

## ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall  
January 28, 2014

### CALL TO ORDER:

President Nemowill called the meeting to order at 7:30 p.m.

### ROLL CALL:

Commissioners Present: President Zetty Nemowill, Vice President McLaren Innes, Thor Norgaard, Peter Gimre, David Pearson, and Sean Fitzpatrick

Commissioners Excused: Ron Williams

Staff and Others Present: Community Development Director / Assistant City Manager Brett Estes, City Attorney Blair Henningsgaard, Planner Rosemary Johnson, Consultant Matt Hastie, Angelo Planning Group. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

### PUBLIC HEARINGS:

President Nemowill 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 3(a):

CU13-10 Conditional Use CU13-10 by Rafael Otero and Patricia O'Donnell to operate a one bedroom bed and breakfast in an existing accessory building of a single family dwelling with owner occupancy of the dwelling at the same time as guests at 172 Duane in the R-1, Low Density Residential, zone.

### ITEM 3(b):

V13-20 Variance V13-20 by Rafael Otero and Patricia O'Donnell from the required 3 off-street parking spaces to provide 1 space for a one bedroom bed and breakfast in an existing accessory building of a single family dwelling with owner occupancy at 172 Duane in the R-1, Low Density Residential, zone.

President Nemowill asked if anyone objected to the jurisdiction of the Planning Commission to hear these matters 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 reports for both Items 3(a) and 3(b) at the same time.

Planner Johnson reviewed the written Staff reports. No correspondence had been received and Staff recommended approval of both requests with the conditions listed in the Staff reports.

Vice President Innes understood the requirement that the owners be present when guests are staying at the bed and breakfast. However, the bed and breakfast is in a separate building. She asked how far accessory buildings were allowed to be from the main house where the owner resides. Planner Johnson stated that accessory buildings must be on the same site as the main house. In this case, the two buildings are only a few feet away from each other. This would not be allowed if the garage were located on another parcel.

President Nemowill opened the public hearing and called for a presentation from the Applicant.

Rafael Otero said he hopes to receive approval of his permits, noting there would be someone on the property when guests are present. This would be a great opportunity to show off the city because the property is within

walking distance of downtown. He did not believe this would be a big impact on the neighborhood. He and his wife love their neighborhood and their city, so he believes they would do a good job.

President Nemowill called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, she closed the public hearing.

President Nemowill said she respected what the Applicants are trying to do, but is concerned about the cumulative effect of this type of tourist accommodation in residential areas of Astoria. Astoria has a low second home ownership rate compared to other surrounding coastal communities. She would like to create policy that supports Astoria's year-round community. She does not support the applications.

Commissioner Norgaard appreciated that this would be a small, low impact business and noted that no correspondence has been received. He asked the occupancy of the bed and breakfast. Planner Johnson explained the guest accommodation had a single bedroom, which would allow for one couple or family. The Planning Commission would not be approving limitations on children. Commissioner Norgaard said he did not have a problem with the applications, but understood President Nemowill's concerns about having such accommodations all over town. While he did not want to see every resident who had space renting out a room, he did not have any issues with these applications.

Commissioner Gimre appreciated the Applicant's due diligence, unlike the previous owner who rented the space without ever applying for variances. The area is quiet and this would not have any impact on the neighborhood outside of one or two cars. He supported the applications.

Vice President Innes said she also supported the applications. She enjoyed these types of facilities and was concerned about stopping the approval of a facility like this. Astoria has put the mechanics in place to approve home stays and bed and breakfasts. It would not make sense to stop these applications without making plans to review the Planning Commission's previous position. She planned to vote to approve the applications.

Commissioner Fitzpatrick said he would have concerns if this were a 50-foot by 100-foot lot in an R-1 zone. However, this property has 20,000 square feet of space, which is equivalent to four lots. The bed and breakfast is needed and no neighbors opposed the applications. He had no issues.

Commissioner Pearson stated that the applications met all of the conditions the Planning Commission had been asked to review and there was no correspondence or concern from the neighbors. He supported the applications.

Commissioner Fitzpatrick moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU13-10 by Rafael Otero and Patricia O'Donnell with conditions; seconded by Vice President Innes. Motion passed 5 to 1 with President Nemowill opposed.

