



# AGENDA

## ASTORIA CITY COUNCIL

June 1, 2015

\*\*\* 6:00 p.m. \*\*\*

2<sup>nd</sup> Floor Council Chambers  
1095 Duane Street ° Astoria OR 97103

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENTS (NON-AGENDA)

4. CHANGES TO AGENDA

5. 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 May 4, 2015
- (b) Boards and Commissions Minutes
  - (1) Historic Landmarks Commission Meeting of April 2, 2015
  - (2) Library Board Meeting of April 28, 2015
  - (3) Planning Commission Meeting of April 7, 2015
- (c) Resolution Designating Signators for the City of Astoria (City Manager)
- (d) Lease Agreement with Astoria Regatta Association for Use of East Portion of Heritage Square and Closure of 12<sup>th</sup> Street between Duane and Exchange Streets (City Manager)
- (e) Authorize Submittal of TGM Grant (Community Development/Public Works)

6. REGULAR AGENDA ITEMS

- (a) Reimbursement of Expenses – Friends of Astoria Column (Police)
- (b) Approval of Personal Services Contract Amendment – Converge Communications (Police)
- (c) Authorization to Award Maintenance Patching 2015 Contract (Public Works)
- (d) Authorization to Award Professional Services Contract for Pump Station 1 Improvements (Public Works)

**REGULAR AGENDA ITEMS TO BE CONSIDERED AFTER 7:00 P.M.**

- (e) Public Hearing and Ordinances regarding Amendment Request A14-05 on Riverfront Vision Plan Implementation for Bridge Vista Area (1<sup>st</sup> readings) Community Development)
- (f) Public Hearing and Ordinance regarding Amendment A15-01 – Gateway Overlay Zone (1<sup>st</sup> reading) (Community Development)
- (g) Supplemental Budget for FY2014-15 (Finance)
- (h) Resolution to Elect to Receive State Shared Revenues (Finance)
- (i) Public Hearing and Resolution to Adopt the City of Astoria Budget for FYE June 30, 2016 (Finance)

7. NEW BUSINESS AND MISCELLANEOUS

8. REPORTS OF COUNCILORS

Full Agenda Packet

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.




## CITY OF ASTORIA

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May 28, 2015

### MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: ASTORIA CITY COUNCIL MEETING OF JUNE 1, 2015

### CONSENT CALENDAR

**Item 5(a): City Council Minutes**

The minutes of the City Council meeting of May 4, 2015 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

**Item 5(b): Boards and Commissions Minutes**

The minutes of the (1) Historic Landmarks Commission meeting of April 21, 2015, and (2) Planning Commission meeting of April 7, 2015 are enclosed. Unless there are any questions or comments regarding the contents of these minutes, they are presented for information only.

**Item 5(c): Resolution Designating Signators for the City of Astoria (City Manager)**

The persons authorized by the City Council to sign checks and other bank withdrawal instruments on behalf of the City are designated by resolution. The attached resolution adds Director of Finance and Administrative Services Susan Brooks. It is recommended that the City Council consider this resolution for adoption.

**Item 5(d): Lease Agreement with Astoria Regatta Association for Use of East Portion of Heritage Square and Closure of 12<sup>th</sup> Street between Duane and Exchange Streets (City Manager)**

The Astoria Regatta Association (Association) is requesting the use of the east portion of Heritage Square located at 1153 Duane Street, and the closure of 12<sup>th</sup> Street between Duane and Exchange Streets to accommodate Astoria Regatta events. The time frame for the lease would be for Saturday, August 8, 2015, from 6:00 a.m. to 6:00 p.m. Events include a barbeque, vending of craft beer, and live music. It is requested that the Heritage Square site be leased for \$1.00. It is recommended that Council approve the Lease Agreement with the Astoria Regatta

Association for use of the east portion of Heritage Square located at 1153 Duane Street, and the closure of 12<sup>th</sup> Street between Duane and Exchange Streets, to accommodate the Regatta events scheduled for Saturday, August 8, 2015, for a total sum of \$1.00.

**Item 5(e): Authorize Submittal of TGM Grant (Community Development/Public Works)**

In 2013 the City applied for a grant from the Oregon Department of Transportation (ODOT) program, ConnectOregon, to rehabilitate a portion of the River Walk and trolley between 11<sup>th</sup> and 12<sup>th</sup> Streets, including pedestrian and bicycle improvements, repair of the tracks, and streetscaping. The grant request was unsuccessful, but it has formed the basis for the attached grant application to the State of Oregon for a Transportation and Growth Management (TGM) planning grant that would expand the scope of the project from 11<sup>th</sup> Street to the 17<sup>th</sup> Street Dock. Staff feels that the area between 14<sup>th</sup> and 17<sup>th</sup> Streets are especially in need of design work, given the mixture of pedestrian, bicycle, vehicular and trolley traffic. The funding would be used to plan for and design elements so that when opportunities arise for funding or construction, the City would have agreed upon concepts and preliminary designs ready to go. If successful, the City would assemble a multi-disciplinary team of consultants to evaluate and design specific project elements, including cost analysis. The draft application is currently being evaluated by City engineers and consultants that worked on the original ConnectOregon grant. Although not finalized, it is estimated that the total cost of the project, excluding local match, would be \$150,000 to \$175,000. The application deadline is June 12, 2015 so it is important that the Council authorize submission of the grant at the June 1, 2015 meeting. Staff would be able to provide the final application to Council at the June 15, 2015 meeting. It is recommended that the City Council authorize the submission of a letter in support of the TGM grant.

**REGULAR AGENDA ITEMS**

**Item 6(a): Reimbursement of Expenses – Friends of Astoria Column (Police)**

At the May 18<sup>th</sup> City Council meeting, Police Chief / Assistant City Manager Johnston provided background on the history of relocating the existing communications tower off Coxcomb Hill. In April of 2013, after presentations from the Friends of the Column (Friends) and the Astoria Police Department about their efforts at Astor Park, it became apparent that efforts being undertaken by the Police Department to modernize the communications facility at Coxcomb and the efforts of the Friends to develop the site were not well aligned. City Council directed staff to work to find an alternate location for the tower. A key to aligning the efforts was to convince Verizon Wireless moving from the site was in their best interest.

As part of the efforts to work to relocate the tower, the Friends have incurred \$69,657 in expenses. Their efforts have largely benefited the City of Astoria as Verizon Wireless is currently in contract negotiations to relocate the communications tower to a city owned lot northeast of the Reservoir 3. This move

would relocate all public safety, leased tenants, and Verizon to a new tower. The benefit of this move is largely to the City and the expenses incurred prohibit the Friends from pursuing other opportunities to pursue their mission. Council discussed this matter at the December 15, 2014 meeting and appeared to have consensus that the efforts of the Friends have been substantively responsible for progress toward this solution. Staff believes it is appropriate to reimburse the Friends for their expenditures. As this amount was not budgeted for this fiscal year a budget resolution has been prepared for consideration at the June 1<sup>st</sup> meeting, should Council approve the reimbursement.

At the May 18<sup>th</sup> Council meeting, Council requested information regarding the specific invoices paid to Converge by the Friends. Those invoices are attached to the memorandum. At the Friends of the Column's request all food related expenditures (in the amount of \$172.48) would be removed from the reimbursement amount. It should be noted that a detailed breakdown of out of pocket expenses is not included with the February 1, 2014 invoice. At the time of issuance of this memo, a breakdown was not available. The Friends also requested that those out of pocket expenses (in the amount of \$130.20) also be removed. Therefore, the reimbursement amount would be \$69,354.32. It is recommended that Council authorize reimbursement of \$69,354 from the Capital Improvement Fund to the Friends of Astoria Column for work provided by Converge Communications for relocation of the Coxcomb communications tower.

**Item 6(b): Approval of Personal Services Contract Amendment – Converge Communications (Police)**

In February of 2015 City staff contracted with Converge Communication to negotiate a lease between the City of Astoria and Verizon Wireless related to relocation of the Coxcomb Hill wireless communication facility. Converge was jointly selected by the Friends and City staff through a competitive process. The agreement was for an amount not to exceed \$5,000 and was within the spending authority of the City Manager. At that time, Converge was also working with the Friends of the Column. The work Converge was doing for the Friends is now complete, but the City's final contractual agreement with Verizon and moving the project to construction of a new tower remains to be accomplished.

Staff believes that continuing our relationship with Converge will significantly reduce the costs of, or risks associated with the work yet to be done. City contracting rules allow direct appointment for personal service contracts not exceeding \$20,000 as well as for personal services contracts to continue work of not more than \$100,000. Because of Converge's unique knowledge of this project it is recommended that a contract for additional services be authorized by direct appointment in an amount not to exceed \$20,000. Should the City Council approve this contract, a budget resolution is included in a subsequent agenda item to allocate funds for this fiscal year. It is recommended that Council authorize staff to contract with Converge by direct appointment to continue their contract for services in an amount not to exceed \$20,000.

**Item 6(c): Authorization to Award Maintenance Patching 2015 Contract (Public Works)**

Due to aging pavement, certain City streets have deteriorated and will require asphalt maintenance patching. This project is an intermediate effort to the major paving project that occurs every two years. The next major paving project is planned for the summer of 2016. City staff has recently completed a city wide condition survey of the most heavily traveled streets and areas subject of repeated complaints and compiled a list of immediate patching needs.

The following competitive quotes for asphalt maintenance patching have been received:

<b>Contractor</b>	<b>Total Quote</b>
Clean Sweep Maintenance, Inc.	\$23,949.40
Bayview Transit Mix, Inc.	\$29,050.00

Funding for this project is recommended to come from the Astoria Road District Fund (Fuel Tax Fund). This maintenance patching project is one part of a pavement preservation strategy that includes other maintenance measures such as pavement crack sealing and future pavement overlay.

It is recommended that City Council authorize the award of a construction contract to Clean Sweep Maintenance Inc. in the amount of \$23,949.40 for the Maintenance Patching 2015 Project.

**Item 6(d): Authorization to Award Professional Services Contract for Pump Station 1 Improvements (Public Works)**

The City of Astoria's wastewater treatment facility, interceptor and the main pump and lift stations were constructed in the mid-1970s. Pump Station No. 1 (PS#1) is the largest pump station in Astoria and is located in the Alderbrook neighborhood. This pump station receives approximately 95% of the City's combined sewage flows and, depending on the weather and the season, it pumps between one and eighteen million gallons per day to the City's wastewater treatment plant (WWTP).

PS#1 provided reliable service for the past 40 years, but lacks efficiency. Replacement parts are no longer readily available and parts of the system have reached the end of their useful life.

A Technical Analysis Study for PS#1 was prepared by Energy Trust of Oregon. This study evaluated the energy consumption and economics related to upgrading the pump station to improve energy efficiency and conserve energy. It was determined that at least two upgrade options are cost effective and would qualify for Energy Trust incentives ranging between \$65,083 and \$67,265.

The City now needs to determine the best project scope to upgrade PS#1. It is recommended that the City hire Richwine Environmental to prepare a Preliminary Design concept. Mr. Richwine has been working with the City of

Astoria as a key wastewater expert since 2008 and continues to support the City as an on-call consultant by providing advice and input during project development, particularly during the WWTP Effluent Treatment Upgrades Project.

