to amend the Astoria Land Use and Zoning Map to rezone a limited 2.3 acre site with only two parcels in multiple condominium ownership from GI to S-2A Zone. Processing as a quasi-judicial action would be appropriate.

- C. Section 10.070(B.1) concerning a Map Amendment states that "Before an amendment to a zone boundary is approved, findings will be made that the following criteria are satisfied: 1. The amendment be consistent with the Comprehensive Plan."
 - 1. CP.010(2) concerning General Development Policies for 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."

<u>Finding</u>: At the time development application(s) are submitted for review by the City, issues such as site design are addressed. The site is developed with two condominium buildings. No site design issues are being considered as a part of this request.

2. CP.015(4) concerning General Land and Water Use 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."

CP.020(3) concerning 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."

<u>Finding</u>: The City will continue regional efforts to manage the Columbia River estuary and shorelands regardless of the zone change request. The property was rezoned in 1992 from a shoreland zone to GI and no longer retains the shoreland designation. However, the proposed zone would return the classification to a shoreland designation but with a tourist orientation. Removing this 2.3 acre parcel from the GI Zone and rezoning it S-2A (Tourist-Oriented Shoreland) will allow for an increased variety of uses to potentially occur on this property. This will allow for multiple uses.

3. CP.015(6) concerning General Land and Water Use Goals states that "The plan establishes the goal of encouraging development which the City is capable of servicing. New industry or housing development should be permitted if public facilities such as sewer, water, police and fire protection, and schools, are capable of accommodating increased demand."

<u>Finding</u>: The property is currently developed with two condominium buildings and is capable of being served by public facilities. The ground floors are partially vacant, and the actual demand on those services and ability to serve the increased demand cannot be determined until the actual use is proposed. The change in allowable uses could add a variety of commercial, tourist-oriented, and residential uses to the industrial, warehousing, light manufacturing, and other industrial-related uses. It is anticipated that public facilities should be sufficient to serve expanded uses in this area.

4. 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 (BLI) 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." There is an overall deficit of residentially zoned land of 15.84 acres. The subject property currently is zoned GI which allows multifamily residential units above the first floor but the proposed S-2A Zone would allow multi-family dwellings on all floors increasing the possibility for additional residential development. The rezone would take approximately 2.3 acres (approximately 100,600 square feet) from GI Zone (industrial) to S-2A Zone (commercial/shoreland). Because these lots are already developed, they are not included in the calculations of "Land Supply" available for future development. The S-2A Zone is classified as "Other" in the Industrial category and is not classified as "Commercial" in the BLI. The rezone would not reduce the industrial land surplus but would generally help with the overall deficit of commercially zoned employment land particularly for office/retail use by increasing the availability to utilize these parcels for some commercial uses under the land category of "Other". There would be no change to the BLI figures with this proposed zone change.

Growth Scenario	Type of Use	Commercial (Office/Retail)	Industrial/Other	Total
N.C. C.	Land Need	38.2	11.5	49.7
Medium	Land Supply	17.1	39.3	56.4
Surplus/(Deficit)	Surplus/(Deficit)	(21.1)	27.8	6.7

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

With recent zone amendments, the current calculations of buildable lands is as follows. As noted above, the proposed lots would not change these figures as they are developed and not available land. The proposed amendment would not impact the Buildable Lands Inventory.

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

Type of Use	Location & total acreage	Commercial (Office/Retail)	Industrial/ Other	Employment Total	R1	R2	R3	AH-MP	Residential Total
Land Need		38.2	11.5	49.7	115.4	51.2	67.0	2.7	236.3
Land Supply		17.1	39.3	56.4	25.20	74.99	119.18	1.49	220.86
BLI Surplus/(Deficit)		(21.1)	27.8	6.7	(90.20)	23.79	52.18	(1.21)	(15.44)
A11-05	1303 Exchange (8CD 14100 & 14000) 0.22 acres								
A12-02	USCG (18AC 2200; 18AB 3500) 4.85 acres				-0.8	+0.8			
A12-03	620 Olney (17CC 900, 904) 0.46 acres	+0.46		+0.46		-0.46	Pre 1		-0.46
A13-01	1585 Exchange (8DC 17900, 18000, 18100) 0.3 acres	-0.06		-0.06			+0.06		+0.06
A13-02	4050 Abbey Ln (9AA 500) 2.09 acres		-1.29 Ind +1.29 Othr						
Final Surplus/(Deficit)		(20.7)	27.8	7.1	(91.0)	24.13	52.24	(1.21)	(15.84)

5. CP.075.6 concerning Uppertown Area Policies, states that "The City should consider providing an alternate east-west route to Lief Erikson in the Uppertown area, particularly for emergency vehicles."

<u>Finding</u>: The alternate east-west route has been identified for the area between 36th and 39th Streets in the Astoria Transportation System Plan and is addressed below in Section D. A portion of this route has been completed between 38th and 39th Streets.

6. CP.175(E, Paragraphs 1, 2 & 3) concerning Uppertown/Alderbrook Subarea Plan Issues states that "Shorelands in this subarea do not have direct access to deep water. The ship channel is 2,000 to 4,000 feet from the shoreline, though several ship anchorages are south of the channel.

The Corps of Engineers has completed improvements to the East End Mooring Basin breakwaters that correct the surge problem. Eliminating the surge opens the basin to a large number of vessels and increases the need for dredging and for backup land to support basin operations. Vacant shorelands should be reserved for support uses.

Most of the subarea shorelands are already developed and there are no large vacant parcels. Between 35th and 41st Streets, however, is mostly vacant land with the potential to support water-dependent and water-related uses associated with the boat basin."

CP.175.F, Uppertown / Alderbrook Subarea Plan, Aquatic and Shoreland Designations states that

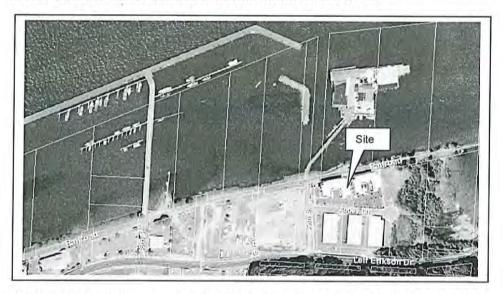
". . . Shorelands are designated Development, except for the Water-Dependent Development site west of Alderbrook Cove between 35th and 41st Streets.

The regulatory shoreland boundary in this subarea is 50 feet from the Columbia River shoreline except where it extends further inland to include the following shoreland resources:...

- Lands adjacent to Alderbrook Cove, in a Development Shorelands designation;
- 3. Lands adjacent to and east of the Astoria East End Mooring Basin, in a Development Shoreland designation. . ."

<u>Finding</u>: The site was originally zoned S-1 (Marine Industrial Shoreland) but was rezoned to GI in 1992 (A92-03) as the parcels were not feasible for shoreland activities as they were cut off from the River and shoreland development opportunities. It is located approximately 58' to 60' from the Columbia River shoreline but is located west of the Alderbrook Lagoon and east of the Mooring Basin Area. Therefore the site is included in the Uppertown / Alderbrook Subarea.

The S-2A zone would include uses which would support the East Moorage Basin and the other tourist oriented uses in the area.



- 7. CP.200 concerning Economic Development Goal 1 Policies states that "The City of Astoria will:
 - 4. Encourage private development such as retail, restaurants, commercial services, transient lodging.

- 5. Provide a supportive environment for new business.
- Encourage a diversity of businesses, target firms to add to the business mix and strengthen the overall economic base. . .
- 8. Encourage the broadening of the economy, particularly in areas which help balance the seasonal nature of existing industries."

<u>Finding</u>: In addition to multi-family residential uses, the S-2A zone would permit other uses outright such as tourist-oriented retail sales, hotels, and restaurants. The S-2A zone would allow uses to develop which would support the existing mooring basin, hotel, industrial, and condominium development.

8. CP.210(1) concerning 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 Samuel Elmore Cannery."

<u>Finding</u>: The East Mooring Basin is used for smaller fishing operations as well as recreational fishing operations. The S-2A zone would allow for more tourist-based uses to develop on the site which could potentially take advantage of the character of the adjacent working waterfront and historic Pier 39 development.

Finding: The request is in compliance with the Comprehensive Plan.

- D. Section 10.070(B.2) requires that "The amendment will:
 - a. Satisfy land and water use needs; or
 - Meet transportation demands; or
 - c. Provide community facilities and services."

<u>Finding</u>: The site is located on Abbey Lane accessed from Lief Erikson Drive (Highway 30) via 39th Street. There are no traffic lights, however there is a turn lane on Lief Erikson Drive at this intersection. 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. A Traffic Impact Study (TIS) was completed by Lancaster Engineering, dated June 19, 2014. The Executive Summary indicates that the proposed zone change would not adversely impact the traffic situation in this area. The TIS was reviewed by

Oregon Department of Transportation (ODOT) with a response letter dated July 7, 2014. ODOT has indicated a couple of errors in the trip generation citations but have stated that "... neither error will have significant effects on the trip generation volumes or distributions." They also noted that there was not a seasonal adjustment in the two traffic scenarios. ODOT has advised that the outcome of these adjustments would be the same and it is up to the City of a revised study would be required. As this property does not have direct access to US 30, ODOT's review is advisory to the City.

Lancaster Engineering was contacted for a response to the ODOT comments. They responded with corrected pages for the errors in trip generation citations and have confirmed that the final outcomes remained the same. On the issue of seasonal adjustments, Lancaster Engineering states that "It is Lancaster Engineering's policy to not utilize the seasonal adjustment factor when analyzing scenarios related to existing conditions. We understand that this goes against what is stated within the Analysis Procedures Manual; however, the primary reason for this policy is that we prefer the analysis of the existing conditions to reflect what was observed in the field around the same time that the site visit was performed. Having this direct comparison available between the computer analysis and actual in-person observations allows us to confirm whether or not the computer model is accurate and can then be used for the scenarios involving future projections or would need to be modified in order to reflect the reality of the situation. Applying the seasonal adjustment factor to the analysis of the existing conditions would provide a projected future scenario with no means to compare the model's accuracy."

With the fact that the corrections were made and did not change the results of the study, and the explanation on the reason for not applying the seasonal adjustment factor, the City does not find a need for a revised TIS.

The zone change to S-2A will provide for a wider variety of uses within the approximate 2.3 acre site, increasing some water-related commercial uses, but eliminating some of the heavier industrial uses. All City utility services are available to the area. Due to the small size of the site, and the information provided and analyzed in the TIS, the change in traffic impact to the area should not be significant. The existing transportation facilities are sufficient to accommodate the proposed zone change.

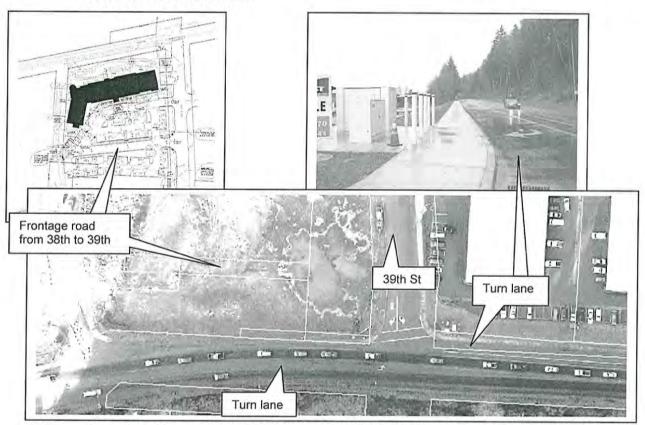
The following is a comparison of some of the uses for both the existing and proposed zones.