Commissioner Pearson moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Variance V13-20 by Rafael Otero and Patricia O'Donnell with conditions; seconded by Commissioner Fitzpatrick. Motion passed 5 to 1 with President Nemowill opposed.

President Nemowill read the rules of appeal, which applied to both applications, into the record.

#### REPORTS OF OFFICERS/COMMISSIONERS:

No reports.

#### ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:47 p.m. to convene the work session.



ITEM 5(a):      WORK SESSION: Riverfront Vision Plan – Civic Greenway

Director Estes stated tonight's work session would focus on issues dealing with the residential neighborhood that were proposed in the Riverfront Vision Plan and design guidelines that apply to the entire Civic Greenway area.

Matt Hastie, Angelo Planning Group, presented via PowerPoint an overview of the memorandum included in the Staff report. His presentation focused on the new residential zone proposed for the small area between Mill Pond and Safeway, new standards for cottage cluster housing allowed within the zone and new architectural design standards to be applied only for residential uses throughout the Civic Greenway.

Comments and questions from the Commissioners were addressed by Mr. Hastie and Staff as follows:

- With regard to conditional uses within the new residential zone, a family daycare center is a daycare operated from one's home and limited to 12 children being cared for, while a daycare center does not have to be in a home, can have employees, and care for a greater number of children.
- Mill Pond has affordable housing and multi-family units, but the single-family dwellings are not considered affordable. The new residential zone supports workforce housing by creating affordable land and housing units.
  - A cap on the maximum size of dwellings is recommended which could prevent the development of larger homes, like in Mill Pond. Recommendations for density and fairly small lot sizes for single-family detached and two-family homes would keep dwelling sizes smaller and likely, more affordable.
  - The new zone would help balance the scale, cost, and type of housing available in the city in terms of having residential land to zone, though it would not automatically create affordable housing.

President Nemowill called for a recess at 8:04 p.m. and reconvened the meeting at 8:12 p.m.

Mr. Hastie continued his presentation and he and Staff addressed further questions from the Commission as noted:

- Typically, an entire cottage community is designed and proposed for development all at once, so the cottages would be designed in tandem. In some communities, cottage housing is built as an infill project, so the requirement that cottages be similar to each other may not apply. In Astoria's case, a new cottage house would have to be designed to match any existing home. The document proposes many specifications that would determine what the cottage houses would look like.
- Vice President Innes said she never considered the possibility that a developer could purchase multiple lots to build on, but had hoped individuals would build on the lots.
  - One option was to plat the area like a subdivision to create a set of lots that could be developed individually. Cottage development provides an alternate way to develop. During the Riverfront Vision Plan process the possibility of creating an artists' enclave was discussed by having small residences in Big Red where artists could work and paint. Cottage developments are becoming an attractive option in Oregon because they allow for flexibility in creating compact development while meeting the needs of people who want smaller units and shared, common open spaces. Typically, the units are an attached product with the property owners owning the built residential structure and the yard would be owned in common. The infrastructure would involve private laterals going to each cottage.
- In dealing with the size of the structures, Staff explained that the recommended Code language for cottage developments includes a maximum floor area. For subdivisions, a maximum lot coverage of 80 percent has been recommended instead of a maximum floor area. Given the maximum lot size of 2,500 square feet, the largest home would be 4,000 square feet on two floors. Many homes at Mill Pond are between 2,200 and 3,000 square feet on two floors. Homes in the proposed residential zone would be smaller, but not as small as the cottage cluster homes which are limited to 1,250 square feet. The Planning Commission may want to consider limiting the total square footage of a single-family home on an individual lot.
- Compared to the cluster cottage option, a subdivision is a more traditional way to build a home, there is no common ownership, the home might be easier to sell since it is a more traditional product, and a bigger home could be built. In a subdivision, small homes would still be larger than the cottage cluster homes. Either option is available within the recommended zone, the Code language regarding cottage cluster homes simply makes cottage developments available as an option.
- Astoria's Development Code is not currently in compliance with Oregon State law which requires clear and objective standards for residential development. The recommended language would bring Astoria's Code into compliance with State law. Director Estes explained how updating the Development Code would affect



homeowners in Mill Pond, who are currently required to undergo a public hearing in order to obtain a building permit.