The estimated fee for the concept design is \$16,000. Funding is available in the Public Works Improvement Fund. The City Attorney has reviewed, and approved as to form, the contract documents.

It is recommended that Council execute a contract for engineering services with Richwine Environmental for a total not to exceed amount of \$16,000.00 for the concept design of the Pump Station No. 1 Project.

#### **REGULAR AGENDA ITEMS TO BE CONSIDERED AFTER 7:00 P.M.**

**Item 6(e): Public Hearing and Ordinances regarding Amendment Request A14-05 on Riverfront Vision Plan Implementation Ordinance for Bridge Vista Area (1<sup>st</sup> readings) (Community Development)**

In 2008-2009, the City of Astoria developed the Riverfront Vision Plan (RVP) to address issues dealing with open space, land use, and transportation 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 (Portway to 2nd Street), Urban Core (2nd to 16th Street), Civic Greenway (16<sup>th</sup> to 41<sup>st</sup> Street), and Neighborhood Greenway (41<sup>st</sup> 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 to "Implement Riverfront Vision Plan on a Zone by Zone Basis."

The Bridge Vista Plan Area is generally located from Portway to 2nd Street and the River pierhead line to West Marine / Marine 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 Bridge Vista 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 four public work sessions (October 28, 2014, November 25, 2014, December 17, 2014, and January 27, 2015) 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 implementation process. The project team also conducted a

Town Hall meeting for interested community members on January 6, 2015. A presentation to the City Council on the progress made to date was held on March 16, 2015. The work sessions have been well attended and over 100 people attended the Town Hall meeting.

The RVP for the Bridge Vista Planning Area identified Land Use Assumptions and Objectives which state that *"This area is an appropriate location for new overwater development, should it occur. However, specific areas should remain open to preserve broad view of the river..."* The objectives include:

- Continue to support water-dependent uses within this area, but allow for a mix of commercial and residential uses that support but don't compete with the Downtown core.
- If development is to occur, promote new uses that are consistent with Astoria's "working waterfront."
- Encourage design of new or rehabilitated buildings that respect Astoria's character.
- Encourage new development along the Columbia River to improve and celebrate the River Trail and provide visual and periodic physical access to the water.
- Improve physical connections to adjacent neighborhoods.
- Use setbacks, stepbacks and other measures to ensure an open feel and continued visual access to the river.
- Work with property owners, including those with existing leases to maximize open areas over the water.
- Change zoning of area west of 2<sup>nd</sup> Street from Tourist Commercial to other commercial zone.
- Expand (Uniontown) design overlay for the historic district to accentuate the historic area (north of US 30) and create a more prominent gateway for the urban core.

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.

Proposed map amendments will include:

1. Rezone the parcels north of West Marine Drive currently zoned C-2 (Tourist Commercial) midblock between Basin Street and Columbia Avenue to C-3 (General Commercial) with a Pedestrian Oriented Commercial District Overlay.
2. Rezone the parcels north of West Marine Drive currently zoned C-2 (Tourist Commercial) midblock between Basin Street and Portway Street to S-2 (General Development Shoreland).
3. Rezone the parcels north of Marine Drive west of 2nd Street currently zoned C-2 (Tourist Commercial) to C-3 (General Commercial).
4. Apply the new Bridge Vista Overlay (BVO) Zone to the Bridge Vista Plan Area.

Proposed text/code amendments will include:

1. Add a new Pedestrian Oriented Commercial District Overlay Zone to allow for smaller commercial development at a pedestrian scale with less automobile dependent uses on the land side of the River Trail in the Bridge Vista Area.
2. Add a new Bridge Vista 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, landscaping, and off-street parking; and river access requirements.
3. Add new design standards for development in the Bridge Vista Area.
4. Move the sections on use of native plants from the Civic Greenway Overlay Zone to Article 3 on Landscaping to be applicable to other areas of the Riverfront Vision Plan.
5. Make miscellaneous “housekeeping” amendments related to references to the above noted amendments.

The Planning Commission held a public hearing on April 7, 2015 meeting, unanimously recommending that the City Council adopt the proposed amendment as presented.

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 proposed Ordinance as recommended by the Astoria Planning Commission for adoption of the proposed amendment.

**Item 6(f): Public Hearing and Ordinance regarding Amendment A15-01 – Gateway Overlay Zone (1<sup>st</sup> reading) (Community Development)**

Part of the Riverfront Vision Planning process included the extension of the Gateway Overlay Zone to 41<sup>st</sup> Street; however, the Comprehensive Plan contains a map (Figure 1.1) which illustrates the location of the Gateway Overlay Area from 16<sup>th</sup> to 29<sup>th</sup> Streets. In order to ensure that the Development Code is consistent with the Comprehensive Plan, staff has prepared an amendment to the Comprehensive Plan that extends the Gateway Overlay Area from 29<sup>th</sup> to 41<sup>st</sup> Street, and makes various “housekeeping” changes to the description of the area.

Changes include updated information concerning John Warren Field, the East Mooring Basin and the Astoria Plywood Mill, and a synopsis of the Riverfront Vision Plan. The only policy change is as follows:

Comprehensive Plan Section CP.08.1.b, Gateway Overlay Area Policies, is deleted in its entirety and amended to read as follows:

*“b. Enhance the primary uses, such as the Columbia River Maritime Museum and Columbia Memorial Hospital, and work to redevelop areas such as the former John Warren Field site, which have significant development potential.”*



The Planning Commission considered these changes at their April 28, 2015 hearing and moved to recommend them to the City Council. It is recommended that the City Council adopt the amendments to the Comprehensive Plan and hold a first reading of the ordinance.

**Item 6(g): Supplemental Budget for FY2014-15 (Finance)**

ORS 294.473 provides a procedure for a municipality to pass a supplemental budget that adjusts for changes that happen during a fiscal year. The process is to advertise a supplemental budget not less than 5 days before a Council meeting. Since the supplemental budget is less than 10% of the total expenditures, there is no requirement to hold a hearing for this adjustment. Council may consider a resolution that would adopt the supplemental budget as advertised. Expenses have been incurred in the amount of approximately \$70,000 by the Friends of the Astoria Column that relate to improvements for communication devices subject to a contract with Converge, Inc. The City has been asked to reimburse the Friends for these expenses. City Council is considering this request at this meeting. The City also has a contract with Converge for work relating to communication improvements at the Column and an additional contract is included in the June 1<sup>st</sup> packet. Staff is requesting an increase of \$10,000 for the current budget to anticipate work that may be completed before the end of this fiscal year 2014-15. The supplemental budget would allocate \$80,000 to the Capital Outlay line item under the Capital Improvement Fund. The appropriate attached notice was advertised on May 26, 2015. If Council approves these transactions, it is recommended that Council consider adopting the attached resolution for the supplemental budget.

**Item 6(h): Resolution to Elect to Receive State Shared Revenues (Finance)**

Oregon Revised Statute 221.770 requires the City to adopt a resolution to declare its intent to receive state revenue for each new fiscal year. State shared revenues include the state gas tax, alcohol tax, cigarette tax and state shared revenues. The attached resolution expresses the City's intention to receive state shared revenues for FY 2015-2016. It is recommended that the City Council consider this resolution for adoption.

**Item 6(i): Public Hearing and Resolution to Adopt the City of Astoria Budget for FYE June 30, 2016 (Finance)**

Oregon Local Budget Law requires that the City Council hold a public hearing on the budget, as approved by the Budget Committee. Notice of this hearing, scheduled for June 1, 2015, was published in the Daily Astorian on Wednesday, May 20, 2015. The budget for the City of Astoria, as discussed and approved by the Budget Committee, is ready for the City Council to consider for adoption. The changes from the proposed budget that the Budget Committee approved are as follows: \$500,000 is transferred from the Beginning Fund Balance of the General Fund to Machinery and Equipment in the Capital Improvement Fund in support of the purchase of an aerial ladder truck for the Fire Department. \$10,000 was

the purchase of an aerial ladder truck for the Fire Department. \$10,000 was added to each of the appropriations for the Astoria Downtown Historic Development Association, the Chamber of Commerce and the Lower Columbia Tourism Committee from the Ending Fund Balance of the Promote Astoria Fund. A second potential change relates to adjusting the approved Capital Improvement Fund budget by \$20,000 for a contract with Converge relating to services at the Astoria Column. A second resolution is available, if Council approves an appropriation for this expenditure. The attached resolution will adopt resources and appropriations and authorize the collection of taxes at a rate of \$8.1738 per thousand for FYE June 30, 2015. It is recommended that the City Council hold a public hearing on the FYE June 30, 2016 budget as approved by the Budget Committee. After the hearing, it is recommended that the Council consider the resolution to adopt this budget.

A regular meeting of the Astoria Common Council was held at the above place at the hour of 7:00 pm.

Councilors Present: Nemlowill, Herzig, Warr, Price, Mayor LaMear

Councilors Excused: None

Staff Present: City Manager Estes, Assistant City Manager/Police Chief Johnston, Parks and Recreation Director Cosby, Finance Director Brooks, Fire Chief Ames, Interim Planner Morgan, Library Director Tucker, Public Works Director Cook, and City Attorney Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

### **PUBLIC COMMENTS (NON-AGENDA)**

Ted Osborne, 345 Alameda, Astoria, said he attended both work sessions on the library. The first work session included discussions about the existing site and the desire to consider other sites, including Heritage Square. The meeting concluded with the expectation that staff would come to the next work session with parameters Council could use to determine the pros and cons of various sites. A lot was already known about the library that would allow it to be compared against other sites with regard to costs, space, implications of Code, parking, and other criteria. Therefore, people who attended the second work session expected 15 or 20 criteria, based on the existing library, to be used to make a decision about moving to another site. At the second work session, Council seemed to question staff about why the criteria were not being presented. No value was put before Council. Staff presented a one-page placeholder that Council accepted. He was disappointed that not much work was done at that work session. Someone at the work session said he or she would love to build a library at Heritage Square. Shortly after the comment was made, the meeting ended. The next day, the *Daily Astorian* reported that the new library would be at Heritage Square, as if a decision had been made. Three days later, an editorial stated the decision was a great idea. He was disappointed. The library is not a presidential library for a standing two-term president. This is a public library for all of Astoria, which should provide an affordable balance of building, collection, staff, and technology. No work was done at the second work session. Each Councilor has bright people in their districts who expect something good to come out of the library project. Everyone knows Astoria needs a good library, wants and deserves a good library, and will pay for a good library within reason. However, Council needs to start reasonably, diligently, and quickly planning with real parameters to find a solution that makes sense. He hoped a third work session would involve work done to this end.

### **CHANGES TO AGENDA**

No changes.

### **PRESENTATIONS**

#### **Item 5(a): Fire Lieutenant Terry Corbit 25-Year Pin**

Fire Chief Ames introduced Fire Lieutenant Terry Corbit and presented him with a 25-year pin.

Mayor LaMear presented City Support Engineer Cindy Moore with the Engineering Excellence Honor Award from the American Council of Engineering Companies of Oregon. Engineer Moore is the City's engineer for the CSO Separation project. The award was given to the City of Astoria, Gibbs & Olson, and Shannon Wilson Incorporated for the 11<sup>th</sup> Street CSO Separation project. Engineer Moore accepted the award as the City's representative.