Uses		3I	S-2A	
	Outright	CU	Outright	CU
Seafood receiving and processing.			Х	
Small boat building and repair.			Х	
Boat and/or marine equipment sales.			Х	
Automotive repair, service, and garage; bulk fuel, ice processing; truck & equipment storage	Х			
Commercial testing laboratory	X			
Laundry, cleaning, and garment services	X		Х	
Specialized food store, such as bakery, delicatessen and seafood market		I_ A_0	Х	
Food and kindred products processing		X		
Tourist oriented retail sales establishment.			X	
Non-tourist oriented retail sales establishment.		X with limitations		X
Light manufacturing, photo lab, graphic services, research lab, construction office & storage	Х			
Eating, drinking and entertainment establishment without drive-through facility		X with limitations	Х	
Park and museum; theater; conference center			Х	
Arts and crafts studio.				X
Commercial or public parking lot.				X
Repair service establishment,	Х			X not including automotive, heavy equipment, or othe major repair service
Professional and business office.		X with limitations		X
Temporary use meeting the requirements of Section 3.240				Х
Hotel, motel, inn, bed and breakfast			Х	
Theater	1		X	
Public or semi-public use appropriate to and compatible with the district.	X no semi-public use			X
Multi-family dwelling	use	X above 1st floor		Х

The Astoria Transportation System Plan (TSP) was adopted in April 2014. It identified several projects in the general vicinity of this property. Project D28 identifies the Abbey Lane Extension from 36th to 39th Street. This project was partially completed with a frontage road from 38th to 39th during the construction of the Hampton Inn. Project P13 identifies a sidewalk infill for Lief Erikson Drive from 38th Street to 500' west of 43rd Street. Project B42 identifies bike lanes on US 30 from the eastern extent of the existing bike lane between 39th and 43rd

Streets to the eastern City limits. All of these are future projects in the TSP and would not be negatively impacted by the proposed zone change.

In February 2007, the City Council adopted the East Gateway Transportation System Plan. 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 this area. In a letter dated November 5, 2007 concerning the proposed rezone (A07-01) of the area on the west side of 39th Street from S-1 to S-2A, ODOT staff stated that following review of the East Gateway Transportation System Plan, they believed that proposed zone change would comply with the provisions contained in the Transportation Planning Rule. The East Gateway Transportation System Plan recommended a new frontage road connection between 36th and 39th Streets in order to improve safety and operational issues. At the time of that rezone, ODOT staff stated that from their assessment, there was capacity at the Highway 30 / 39th Street intersection provided a parallel road was developed between 38th and 39th Streets to accommodate the zone change. A new road connection between 38th and 39th Streets was constructed with the new Hampton Inn Hotel in 2012. In addition, the East Gateway TSP recommended a turn lane be constructed on Lief Erikson Drive to accommodate the projected development on 39th Street. Those turn lanes have been constructed.



Based on the existing 2013 TSP, East Gateway TSP, projected traffic volumes and projected uses as noted in the Lancaster Engineering TIS, it appears that the

transportation facilities in this area are sufficient to accommodate the uses allowed in the S-2A Zone.

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

<u>Finding</u>: The location of this land is parallel to the former railroad right-of-way (current trolley line). The site is slightly below the grade of Highway 30 road improvements and is relatively flat.

The land area is in flood Zone X, "Areas determined to be outside the 0.2% annual chance floodplain", of the Flood Insurance Rate Map, Community Panel Number 410028-233-E, dated September 17, 2010. The site is located within an "Extreme Risk" Tsunami Inundation Zone as determined by the Oregon Department of Geology and Mineral Industries (map publication IMS-11) and governed by rules contained in Oregon Administrative Rules 632-005 et seq. The subject property is not adjacent to an area of known geologic instability.

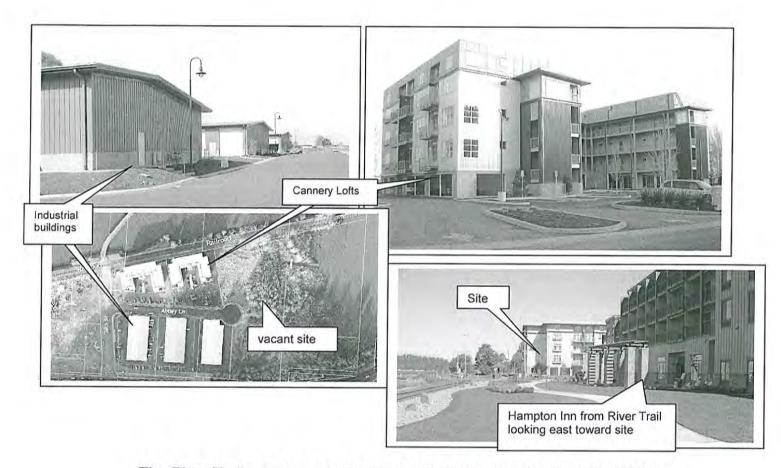
The site is developed with two condominium buildings. Any future construction proposed for the site would be reviewed at the time of the proposal for compliance with the site development constraints.

F. Section 10.070(B.4) requires that "resource lands, such as wetlands, are protected."

Finding: There are no known wetlands on the site.

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

Finding: The 39th Street area has a variety of development. On the west side of 39th is an S-2A Zone developed with the Hampton Inn Hotel with the East End Mooring Basin to the west of that; on the north is the Columbia River, trolley line, and Pier 39 with restaurant, museum, scuba shop, offices, transient lodging facility, and boat storage; to the east on the adjacent lot is the vacant lot recently rezoned to S-2A, a lagoon, and the start of the Alderbrook residential neighborhood; to the south across Abbey Lane right-of-way is the Astoria Business Park industrial development with auto detailing, carpet store, AAMCO store, Fastenal supplies, and martial arts / gym facility. Development Code Section 2.700 includes the purpose statement for the S-2A zone which states that the S-2A district ". . . is intended to provide for mixed-use tourist oriented development that retains and takes advantage of the working waterfront character of the area." Across the Lief Erikson Drive right-of-way is a forested hillside and residential with some neighborhood commercial development. The vicinity is effectively bordered to the south by Lief Erikson Drive and the north by the Columbia River.



The River Trail now extends the full length of the developed portion of the Columbia River in Astoria from Pier 3 at the Port to the Alderbrook Lagoon at 54th Street. The Trail in the area of 39th Street is developed more aesthetically with the hotel lawn, trolley stop, Cannery Loft Condominiums, benches, etc. The S-2A Zone would allow development of this site adjacent to the River Trail with uses that would complement the River Trail while keeping a working waterfront zone designation. With the mixture of uses in this neighborhood, the proposed S-2A Zone would be compatible as it would allow uses that would be able to service the other uses in the area. Multi-family dwelling development is allowed in both the GI and S-2A zones, so this possible use would not change. The site to be rezoned is small and allowable S-2A development would not be a major impact to the area.

- H. Oregon Administrative Rule 660-009-0010(3), Economic Development, Application, states that
 - "(3) Cities and counties may rely on their existing plans to meet the requirements of this division if they conclude:
 - (a) There are not significant changes in economic development opportunities (e.g., a need for sites not presently provided for in the plan) based on a review of new information about national, state, regional, county and local trends; and
 - (b) That existing inventories, policies, and implementing measures meet the requirements in OAR 660-009-0015 to 660-009-0030.

- (4) For a post-acknowledgement plan amendment under OAR chapter 660, division 18, that changes the plan designation of land in excess of two acres within an existing urban growth boundary from an industrial use designation to a non-industrial use designation, or another employment use designation to any other use designation, a city or county must address all applicable planning requirements, and:
 - (a) Demonstrate that the proposed amendment is consistent with its most recent economic opportunities analysis and the parts of its acknowledged comprehensive plan which address the requirements of this division; or

Finding: As noted above, the area proposed to be rezoned is approximately 2.3 acres and located within the Uppertown / Alderbrook Subarea. The proposed amendment is to change from one employment zone (GI) to another employment zone (S-2A). The change impacts some of the uses allowed in the area mostly with the reduction in the allowable industrial uses with an increase in tourist related commercial uses. This is consistent with the employment trend in Clatsop County. State of Oregon Employment Department June 2014 edition of "Labor Trends", page 4, "Industry Employment and Wages in Northwest Oregon in 2013" states that "Service industries provided about 61 percent of all UI-covered employment in the counties in 2013, up from 55 percent in 2001. Although production industries remain important, nonmanufacturing industries will continue to provide most of the jobs and job growth in northwest Oregon." Page 5, "Main Industries" states that "Leisure and hospitality businesses and trade, transportation and utilities businesses made up the region's two largest private industry sectors by employment in 2013. . . Manufacturing within northwest Oregon had been a bright spot in past years. Employment in this sector peaked at 5,517 jobs in 2008. Those good times came to an abrupt end late that year. The recent recession hit the region's manufacturers hard and 1,088 jobs were shed in the industry from 2008 through 2011. The region gained 106 jobs in 2012 and another 83 in 2013. but many may be gone forever."

There is a shift in the northwest employment sector from manufacturing and industrial jobs to leisure and hospitality. The change from GI to S-2A Zone would allow the continuation of employment classification for this area while reducing the more industrial uses to uses associated more with tourism such as retail, eating and drinking, and some offices. As noted above, the zone change would not change the amount of buildable employment lands within the City.

In accordance with OAR 660-009-0015, Economic Opportunities Analysis, the City did complete a Buildable Lands Inventory with an Economic Analysis in April 2011. The results of that analysis estimated that "Over the twenty-year period ending in 2026, the Astoria Market Area (City of Astoria UGB) is expected to add a total of 1,393 jobs under a Medium Growth Scenario. The Leisure & Hospitality, Education and Health Services and Retail Trade sectors are expected to comprise the majority of local employment growth." Section 2, Summary of Commercial and Industrial Land Need Findings, concludes that "...The baseline "Medium Growth".

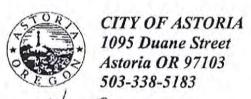
Scenario" indicates that Astoria can expect commercial and industrial land need in the vicinity of 60 acres through 2026 following a current growth assumption. Regardless of which growth scenario is realized, future need is expected to be heavily oriented toward tourist driven and service oriented retail uses." It goes on to state that "... as Astoria transforms into a more service and tourism-oriented economy, industrial employment should not comprise as significant of a role in future economic growth."

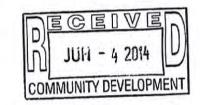
As noted above in Section , the City completed the Buildable Lands Inventory which identified a surplus of 27.8 acres of buildable "Industrial/Other" lands. The change from GI to S-2A for a site that was already developed would not change that figure both in that the land was not available for new development and the fact that both zones are classified in the "Industrial/Other" categories.

The proposed amendment is consistent with the most recent economic opportunities analysis and the Comprehensive Plan.

V. CONCLUSION AND RECOMMENDATION

The request is consistent with the Comprehensive Plan and Development Code, and staff recommends that the Planning Commission recommend to the City Council that the proposed amendment to the Land Use and Zoning Map be adopted.