Mr. Hastie concluded by reviewing next steps, which will include presenting a combined set of proposed Code amendments for the Civic Greenway Area to the Planning Commission, updating the zoning map, and extending the Gateway Overlay Zone to cover the Civic Greenway Area for architectural guidelines and standards.

President Nemowill invited public comments.

Jim Stoffer, 5107 Cedar Street, Astoria said he liked the idea of cottage cluster housing. Generating small housing on a condominium scale or modeled ownership is new for Astoria. The multi-story condominium concept seems to be well honed, but the cottage cluster concept is new. He encouraged the Commission to work through how cottage clusters operate for the benefit of the community. Small homes seem to make sense. He explained that as his parents got older, they should have but were unable to move into a smaller home. Having high quality, detached housing makes sense and sounds exciting. Astoria is used to 50 feet by 100 feet lots, but bigger houses seem more difficult to manage than smaller houses. He noted the Italianate style, flat-roofed houses in Alderbrook that were built in the 1850s do not follow the Victorian concept of a pitched roof, but is a good architectural reference and a style that fits Astoria.

Rachel Albricht, 3591 Harrison, Astoria stated she did not hear anything about opportunities for a small house on a small lot that is individually owned, rather than a rental on a large piece of property or a cooperatively owned option. She asked that this be considered as part of the cottage clusters. She added that a three-foot high fence will not keep deer out of her garden. Staff and Mr. Hastie clarified that a cluster development includes single ownership of the land with multiple houses. However, the initial zone that was discussed, the compact residential zone, would be applied to the area and include single lot and single home ownership. Subdivisions would be allowed in the zone and the clusters are simply a different type of housing that would also be allowed in that zone. Proposed lot sizes are between 2,500 and 4,000 square feet for a single family detached home. The lots would be small compared to other neighborhoods in Astoria. Maximum lot coverage of 80 percent has been recommended for subdivisions.

Mr. Stoffer asked what the minimum square footage would be in a subdivision. Director Estes stated the minimum could be two or three lots. Use of the word subdivision allows for the division of a large piece of property into smaller lots. When new lots are created, streets may need to be developed. Bringing several parcels together at the same time would facilitate a better street plan layout.

Mr. Stoffer recalled his comments at a previous meeting about appropriate lighting. Cannon Beach has adopted design guidelines for night sky lighting, which Astoria should consider when moving forward with lighting design ideas. Planner Johnson responded that a Dark Sky Ordinance is being considered. However, increasing outdoor lighting has been recommended in the compact residential zone. The lighting may not glare into or adversely affect adjacent properties. Shielding is also required so light is downcast. Staff and consultants have already looked at Cannon Beach's lighting code.

Drew Herzig, 628, Klaskanine Avenue, Astoria, questioned why the Code language was proposed, stating that Astoria's real need is affordable housing. The proposal was not primarily for affordable housing, but suggested that affordable housing could be shoehorned by downsizing lots. Having an arts colony in Big Red is no longer a viable idea because Big Red can no longer be brought into a useable condition. Big Red has deteriorated past repair and no longer has running water. The proposed concept is great and works in some areas, but who will move to cottage cluster housing in Astoria? He could not envision new families or single adults moving into cluster homes. Astoria needs affordable housing. Being late in the process, he understood this project could not be moved in that direction, but he asked the Planning Commission to consider for whom the cottage cluster development would be built.

President Nemowill believed Mr. Herzig made a good point. She asked what policy options were available for creating affordable housing, other than what was being proposed.

Director Estes reminded that the Commission is tasked with implementing the Riverfront Vision Plan, which states that this area would have a low-scale residential area. Code language for implementing the Plan is being presented to the Planning Commission for consideration. The concept of an arts colony recommended by Royal



Nebeker involving Big Red years ago was never specifically built into the Plan. If the Planning Commission does not believe cottage-style development is appropriate, that Code language does not have to be included and other low-scale residential development standards could be written. Cottage housing is a growing type of housing and retirees have expressed interest in cottage housing in Astoria. This type of Code language is being applied along the coast. He reiterated that the Commission does not have to include the language supporting cottage developments.