## PROCLAMATIONS

### Item 6(a): Emergency Medical Services Week

Mayor LaMear read the proclamation declaring May 17-23, 2015 as Emergency Medical Services Week. She asked those who work in emergency medical service (EMS) to stand for a round of applause.

Steven Zamora, Medix Ambulance Supervisor, thanked City Council. Medix Ambulance has served the area for 40 years. Their EMS partners include the Fire Department, police agencies, and emergency room personnel. Their goal is to meet the emergency needs of the community in a compassionate, timely, and professional manner. He was honored that Astoria trusted Medics Ambulance to serve the community and looked forward to continuing the relationship. The theme of EMS week is EMS Strong. The proclamation recognizes how important the teams of EMS workers are to the area. He thanked the City, on behalf of all EMS workers, for the proclamation and support of EMS workers.

Councilor Price said at the April 17<sup>th</sup> salonical, someone asked why the Fire Department goes along with every Medix call. Chief Ames responded to this question on Councilor Price's Facebook page, saying the Fire Department only goes on about 35 percent of the calls. His response included an interesting analysis that explained why the Fire Department's assistance is needed in some cases.

### Item 6(b): Tenor Guitar Weekend

Mayor LaMear read the proclamation declaring May 28-31, 2015 as Official Tenor Guitar Weekend in Astoria.

Lu Anne Farrar accepted the proclamation and thanked the City. Mark Josephs has done a lot of work to bring the event to Astoria. Many people from far away will attend, bringing a good time and economic benefits to Astoria. Tickets and the agenda are available on their website titled *Tenor Guitar Gathering 2015*.

## CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 7 (a) City Council Minutes of 4/6/15
- 7 (b) Boards and Commission Minutes
  - (1) Parks Board Meeting of 3/25/15
- 7 (c) Intergovernmental Agreement (IGA) with Oregon Department of Forestry for Lidar (Topographic Data) Acquisition (Public Works)
- 7 (d) Business Oregon Development Department Grant Application for the Reimbursement of Costs Related to the Removal of the Underground Heating Oil Tank and Mitigation of Associated Contaminated Soils at the Astoria Senior Center Project Site (Public Works)

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor Nemlowill, to approve the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

## REGULAR AGENDA ITEMS

### Item 8(a): Liquor License Application from Rebecca Kraft dba Wine Kraft LLC, Located at 80 10<sup>th</sup> Street, Astoria, for a New Outlet for a Limited On-Premises Sales License (Finance)

A liquor license application has been filed by Rebecca Kraft, doing business as Wine Kraft LLC, located at 80 10<sup>th</sup> Street, Astoria. The application is for a New Outlet for a Limited On-Premises Sales License. The appropriate departments have reviewed the application and it is recommended that Council consider approval.

Councilor Nemlowill declared that she owns Cervecia Gratis dba Fort George Brewery, which sells alcohol.

Councilor Price said a January 2014 edition of the *Daily Astorian* stated Ms. Kraft was working with Alana Garner to help develop a census of the Astoria Downtown Historic District Association (ADHDA). In the article, Ms. Kraft

was quoted as saying, 'I really want to own a business in downtown Astoria. I want to open a wine bar.' She believed it was lovely that she would be able to open her business.

Councilor Herzig asked if additional parking would be required or if any parking variances would be allowed. City Manager Estes explained that the downtown corridor had no parking requirements.

Mayor LaMear called for public comments. There were none.

**City Council Action:** Motion made by Councilor Price, seconded by Councilor Warr, to approve the application by Rebecca Kraft for a New Outlet for a Limited On-Premises Sales License. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

**Item 8(b): Authorize IFA Finance Contract Amendment – 16<sup>th</sup> Street CSO Separation Project (Public Works)**

At the March 16, 2015 meeting, Council was informed that the 16th Street CSO Separation project would likely exceed the available funding based on the engineer's estimate at final design and that an amendment to the Infrastructure Finance Authority (IFA) Financing Contract would be requested after bids were received to determine the appropriate amount for the funding increase. Bids were received on April 16th and award of the construction contract is included in the Council packet. The budget has been updated with the bid amount. The IFA current funding package, which includes a \$525,000 grant and a \$5,158,000 low-interest loan, will be amended to increase the loan by \$1,530,000 to \$6,688,000 for a total funding amount of \$7,213,000. A portion of the CSO Surcharge fee will be utilized to repay the loan. It is recommended that Council approve the amendment resolution and authorize execution of the IFA Financing Contract Amendment No.1 for the 16th Street CSO Separation Project to increase the total amount of the loan to \$6,688,000.

Councilor Herzig said it was unfortunate that this amendment would condemn Astoria's water and sewer users to higher rates for the next decade. The only way to fund the CSO Separation Project is to pay for it by increasing utility bills and he wished there was an alternative.

**City Council Action:** Motion made by Councilor Price, seconded by Councilor Herzig to approve the amendment resolution and authorize execution of the IFA Financing Contract Amendment No.1 for the 16th Street CSO Separation Project to increase the total amount of the loan to \$6,688,000. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill and Mayor LaMear; Nays: None.

**Item 8(c): Authorization to Award Construction Contract – 16<sup>th</sup> Street CSO Separation Project (Public Works)**

In March, Council authorized bid advertisement of this project. The following three bids were received on April 16th:

<b>Contractor</b>	<b>Total Bid</b>
Engineer's Estimate	\$5,752,700
James W. Fowler	\$4,621,500
Emery & Sons	\$5,483,180
Tapani, Inc.	\$5,529,380

The bid in the amount of \$4,621,500 submitted by James W. Fowler Company was a nonresponsive bid due to the failure of submitting a First Tier Subcontractor List; therefore, Emery & Sons bid of \$5,483,180 was determined to be the lowest responsive bidder. The construction budget includes a 10 percent contingency:

Construction bid	\$5,483,180
Construction contingency (10%)	\$549,000
<b>CONSTRUCTION BUDGET</b>	<b>\$6,032,180</b>

A Business Oregon Infrastructure Finance Authority (IFA) Financing Contract Amendment is included in this meeting's Council packet. Upon authorization of the Financing Contract Amendment, funding will be available for the award of the contract. It is recommended that Council award the construction contract for the 16th Street CSO Separation Project to Emery & Sons for \$5,483,180.

Councilor Herzig said Tapani, Inc. was unsatisfactory in 2014 and he was glad that City would not have another contract with them. He wanted to know if the City had a track record with Emery & Sons. Director Cook said Emery & Sons was the contractor on Phase 2 of the CSO Separation Project at 6<sup>th</sup> Street and they were a responsible contractor.

Mayor LaMear called for public comments. There were none.

**City Council Action:** Motion made by Councilor Nemlowill, seconded by Councilor Price to award the construction contract for the 16th Street CSO Separation Project to Emery & Sons for \$5,483,180. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill and Mayor LaMear; Nays: None.

**Item 8(d): Authorize Contract Amendment for Construction Phase Services – 16<sup>th</sup> Street CSO Separation Project (Public Works)**

In June 2014, Council awarded the 16th Street CSO Separation Project engineering services contract to Gibbs & Olson (G&O). G&O developed a final bid package for this project. There are a number of additional professional services that will be required during the construction phase. G&O prepared a scope and fee for these services as follows which are included in the project budget:

- Full-time Construction Inspection
- Construction Support Services/Archaeological Monitoring
- Geotechnical Support
- Monumentation

The estimated fee for construction phase services is \$432,290. A Business Oregon Infrastructure Finance Authority (IFA) Financing Contract Amendment is included in this meeting's Council packet. Upon authorization of the Financing Contract Amendment, funding would be available for the authorization of this contract amendment. It is recommended that Council execute a contract amendment with Gibbs & Olson for a total not to exceed amount of \$432,290 for construction services for the 16th Street CSO Separation Project.

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor Nemlowill to execute a contract amendment with Gibbs & Olson for a total not to exceed amount of \$432,290 for construction services for the 16th Street CSO Separation Project. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill and Mayor LaMear; Nays: None.

**Item 8(e): Authorize Contract Materials Testing Services – 16<sup>th</sup> Street CSO Separation Project (Public Works)**

To ensure quality control during the construction of the 16th Street CSO Separation Project, the City will need to provide materials testing services. These services will need to be provided by a specialty consulting firm. Staff requested a proposal from Carlson Testing, Inc., who provided materials testing and special inspection services on the 11th Street CSO Separation Project and the Denver CSO Storage Project. Carlson Testing provided a fee schedule for services that will be performed on a time and materials basis for an estimated not to exceed amount of \$19,155; however, additional materials testing services may be required on this project. The City may direct appoint a personal services contract up to \$20,000. Since the scope and fee with Carlson Testing is within this limit and they are highly qualified to perform the services, it is recommended that the City use the direct appointment option. The City Attorney has reviewed, and approved as to form, the contract documents. It is recommended that Council authorize a contract with Carlson Testing, Inc. for a total not to exceed amount of \$19,155 for materials testing services on the 16th Street CSO Separation Project.

Councilor Herzig asked how the direct appointment process would be affected if the costs increased over \$20,000 after the contract was authorized. City Attorney Henningsgaard said Council would need to approve an

amendment to the contract, which can be done through several processes. Direct appointments allow for increases of no more than 20 percent, which is calculated using a formula.

Councilor Price asked how much the materials testing services cost on the last project. Engineer Moore said the cost was about \$30,000 because 8<sup>th</sup> Street had to be rebuilt. This project will require much less effort because the street will not be rebuilt. For the 8<sup>th</sup> Street project, Carlson Testing estimated their costs would be about \$50,000, but they were only about \$30,000. Therefore, Staff feels comfortable that Carlson is using a conservative number.

**City Council Action:** Motion made by Councilor Nemlowill, seconded by Councilor Warr to authorize a contract with Carlson Testing, Inc. for a total not to exceed amount of \$19,155 for materials testing services on the 16th Street CSO Separation Project. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill and Mayor LaMear; Nays: None.

**Item 8(f): Teresa Estrada – Lease of City Property (Public Works)**

Teresa Estrada is requesting a lease for a 600 square foot portion of City property located at the south side of the United States Coast Guard (USCG) parking lot. Ms. Estrada wishes to utilize this area for sale of clam chowder from a 2-foot long historic gillnet boat. She has proposed improving the area with fill and a concrete pad constructed behind the new sidewalk. The City currently leases City owned property to various businesses and community partners. The City has primarily leased property to local businesses pursuing opportunities to expand and to communication companies. Other examples include the lease with the USCG for the 17th Street Dock, the parking lot for Dr. Klemp's office, and the lease with Western Oregon Recology for the Transfer Station.

The only City lease for a food cart is currently with the Bowpicker, directly adjacent to the area being requested by Ms. Estrada. This lease was completed to formalize an existing agreement between the Bowpicker and the former property owner. Upon purchasing the property in 2013, the City agreed to allow the Bowpicker to remain. The rest of this property is encumbered by the USCG for parking. Work to improve the parking lot utilized by the USCG is currently planned for FY2015-2016 and it may be necessary to use the proposed lease area for the improvements. Additionally, increased parking may be needed for the USCG if their proposal to moor two additional cutters at the 17th Street Dock comes to fruition. Improvements to this property would require compliance with the City Code, Development Code, Maritime Heritage Zone, and the Design Review Commission associated with the Gateway Overlay Zone. Based on consideration of the factors above, City staff, as well as the City Attorney, has concerns associated with approval of another lease agreement on this property. It is recommended that City Council consider the lease request for a portion of the City property located between Marine Drive and Duane Street, west of 17th Street. If Council is willing to consider leasing a portion of this property, staff will prepare a lease agreement for Council approval.