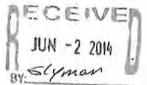
<u>14-03</u>

Fee: \$400.00 Pd by Namadic

AMENDMENT

	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Property Address: 3930 and 3990 Abbey Lan	ne, Astoria OR; cannery Loft Condominium and Cannery Loft Condominium St
Lot Cannery Loft Conglor	Subdivision Asteria Business Park
TUA LOC	Subdivision Astoria Business Park 90000 & 80000 Zone GI - General Industria
Code or Map to be Amended: City of A	storia Land Use and Zoning Map
Applicant Name: Nomadic Properties, LLC	Representative: Stefanie Slyman, Harper Houf Peterson Righellis I
Mailing Address: 10139 NW Skyline Heights D	r., Portland, OR 97229 205 SE Spokane St. #200, Portland, OR 97
Phone: Nomadic Properties: 503-816-6581	Business Phone: Stefanie Slyman: 503-221-1131
Property Owner's Name: Cannery Loft C	ondominium Owners Association
	Kenney, Association President
Business Name (if applicable):	
Signature of Applicant:	
Signature of Property Owner:	GI
orginatare of Property Owner.	
Proposed Amendment Applicant propose	es to amend City of Astoria Land Use and Zoning Map
	Cannery Loft Condominium Stage 2 from GI to S-2A
	wner to submit application per attached Resolution
	9.010.A.2 of the City of Astoria Development Code.
2014-14 and in compliance with Section s	9.0 TO.A.2 of the City of Astoria Development Code.
the nd the Land Use and Zon	ing Map to rezone an area from
seneral Industrial) to 5-2A (7	ing Map to rezone an area from Tourist Criented Shoreland) Zone for the
For office use only:	of by promise the second control of the seco
Application Complete:	Permit Info Into D-Base: 6-12-14
Labels Prepared: () 分分か 120 Days:	Tentative APC Meeting Date: 7/32/14
board of at 3930 and 3990	Ahher Lanc





RESOLUTION 2014-14 OF THE BOARD OF DIRECTORS OF THE CANNERY LOFT OWNERS ASSOCIATION REGARDING APPLICATION TO CITY OF ASTORIA TO REZONE CANNERY LOFT PROPERTY TO S-2A

WHEREAS, Cannery Loft Condominium Owners Association (the "Association") was asked to submit an application to the City of Astoria to rezone the Cannery Loft property to S-2A which would change the zoning from General Industrial (G-I) to Shoreland Tourist (S-2A) and would allow a greater array of business uses for the existing commercial units in the condominium.

WHEREAS, the board of directors of the Association referred the issue to a vote of the owners pursuant to the Ballot Meeting procedures set out in Section 2.14 of the Association's Bylaws and in accordance with the Oregon Condominium Act; and

WHEREAS, the owners were timely provided with a notice of their right to petition for a secrecy ballot and no petition was received; and

WHEREAS, a vote of the owners was held from May 9-19, 2014 on the matter of approving the zone change an application; and

WHEREAS, a quorum was reached and surpassed according to the Association's Bylaws at Section 2.10; and

WHEREAS, the votes cast represented 84.2% of total membership interests in the Condominium with the final tally of votes cast was 92.7% in favor, and 7.3% opposed.

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, that the Association has approved that the application for rezoning the condominium property be submitted to the City of Astoria;

BE IT FURTHER RESOLVED, that Gregory Kenney, as President of the Association, is authorized to execute the rezoning application on behalf of the Association.

This Resolution is effective the 24 day of May, 2014.

Secretary

ATTACHMENT B



1120 N.W. Couch Street, Tenth Floor Portland, OR 97209-4128 PHONE: 503.727.2000 FAX: 503.727.2222 www.perkinscole.com

Christopher C, Criglow
PHONE: (503) 727-2007
FAX: (503) 346-2007
EMAIL: CCriglow@perkinscoie.com

April 7, 2014

VIA EMAIL (tforcum@bimsportsinjuries.com)

Dr. Ted Forcum

Re: Cannery Loft Condominium - Evidence of Consent of Ownership to Application

Dear Dr. Forcum:

One of the criteria of the Astoria Development Code ("Code") for a land use application is Section 9.010.A.2, which requires:

Proof that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant has the consent of all parties in ownership of the affected property.

The property that you are seeking to have rezoned is subject to a condominium form of ownership. As such, the owners own units within the building constructed on the land, rather than the land itself, and have an undivided interest the common elements of the condominium, which includes the land and other elements, subject to the terms and conditions of the Declaration and Bylaws of the Cannery Loft Condominium (the "Declaration" and the "Bylaws," collectively, the "Condominium Documents"), a copy of which are attached with this letter for reference. You asked us to review this requirement of the Code in the context of condominium ownership and advise you as to how the requirement of the Code may be met consistent with the requirements of the Condominium Documents.

Based on our review of the Condominium Documents and the Oregon Condominium Act, consent of the condominium owners to the application you propose requires the approval of a majority vote of the unit owners' association in accordance with the requirements of the Bylaws.

Section 2.11 of the Bylaws states that the vote of more than 50% of the voting rights present at a meeting in which a quorum is present is binding on all unit owners for all purposes except where a higher percentage is required by law or under the bylaws or declaration. The proposed zone change is not required by the Bylaws, Declaration or the Oregon Condominium Act to require

Dr. Ted Forcum April 7, 2014 Page 2

more than a 50% vote of the owners, so this section of the Bylaws should control. Therefore, the approval of the application by more than a 50% vote of the unit owners in accordance with the Bylaws should be binding upon all of the unit owners and therefore evidence the consent of the owners to the application, which should meet the requirement of Section 9.010.A.2 of the Code.

Very truly yours,

Christopher C. Criglow

Attachments - Declaration and Bylaws

Cc: Stefanie Slyman

SUMMARY

Applicant: Nomadic Properties LLC

Attn: Dr. Ted Forcum

10139 NW Skyline Heights Drive

Portland, OR 97229

Representative: Stefanie Slyman, AICP

Harper Houf Peterson Righellis Inc.

205 SE Spokane St., Ste. 200

Portland, OR 97202

Owner: Cannery Loft Condominium Owners Association

Community Association Partners, LLC Attn: Gregory Kenney, HOA President

PO Box 2429

Beaverton, OR 97075

Site: 3930 Abbey Lane; Map T8N R9W Sec 9AA, Tax Lots 90000 plus individual

unit tax lots; Cannery Loft Condominium, Astoria Business Park, (1.00 acres), and 3990 Abbey Lane; Map T8N-R9W Section 9AA, Tax Lot 80000 plus individual unit tax lots; Cannery Loft Condominium Stage 2, Astoria

Business Park (1.16 acres)

Request: Amend the City of Astoria Land Use and Zoning Map to rezone the site

from GI (General Industrial) to S-2A Zone (Tourist-Oriented Shoreland)

Justification: The site is currently developed with two mixed-use structures with 63

residential units on the upper two floors and 17 industrial/limited commercial units on the ground floor. The size and configuration of the ground floor units within the existing structures is not compatible with the types of uses permitted in the GI zone, resulting in chronic high vacancy of

these units. Currently, of the 17 leasable units, only one (1) unit is occupied with a business permitted outright in the GI zone. Five (5) additional units are leased to businesses allowed as conditional uses, the maximum conditional uses allowed, leaving 11 units vacant. Rezoning the site to S2-A will allow more tourist-oriented uses to locate here and

contribute to the area's economic vitality.

The request will result in no significant impact to surrounding transportation facilities as demonstrated by the Traffic Impact Analysis. Furthermore, it will benefit the City's Buildable Lands Inventory by

rezoning surplus industrially-zoned land to commercially-zoned land for

which the City currently has a deficit.

11. BACKGROUND

Authorization:

This rezoning application is submitted on behalf of all parties in ownership of Cannery Loft Condominium and Cannery Loft Condominium Stage 2 in accordance with the Cannery Loft Condominium Owners Association Declaration and Bylaws and the Oregon Condominium Act, thereby satisfying Section 9.010.A.2 of the Astoria Development Code. Resolution 2014-14 (Attachment A) is provided as evidence of this consent to submit the application. See also letter dated April 7, 2014 from Christopher C. Criglow of Perkins Coie LLP (Attachment B) which provides the legal opinion in support of the resolution.

Existing Use:

Two mixed-use condominium structures with a total of 12,328 square feet of ground floor space for industrial and limited commercial uses located in 17 separate units with 63 residential units above.

Surrounding Uses:

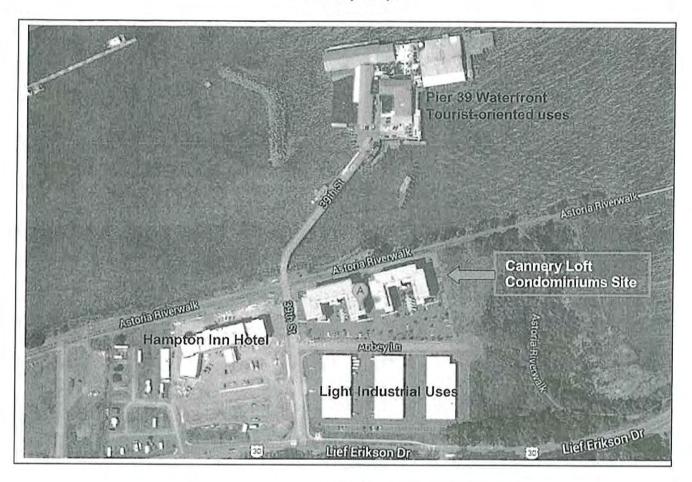
To the east is the undeveloped third lot of the platted Cannery Loft Condominium site; across the 39th Street right-of-way is the Hampton Inn Hotel; to the northwest is the East End Mooring Basin; to the north is the Columbia River, Pier 39, and River Trail (the trolley line ends at 39th Street) to the south are four industrial lots developed with three industrial buildings on the south side of Abbey Lane adjacent to Leif Erikson Drive.

Surrounding Zoning: The area to the east is zoned A-3 (Aquatic Conservation). Properties to the south are zoned GI Zone (General Industrial). The area west of 39th Street is zoned S-2A (Tourist Oriented Shoreland).

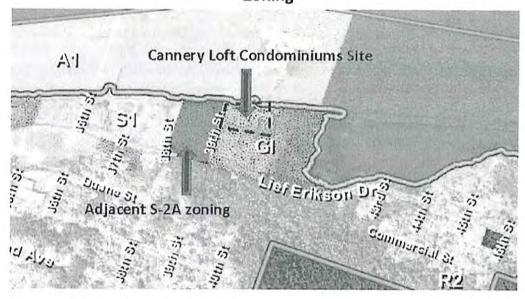
Land Use History:

According to information provided by the City, the site was developed per the approvals of Conditional Use permit (CU04-04) as amended by AEP05-05 for construction of a multi-family dwelling. Originally zoned S-1 (Marine Industrial Shoreland) it was rezoned to GI in 1992 (A92-03) as the parcels were not feasible for shoreland activities as they were cut off from the River and shoreland development opportunities. With the change to GI Zone, the property is no longer included in the City's inventory of Goal 17 shorelands, or those lands which are Especially Suited for Water Dependent (ESWD) uses. An amendment was approved in 2001 (A01-03) which increased some of the allowable uses within the GI Zone. The property to the west of 39th Street was changed from S-1 Zone (Marine Industrial Shoreland) to S-2A Zone (Tourist Oriented Shoreland) to allow for the development of the new hotel which would support the East End Mooring Basin activities more than the industrial uses allowed by the S-1 Zone.

Vicinity Map



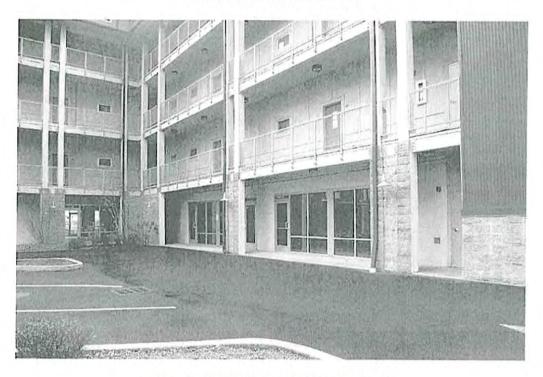
Zoning



Existing Development



Cannery Loft Condominiums; ground floor industrial/limited commercial units with residential units above



Typical industrial/limited commercial unit

III. RESPONSES TO APPROVAL CRITERIA

A. Section 10.020(B) states that "An amendment to a zone boundary may only be initiated by the City Council, Planning Commission, the Community Development Director, or the owner or owners of the property for which the change is proposed."