President Nemowill noted the Executive Summary of the Riverfront Vision Plan states, "modest scale residential neighborhood", but also, "a development that targets working families and other full-time Astoria residents." She assumed that targeting working families meant workforce housing, which might be different from affordable housing. Director Estes explained that most affordable workforce housing built recently was apartments. However, the community did not want apartments in this area. The recommendations balance the desire for low scale, detached units with housing that would also be affordable. This Code work would put the policy in place to accommodate that. If the City moves the Public Works shops, City Council could make a policy decision to sell the property to a developer wanting to build workforce housing at a reduced cost as an incentive to provide affordable housing. Mr. Hastie added the recommendations attempt to balance multiple objectives while remaining consistent with Astoria's Comprehensive Plan and housing needs analysis. Astoria has a bigger need for land zoned for single-family detached housing than land zoned for multi-family housing. Although not the perfect solution to meet every need the City has, the proposal is consistent with the Riverfront Vision Plan. He and Staff are open to other ideas and solutions.

President Nemowill confirmed there was no further public comment.

Mr. Hastie requested feedback from the Commission about the direction with regard to Compact Residential Zone and cottage cluster development, as well as any suggested changes in types of allowed uses, or the provisions regarding lot size, density, setbacks, etc. in the new residential zone or to the architectural design standards.

Commissioner Fitzpatrick stated that affordable housing did not mean subsidized apartments built at a cost well beyond what a single family residence would cost, which is what occurred in the Gateway area. He did not understand why no one has discussed why the cost was \$227,000 per unit and yet, it is considered affordable housing. Cottage housing is in demand and is a growing trend because it is affordable housing. Units up to 1,250 square feet become workforce housing as it can accommodate a family. As a developer and landlord, he has been approached by a group of seniors that wanted cottage development. More than 10,000 square feet of space is necessary to make the cottage developments work and trying to find that space is difficult. He was excited to see that cottage housing was a possibility. He has seen cottage development turn into workforce housing, which becomes a good neighborhood with a good mix of people. Cottage housing on 2,000 square foot lots become extremely affordable at 1,250 square feet, relative to a 1,600 square foot or larger home on a 6,000 square foot or larger lot. He did not want to see expensive housing called affordable because it is subsidized. Real affordable housing is affordable because the land and building costs are inexpensive.

President Nemowill was concerned about view corridors. Mr. Hastie reminded that the proposed Compact Residential zone between 30<sup>th</sup> and 32<sup>nd</sup> Streets takes up two half blocks between Marine Drive and the Rivertrail. Recommendations discussed at the last work session addressed view corridors along the north/south streets between Marine Drive and the river, requiring a 70-foot wide view corridor. The recommendations for the residential zone limit building height to 28 feet, but elsewhere in the Civic Greenway, setbacks are required above 24 feet to expand the view corridor. Open spaces can be created by establishing maximum lot coverage and requiring open spaces within a cottage cluster development.

President Nemowill, Vice President Innes and Commissioner Pearson agreed that the compact residential zone sounded like a good idea.

Commissioner Fitzpatrick liked the idea of the compact residential zone, but was concerned about the recommended maximum lot coverage of 80 percent; he preferred less lot coverage. He explained how lot coverage requirements at Mill Pond resulted in a loss of character in the neighborhood. He suggested a square footage requirement of the entire building relative to the lot size, instead of a maximum lot coverage. A 2,000 square foot building on a 2,500 square foot lot is too large for a lot that size. Adding a second floor would increase building square footage to 4,000 square feet, which is unreasonable. The requirement could specify a



percentage or a specific number of square feet. He believed a maximum square footage requirement would prevent the development of an oversized building on a small lot. Mr. Hastie suggested a maximum footprint size similar to the cottage cluster and a maximum square footage of the entire building. A maximum of 2,000 square feet for the dwelling with a maximum footprint of 1,400 square feet would result in about 60 percent lot coverage. Commissioner Fitzpatrick explained that historically, Astoria has had a 50 foot by 100 foot lot standard, and more recent development has been a 60 foot by 100 foot or larger standard lot size. It appears the City is trying to deviate from this standard. High density already occurs on 2,500 or 4,000 square foot lots. Adding bigger buildings to these small lots is out of proportion. President Nemowill and Commissioner Gimre agreed. Commissioner Gimre added that he liked Mr. Hastie's idea to require a maximum footprint and total square footage.