Mayor LaMear asked the Applicant to introduce herself.

Teresa Estrada, 147 Washington Street, Astoria, said earlier that day, she submitted additional information that rebutted the Public Works issues with the area she proposed to lease. She was not notified of the issues when she submitted the application in January and only just found out about them. She hoped City Council had received and reviewed the information prior to the meeting.

City Manager Estes confirmed staff emailed the information to the Councilors earlier in the day and gave them hard copies for the meeting.

Ms. Estrada said she wanted to operate a food cart to provide additional income for her family. She believed it would be a good idea to build a cart that looked similar to the Astoria Riverfront Trolley or a boat because it would be consistent with the Maritime Heritage District. When she came across a gillnet boat, she decided to convert it to a food cart. She believed it would be a good idea to locate the food cart adjacent to the Bowpicker to create some visual interest for the city and to take advantage of the tourist industry in the area. She did not want to impact the Bowpicker business at that location.

Councilor Price confirmed she received the information Ms. Estrada had submitted earlier that day. She also visited the site, which was already leased to the Coast Guard for parking. The Coast Guard will need more parking because they intend to bring in two more cutters. The addendum to the application takes issue with the

exact outlines of the property. However, she understood after speaking with staff and looking at the lease agreement that the clear intent of leasing the property was that it be leased to the Coast Guard for parking. If City Council is asked to approve a request from the Coast Guard for more parking, she hoped Council would advocate for parking to be located away from the sidewalk chair wall along Marine Drive, but located closer to Duane Street in the area Ms. Estrada would like to lease. This area is right at the entrance to Downtown Astoria. There are parking lots on both sides and the area needs some beautification. Only the one side of Marine Drive could accommodate trees without impacting the parking. Therefore, she did not support the request.

Mayor LaMear called for public comments. There were none.

Councilor Herzig declared that on April 13<sup>th</sup>, he received an email from Ms. Estrada asking if she could meet with him to give him information about the application. He replied that he was always happy to meet with the public, but meeting with her to discuss her application could be considered an ex parte contact. Ms. Estrada agreed it would be better not to meet. He believed that if the entire property was leased to the Coast Guard the Bowpicker would have to vacate. He did not understand how the City could permit one business but not another to be located on the property. Extending parking all the way up to Duane Street will require considerable excavation and will result in a large drop off from Duane Street down to the parking if the parking will be at ground level, which seems unreasonable. The Bowpicker takes up twice as much space as Ms. Estrada's food cart would. If the City is so concerned about parking, the Bowpicker should not be allowed on the property. He did not understand why the application was not being accepted. Permitting one business and not the other seemed obstinate. All of the reasons for denying this application could also pertain to the Bowpicker. He would support a rational policy that is applied across the board, but Astoria seemed to have no such policy.

Councilor Warr said when the City purchased the property, the intent was to grandfather-in the Bowpicker because it had been allowed on the site when the Maritime Museum owned the property.

City Manager Estes agreed, adding that the City was honoring existing agreement and the rest of the property was leased to the Coast Guard for parking.

Councilor Warr did not believe the property could be leased to another person because it was already leased.

Councilor Nemlowill asked if the Bowpicker received permission from the Coast Guard to lease space on the property prior to the City purchasing the property.

City Manager Estes understood there was no agreement process for the Coast Guard because the Maritime Museum owned the property.

Councilor Nemlowill asked staff to define the word encumbered and be more specific about the City's plans for parking expansion.

City Manager Estes explained that encumbered is a surveying term. There is no metes and bounds description for this property, but the lease references the lot is to be used for Coast Guard parking. The word encumbered indicates the lot was designated for a specific purpose. Parking improvement concepts have been developed by Engineering staff. The conceptual drawings do not include full dimensions, soil conditions, geotechnical conditions or other elements. The concept was to create a horseshoe shaped parking area with designated parking stalls and landscaping. Staff wants to improve the aesthetics of the lot because it is a gateway to the downtown area. However, the City does not have any definite plans to improve existing parking, nor does it have any proposals from the Coast Guard to expand parking at this time. The Coast Guard is currently investigating where new cutters would be located and staff wants maximum flexibility to provide additional parking if needed. He did not know if a second tier of parking on a deck would be possible, but staff would like to facilitate this if necessary.

Councilor Nemlowill asked if the potential of the Coast Guard to expand in Astoria could be jeopardized if staff did not have the flexibility it wanted.

City Manager Estes said this was definitely a concern. However, the City's first commitment with the Coast Guard is to provide parking on this lot.



Ms. Estrada said the City claims the entire property is encumbered by the Coast Guard. The Coast Guard leases when into effect in 2010 and 2013, and then the Bowpicker was provided a lease on this property. She did not understand why she would not be allowed to have a lease on the same property for half the size of the space leased by the Bowpicker.

Mayor LaMear understood the lease was with the Maritime Museum. When the museum sold the property to the City, the lease remained in effect. The City's intent was to provide the entire area to the Coast Guard for parking and the Coast Guard needs the parking area very much.

Ms. Estrada understood, but said the City leased the property to the Coast Guard in 2010 and 2013, then subsequently provided a lease to the Bowpicker in 2014. The Public Works Department has stated a lease cannot be provided to her because the property is already encumbered by the Coast Guard. This encumbrance already existed prior to issuing a lease to the Bowpicker. She did not understand why the City would provide a lease to the Bowpicker but not to her.

City Attorney Henningsgaard explained the history of the property was more complicated than what had been described. Initially, the Coast Guard was allowed to park on the property with unwritten permission from the Maritime Museum. This agreement was in conjunction with the Coast Guard's use of the 17<sup>th</sup> Street Dock. When the Coast Guard and the City reached agreements concerning the improvements to the dock, the Coast Guard required a more formal agreement on the parking, which is crucial in that area. The agreement with the City is that the City will provide 250 parking spaces to the Coast Guard. The City entered into this agreement before purchasing the property, which made acquiring the property important to the City. The Bowpicker had an agreement to remain on the property before the Coast Guard had any formal agreement for parking. When the new agreement with the Coast Guard was negotiated, the Coast Guard allowed the Bowpicker to remain as long the City could still provide 250 parking spaces. This was formalized by a hand shake agreement between the former Mayor and a member of the Coast Guard. The Bowpicker had been making donations to the Maritime Museum in lieu of rent and never had a written agreement with the museum. He became involved because he believed the Bowpicker needed a formal lease agreement. This is why the lease is dated August 14, 2014. He did not believe the City was providing all 250 parking spaces, so the parking lot needs to be expanded.

Councilor Nemlowill asked how long the lease with the Bowpicker would be in effect.

City Attorney Henningsgaard said the original term of the lease commenced on July 1, 2014 and continues through July 31, 2024. He believed the lease also offered the option to renew for an additional 10 years.

Mayor LaMear called for public comments.

Linda Ford, 138 West Lexington, Astoria, co-owner of the Bowpicker, said when she first approached the museum, the lot was just a grass field. The museum allowed the Bowpicker to use the space because they believed the business worked well in conjunction with their mission. Therefore, the Bowpicker did its best to promote the museum and the City, tried very hard to be good neighbors, and be good business people. The Bowpicker is not trying to step on any toes and they try to be mindful of the Coast Guard by respecting their needs.

Chris Farrar, 3023 Harrison Avenue, Astoria, said no one had stated how many parking spaces would be provided if the Bowpicker were not on the property or within a 15 by 40-foot space.

Director Cook said the lot is currently unimproved gravel, so the parking spaces are not marked. Therefore, it is difficult to estimate how many vehicles can park on the property.

Councilor Herzig said he could see seven vehicles parked on the property at that time and he did not believe 250 vehicles would fit on the property.

City Attorney Henningsgaard noted that the Coast Guard also had rights to park on the lot across the street, which contributed to the 250 parking spaces.

Gretchen Mather, 41109 Homestead Lane, Astoria, asked why the City would forgo any additional revenue on that property if the property cannot accommodate 250 parking spaces. She did not believe anyone would park on the lot because of its slope.

Mayor LaMear said the problem is that the entire lot has already been leased to the Coast Guard. The City has already decided who would be leasing this property and cannot re-lease a portion it.

Ms. Mather asked if the Coast Guard was physically able to park on the property. After looking at the property, she understood the Coast Guard could not park on it. She did not believe anyone from the Coast Guard parked on that lot. The spot Ms. Estrada wants to lease does not have any Coast Guard parking. She did not understand why the City would not lease the space if 250 parking spaces could not be provided because the property slopes.

Ms. Mather asked if the property was truly leased if the Coast Guard was not using it. She had not read the lease, but did not understand how the City could lease to one business and not another.

City Manager Estes said there were no final designs to expand parking to the south into the hillside, nor was it known that parking expansion in that area of the property would be necessary.

Councilor Herzig asked if the lease to the Coast Guard included the area used by the Bowpicker. City Attorney Henningsgaard said yes, the map attached to the lease agreement depicts the entire square. Councilor Herzig said the City has already re-leased part of the property to Bowpicker. The City should be clear about this so as not to falsify its position. The entire property is leased to the Coast Guard with part of the property being subleased to the Bowpicker. City Attorney Henningsgaard confirmed this was correct.

Ms. Estrada said that was her argument. The City is saying the entire area is leased to the Coast Guard and a lease on this encumbered property has already been issued to the Bowpicker. However, the City is also saying it cannot issue her a lease because the property is already leased.

City Manager Estes explained the specific issue was the City's ability to expand or use the space for improvements in order to meet the parking requirements of the lease with the Coast Guard.

Ms. Estrada said the Coast Guard lease indicates the property is half an acre. The area leased by the Bowpicker and the area she would like to lease are in excess of the half acre being leased by the Coast Guard; therefore, it is not encumbered. She asked if the area she wanted to lease was actually encumbered.

City Manager Estes explained that the Coast Guard lease states the property is approximately half an acre and does not include a metes and bounds description. The entire property is encumbered and the City wants to provide the utmost flexibility in its ability to design and implement parking for the Coast Guard in the future.

Ms. Estrada understood, adding that she would vacate the property when the Public Works Department needed to provide parking for the Coast Guard. Therefore, she did not see any reason for the City to deny a lease.

Councilor Price said the *Daily Astorian* posted about the business on Facebook. Most of the people who commented indicated they believed the boat was a great idea and looked good, but not necessarily in that location. If the Bowpicker came to Council to request a lease in this location, she would say no to them as well. She was in favor of giving the Coast Guard as much room as possible so it can do what it needs to do in the next few years. Land use decisions do not set a precedent, yet the City is sometimes threatened with a lawsuit if it does not go along with a previous decision. She believed favoring the Coast Guard over Ms. Estrada was a good decision for Ward 3 and for Astoria.