<u>Response</u>: The proposed amendment to the zone boundary is being initiated by the property owner per the attached Resolution 2014-14 of the Cannery Loft Condominium Owners Association authorizing consent for an application to be submitted. This approval criterion is met.

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

<u>Response</u>: The proposed amendment is to amend the Astoria Land Use and Zoning Map to rezone the Cannery Loft Condominiums, a limited site area of 2.16 acres, from GI to S-2A Zone. This approval criterion is met.

- C. Section 10.070(B.1) concerning a Map Amendment states that "Before an amendment to a zone boundary is approved, findings will be made that the following criteria are satisfied: 1. The amendment be consistent with the Comprehensive Plan."
 - 1. CP.010(2) concerning General Development Policies for 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."

<u>Response</u>: The site is currently developed and this rezoning request does not propose any changes to the existing site. Future development or redevelopment would be subject to the development standards of the S2-A zone.

2. CP.015(4) concerning General Land and Water Use 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."

<u>Response</u>: Rezoning of the site to S-2A does not conflict with the City's ability to protect the estuary environment or promote the best use of the City's Shorelands in accordance with this policy. This approval criterion is met.

CP.020(3) concerning 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."

<u>Response</u>: Rezoning will allow for a wider range of tourist-oriented uses along the Columbia River waterfront than the existing GI designation allows, thereby providing flexibility for development.

3. CP.015(6) concerning General Land and Water Use Goals states that "The plan establishes the goal of encouraging development which the City is capable of servicing. New industry or housing development should be permitted if public facilities such as sewer, water, police and fire protection, and schools, are capable of accommodating increased demand."

Response: The property is currently served with adequate public facilities including sewer, water, police and fire protection, and schools. As shown in the table below, the S-2A and the GI zoning districts each provide for a wide range of uses of comparable intensity and resulting demand for public services. Moreover, the rezoning will have no effect on the residential units and their associated demand on public facilities Therefore, rezoning the site to S-2A can be accommodated with existing services.

Uses	(GI	5-2	Α
	Outright	CU	Outright	CU
Seafood receiving and processing.			Х	
Small boat building and repair.			Х	
Boat and/or marine equipment sales.	7 - 10 H		Х	
Automotive repair, service, and garage; bulk fuel, ice processing; truck & equipment storage	Х			
Commercial testing laboratory	Х			
Laundry, cleaning, and garment services	X		X	
Specialized food store, such as bakery, delicatessen and seafood market			Х	
Food and kindred products processing		Х		
Tourist oriented retail sales establishment.			Х	
Non-tourist oriented retail sales establishment.		X with limitations		Х
Light manufacturing, photo lab, graphic services, research lab, construction office & storage	Х			
Eating, drinking and entertainment establishment without drive-through facility		X with limitations	Х	

Park and museum; theater; conference center			Х	
Arts and crafts studio.				X
Commercial or public parking lot.				X
Repair service establishment,	х			X not including automotive, heavy equipment, or other major repair service.
Professional and business office.		X with limitations		X
Temporary use meeting the requirements of Section 3.240				Х
Hotel, motel, inn, bed and breakfast			Х	
Theater			Х	
Public or semi-public use appropriate to and compatible with the district.	X no semi- public use			X
Multi-family dwelling		X above 1st floor		Х

4. 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."

<u>Response</u>: The City adopted a Buildable Lands Inventory (BLI) in 2011 which indicated that there was a deficit of Commercial (Office/Retail) lands of approximately 21.1 acres and a surplus of 27.8 acres of Industrial/Other lands per the following table:

Estimated Net Land Surplus/(Deficit) by Zoning Designation, Astoria UGB, 2027 Source: Cogan Owens Cogan

Growth Scenario	Type of Use	Commercial (Office/Retail)	Industrial/Other	Total
Medium	Land Need	38.2	11.5	49.7
iviedium	Land Supply	17.1	39.3	56.4
Surplus/(Deficit)	Surplus/(Deficit)	(21.1)	27.8	6.7

Since adoption of the BLI, the City has approved a number of map amendments as shown in the table below which indicate a current deficit of 20.7 acres for Commercial lands and continued surplus of 27.8 acres of Industrial/Other lands.

Type of Use	Location & total acreage	Commercial (Office/Retail)	Industrial/ Other	Employment Total	R1	R2	R3	АН-МР	Residential Total
Land Need		38.2	11.5	49.7	115.4	51.2	67.0	2.7	236.3
Land Supply		17.1	39.3	56.4	25.20	74.99	119.18	1.49	220.86
BLI Surplus/(Deficit)		(21.1)	27.8	6.7	(90.20)	23.79	52.18	(1.21)	(15.44)
A11-05	1303 Exchange (8CD 14100 & 14000) 0.22 acres								
A12-02	USCG (18AC 2200; 18AB 3500) 4.85 acres				-0.8	+0.8			
A12-03	620 Olney (17CC 900, 904) 0.46 acres	+0.46		+0.46		-0.46	7.21		-0.46
A13-01	1585 Exchange (8DC 17900, 18000, 18100) 0.3 acres	-0.06		-0.06			+0.06		+0.06
A13-02	4050 Abbey Ln (9AA 500) 2.09 acres		-1.29 Ind +1.29 Othr		Labor de				
Final Surplus/(Deficit)		(20.7)	27.8	7.1	(91.0)	24.13	52.24	(1.21)	(15.84)

As demonstrated in the table below, this proposal would add 2.16 acres to the City's Commercial land inventory, thereby decreasing the City's deficit in this category. Similarly, the proposal will remove 2.16 acres from the City's Industrial/Other surplus, thereby decreasing the surplus in this category. Therefore, the proposed rezoning will help the City move toward its buildable land inventory targets.

Type of Use	Location & total acreage	Commercial (Office/Retail)	Industrial/ Other	Employment Total	R1	R2	R3	АН-МР	Residential Total
Final Surplus/(Deficit)		(20.7)	27.8	7.1	(91.0)	24.13	52.24	(1.21)	(15.84)
Proposed Rezoning from GI to S-2A	3930 and 3990 Abbey Ln (Map T8N R9W Sec 9AA, Tax Lots 90000 and 80000)	+2.16	-2.16						
Proposed Final Surplus/(Deficit)		(18.54)	25.64	7.1	(91.0)	24.13	52.24	(1.21)	(15.84)

5. CP.175(E, Paragraphs 1, 2 & 3) concerning Uppertown/Alderbrook Subarea Plan Issues states that "Shorelands in this subarea do not have direct access to deep water. The ship channel is 2,000 to 4,000 feet from the shoreline, though several ship anchorages are south of the channel.

The Corps of Engineers has completed improvements to the East End Mooring Basin breakwaters that correct the surge problem. Eliminating the surge opens the basin to a large number of vessels and increases the need for dredging and for backup land to support basin operations. Vacant shorelands should be reserved for support uses.

Most of the subarea shorelands are already developed and there are no large vacant parcels. Between 35th and 41st Streets, however, is mostly vacant land with the potential to support water-dependent and water-related uses associated with the boat basin."

<u>Response</u>: The area is no longer zoned shoreland but is within the Uppertown / Alderbrook Subarea Plan area. The S-2A zone would include uses which would support the East Moorage Basin.

- CP.200 concerning Economic Development Goal 1 Policies states that "The City of Astoria will:
 - Encourage private development such as retail, restaurants, commercial services, transient lodging.
 - 5. Provide a supportive environment for new business.
 - 6. Encourage a diversity of businesses, target firms to add to the business mix and strengthen the overall economic base. . .
 - 8. Encourage the broadening of the economy, particularly in areas which help balance the seasonal nature of existing industries."

<u>Response</u>: The S-2A zone would permit other uses outright such as touristoriented retail sales, hotels, and restaurants. The S-2A zone would allow uses to develop which would support the existing mooring basin, hotel, industrial, and condominium development.

7. CP.210(1) concerning 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 Samuel Elmore Cannery."

<u>Response</u>: The East Mooring Basin is used for smaller fishing operations as well as recreational fishing operations. The S-2A zone would allow for more tourist-based uses to develop on the site which could potentially take advantage of the character of the adjacent working waterfront and historic Pier 39 development.

<u>Response</u>: The request is in compliance with the Comprehensive Plan as demonstrated by the responses to the applicable policies above.

D. Section 10.070(B.2) requires that "The amendment will:

- Satisfy land and water use needs; or
- Meet transportation demands; or
- c. Provide community facilities and services."

<u>Response</u>: As demonstrated in previous response, the rezoning will satisfy land use needs by helping the City increase the commercial land supply, for which there is a current deficit, and decrease the industrial land supply, for which there is a current surplus.

As demonstrated in the Traffic Impact Analysis (submitted under separate cover) performed in accordance with the City's Traffic Study Requirements that implement the Transportation Planning Rule (TPR) (OAR 660-12-060), the proposed rezoning will not have a significant impact on transportation facilities. The existing transportation facilities in this area are sufficient to accommodate the uses allowed in the S-2A Zone.

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

<u>Response</u>: No new development is proposed. Any new development or redevelopment of the site would be reviewed at the time of the proposal for compliance with the site development standards following the rezoning.

D. Section 10.070(B.4) requires that "resource lands, such as wetlands, are protected."

<u>Response</u>: No new development is proposed and there are no known resource lands on the site. Any new development or redevelopment of the site would be reviewed at the time of the proposal for compliance with the site development standards following the rezoning.

E. Section 10.070(B.5) requires that "the amendment is compatible with the land use development pattern in the vicinity of the request."

Response: The 39th Street area has a variety of development that has been characterized by City Planning staff as follows: "On the west side of 39th is an S-2A Zone developed with the Hampton Inn Hotel with the East End Mooring Basin to the west of that; on the north is the Columbia River, trolley line, and Pier 39 with restaurant, museum, scuba shop, offices, transient lodging facility, and boat storage; to the west on the adjacent lots is the Cannery Loft Condominiums with multi-family dwelling units above industrial/commercial facilities on the ground floor; to the south across Abbey Lane right-of-way is the Astoria Business Park industrial development with auto detailing, carpet store, AAMCO store, Fastenal supplies, and martial arts / gym facility; to the east is a lagoon and the start of the Alderbrook residential neighborhood. Development Code Section 2.700 includes the purpose statement for the S-2A zone which states that the S-2A district ". . . is intended to provide for mixed-use tourist oriented development that retains and takes advantage of the working waterfront character of the area." Across the

Lief Erikson Drive right-of-way is a forested hillside and residential with some neighborhood commercial development. The vicinity is effectively bordered to the south by Lief Erikson Drive and the north by the Columbia River.

The River Trail now extends the full length of the developed portion of the Columbia River in Astoria from Pier 3 at the Port to the Alderbrook Lagoon at 54th Street. The Trail in the area of 39th Street is developed more aesthetically with the hotel lawn, trolley stop, Cannery Loft Condominiums, benches, etc. The S-2A Zone would allow development of this site adjacent to the River Trail with uses that would complement the River Trail while keeping a working waterfront zone designation."

IV. CONCLUSION

As demonstrated in the responses above and supporting materials submitted with this application, the map amendment request is consistent with the City's Comprehensive Plan policies and Development Code. The proposed rezoning of the site from GI to S-2A Zone will be compatible with the predominant adjacent tourist-oriented uses in the vicinity and will allow this site to contribute to the area's economic vitality. The proposal will not have a significant impact on transportation facilities, and public services are adequate to serve the site. The proposal will additionally help the City achieve its Buildable Lands Inventory targets. Therefore, the applicant requests approval of the map amendment.