Vice President Innes supported the cottage cluster development, adding she would consider living in such a development.

Commissioner Fitzpatrick believed the maximum of 1,250 square feet seemed reasonable for cottage cluster development because it supports workforce housing for families. Three bedrooms can easily fit into 1,250 square feet. He suggested requiring an average home size of 1,000 square feet, allowing 700 square foot, one-bedroom homes to be mixed with larger homes up to 1,250 square feet to prevent the development from becoming too high density. Commissioner Pearson was concerned about the look of a development with houses of greatly varying sizes. Commissioner Fitzpatrick explained that smaller units might be built closer to the street than the larger units. A developer would not want to bury a small unit in the back corner of a development with the most imposing unit at the street.

President Nemowill recalled Mr. Stoffer's comments about the Commission figuring out how the ownership would work. Mr. Hastie noted the recommendations provide options; no one ownership model was being imposed over another. He offered to provide more information about how ownership in cottage cluster developments works in other areas. Commissioner Fitzpatrick said as a developer himself, he preferred the development be implemented as a planned unit development (PUD) where both the land and structure were owned, rather than a condominium project; however, a PUD could limit allowed uses of accessory buildings. Therefore, he was open to either ownership model. He did not want to set limits that would adversely affect creative development ideas or financing.

Commissioner Gimre supported cluster housing because it would benefit the elderly as well as people in their 20s and 30s coming to Astoria to work. This age group also starts families. He did not have any concerns with the recommendations.

Commissioner Fitzpatrick agreed with the limit on the number of units in each cluster because he did not want to see cottage cluster development turn into a regular PUD.

Mr. Hastie requested feedback on the recommended architectural design standards, which included extension of the Gateway Overlay zone and establishing a set of clear and objective standards for residential uses within the area.

Vice President Innes asked which standards were likely to increase building costs. Mr. Hastie noted that some of the prohibited materials are lower cost materials, but the recommendation would prohibit them because they look worse than more expensive materials. He did not believe the recommended standards were overly zealous, as he has seen more prescriptive standards in other cities. However, the standards to require a minimum level of quality and attempt to prohibit materials and building forms that people tend to find most objectionable or that are least consistent with materials and building forms found elsewhere in Astoria. He agreed the recommendations would add to the cost of a building. Planner Johnson added that the guidelines used in Mill Pond did not prohibit the use of contemporary materials, but did require proper installment. While contemporary materials were used, the materials were not necessarily the highest priced materials, but high quality designs were still achieved. Issues that surfaced during the design review process resulted in specific design standards and guidelines, like the depth of windows and how doors should look.

Commissioner Fitzpatrick preferred to recommend rather than require design standards, but believed offering a number of options for each requirement would be reasonable. Mr. Hastie reminded that implementing clear and objective standards is required by State law. Residential property owners could choose to comply with these

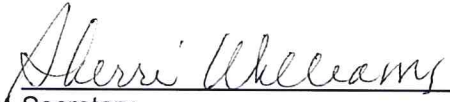
standards or complete the design review process. Commercial and industrial property owners must complete the design review process.

Commissioner Pearson supported the recommended architectural design standards. He agreed with Planner Johnson that a learning process occurred during the design of the Gateway Overlay zone. At first, property owners were concerned about their own properties. Two years later, property owners were concerned about the neighborhood. The standards are baseline and ensure that property owners are invested in the cottage cluster because all of the property owners must abide by the same rules.

Mr. Hastie stated on February 25, 2014 his presentation will include the more specific Code amendments based on direction given by the Planning Commission during this and the last two work sessions.. Public hearings with the Planning Commission and City Council to adopt the proposed Code amendments will be scheduled beginning in May 2014. Once work on the Civic Greenway Area is complete, the Planning Commission will begin planning work on the Bridge Vista Area. He agreed to mail a copy of the Code amendments to the Commissioners about a week prior to the meeting to allow more time for review.

There being no further business, President Nemlowill adjourned the work session at 9:30 p.m.

**ATTEST:**

  
Secretary

**APPROVED:**

  
Community Development Director /  
Assistant City Manager