Councilor Nemlowill declared she owns an eating and drinking establishment, Fort George Brewery and Public House. She did not believe this was a direct conflict of interest and admired the Applicant's efforts as an entrepreneur. She did not vote on the lease with the Bowpicker. However, she was concerned that leasing the property could lessen the City's prospects for a great economic development project and expansion of the Coast Guard in Astoria.

Councilor Herzig did not believe the Coast Guard could expand much until they had housing. Unless the City gets serious about creating more workforce housing, Astoria would not be able to accommodate an expanded Coast Guard. He has spoken with the Coast Guard's housing supervisor, Don Lee, who said the Coast Guard is at its limit in Astoria. He asked if the lease with the Bowpicker could be broken if the City decided to expand the parking lot.

City Attorney Henningsgaard said the lease prohibits the Bowpicker or its customers from parking in the parking lot. The lease can also be terminated by either party with six months notice.

Councilor Herzig said this was the same arrangement proposed by Ms. Estrada.

**City Council Action:** Motion made by Councilor Nemlowill, seconded by Councilor Price to deny the lease request by Teresa Estrada for a portion of the City property located between Marine Drive and Duane Street, west of 17th Street and direct staff to prepare a lease agreement for Council approval. Motion carried 4 to 1. Ayes: Councilors Price, Warr, Nemlowill and Mayor LaMear; Nays: Councilor Herzig .

**Item 8(g): Spur 11 Combo Harvest 2015 Contract Award (Public Works)**

The Council approved the solicitation of bids for the Spur 11 Combo Harvest at the April 6, 2015 Council meeting. This project includes the thinning of approximately 40 acres and the cleanup of a blow down area adjacent to neighboring ownership. The project also includes the improvement of a major watershed road system. The completion of the Spur 11 harvest during the summer of 2015 is estimated to net approximately \$240,000 after road improvements and reforestation costs. The City received one bid proposal above the minimum bid price from Hampton Tree Farms. It is recommended that Council approve the sale of the Spur 11 Combo Harvest to Hampton Tree Farms.

City Manager Estes confirmed this would serve as the City's one timber cut at the watershed for the year.

Councilor Herzig asked why only one bid over the minimum bid price was received.

City Forester Mike Barnes, 33655 NE Crow Creek Road, Newberg, said there were several reasons. The market is not currently at its peak, but it is still very good. Port strikes, lower housing starts, and exchange rates with foreign countries have led to a less than optimum market. However, comparing Astoria's sale with the timber sale prospectus from the State Forestry Department shows that Astoria is doing much better. This is a good and fair price above the minimum and in excess of what the State Forestry Department is receiving for comparable timber.

Councilor Herzig said he had great confidence in Mr. Barnes and agreed this was a good deal. The project includes cleanup of some of the blow down area and will benefit the forest and Astoria's coffers.

Mayor LaMear called for public comments.

Chris Farrar, 3023 Harrison Avenue, Astoria, said he assumed the purpose of identifying this tract of land and planning its harvest was related to overall improvements of the forest and watershed. The agenda packet contains quite a brief statement and indicates the estimated net might be about \$240,000 after reforestation and completing some road improvements. He would like to know the projected costs of reforestation and road improvements so he could estimate the gross sale. He also wanted to know how much timber could be cut off of an acre. However, this number depends on how the forest has been treated. The price depends on the type of timber being cut. He estimated the gross sale price to be about \$300 per 1,000 board feet. He also estimated about 1,000 units would be harvested, for a total of 1 million board feet with a gross sale price of \$300,000. This is 25,000 board feet per acre, which sounds like a lot. He did not believe forests had such capacity. He asked how many trees would be left on the property and what the ratio of cut would be. He estimated about half of the trees would be cut. He supported cutting some of the forest to improve it. However, this sounded like a fantastic amount.

City Forester Barnes explained that this project involves thinning and cleanup of an area that has been blown down. Astoria's forests average about 30,000 board feet per acre. He displayed a map and explained which portion of the land would be thinned and which portion contained the blow down. The blow down area is about 15

acres and 40 acres would be clear cut. About 10,000 board feet would be removed for thinning, which is about one-third of the total. The total amount, about 27,000 board feet per acre, would be removed from the blow down area. A considerable amount of the timber is Douglas fir, which brings \$380 per 1,000 board feet. He estimated the average sale price would be about \$350 per 1,000 board feet. The road improvements on Spur 11B will cost about \$30,000 and will minimize the impact on the water quality in the future.

Councilor Price said at a couple of presentations in 2014, she heard Mr. Barnes state the City holds itself to 850,000 board feet per year. Mr. Barnes confirmed that was the City's average harvest, but this harvest would be slightly less.

**City Council Action:** Motion made by Councilor Herzig, seconded by Councilor Price to approve the sale of the Spur 11 Combo Harvest to Hampton Tree Farms. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill and Mayor LaMear; Nays: None.

**Item 8(h): Letter of Support regarding Bruce Buckmaster's Appointment to the Oregon Department of Fish and Wildlife Commission (City Council)**

Oregon Governor Kate Brown has announced the appointment of Astoria resident Bruce Buckmaster to a long-vacant seat on the Oregon Fish and Wildlife Commission. Councilor Price has requested that a letter of support regarding his appointment be considered by the City Council. Included in the agenda packet is a draft letter of support for Mr. Buckmaster. It is proposed that this letter be forwarded to Oregon State Senate President Peter Courtney and Senator Diane Rosenbaum, Chair of the Rules Committee, for the May 14, 2015 hearing on Governor Brown's executive appointees, should Council authorize the Mayor to sign.

Mayor LaMear said she was delighted that Councilor Price suggested the letter of support. Clatsop County has not had a representative on the Oregon Department of Fish and Wildlife Commission and there has been a concerted effort to keep a Clatsop County representative off of the commission. Therefore, this is a very important appointment. City Council hopes the Governor and others will support the appointment.

Councilor Price added that Bruce Buckmaster is a very thoughtful moderate, an avid sports fisher, and is well versed in the local gill netting issues. She believed he would try to find a way to make gill netters and sports fishers happier. Currently, only the sports fishers are happy and Mr. Buckmaster is under a lot of attack by large sports fishing contingents. She believed personal letters of support would also be welcomed.

Councilor Herzig said he would respectfully abstain from voting because he did not know Mr. Buckmaster.

Mayor LaMear called for public comments. There were none.

**City Council Action:** Motion made by Councilor Price, seconded by Councilor Warr to authorize Mayor LaMear to sign the letter of support regarding Bruce Buckmaster's appointment to the Oregon Department of Fish and Wildlife Commission and forward the letter to Oregon State Senate President Peter Courtney and Senator Diane Rosenbaum. Motion carried 3 to 0 to 2. Ayes: Councilors Price, Warr, and Mayor LaMear; Nays: None. Abstentions: Councilors Herzig and Nemlowill.

Councilor Nemlowill explained her abstention was not because she did not support the letter. However, she did not have all of the facts.

**Item 8(i): City Council Goals for FY2015-2016**

The City Council held a work session on January 23, 2015 to set goals for Fiscal Year 2015-2016. From that work session, a list of Council goals was drafted. The draft goals were discussed at the Council meeting of February 17, 2015 and were posted on the City website. In addition, an article reviewing the goals was published in the January 26, 2015 edition of *The Daily Astorian*. A revised draft of the goals (following up from the April 20, 2015 Council Work Session on the Library) was posted on the City's website in advance of the May 4, 2015 Council meeting. This revised language is being presented for Council's consideration.

Councilor Herzig suggested adding the word commercial to the first goal, as follows: "Investigate location the Astoria Public Library as part of a mixed use residential/**commercial** development within Heritage Square to

facilitate redevelopment of this space.” He wanted this change because Council discussed commercial occupants of the structure.

Councilor Nemlowill did not agree and Councilor Price said she did not recall that discussion. Councilor Herzig believed Council discussed retail on the ground floor. Since he was mistaken, he withdrew his suggestion.

Councilor Price said she was sorry Mr. Osborne left before hearing her comment. When Council created these goals in January, she had been to one City Council meeting as a new Councilor. Even though she had been attending City Council meetings for a year or two prior to that, she has learned some things since becoming a Councilor. Therefore, she has a different perspective about the goals now. She felt bad that she had not asked questions at the last work session about the library. She has received an earful from constituents throughout Astoria about their decision to abandon consideration of other options and consider Heritage Square without asking questions about things like the potential costs of considering Heritage Square and where the money would come from. She questioned whether the citizens would support a \$2 million or \$3 million bond issue if the project came in at \$4.6 or \$5 million. Many people are very unhappy that she did not ask more questions and that Council is considering Heritage Square. Council is listening to the public’s concerns and may just have to let Heritage Square play out with the hope that it works out well for everyone.

Mayor LaMear said this is exactly what Council has done by directing staff to consider the possibility of locating the public library at Heritage Square as part of a mixed use residential development. Council was not saying this would happen. Staff needed direction from Council and this goal gives that direction. There have been many roadblocks against using the Merwyn and redeveloping the existing library building. If there is opposition to building a new library at Heritage Square, she has heard just as much opposition to redeveloping the existing library building and using the Merwyn. This goal is an attempt to find out what is possible at Heritage Square.

Councilor Nemlowill said it had been awhile since the goals were discussed. She asked if Council had discussed a master plan or improvements to the western entrance to Astoria.

City Manager Estes said staff understood that Council wanted to improve the appearance of the western gateway to the city, the roundabout heading towards the bridge where Highway 101 heads north to Washington. The Parks Department has said this site is expensive to maintain. Improving the pedestrian experience and consolidating utility lines to improve their appearance would need to be part of a planning study. He had noted during the budget process that the Astor West Urban Renewal District includes a good portion of this area. If staff had an approved plan, the City could apply for grant funds that might be matched with Urban Renewal dollars. Oregon Department of Transportation (ODOT) requires plans to be in place and adopted by City Council before funding this type of project.

Councilor Nemlowill asked how this would coincide with the Transportation System Plan (TSP). She also wanted to know if the Façade Improvement Program of Urban Renewal funds would be included.

City Manager Estes explained that staff would look at the TSP to see if it specified improvements for this area. If so, those improvements would be incorporated into the plan. The Façade Improvement Program will be presented to Council this summer. Staff understood that over the years, City Council has wanted to improve the appearance of the area. Several years ago, a City Council Goal directed staff to start on the Façade Improvement Program. However, establishing the program is taking longer than expected because staff needs design guidelines, which would be created once Council approves the Bridge Vista Area of the Riverfront Vision Plan. The document that implements the Bridge Vista Area is 90 percent complete and will be presented to Council in the summer.

Councilor Nemlowill said the idea of a master plan was interesting. Mayor LaMear had been interested in Michelle Reeves’ suggestion that Astoria already had a by-pass and once travelers get off of the Megler Bridge, the intersection at Highway 101 is not a very attractive site. She believed this led to the goal.

City Manager Estes added that portions of the Downtown Masterplan could be factored in to this effort.

Councilor Nemlowill said it was interesting that the Riverfront Vision Plan was already impacting other aspects of the City. She suggested a master plan for the portion of Uniontown north of Marine Drive.

City Manager Estes explained the Riverfront Vision Plan was a multifaceted plan, which included trail improvements that have been implemented since the plan was adopted. The plan has been used to receive grant funds to expand the river trail. Staff has been working on Code amendments for the last year, but other aspects of the plan, like the feel of a district, can be implemented through a master plan. The master plan for the western entrance will consider design concepts, simulations of what the area could look like, the amount of right-of-way in the area, and how much room would be available for improvements. The master plan will not include construction documents, but will set the tone and vision of the project.