Cannery Loft Condominiums Rezone

Transportation Impact Study
Astoria, Oregon

DATE:

June 19, 2014

PREPARED FOR:

Nomadic Properties LLC

PREPARED BY:

Kirk Paulsen, El Michael Ard, PE OREGON

OREGON

MICHAEL T. ARD

EXPIRES: 12/31//5

Full document available for review at Community Development Dept. Office at 1095 Duane St.

LANCASTER



Table of Contents

Executive Summary	. 3
Introduction	. 4
Trip Generation & Distribution	
Operational Analysis	12
Safety Analysis	
Conclusions	
Appendix	20



Executive Summary

- 1. This traffic study analyzes and addresses the potential transportation impacts of a proposed zone change for a one acre and a 1.16 acre plot of land located east of 39th Street and north of Abbey Lane in Astoria, Oregon. The western and eastern properties, located at 3930 and 3990 Abbey Lane, respectively, are currently used for multi-family residential housing above the first floors of the two existing buildings. The first floors of the two buildings are currently predominantly vacant. These buildings have been used in this capacity for the last six years. Both properties are presently zoned General Industrial (GI) and are proposed to be rezoned as Tourist-Oriented Shorelands (S-2A).
- 2. For the worst-case scenario related to the current GI zoning, it was assumed that all of the ground floor properties and covered parking areas could be redeveloped as an automobile care center replacing the existing businesses while retaining the multi-family residential units above the ground floor. The automobile care center land use was selected since it results in the highest trip generation of any allowed use under the existing GI zoning.
- 3. For the worst-case scenario related to the proposed S-2A zoning, it was assumed that all of the ground floor properties and covered parking areas could be redeveloped with a combination of a shopping center and fast-food restaurants without drive-through windows which would replace the existing businesses while retaining the multi-family residential units above the ground floor. The fast food and shopping center uses were selected for analysis since this combination of land uses represents the highest-intensity land use combination that can be reasonably developed under the proposed S-2A zoning.
- The study intersection operates well within ODOT's performance standards throughout the planning horizon, with either the current zoning or the proposed zoning fully built-out. Accordingly, no mitigation is recommended.
- The proposed zone change will not degrade the performance of any existing or planned transportation facility below the adopted ODOT performance standards. Accordingly, the Transportation Planning Rule is satisfied.
- Based on the projected volumes through the study intersection for the year 2034, the intersection is not projected to meet traffic signal warrants. Accordingly, installation of a new traffic signal is not recommended.
- Based on the review of all of the collision data, no crash patterns and no significant design concerns were identified at the study intersection. No safety mitigations are recommended.
- Adequate intersection sight distance is available at the study intersection and no sight distance mitigations are recommended.



Introduction

This traffic study analyzes and addresses the potential transportation impacts of a proposed zone change for a one acre and a 1.16 acre plot of land located east of 39th Street and north of Abbey Lane in Astoria, Oregon.

The western and eastern properties, located at 3930 and 3990 Abbey Lane, respectively, are currently used for multi-family residential housing above the first floors of the two existing buildings. The first floors of the two buildings are currently predominantly vacant. These buildings have been used in this capacity for the last six years. Both properties are presently zoned General Industrial (GI) and are proposed to be rezoned as Tourist-Oriented Shorelands (S-2A).

Detailed information on traffic counts, trip generation calculations, and intersection capacity calculations are included in the technical appendix of this report.

Location Description

The intersection of US Highway 30 at 39th Street has been selected for analysis of projected traffic impacts during the weekday morning and evening peak traffic hours, and 16-hour count data was collected in order to facilitate a detailed traffic signal warrant analysis.

US Highway 30, also known as Leif Erickson Drive, is under the jurisdiction of ODOT and is classified as a Statewide Highway and a Freight Route. It is generally a two-lane facility with a posted speed of 35 mph. A center two-way left-turn lane is also provided west of the intersection of Highway 30 at 39th Street. Curbs and bike lanes are on both sides of the roadway. Sidewalks are on the northern side of the roadway in the vicinity of the project site. On-street parking is not provided.

39th Street is under the jurisdiction of the City of Astoria and is classified as a Local Street. It is generally a two-lane facility with a statutory residential speed limit of 25 mph. Curbs and sidewalks are in place on both sides of the roadway. On-street parking is allowed on both sides of the roadway. Bike lanes are not provided.

The intersection of US Highway 30 at 39th Street is a three-legged intersection that is stop controlled for southbound traffic approaching on 39th Street. The southbound approach has both a dedicated left-turn lane and a dedicated right-turn lane. The eastbound approach has a through lane and left-turning vehicles are able to utilize the center two-way left-turn lane. A bike lane is to the right of the through lane. The westbound approach has a through lane and a dedicated right-turn lane. A bike lane is provided between the through lane and the right-turn lane. There is a marked crosswalk crossing the northern leg of the intersection.

A vicinity map showing the project site, the study intersection, and the traffic control devices is shown in Figure 1 on page 6.



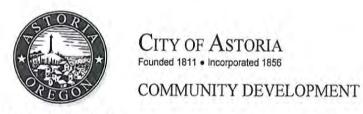
Public Transportation

Sunset Transportation Services Bus Route 10, *Red Cedar Route*, serves stops along US Highway 30 on its route between Astoria and the City of Hammond. The bus line operates on weekdays from 5:45 AM to 7:15 PM with headways of one hour. The closest westbound bus stop is at the northwest corner of the intersection of US Highway 30 at 39th Street. The closest eastbound bus stop is at the southwest corner of the intersection of US Highway 30 at 37th Street.

Traffic Counts

Traffic counts were conducted at the study intersection on May 8, 2014, from 5:00 AM to 9:00 PM. Data between 7:00 AM – 9:00 AM and 4:00 PM – 6:00 PM was used to obtain the system-wide peak of 7:30 AM to 8:30 AM for the morning peak hour and 4:45 PM to 5:45 PM for the evening peak hour, respectively.

Figure 2 on page 7 shows the existing traffic volumes at the study intersection.



August 26, 2014

TO:

ASTORIA CITY COUNCIL

FROM:

BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT:

DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT GRANT REQUEST

FOR RIVERFRONT VISION PLAN IMPLEMENTATION PHASE 3

BACKGROUND

The City was recently notified that there is funding available through the Department of Land Conservation and Development (DLCD) Coastal Management Technical Assistance Grants for the FY 2014-2015 grant cycle. These funds can be used for assistance in code writing or other technical assistance needs.

Staff has prepared an application for a proposed Code Assistance Project for implementation of Phase 3 of the Astoria Riverfront Vision Plan. The Plan establishes the desires and needs of the community relative to development along the Columbia River waterfront. Presently, the City Council is reviewing code amendments for Phase 1 for the Civic Greenway Area (16th to 41st Street). Phase 2, which has tentative approval for grant funding, would include development of land use codes and or new zones in the Bridge Vista Area (Port to 2nd Street). Phase 3 of the project would develop land use codes and/or new zones for the Neighborhood Greenway Plan Area (41st to Tongue Point). The project would include intensive public involvement with work sessions before the Astoria Planning Commission. The final product would be a code amendment and/or land use zoning map amendment to be presented to the Planning Commission and City Council for consideration of adoption.

The development of codes for Phase 3 could be mostly completed by staff with some additional assistance from a consultant such as Angelo Planning Group (APG). APG is currently working on the Phase 1 Civic Greenway Area and potentially on the Phase 2 Bridge Vista Area, should the City be given final grant approval by the Oregon Transportation Growth Management Program.

The subject grant request requires a 1:1 match. The total requested DLCD grant is \$11,000 which would require an \$11,000 match from the City. The match would be met by current staffing and other in-kind activities for the project. Volunteer hours associated with the project such as Planning Commissioner time can also be applied to meet the match. The matching funds would be accommodated through the 2014-2015 Community Development Department budget and the grant amount would be an addition to the budget. Grant funds need to be expended by December 31, 2015.

RECOMMENDATION

Staff recommends that the Council authorize submittal of the grant request to the Department of Land Conservation and Development in the amount of \$11,000 for a Coastal Management Technical Assistance Grant.

By:

Rosemary Johnson, Planner

2014-2015 APPLICATION

Amount Requested from DLCD: \$_11,000

OREGON COASTAL MANAGEMENT PROGRAM TECHNICAL ASSISTANCE/PRIORITY PROJECT GRANT



Grantee Share

\$11,000

Project Title: Riverfront Vision Plan Implementation - Neighborhood Greenway Area BRIEF description of the project, 50 words or so. Be sure to state the expected results

The proposed Code Assistance Project is for the implementation phase of the Astoria Riverfront Vision Plan. The Plan establishes the desires and needs of the community relative to development along the Columbia River waterfront. Phase 3 of the project would develop land use codes and/or new zones for the Neighborhood Greenway Plan Area. The project would include intensive public involvement. The final product would be a code amendment and/or land use zoning map amendment to be presented to the City Council for consideration of adoption.

Keywords (Check those that apply to the project) Information technology X Economic development X Estuarine resources X Transportation	Coastal hazards X Wetland & riparian resources Marine resources X Public involvement	Stormwater managementResource and land inventoriesXSpecial Area PlanningCapital improvements planning
SUBMITTAL		
Please submit all application infor	mation by US Mail, FAX, or e-mail to:	
Diana Evans, OCMP Grants Coor	dinator diana.evans@state.or.us FA	X 503-378-6033
Department of Land Conservation	and Development	200 570 0055
635 Capitol St. NE Suite 150 Sa	lem OR 97301	

Project Narrative

Please provide the information requested under each item. Although extensive, detailed information is not necessary, you need to provide enough information to help OCMP understand the project and make grant funding decisions.

1. Goals and Objectives:

State the goal(s) or overall purpose of the project. What is the problem, need, or opportunity that the project will address? Describe planning, technical, or information objectives that will help achieve the goal(s).

On December 7, 2009, the City of Astoria adopted the Riverfront Vision Plan (RVP) to address issues dealing with open space, land use, and transportation issues along the Columbia River. 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). In 2013-2014, the City began development of implementation ordinances for the Civic Greenway and Bridge Vista areas. The project would include development of ordinance language for design review, landscaping, and development standards for the Neighborhood Greenway area. With the work completed with the assistance of the consulting firm of Angelo Planning Group on the Civic Greenway Area and the proposed work on Phase II for the Bridge Vista area, staff is ready to proceed with in-house development of Phase 3 for the Neighborhood Greenway Area with minimal assistance from the consultant.

The goal of the project is to protect the Columbia River and riverfront areas from incompatible development based on the vision established in the RVP. The City has identified specific needs and visions for each area within the RVP with different design and landscaping guidelines to protect the character of the area and the broad vistas and views of the River while recognizing the need for employment development on portions of the River. The process would include public involvement and some design / graphics assistance from a consultant. 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."

Implementation of the Plan would require development of new codes and land use zones, and/or revision of existing codes and land use zones that would address the various recommendations in the Plan. The City has identified the Neighborhood Greenway Plan area as the third area to be addressed due to the fact that this area is mostly a residential area with natural features with limited to no redevelopment of waterfront parcels for commercial uses. This area was identified in the Plan as critical to protect as public open space and therefore needs to have the codes in place to establish that protection. With the current codes and zoning, these areas could currently be developed in a manner contrary to the concepts and recommendations in the Riverfront Vision Plan. With the ever shrinking amount of buildable land in Astoria, and the magnetism of the Riverfront for development, there is an immediate need to proceed to the next phase of the Vision Plan to create codes that would encourage good development while protecting public open spaces. It is imperative that the concepts developed in the Plan be implemented with written codes before development occurs. The Astoria Riverfront is a complex area of

conflicting and complementary developments. Both the previous Murase Waterfront Plan and the new Riverfront Vision Plan set a goal to maintain Astoria's "working waterfront" while allowing and encouraging public access to the River. The diversity of uses along the waterfront include retail, office, residential, boat moorage, fish processing, breweries, tourist attractions and museums, and much more. The existing River Trail was established using the Federal Rail-to-Trails Act and has been an example to other communities on how to development public access and amenities through commercially and residentially developed area. Many public/private partnerships were required to make this a success. The Riverfront Vision Plan takes this River Trail to the next level of success by protecting even more of the aesthetics that make it such a popular destination feature of Astoria. The River Trail is flat and handicap accessible making it conducive to many modes of use including pedestrian, bicycle, skateboards, dog walking, and nature watching, with connections to the City transit system and Recreational Trail System.