Councilor Nemlowill asked what boundaries would define the western entrance in the master plan.

City Manager Estes recommended the western entrance include the roundabout and extend to the Doughboy at the Holiday Inn Express. However, City Council could amend this.

Councilor Herzig noted the last goal was to hold an emergency preparedness presentation. On May 5<sup>th</sup>, the County is hosting a presentation on the tsunami overlay, which conflicts with Astoria's meet and greet with the Community Development Director applicants. However, he believed it was important to stay connected with the County and their emergency preparedness efforts. On May 6<sup>th</sup>, from 5:00 pm to 6:30 pm at the library, a speaker will give a tsunami preparedness presentation. The citizens of Astoria should start educating themselves because the City is playing catch-up on emergency preparedness. He read the fourth goal to improve the safety and efficiency of the transportation system. He believed the City should be willing to recognize issues brought forward by pedestrians and acknowledge that pedestrians have legitimate problems. The intersection of 8<sup>th</sup> and Irving keeps getting mentioned by pedestrians and drivers, but staff says this intersection is not a problem. If the City is going to start fixing pedestrian problems, staff and Council must start listening to the public. He hoped this would be incorporated into the subtext of this goal.

City Manager Estes said the Public Works Department has been working with Chris Majeski of DKS Associates, who helped develop the TSP. Mr. Majeski and staff met at the intersection of 8<sup>th</sup> and Irving last week to discuss the issues at that intersection. Mr. Majeski will conduct an analysis, which staff will present to City Council over the next month or so.

Councilor Herzig thanked City Manager Estes for the update. He hoped the people who spoke to staff about the intersection would be directly informed because they felt blown off by the reception they received at City Hall.

City Council directed staff to present the City Council Goals for adoption at the next City Council meeting.

#### **Item 8(j): City Council Rules**

The Council will discuss City Council Rules following up from the last meeting. Included in the packet is a revised draft that incorporates the changes mentioned by City Attorney Henningsgaard at your last meeting.

City Councilor Herzig has proposed the following amendments:

- Delete 'with leave of the chair' from: 7.2 Public Comment Concerning Agenda Items - *With leave of the chair*, members of the general public wishing to address the Council on an agenda item will be allowed to do so, after any presentation by staff and prior to a decision by the Council.
- To 7.3, add 'Presentations to the Council shall be limited to a period of no more than fifteen (15) minutes, unless additional time is granted by the Presiding Officer.'

Additionally, Councilor Price has prepared a revised version of Council Rules for consideration. That document follows City Attorney Henningsgaard's version .

Following discussion at the May 4th Council meeting, staff will receive direction as to whether further changes are requested and whether the Council wishes to approve the rules.

Mayor LaMear explained that Forest Grove's rules were used as a template. The document has been reduced from 22 pages to 8 pages. After City Attorney Henningsgaard reviewed the rules to make sure they did not contradict Astoria's charter, Councilor Price developed another version of the rules. Council needs to review both sets of rules. She believed the notes in the margins of Councilor Price's version were very helpful. The only

portion of Councilor Price's version that she had issues with was Section 6. She asked if any of the other Councilors had problems with Sections 1 through 4 of Councilor Price's version of the rules.

Councilor Herzig said he was surprised to see the agenda for this meeting reshaped according to some of Council's discussions, but without any Council vote. This seemed to short circuit Council's discussions and disrespect the process that Council would agree on changes to the agenda. He believed changing the agenda would be agreed upon by Council before being implemented. He wanted to know what other changes the Mayor intended to implement.

Mayor LaMear stated she did not intend to implement any changes, this would be up to the Council. She changed the agenda because it seemed to be the consensus of Council at the last meeting to try a different order of items on the agenda. She was not trying to usurp anyone's authority.

Councilor Herzig thanked Mayor LaMear and said he believed Reports of Councilors should remain at the beginning of the meeting. The public should get to hear what Councilors are doing and more of the public is present at the start of the meeting. He did not believe the reports took much time and they are a valuable communication to the public. The reports should be prioritized so that people do not have to wait until the end of the meeting. He was not in consensus with moving Reports of Councilors to the end of the meeting and would like them to remain at the beginning of the agenda.

Mayor LaMear said if people from out of town come to speak on agenda items, allowing non-agenda comments at the beginning would require them to sit through the entire meeting before speaking, causing them to get home late in the evening.

Councilor Nemlowill did not like the process of reviewing two different documents, which is tedious and confusing. She believed reviewing these documents at a work session would be more appropriate. If they must be reviewed at a City Council meeting, she would prefer to review one document. However, the rules are to support the Mayor, who runs the meetings, and she would be happy to do as the Mayor wishes.

Councilor Price said she used the document created by City Attorney Henningsgaard and just added to it.

Councilor Warr believed the intent of Councilor Price's version was completely different from City Attorney Henningsgaard's version.

Councilor Herzig agreed with Councilor Nemlowill that it is difficult to review the documents without having them side by side. He did not print them because he wanted to save paper. He clarified that he was not proposing the non-agenda public comments be moved away from the start of the meeting. He agreed non-agenda public comments should be at the start along with the Councilor reports. Looking at two different versions of Council Rules with many redactions and lines is problematic in this form.

City Manager Estes suggested Council review Councilor Price's document since she used the version created by City Attorney Henningsgaard. Where sections were deleted, Council could refer back to what City Attorney Henningsgaard proposed. He added that Councilor Herzig proposed two changes, which are both addressed in Councilor Price's version.

Councilor Warr said City Council got along well for 204 years without formal rules. The City has spent a great deal of time on these rules and Council is not close to making a decision. He believed Astoria could continue on for another 200 years without rules and do just fine. However, he believed the two versions were so divergent that they should be discussed at a work session.

Mayor LaMear agreed that this issue was too big to discuss at this meeting. There are quite a few major differences between the two sets of rules and she agreed the rules be discussed at a work session.

Councilor Price said she had been asked several times by constituents how to get an item on the agenda. The charter does not make any reference to how an item can be added to the agenda and leaves it up to the Mayor's discretion. She agreed with Councilor Warr that Astoria did very well for so many years without rules. If City Council is going to adopt rules, Council should be very careful with them and add how an item is added to the

agenda. Astoria may not always have such a benevolent presiding officer as it does now. She believed Council should either forgo the rules altogether or spend a lot of time on them.

Mayor LaMear believed Astoria needed City Council Rules. Most cities in Oregon have City Council rules and the League of Oregon Cities refers to these rules. For example, appointments to City boards and commissions are either made by the Mayor or by the Mayor and Council according to City Council rules. There are certain things Council should be conforming to. It is nice that Astoria has gotten along with rules for 200 years, but that does not mean Council should get along without them in the future. She also believed another work session was necessary because Council needs to discuss these issues.

## **NEW BUSINESS & MISCELLANEOUS**

### **REPORTS OF COUNCILORS**

**Item 11(a): Councilor Nemlowill** had no reports.

**Item 11(b): Councilor Herzig** reported that the last event in support of Sexual Assault Awareness Month in April was a rally and walk through Downtown Astoria. He thanked Director Cosby and the Parks and Recreation staff for lighting the Column teal for the month of April. Next year, the lighting will be LED lighting.

**Item 11(c): Councilor Warr** reported earlier that day he attended the Maritime Memorial Committee meeting. It has been since 17 years since the rates were adjusted at the memorial and the Committee is very interested in raising the rates. Director Cosby is working on the specific proposals made by the Committee. The Committee would like a decision on rate increases soon because in June they begin to receive applications for the next year's engraving.

Director Cosby said she hoped to present the Committee's proposal to Council at the next City Council meeting.

**Item 11(d): Councilor Price** had no reports.

**Item 11(e): Mayor LaMear** reported she attended a dinner as part of the Maori Celebration. Six Maori artists are in Astoria for the event. The opening reception will be on Thursday, May 14<sup>th</sup> at Clatsop Community College Performing Arts Center. She encouraged everyone to attend. The event took a lot of organization and she believed it would be a very successful week. Budget meetings were held April 27<sup>th</sup> through 29<sup>th</sup> for two hours each night. Another budget meeting is scheduled for Thursday, May 7<sup>th</sup>. The City is taking a meticulous look at the budget and hope to have it completed this week.

City Council recessed to convene the Astoria Development Commission meeting at 8:50 pm.

### **EXECUTIVE SESSION**

**Item 12(a): ORS192.660(2)(e) – Real Property Transactions**

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:03 pm.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
City Manager



## HISTORIC LANDMARKS COMMISSION MEETING

City Council Chambers

April 21, 2015

### CALL TO ORDER – ITEM 1:

A regular meeting of the Astoria Historic Landmarks Commission (HLC) was held at the above place at the hour of 5:20 p.m.

### ROLL CALL – ITEM 2:

Commissioners Present: President LJ Gunderson, Vice President Michelle Dieffenbach, Commissioners Jack Osterberg, Thomas Stanley, Paul Caruana, and Mac Burns.

Commissioners Excused: Kevin McHone

Staff Present: Interim Planner Mike Morgan and Executive Secretary Sherri Williams.

### APPROVAL OF MINUTES – ITEM 3(a):

President Gunderson asked if there were any changes to the minutes. Commissioner Burns noted the following change on the second paragraph of Page 4: "Commissioner Burns preferred email.", deleting the last sentence

Commissioner Stanley moved to approve the minutes of March 17, 2015 as corrected; seconded by Commissioner Caruana. Motion passed unanimously. Ayes: President Gunderson, Vice President Dieffenbach, Commissioners Caruana, Osterberg, Burns, and Stanley. Nays: None.

### PUBLIC HEARINGS:

President Gunderson explained the procedures governing the conduct of public hearings to the audience and advised that the substantive review criteria were listed in the Staff report.

The Historic Landmarks Commission continued to Public Hearings Item 4(b): EX15-04 at this time.

### ITEM 4(a):

EX15-03 Exterior Alteration EX15-03 by Rachel Jensen for Nicholas Zametkin to add a 421 square foot housing addition and a 280 square foot deck to the side and rear of an existing single family dwelling at 1445 Lexington in the R-1 zone.

This agenda item was addressed following Public Hearings Item 4(d): NC15-04.

President Gunderson asked if anyone objected to the jurisdiction of the HLC to hear this matter at this time. There were no objections. President Gunderson asked if any member of the HLC had a conflict of interest, or any ex parte contacts to declare.

President Gunderson declared that Rachel Jensen was an employee of her company several years ago, but this would not affect her decision in any way.

President Gunderson requested a presentation of the Staff report.

Interim Planner Morgan presented the Staff report and recommended approval with conditions. Secretary Williams noted no correspondence had been received, but Robert Davis requested a copy of the Staff report. She did not see Mr. Davis in the audience.

Commissioner Osterberg asked how Staff determined the existing stairs were not historic and had minimal historical value, as noted in Criterion 4 at the top of Page 5 in the Staff report. The inventory form used by the City to establish the historic designation did not make any reference to the stairs.

Interim Planner Morgan said he received information from the Applicant that the stairs have been replaced at least once since 1968. The existing stairs look similar to the stairs that were on the house in 1968. Therefore, Staff has assumed the stairs are not historic because they are not original to the house, which was built in 1895. Many of the features like the trim, siding, and some of the windows are original.

President Gunderson opened public testimony for the hearing and asked for the Applicant's presentation.

Rachel Jensen, 1445 Lexington Avenue, Astoria, said her partner, Nicholas Zametkin, is the owner of the property. They have been working with Chadbourne + Doss Architects for several months to create an addition to their property, which would add room for a master bedroom suite and a deck to provide more outdoor living area. They have worked through many designs and phases and were very happy with the way the design worked out. They feel like the addition is true to the character of the historic property, while being a unified design that stands out on its own. The designs do not accurately reflect how the view is obscured from the road. She showed several photographs, explaining what would not be visible from the street. She showed examples of the proposed aluminum-clad wood windows, noting that the design plans did not include any fiberglass or vinyl. The windows would look painted and would require minimal maintenance. Their goal was to choose materials that would last a long time. All of the trim would be replaced with trim that matches the historic millwork. The windows would not protrude any more than the original windows, less than an inch, and the trim will add depth. She referred to a report on historic windows written by John Goodenberger, which stated windows protruding up to 1 inch were historically appropriate. She hoped the HLC would consider the proposed windows and the proposed installation appropriate as well. The standing seam metal roofing will be a dark grey color meant to match the tone of an asphalt shingle roof. The existing porch is not original and the stairs were narrowed to accommodate off-street parking. She does not want to lose the off-street parking because the street is narrow and allows parking on both sides. Turning the stairs will provide safer pedestrian access. The railings on the new stairs will be up to code, providing more safety. The house has been moved from its original site, so the house is not eligible for the National Register of Historic Places. In 1908, the setbacks were different and the house had a small central front porch. The house was originally built near 15<sup>th</sup> and Lexington, and was moved in 1916 to make room for the historic house that currently sits on that corner. She showed a Sanborn Map from 1946 that showed the house in its current location. The stripes are historic and contributing. Neither of the adjacent houses are historic and the houses behind are modern and contemporary. Other houses in the area are 1950s style, ranch, and flat-roofed homes. Two historic houses on the block have standing seam metal roofs. She offered to answer any questions.

Commissioner Osterberg asked for details about the materials proposed for the metal stairs. Ms. Jensen said the risers would be metal and the treads would be IPE wood making the staircase very see-through. The railings would also be metal. The entire staircase would be custom made.

President Gunderson called for any presentations by persons in favor of the application.

Chris LaPointe, 461 Exchange Street, Astoria, believed the design was cool and respected the history of the house. The design also matched other projects in the community like Buoy Beer and Fort George Brewery. The addition would integrate the old with the new very well. Even though the back porch would be a different material, it would still look like all of the other houses in Astoria that have a series of porches. The profile completely fits with the tradition of Astoria homes. He believed the materials were exciting and nice. The back cannot be seen from anywhere except the contemporary homes behind it. He believes the design is a nice contemporary design that blends well with the historic neighborhood.

President Gunderson called for any presentations by persons impartial to or against the application. Seeing none, she called for closing remarks of Staff.

Interim Planner Morgan said he misinterpreted the specification sheet and had believed the windows would be fiberglass clad; however, the windows would be metal clad wood windows.

President Gunderson closed the public testimony portion of the hearing and called for Commission discussion and deliberation.

Commissioner Caruana liked that the new additions looked completely different from the original house, and yet the original house had been preserved. He believed the windows respected the historic molding and the siding preserved the original décor of the house. The new front stairs integrate what is happening on the back of the house, which he believed was appropriate. He did not like the existing stairs and noted the new stairs would be safer. He was in favor of the application, but suggested the Applicant be mindful of areas where the new elements come in contact with the existing house. He was concerned about how the details would come together. However, it did not appear from the design that this would be a problem.

Commissioner Stanley agreed and said he liked the concept of adding something radically different to the building. This concept is evolving in other cities and he believed it added more character to the community. At some point, this concept will become historic. Therefore, he was in favor of the application.

Commissioner Caruana believed the HLC should review color because all of the additions should be a different color. He would not want the next owner to unify the house by painting or installing different siding. President Gunderson agreed.

Commissioner Burns said at first, he did not like the proposed additions. However, the more he looked at the design and after hearing the Applicant's presentation, he believed the project looked good.

Commissioner Osterberg said the historic inventory from 2000 shows the current stairway on the front of the house and does not indicate that the stairway is not historic. He realized Staff meant the staircase was not original from 1895. However, he believed the current staircase is very compatible with the existing architecture and historical values of the house, which is a cute Victorian cottage. Therefore, he believed the proposal for a metal staircase in a modern design would not be compatible, nor would it comply with Criterion 4. He did not believe there was any evidence to support the conclusion that the existing staircase was incompatible or inappropriate. He understood the existing staircase might need to be replaced and rebuilt, but he suggested it be made of wood. A different configuration would be acceptable as long as it was not replaced with a modernist staircase that hangs off the side of a cute Victorian cottage. He appreciated the information about the window recess, which satisfied his concerns about the appropriateness of the depth of the windows. While the modern internationalist style of the addition with vertical corrugated metal siding seemed to be done well, he believed it was not appropriate and did not meet Criteria 6 and 9. Exterior materials that need to be replaced should be replaced with materials that are compatible in terms of composition, design, color, texture, and other visual qualities. He understood color was not an issue, but an entirely modernist approach with modernist windows was not appropriate in this case and in a residential historic neighborhood. The design does not match and is not compatible. He agreed the additions should be either extremely compatible or dramatically different in order to avoid an inappropriate combination of the two designs. A building addition that implemented the established aesthetic qualities, materials, and other features in the historic district and on the house would satisfy the conditions of approval. He understood an exact match would not be possible, but believed the proposed project was not appropriate and did not meet the criteria. Existing landscaping is one mitigating factor that should be considered with regard to Criterion 9. He did not believe much weight should be given to landscaping because all of the landscaping could be completely redesigned. He concluded by stating he believed the proposal did not meet Criteria 4, 6, or 9.

Vice President Dieffenbach liked the design of the addition because it looked completely different. She did not mind that the new stairs on the front would look completely different, but did not like that the existing house would be changed. In order to make the design work, the house should stay intact and exist as a historic home. The windows should be one-over-one, the house needs to retain its historic elements, and the additions need to be distinctly different. The additions are different in many ways, but she was unsure about the metal roof. The windows were her biggest concern because changing the windows on the existing house really changes the house drastically. When putting up an adjacent structure that will oppose a historic structure, the historic structure should remain as historic as possible. Criterion 9 states contemporary designs can be added, but the significant historical architectural and cultural materials on the existing house should be kept as is. She wanted the house to remain as is and the additions to be completely different. She would not have a problem with the proposal if the Applicant installed one-over-one windows on the original house.

Commissioner Osterberg believed Vice President Dieffenbach was echoing other Commissioners, that the design should stay true to the desire to endorse both historic preservation for the existing house and a new dramatically different design on the additions.

President Gunderson said she had seen many designs similar to the one proposed in other cities, and they look good as long they are well maintained. She did not like the proposed change in the windows on the existing house and preferred the windows on the front of the house be kept as is. However, she liked the rest of the proposed design. She believed the new with the old went together well. She understood Commissioner Osterberg's opinion about the landscaping, but noted the HLC has based many of its decisions on the fact that landscaping does play into the design. She noted there are other metal roofs in the area. She liked the project overall, but was concerned about the windows.

Commissioner Stanley believed Vice President Dieffenbach made a good point. The original building must remain true to its design and the addition can be a stark difference. He believed the HLC should require the windows to remain the same.

Vice President Dieffenbach believed the look of the one-over one-windows was one of the strongest historic characters of old houses. Using different windows really changes the character of the home. She did not have any issues with the aluminum clad material or the number of windows on the house, just the proportion and look of the windows. Double hung or single hung windows would retain the original character of the home.

The Commissioners reviewed the photographs of the original windows, noting that they were double hung.

President Gunderson reopened the public testimony portion of the hearing and asked the Applicant to return to the podium.

Ms. Jensen confirmed the existing windows on the house were double hung. There is a fixed window with a leaded glass transom and a glass transom above the door on the front of the house. She proposed to remove the leaded glass window.

Commissioner Caruana noted the house next door had large aluminum picture windows, probably installed in the 1970s. The proposed west elevation drawing shows that one window will become shorter and another window will become two separate windows. However, the left window will actually become three windows.

Ms. Jensen confirmed the one window would become three separate windows, another window would become two separate windows, and a third window would become shorter because it is in the kitchen. The windows were the one element of the house she took the longest to make a decision on. She originally fought to change the windows when developing the design. She would be happy to leave the picture window as one window and consider installing a transom. Double hung windows on the front façade would look nice. However, the windows are 120 years old, the house has no insulation, and the windows have deteriorated. She wanted to make changes to the house that would last a lifetime and make the house more livable. She questioned whether new double hung windows would look original or create a design conflict; casement windows would not look original. She kept the rhythm of the three bays and kept the windows vertical and narrow. She did not want people to think that the work done was historic because the work will be new.

Vice President Dieffenbach explained she was not concerned with the window materials or whether they looked old or new. Materials cannot be expected to last forever and they should be replaced so they retain the appearance of the original material. She believed keeping the proportion, look, and feel of the house as a whole was the most important thing. The historic character should remain, even if the materials are not exactly the same. She was particularly concerned with the front façade and one side of the house because they are so visible. She believed all three of the windows on the front of the house could be double hung.

President Gunderson confirmed all of the Commissioners except Commissioner Osterberg had an issue with the windows, but approved of every other aspect of the project. Commissioner Stanley added the HLC wants to keep the charm and the look of the house. Commissioner Caruana said in order to justify the radical changes to the exterior areas beyond the original footprint of the house, the original house should remain as close to its original condition as possible. Window could still be added to the original house, but changing from double hung to casement window could take away from the original look of the house.

Commissioner Burns asked if Ms. Jensen would be willing to install double hung windows. Ms. Jensen said her architects and the homeowner could not attend the hearing and it was difficult for her to speak for them. She

struggled with the windows as well, but has come to believe that the unity of the design as a whole affects the interior of the home. She understood the HLC did not review interior work, but the house is being changed to accommodate the way it is used. This is why she did not propose a large picture window on the corner. The interior is very open and she wanted to retain the view from that window. It is difficult to imagine three double hung windows in that location. She accepted the new casement windows on that side of the house in order to keep the rhythm and she liked the contrast. She did not believe compatibility meant matching and the rhythm of three narrow windows satisfied her concerns. The picture window on the front of the house is proposed to be casement windows similar to the others, but she would happy to agree to a fixed-pane picture window or a design with a transom like the original window.

Vice President Dieffenbach did not have any problems with the three separate windows. She just preferred double hung windows instead of casement windows. Commissioner Caruana noted the Applicant could install a larger picture window flanked with narrow double hung windows. Commissioner Osterberg agreed that both ideas would be more appropriate and compatible.

Ms. Jensen did not believe she could agree to the suggested changes without consulting the designer and the homeowner.