This portion of the City is mostly residential and referred to in the Riverfront Vision Plan as the "Neighborhood Greenway Area". The goals for this area are to highlight the river's natural edge, emphasize natural features and beauty, and use plantings and landscaping that provide riverbank restoration and increase habitat. Protection of the environment, natural beauty, and the character of the residential neighborhood are essential goals of this project.

2. Scope of Work, Products, and Budget (attach additional pages if necessary):

a. Describe the scope of work to be performed. If the project is in phases, please note.

Develop code language for building design; site design; riverfront development; landscaping recommendations focused on protection of views, use of native vegetation, protection of shoreland and wetlands; and transportation elements for Phase III of the RVP Implementation. The work would be primarily completed by City staff with some assistance from a consultant specifically for graphics, design assistance, selection of recommended landscape species, etc. Public work sessions would be held with the Planning Commission. Public hearings before the Planning Commission and City Council for possible adoption of the ordinance would complete the project.

b. Schedule (e.g. when will work begin, project milestones, project end):

The project would start upon notification and acceptance of grant award and be completed by December 2015. Milestones would include:

December 2014 to June 2015 development of draft ordinance and graphics

July to September 2015 draft sections of the ordinance presented to the

Planning Commission for public work sessions

October to December 2015 public hearings before the Planning Commission

and City Council for proposed adoption.

Department of Land Conservation and Development 635 Capitol Street NE Suite 150 Salem, Oregon 97301 Phone: (503) 373-0050, extension 263 Fax: (503) 378-6033

c. Total Budget

Please use the Budget Summary form on the next page, and any additional information as indicated in the footnotes.

See attached details.

3. Project Partners

List any partners such as other local governments, special districts, state agencies, or other entities Briefly describe the role of each (e.g., will perform work under the grant; will advise; will contribute information or services, etc).

CREST – Council of governments organization specializing in estuary resources and restoration. CREST would be consulted on estuary and wetlands issues and proposed landscaping.

ANGELO PLANNING GROUP (potential additional consultant) – Consultant who wrote the Riverfront Vision Plan and assisted the City with development of implementing ordinances for the Civic Greenway and Bridge Vista areas of the RVP. Angelo Planning Group (or other possible consultant) would provide design assistance and graphics for the proposed ordinance.

CITIZENS – Citizens of Astoria are an essential part of the process to implement the Riverfront Vision Plan. There would be public open houses and meetings, public hearings, and coverage in the local newspaper and radio.

4. Match, Cost-Sharing, and Local Contribution (see page 4)

1:1 cost-sharing (match) is required on federally-funded coastal grants. Describe the type and list the amount of local contributions for the grant (see page four of this application). List other funding sources, if any, and amounts that support this project.

Match of 1:1 would be provided by City staff expenses including salaries, public notices, postage, volunteer hours, etc. Funding would be from the City's General Fund budgeted for the Community Development Department.

5.	Will work be performed	by a	consultant/contractor	for	all	or	part	of	this	proj	ect?
----	------------------------	------	-----------------------	-----	-----	----	------	----	------	------	------

X	Yes	No
		140

If yes, please describe the work to be performed by the consultant, list the anticipated amount of the contract, and provide name of prospective firm/consultant(s), if known, including address and telephone number.

Much of the work would be completed by a temporary City staff person in the Community Development Department. Astoria City Planner Rosemary Johnson is retiring at the end of August 2014. Ms. Johnson would return as a temporary employee to work on this project. A consultant would be utilized for a portion of the project. The

preferred consultant, Angelo Planning Group, wrote the Riverfront Vision Plan and assisted the City with development of implementing ordinances for the Civic Greenway and Bridge Vista areas of the RVP. Angelo Planning Group (or other consultant) would provide design assistance and graphics for the proposed ordinance.

Angelo Planning Group (APG) 921 SW Washington Street, Suite 468 Portland OR 97205

mhastie@angeloplanning.com (503) 542-3403

Grant Budget Summary

NOTE: Please use the format in this table when developing a more detailed budget.

	Grant Request (from DLCD)	Grantee Match (Required)	Total Budget
Personal Services ¹	-	\$9,440	\$ 9,440
Supplies (if any)	\$ 800	\$1,560	\$ 2,360
Contract Services ²	_\$10,200		\$10,200
Other ³			
TOTAL ⁴	\$11,000	\$11,000	\$22,000

Budget notes:

2 Total Contract Services. Provide additional information on expected contract services under item 5 on page 2, above.

¹ List all personnel who will work on the project. Compute costs on the basis of the number of expected person-hours, hourly rate, and related payroll expenses for each.

³ List Other expenses (e.g. printing or publishing, travel): NOTE: all travel supported by this grant must conform to state travel rates (e.g. mileage, meals, etc).

⁴ The Total grantee match above will equal the Total Grant Request from DLCD (1:1 match). See attached for description of local contribution.

GRANT APPLICATION

Grantee Share Cost (Match) Information

Local or state "match" of Federal grants (CZM funds) may consist of:

- Cash contributed by the grantee from non-federal revenues or donated to the grantee by non-federal third parties.
- b. In-kind contributions (see below) made by grantee and non-federal third parties.

Cash "match" must be:

- Identifiable from the grantee's records;
- Not included as contributions for any other grant or contract;
- c. Necessary and reasonable for proper and efficient accomplishment of project objectives; and
- d. Not borne by the federal government directly or indirectly under any federal grant or contract.

For instance, funds awarded to a local government from the US Army Corps of Engineers or US Fish and Wildlife Service cannot be used as "match" against this grant.

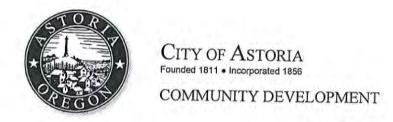
<u>In-kind contributions</u> are non-monetary goods and services, as listed below, specifically identifiable to the project. In-kind contributions may be made by the grantee, other public agencies, private organizations, appointed members of advisory committees, or individuals who work on the project, and include such items as:

- a. <u>Volunteer services</u> will be valued at different rates depending on the volunteer function. For specialty or professional services, use wage rates consistent with compensation paid for similar work in state and local government or at rates that reflect the grantee's local labor market. For volunteers who attend or participate in committees, workshops, please use the values established by http://www.independentsector.org/programs/research/volunteer_time.html.
- Materials include office supplies, lumber, paper, or other supplies directly related to the project.
 Contributed material value should be reasonable and based on fair market value.
- Equipment, building, land, or office space, including depreciation and use-charges for equipment and buildings and fair rental charges for land.
- d. <u>Employees of other organizations</u> at regular rates for which employees are normally paid, including fringe benefits (OPE) but excluding overhead.

Establishing the value of "in-kind" should use normal accounting procedures to establish value as follows:

- a. <u>Services</u> Maintain a record of volunteer services: who, when, where, and why.
- b. <u>Documentation</u> Document your method of computing at the hourly rate for personal services and the cost of materials, equipment, buildings and land charges.

Rate of local match paid out: Your non-federal share (match), whether cash or in-kind, is expected to be paid out at the same general rate as the state share (as per federal requirements on OCMP). In other words, at the half-way point in the project about half of the in-kind match shall have been expended. Exceptions to this requirement may be approved by the Grants Officer based on demonstration that the schedule of tasks for the project and the rate of local match for these tasks justifies a delayed payout of cash or accounting of in-kind contributions. In any case, the recipient must fulfill the non-federal cost share commitment over the life of the award.



STAFF HOURS

Community Development Director	20 x \$57	\$ 1,140
Rosemary Johnson, Temporary Planner	140 x \$55	7,700
Sherri Williams, Administrative Assistant	20 x \$30	600
TOTAL		\$ 9,440

OTHER EXPENDITURES

See Accounting Documents Attached

Public Notices: APC	The Daily Astorian	\$ 130
City Council	The Daily Astorian	\$ 130
Miscellaneous:	Carlos Antonios Company	\$
Copies: 3 Drafts to APC (30 p) APC packet (50 p) 2 CC packet (50 p) public notices (700 p) misc (260 p) color copies (100 p)	1,200 x \$0.30 (b/w) 100 x \$0.80 (color)	\$ 440
Envelopes 9 x 12: APC		\$
Envelopes 10 x 13	x \$0.18	\$
Postage: APC	33 x \$1.40	\$ 46
Mailed public notices	700 x \$0.49	\$ 340
	A W LOCAL COMPANY OF THE STATE	\$
Meeting Expense:	4	\$
Meals		\$
Travel		\$
Minutes: APC City Council	16 hours x \$36 4 hours x \$36	\$ 720
Volunteer Hours		\$
APC	56 hours x \$8.40	\$ 470
City Council	10 hours x \$8.40	\$ 84
	TOTAL:	\$ 2,360

TOTALS

Staff Hours	\$	9,440
Other Expenditures	\$	2,360
TOTAL PROJECT EXPENSE:	•	11,800



August 25, 2014

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

SUBJECT: MANAGEMENT AGREEMENT BETWEEN THE FRIENDS OF THE

ASTORIA COLUMN AND THE CITY OF ASTORIA

DISCUSSION

The Astoria Column was constructed in 1926, is listed on the National Register of Historic Places, and is located in a wooded 30 acre city park on the highest point within the City of Astoria. Since 1988 The Friends of the Astoria Column, an Oregon non-profit corporation established to assist the City in preserving, improving and publicizing the Column and the Park, have diligently provided support and vision by raising and spending over \$3,000,000 in restoring the Column and the Park.

Furthermore, the Friends of the Astoria Column has announced its willingness to assume responsibility for the day to day operation and maintenance of the Column and Park. This assumption of operation and maintenance is estimated to reduce the Parks and Recreation Departments operating expenses annually by \$25,000 and allow for greater care, maintenance and improvement of the Park.

During the July 7, 2014 City Council meeting, Jordan Schnitzer, Friends of the Astoria Column Board Chariman, presented an annual report to the City Council and reviewed the contents of the Management Agreement. Following this presentation, on July 23, 2014 the City of Astoria Parks Advisory Board reviewed and supported the Management Agreement.

RECOMMENDATION

Due to the Friends of the Astoria Column's ability and long term commitment to the Astoria Column, the positive financial impact to the Parks and Recreation Department, and opportunity to allow for greater care, maintenance, and Park improvements, it is recommended that City Council approve the management agreement.

Angela Cos

Director of Parks & Recreation



Date: August 25, 2014

MEMORANDUM

TO:

MAYOR AND CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT: BOWPICKER FISH & CHIPS LLC LEASE AGREEMENT

DISCUSSION/ANALYSIS

The City recently obtained ownership of the property between Marine Drive & Duane Street and 16th & 17th Streets. The property was formerly owned by the Columbia River Maritime Museum and has been used for Coast Guard parking for the 17th Street Dock under an agreement between the City and the Museum. A portion of the property was also rented to the Bowpicker Fish & Chips business. The business was started in 2000 and was located in this location prior to the property being donated to the Museum by the previous owners. Upon acquisition of the property, the Museum perpetuated the rental of the space to the Bowpicker owners, Ron & Linda Ford. Now that the City owns the property, a lease with the City of Astoria is needed for the business to remain on-site.

City staff has negotiated lease provisions with a term of 10 years. The rent would be \$6,000 per year and will be paid on July 1st of each year. The rent rate would increase by 3% each year for the term of the lease. The attached exhibit map shows the lease area. Staff requested that the Ford's contact their insurance company to change the additional insured from the Museum to the City. They did this immediately upon our request. The attached lease agreement has been prepared by City Attorney Blair Henningsgaard.

RECOMMENDATION

It is recommended that City Council approve the Lease Agreement between the City and the Bowpicker Fish & Chips LLC.

Submitted By

Ken P. Cook, Public Works Director

Prepared By

Jeff Harrington, City Engineer

LEASE

Date: August 2014	
Between:	
City of Astoria 1095 Duane, Astoria, OR 97103	("Landlord")
and:	
Bowpicker Fish & Chips, LLC 138 West Lexington, Astoria, OR 97103	("Tenant")

Landlord leases to Tenant and Tenant leases from Landlord the following described bare ground (the "Premises") on the terms and conditions stated below:

A 1,200 square foot parcel at the northwest corner of 17th and Duane Streets in Astoria and consisting of the southern 15 feet of lot 1 and the eastern 30 feet of the southern 15 feet of lot 2, Block 133, Shively's Astoria.

SECTION 1. OCCUPANCY

- **1.1 Original Term.** The term of this lease shall commence July 1, 2014 and continue through June 31, 2024 unless sooner terminated as hereinafter provided.
- 1.2 Possession. Tenant's rights and obligations under the lease shall commence July 1, 2014.
- 1.3 Termination. Either Landlord or Tenant may terminate this lease upon six (6) months written notice without penalty or cost to the other. In the event of termination by Landlord, Tenant shall remove all alterations and improvements from the site at Tenant's own expense within 60 days of termination by Landlord and, in that case, rent will be pro-rated and any excess advance payment refunded to Tenant.

SECTION 2. RENT

- **2.1 Base Rent.** During the original term, Tenant shall pay to Landlord as base rent the sum of \$6,000 per year. Rent is payable on the first day of July each year in advance at such place as may be designated by Landlord.
- **2.2 Additional Rent.** All taxes, insurance costs, utility charges that Tenant is required to pay by this lease, and any other sum that Tenant is required to pay to Landlord or third parties shall be additional rent.
- **2.3 Escalation**. Each year, beginning in 2015, the base rent shall increase by 3% over the rent due for the previous year

SECTION 3. USE OF THE PREMISES

3.1 Permitted Use. The Premises shall be used as the moorage for a former gillnet boat and used as a dining establishment and for no other purpose.

- 3.2 Restrictions on Use. In connection with the use of the Premises, Tenant shall:
 - (1) Conform to applicable laws and regulations affecting the premises and the use, and correct at Tenant's expense any failure of compliance created by reason of Tenant's use.
 - (2) Refrain from any use that would be reasonably offensive to owners or users of neighboring premises or that would tend to create a nuisance.
 - (3) Refrain from parking in and advise all customers that the improved parking area adjacent to the Premises is leased exclusively to the United States Coast Guard.
 - (4) Tenant shall not cause or permit any Hazardous Substance to be spilled, leaked, disposed of, or otherwise released on or under the Premises.

SECTION 4. REPAIRS AND MAINTENANCE

- **4.1 Landlord's Obligations.** Landlord shall be under no obligation to make or perform repairs, maintenance, replacements, alterations, or improvements on the Premises.
- **4.2 Tenant's Obligations.** Tenant, at its expense, shall keep the Premises in first class repair and appearance. All garbage and litter shall be collected and removed from the Premises daily.

SECTION 5. ALTERATIONS

Tenant shall make no alterations to the Premises without Landlord's written consent. All alterations shall be made in a workmanlike manner, and in compliance with applicable laws and building codes.

SECTION 6. INSURANCE

Tenant shall procure and during the term of the lease continue to carry at Tenant's cost comprehensive general liability insurance in a responsible company with limits of not less than the limitations on liability of local public bodies described in ORS 30.272 and 30.273. Such insurance shall name Landlord as an additional insured. Certificates evidencing such insurance and bearing endorsements requiring 10 days' written notice to Landlord prior to any change or cancellation shall be furnished to Landlord within 10 days after execution of this agreement.

SECTION 7. TAXES; UTILITIES

- **7.1 Property Taxes.** As a result of this agreement, the Premises becomes taxable pursuant to ORS 307.110. Tenant shall advise the Clatsop County Tax Assessor's office at 820 Exchange Street, Astoria Oregon of this lease and take all necessary steps to ensure that the Premises are included on the annual tax role. Tenant shall pay all taxes levied against the Premises as additional rent.
- **7.2 Contest of Taxes.** Tenant shall be permitted to contest the amount of any tax or assessment as long as such contest is conducted in a manner that does not cause any risk that Tenant's interest in the Premises will be foreclosed for nonpayment.
- **7.3 Payment of Utilities Charges.** Tenant shall pay when due all charges for services and utilities incurred in connection with the use, occupancy, operation, and maintenance of the Premises.

SECTION 8. INDEMNITY

Tenant shall indemnify and defend Landlord, to the limits of public body liability provided in ORS 30.272 and 30.273, from any claim or liability related to any activity of Tenant on the Premises or any condition of the Premises, including any claim that may be caused or contributed to by Landlord's negligence. Landlord shall have no liability to Tenant for any injury, loss, or damage caused by third parties, or by any condition of the Premises.

SECTION 9. QUIET ENJOYMENT; MORTGAGE PRIORITY

Landlord warrants that it is the owner of the Premises subject only to its agreement with the US Coast Guard to provide parking for the crews of vessels berthed at the 17° Street Dock.

SECTION 10. ASSIGNMENT AND SUBLETTING

No part of the Premises may be assigned, or subleased, nor may a right of use of any portion of the property be conferred on any third person without Landlord's prior written consent. This provision shall also apply to any transfer of both members' LLC ownership interest of Bowpicker Fish & Chips, LLC. Landlord may withhold or condition consent in its sole and arbitrary discretion.

SECTION 11. DEFAULT

The following shall be events of default:

- 11.1 Default in Rent. Failure of Tenant to pay rent or other charge within 10 days after it is due.
- **11.2 Default in Other Covenants.** Failure of Tenant to fulfill any obligation of the lease, other than rent, within 20 days after written notice by Landlord. If the default is of such a nature that it cannot be completely remedied within the 20-day period, this provision shall be complied with if Tenant begins correction of the default within the 20-day period and thereafter proceeds with reasonable diligence and in good faith to effect the remedy as soon as practicable.
- 11.3 Insolvency. Insolvency of Tenant; an assignment by Tenant for the benefit of creditors; the filing by Tenant of a voluntary petition in bankruptcy; an adjudication that Tenant is bankrupt or the appointment of a receiver of the properties of Tenant.
- **11.4 Abandonment.** Failure of Tenant for 15 days or more to occupy the Premises for the purposes permitted under this lease, and for seasonal closures unless Landlord excuses such failure.

SECTION 12. REMEDIES ON DEFAULT

- **12.1 Termination.** In the event of a default the lease may be terminated at the option of Landlord by written notice to Tenant.
- 12.2 Reletting. Following reentry Landlord may relet the Premises and may make suitable alterations.
- 12.3 Damages. In the event of default, Landlord shall be entitled to recover immediately, without waiting until the due date of any current or future rent, reasonable costs of reentry and reletting including without limitation the cost of any cleanup, refurbishing, removal of Tenant's property and fixtures, or any other expense occasioned by Tenant's default including but not limited to, any repair costs, attorney fees, court costs, broker commissions, and advertising costs.

12.4 Remedies Cumulative. The foregoing remedies shall be in addition to and shall not exclude any other remedy available to Landlord under applicable law.

SECTION 13. SURRENDER AT EXPIRATION

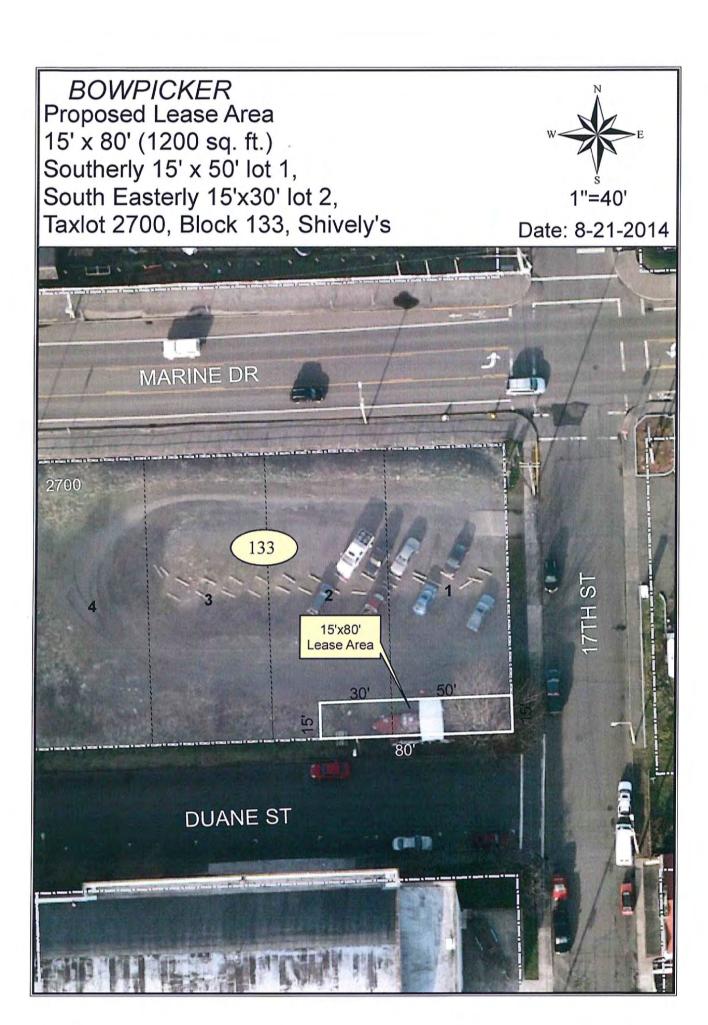
Upon expiration of the lease term or earlier termination on account of default, Tenant shall surrender the Premises in first class condition. Alterations and improvements constructed by Tenant shall be removed at Tenant's expense prior to expiration or termination unless otherwise provided herein.

SECTION 14. MISCELLANEOUS

BOWPICKER LEASE - 4

- **14.1 Non-waiver.** Waiver by either party of strict performance of any provision of this lease shall not be a waiver of the party's right to require strict performance of the same provision in the future.
- **14.2 Attorney Fees.** If suit or action is instituted in connection with any controversy arising out of this lease, the prevailing party shall be entitled to recover in addition to costs such sum as the court may adjudge reasonable as attorney fees at trial, on petition for review, and on appeal.
- **14.3 Notices.** Any notice required or permitted under this lease shall be given when actually delivered or 48 hours after deposited in United States mail as certified mail addressed to the address first given in this lease or to such other address as may be specified from time to time by either of the parties in writing.
- 14.4 Recordation. This agreement may not be recorded without the written consent of Landlord.
- 14.5 Time of Essence. Time is of the essence of the performance of each of Tenant's obligations under this lease.

Landlord:	
By: Brett Estes, City Manager Pro-Tem	
Tenant:	
Bowpicker Fish & Chips, LLC, by Ronald F	Ford, Manager
Pe	rsonal Guarantee
individually guarantee the performance	ease by the City of Astoria, Ronald Ford and Linda Ford by Bowpicker Fish & Chips, LLC of each obligation uaranty is a continuing one and shall terminate only upon n of Tenant under this lease.
D	
Ronald Ford	Linda Ford





August 26, 2014

TO:

MAYOR AND CITY COUNCIL

FROM:

BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT!

CONSIDER VACATING A PORTION OF THE 19TH STREET & FRANKLIN AVENUE RIGHT-OF-WAY

DISCUSSION/ANALYSIS

The City has received a request from the Astoria School District (ASD) for the vacation of 57,600 square feet of the 19th Street and Franklin Avenue right-of-way located within John Warren Field. The School District will be transferring ownership of the property to Columbia Memorial Hospital (CMH) in the near future and would like to have the unimproved right-of-way within the field area included in the property transfer. The site will be used for expansion of the hospital.

Staff has reviewed the application and is in support of ASD's request, with the following conditions:

- Existing utilities would no longer be maintained by the City and would become the property of the ASD.
- The Alley on the 19th Street South boundary shall not be vacated.

The City has been working with Columba Memorial Hospital, the Astoria School District and Recology Western Oregon Waste on the improvements identified in the previously approved Four Party Agreement. The transfer of this property is identified in that agreement and the proposed vacation furthers the intentions and goals of the agreement. Due to the public benefit that will be provided by the vacation, staff is recommending that an assessment be waived for this proposal. The applicant will be charged actual costs for processing the request.

Staff is requesting that the City Council adopt a resolution of intent to hold a public hearing on September 15, 2014 to take public comment on the proposed vacation.

RECOMMENDATION

It is recommended that the Astoria City Council adopt the attached resolution of intent to hold a public hearing on September 15, 2014 concerning the proposed vacation of a portion of the 19th Street and Franklin Avenue right-of-way.

Submitted By

Ken Cook, Public Works Director

Prepared by:

Jeff Harrington, City Engineer

19 & Franklin Street Vacation Date: 7-8-2014 All of 19th St. south of the south line of Exchange to the line between the south line of lot 1, Block 13, extended to the south line of lot 6, Block 12. Franklin Ave. between the west side of 20th St. and a line between the west line of lot 10, block 111, extended south to the west line of lot 3, Block 13, Shively's, Astoria. 1:1,500 EXCHANGE ST 60' City of Astoria 19TH ST 138 **L**8 Astoria Schoo Astoria School District District Astoria School District 300' 150' FRANKLIN .09 PROPOSED VACATION AREA AREA: 57,000 SQ FT AVE. 300 150' Astoria School Astoria School Rummel 140 Bula District District 60' 13 8

RESOLUTION NO. 14	-
-------------------	---

BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF ASTORIA:

SECTION 1. That the City Council has been petitioned for an ordinance and order vacating portions of a streets as follows:

All of 19th Street south of the south line of Exchange Street to the line between the south line of Lot 1, Block 13 extended to the south line of Lot 6, Block 12 and all of Franklin Avenue between the west side of 20th Street and a line between the west line of Lot 10, Block 111 extended south of the west line of Lot 3, Block 13.

SECTION 2. That it appears that the petition in all respects seems to be valid and in accordance with the Charter and the Astoria Code; and

SECTION 3. That a hearing upon said petition is hereby ordered and fixed to be held in the Council Chambers on September 15, 2014 at the hour of 7:00 p.m., at which time any and all objections will be heard, and be it further resolved that notice of such proposed vacation be published in the Daily Astorian of the time and place fixed for such hearing and describing said street to be vacated and said notice provide that oral objections may be made at said public hearing or may be made in writing and filed with the Finance Director at or prior to the time of said hearing.

ADOPTED	BY THE COMMON COUN	ICIL THIS _	DAY OF		, 2014.
APPROVE	D BY THE MAYOR THIS _	DAY OF		, 2014.	
ATTEST:					
		Mayor			
City Manag	ger, Pro Tem				
ROLL CAL	L ON ADOPTION:	YEA	NAY	ABSENT	
Councilor	LaMear Herzig Mellin Warr				
Mayor V	an Dusen				



August 25, 2014

MEMORANDUM

TO:

MAYOR AND CITY COUNCIL

FROM: (//) BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT: LIQUOR LICENSE APPLICATION

Discussion & Analysis

A liquor license application has been filed by Banga Investment LLC doing business as Astoria Downtown Market. The site is located at 1020 Commercial Street, Astoria and this application will be considered at the September 2, 2014 meeting. The application is a Change of Ownership for an Off-Premises Sales License. A copy of the application is attached.

The appropriate departments have reviewed the application. No objections to approval were noted.

Recommendation

Staff recommends that the City Council consider this application for approval.

Respectfully submitted,

Sue Dohaniuk, Operations Supervisor

Finance Department

CITY AND COUNTY USE ONLY
Chip Date application received: 8-5-14
The City Council or County Commission:
of the factor
ege (name of city or county)
recommends that this license be:
☐ Granted ☐ Denied
Ву:
(signature) (date)
Name:
Title:
ness OLCC USE ONLY
Application Rec'd by:
Date:
00 1445 4 1 2 1
90-day authority: ☐ Yes ☐ No
the Guide]
the Guidej
Davinder Singh
0
narket
larket
itoria. Clatsop OR 97103
(county) (state) (ZIP code)
(city) (state) (ZIP code)
(fax)
s G ano
s @No
s de No License:
License:
License:
nanager must fill out an Individual History form) City of Astoria.
nanager must fill out an Individual History form) City of Astoria. (name of city or county)
nanager must fill out an Individual History form) City of Astoria, (name of city or county) (503) 459-8566
nanager must fill out an Individual History form) City of Astoria, (name of city or county) (503) 459-8566
nanager must fill out an Individual History form) City of Astoria. (name of city or county) (503) 459-8566 (phone number(s)) O MA (e-mail address)
nanager must fill out an Individual History form) City of Astoria. (name of city or county) (503) 459-8566 (phone number(s)) O MA Cenall address (e-mail address)
nanager must fill out an Individual History form) City of Astoria. (name of city or county) (503) 459-8566 (phone number(s)) U. W.A. Cannybangae
nanager must fill out an Individual History form) City of Astoria. (name of city or county) (503) 459-8566 (phone number(s)) (e-mail address) CC may deny my license application.
nanager must fill out an Individual History form) City of Astoria. (name of city or county) (503) 459-8566 (phone number(s)) O MA Cenall address (e-mail address)

Please Print or Type	Davinder Singh	
Applicant Name: B	anga Investments L	LC Phone: 503-459-856
Trade Name (dba):_	Astoria Downtown	Masket
Business Location A	Address: 1020 Commer	cial St.
city: Astorio		ZIP Code: 97103 .
DAYS AND HOURS	OF OPERATION	×
Business Hours: Sunday Monday B:30 to Tuesday Wednesday Friday Saturday B:30 to Friday Saturday B:30 to Friday Saturday Seasonal Variations:	B:00 pm Monday / to / S:00 pm Tuesday to / S:00 pm Wednesday to / S:00 pm Friday to / S:00 pm Saturday to / S:00 pm Saturday to / S:00 pm	☐ Alcohol service Hours:to ☐ Enclosed, how The exterior area is adequately viewed and/or supervised by Service Permittees(Investigator's Initials)
ENTERTAINMENT	Check all that apply:	DAYS & HOURS OF LIVE OR DJ MUSIC
Live Music Recorded Music DJ Music Dancing Nude Entertainers	☐ Karaoke ☐ Coin-operated Games ☐ Video Lottery Machines ☐ Social Gaming ☐ Pool Tables ☐ Other:	Sunday to Monday to Tuesday to Wednesday to Thursday to Friday to Saturday to
SEATING COUNT		
Restaurant: Lounge: Banquet:	Outdoor: Other (explain): Total Seating:	OLCC USE ONLY Investigator Verified Seating:(Y)(N) Investigator Initials: Date:
understand if my answ	vers are not true and complete, the OL	

1-800-452-OLCC (6522) www.oregon.gov/olcc



August 25, 2014

MEMORANDUM

TO:

MAYOR AND CITY COUNCIL

FROM:

BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT:

AUTHORIZATION TO LIGHT THE ASTORIA COLUMN. PINK FOR THE MONTH OF OCTOBER IN RECOGNITION OF BREAST

CANCER AWARENESS MONTH

DISCUSSION/ANALYSIS

On February 18, 2014 the Astoria City Council approved a policy to allow the Astoria Column to be colored (through up-lighting) up to two times per year. The approved policy states that lighting events must be in support of causes and must be approved by the City Council.

In October 2013, an event was held at the Column to recognize Breast Cancer Awareness Month. It was organized by Columbia Memorial Hospital. The Column was colored pink in October for this event. In February 2014, a request was made by The Harbor (formerly the Women's Resource Center) and the Clatsop County Domestic Violence Council to light the Astoria Column teal for the month of April in recognition of Sexual Assault Awareness Month. This request was approved by the City Council at the same meeting the policy was established.

Columbia Memorial Hospital is requesting permission to change the lighting color on the Astoria Column to a pink hue for the month of October 2014 in recognition of Breast Cancer Awareness Month. If approved, this request would be the second time this year where the Column would be lighted a special color for a cause.

RECOMMENDATION

It is recommended that Council consider the request to light the Astoria Column a pink hue for the month of October in recognition of Breast Cancer Awareness Month.

y: _

Angela Cosby

Director of Parks & Recreation

August 26, 2014

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER PRO TEM

SUBJECT: CITY OF ASTORIA SERVICE FAIR

DISCUSSION/ANALYSIS

The City of Astoria held its first Service Fair on August 21, 2008 from 5:00 p.m. to 8:00 p.m. at the then named "Downtown Plaza" located at 12th and Duane Streets. This event was very well attended. During its February 17, 2014 Goal Setting session for Fiscal Year 2014-2015, the City Council adopted a goal to "Hold annual City of Astoria open house where citizens can communicate directly with City Council as well as staff from all departments". Based on this direction from Council, a group of City employees representing each department have been meeting and planning the second Astoria City Service Fair.

The Service Fair is a City-wide event and will be held on Thursday, September 18, 2014 from 4:00 p.m. to 7:00 p.m. at the Astoria Aquatic Center parking lot located at 1997 Marine Drive. The fair will include equipment displays and booths featuring the various departments within the City. It will give citizens an opportunity to learn about the departments and what they do and to see the various vehicles and equipment up close. It will also provide an opportunity to meet elected officials and City employees. Citizens will be able to express comments, concerns or ask questions about different aspects of City operations. There will be games and prizes and food will be provided free of charge. Families are invited to enjoy a fun-filled evening.

Banners announcing the fair will be placed on the Aquatic Center and City Hall; flyers have been prepared for distribution throughout the community, including the Neighborhood Associations, and have been included with the Chamber's Newsletter; information has been posted on the City's website; information has been included on the utility billings; postcards are being mailed to local residents; and press releases are being provided to the local media.

The City wishes to thank Columbia Memorial Hospital, the OSU Seafood Center, and the Columbia River Maritime Museum for their generous offers of off-street parking that will be available for use at the following locations and times:

Available beginning at 4:00 p.m.

- Columbia River Maritime Museum Two locations
 1777 Marine Drive (former Astoria Builders Supply)
 1972 Marine Drive (Flaggers will be available at this location to assist pedestrians crossing the highway)
- OSU Seafood Center 2001 Marine Drive

Available beginning at 5:00 p.m.

Columbia Memorial Hospital – 2111 Exchange Street – West Side
 (It is requested that people park closer to the street end of the parking lot if possible as the Hospital's ER patients park closer to the building at that time)

Julie Yuill, Executive Secretary



NO DOCUMENTATION IS INCLUDED FOR THIS AGENDA ITEM