The HLC discussed how to proceed and decided to require double hung windows on the original house. Commissioner Caruana suggested allowing a picture window flanked by narrow windows, but then agreed with Vice President Dieffenbach that three double hung windows would be better proportioned on such a small house. Vice President Dieffenbach also believed keeping the picture window on the front of the house retained the character of the house better than two double hung windows.

Interim Planner Morgan suggested the HLC continue the hearing to allow Ms. Jensen time to consult with the designer and the homeowner. Commissioner Caruana noted the Commissioners could change their mind before the next meeting. He suggested approving the request with the condition that double hung windows be installed on the original house. Ms. Jensen agreed with Commissioner Caruana.

President Gunderson closed the public testimony portion of the hearing.

Vice President Dieffenbach moved that the Historic Landmarks Commission adopt the Findings and Conclusions contained in the Staff Report and approve Exterior Alteration EX15-03 by Rachel Jensen, with the following changes to the Staff report conditions:

Page 6, Section V. Conclusion:

- Omit Number 1 in its entirety and replace with: "The additions to the house are appropriate and meet the criteria of the development code, including the front staircase.
- Omit Number 2 in its entirety and replace with: "The metal standing seam roof is appropriate to the design."
- Omit Number 2 in its entirety and replace with: "The window replacement is appropriate if the applicant installs one over one (single or double hung) windows rather than casement windows."

Motion seconded by Commissioner Stanley. Motion passed 5 to 1. Ayes: President Gunderson, Vice President Dieffenbach, Commissioners Caruana, Burns, and Stanley. Nays: Commissioner Osterberg.

President Gunderson read the rules of appeal into the record.

Vice President Dieffenbach said she hoped the conditions were not a deal breaker. She believed the Applicant had done a great job. President Gunderson thanked Ms. Jensen for a nice presentation. Commissioner Osterberg added the presentation was very professional. The HLC appreciated the information about the depth of the windows.

The HLC proceeded to Item 5: Reports of Officers and Commissioners.

ITEM 4(b):

EX15-04 Exterior Alteration EX15-04 by New Cingular Wireless (AT&T Mobility), c/o Velocitel, Inc. to add three panel antennas with ancillary equipment to an existing wireless communication facility at 342 14<sup>th</sup> Street in the C-4, Central Commercial zone.

This agenda item was addressed immediately following Item 3: Approval of Minutes.

President Gunderson asked if anyone objected to the jurisdiction of the HLC to hear this matter at this time. There were no objections. President Gunderson asked if any member of the HLC had a conflict of interest, or any ex parte contacts to declare.

Commissioner Caruana declared a conflict of interest, recused himself, and stepped down from the dais.

President Gunderson requested a presentation of the Staff report. Interim Planner Morgan presented the Staff report and recommended approval. No correspondence had been received.

President Gunderson opened public testimony for the hearing and asked for the Applicant's presentation.

Tom McAuliffe, 4004 Cruise Way Place, Suite 220, Lake Oswego, offered to answer any questions and explained that AT&T is expanding its facilities for new technologies. This project involves Long Term Evolution (LTE) equipment. AT&T is adding one antenna per sector, so there will be nine antennas on the elevator penthouse. The antennas will be flush mounted to the walls and painted to match the building. The State Historic Preservation Office (SHPO) has already approved this project.

President Gunderson called for any presentations by persons in favor of, impartial to or against the application. Seeing none, she called for closing remarks of Staff. There were none. She closed the public testimony portion of the hearing and called for Commission discussion and deliberation.

Commissioner Osterberg said the project will create minor changes from the existing conditions, especially for the use of panel style WCFs. He hoped the City would develop a process that eliminated the requirement for a public hearing before these antennas need to be replaced. Other jurisdictions do not require public hearings for this type of mounting and this type of facility. He asked Staff to look into changing the requirements. Interim Planner Morgan agreed and said he would consider approving applications for this type of project through the Type 2 review process, which is an administrative review that does not include Commission input.

Commissioner Burns moved that the Historic Landmarks Commission adopt the Findings and Conclusions contained in the Staff Report and approve Exterior Alteration EX15-04 by New Cingular Wireless (AT&T Mobility), c/o Velocitel, Inc., seconded by Commissioner Stanley. Motion passed unanimously.

President Gunderson read the rules of appeal into the record.

Commissioner Caruana returned to the dais.

ITEM 4(c):

EX15-05 Exterior Alteration EX15-05 by Buoy Beer Company to add a 30-foot high grain silo on the south elevation at 18<sup>th</sup> Street in the A-2, Aquatic Two Development zone.

President Gunderson asked if anyone objected to the jurisdiction of the HLC to hear this matter at this time. There were no objections. President Gunderson asked if any member of the HLC had a conflict of interest, or any ex parte contacts to declare.

Commissioner Burns declared that Andrew Bornstein is a member of the Clatsop County Historical Society Board of Directors. He has not discussed this request with Mr. Bornstein. The last time the HLC reviewed an application by Buoy Beer, he did not participate in the conversation but was allowed to vote, as advised by City Attorney Henningsgaard. He assumed the same process would be appropriate for this hearing and did not believe his relationship with Mr. Bornstein would affect his decision.

Vice President Dieffenbach declared a conflict of interest and stepped down from the dais.

President Gunderson requested a presentation of the Staff report.

Interim Planner Morgan presented the Staff report and recommended approval with conditions. No correspondence had been received.

President Gunderson opened public testimony for the hearing and asked for the Applicant's presentation.

David Kroening, 1078 Harrison, Astoria, said the silo will provide improved efficiencies as well as financial benefits. The brewers will no longer have to carry as many bags of grain back and forth. The silo will sit on a leased portion of City property between 7th and 8<sup>th</sup> Streets that contains a concrete skirt. This is the only place a silo can be placed because the building is out on the dock. He believes the silo will fit in with the working waterfront and will not block any of the historical aspects of the building. He clarified that Bornstein Seafood owns the building, not the company.

Commissioner Osterberg asked what the exterior material would be on the silo. Mr. Kroening said the silo would look identical to the Wet Dog's silo with straight sides. He believed the material would be powder coated steel and it would be painted.

President Gunderson called for any presentations by persons in favor of, impartial to or against the application. Seeing none, she called for closing remarks of Staff. There were none. She closed the public testimony portion of the hearing and called for Commission discussion and deliberation.

President Gunderson believed this silo would sit in the perfect location and fit with the waterfront, so she was in favor of the request.

Commissioner Stanley believed the silo would add ambiance and was also in favor of the request.

Commissioner Caruana understood the HLC could not review color. However, he encouraged the use of colors that would draw attention to the silo. He is proud of Astoria for being known as a brewing town. Structures like this silo are a welcomed addition. Instead of looking like an attachment to an old building, the silo will look like something fresh and new that celebrates Astoria's new identity. Brewing has done a lot for this town and he is in favor of the request.

Commissioner Osterberg said the request meets all of the criteria. It is certainly appropriate to have a metal structure adjacent to other large metal structures and Astoria is already familiar with silos at other breweries in the downtown area. He believed the silo would be very compatible.

Commissioner Stanley moved that the Historic Landmarks Commission adopt the Findings and Conclusions contained in the Staff Report and approve Exterior Alteration EX15-05 by Buoy Beer Company, with conditions; seconded by Commissioner Caruana. Motion passed unanimously.

President Gunderson read the rules of appeal into the record.

Vice President Dieffenbach returned to the dais.

ITEM 4(d):

NC15-04      New Construction NC15-04 by David Dieffenbach for Clatsop County to locate an emergency generator on the west side of the county courthouse surrounded by a wrought iron fence at 749 Commercial in the C4 zone.

President Gunderson asked if anyone objected to the jurisdiction of the HLC to hear this matter at this time. There were no objections. President Gunderson asked if any member of the HLC had a conflict of interest, or any ex parte contacts to declare.

Vice President Dieffenbach declared a conflict of interest and stepped down from the dais.

Commissioner Burns declared that the Clatsop County Historical Society owns property adjacent to this property and leases the old county jail from Clatsop County. However, he has not discussed this project with anyone involved with the county and did not believe his judgment would be impacted.

President Gunderson requested a presentation of the Staff report.

Interim Planner Morgan presented the Staff report and recommended approval with conditions. No correspondence had been received.

President Gunderson opened public testimony for the hearing and asked for the Applicant's presentation.

David Dieffenbach said over the last few years the County has been switching to paperless filings and needs electricity. Therefore, the county is requesting to install a generator surrounded by a wrought iron fence on courthouse property. He offered to answer any questions.

Commissioner Caruana said the image in the Staff report shows a new wrought iron fence with a shaded area. Mr. Dieffenbach explained the shaded area shows the generator behind the fence, but the black and white image did not turn out well. The fence will not contain any chain link.

Commissioner Osterberg wanted to know if the fencing material was actually wrought iron or a similar material. He understood that few fence contractors handled true wrought iron work. Mr. Dieffenbach said he was not sure, as he did not know the difference between wrought iron and the steel used today. He believed the fence would be wrought iron, powder coated black to prevent rust. He believed the design of the fence had to be done with wrought iron. Commissioner Osterberg said the design could be done in any metal. He noted the material did not make a difference to him, but he was simply interested to know if the fence would be true wrought iron. He would approve either material. Mr. Dieffenbach said the fence needed to be custom made so it would match the rest of the fencing on the property. However, he has not yet spoken with a fence contractor.

President Gunderson called for any presentations by persons in favor of, impartial to or against the application. Seeing none, she called for closing remarks of Staff. There were none. She closed the public testimony portion of the hearing and called for Commission discussion and deliberation.

Commissioner Burns said he was a neighbor who would have to look at the fence every day and he did not believe it would have much impact.

Commissioner Osterberg believed the fence would be very compatible because it would match the rest of the fencing on the property.

Commissioner Stanley thanked Interim Planner Morgan for working with the Applicant to choose the location for the generator. He appreciated that the generator would be tucked away in the corner.

Commissioner Caruana moved that the Historic Landmarks Commission adopt the Findings and Conclusions contained in the Staff Report and approve New Construction NC15-04 by David Dieffenbach for Clatsop County, with conditions; seconded by Commissioner Burns. Motion passed unanimously.

President Gunderson read the rules of appeal into the record.

Vice President Dieffenbach returned to the dais.

The Historic Landmarks Commission continued to Public Hearings Item 4(a): EX15-03 at this time.

#### REPORTS OF OFFICERS/COMMISSIONERS – ITEM 5:

President Gunderson announced former Planner Rosemary Johnson would be receiving an Oregon Heritage Award for Outstanding Preservationist later in the week. The award will be presented to her at a Preservation Conference being held in Coos Bay.



Staff said nominations have opened for the Dr. Harvey Award. Staff encouraged Commissioners to let them know if they believe a particular property should be considered for the award. Nominations will be open until April 30<sup>th</sup> and the HLC will select award recipients at their next meeting. Two weeks after that, the award recipients will be forwarded to City Council for presentation. John Goodenberger has nominated the Presbyterian Church for their work on the church building. Another nominee is a derelict building at 775 38<sup>th</sup> Street that has been renovated. Staff stated that work must be completed in order to be eligible for an award.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:02 p.m.

ATTEST:

APPROVED:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Planner

DRAFT

## **Astoria Library Board Meeting**

Astoria Public Library

April 28, 2015

5:30 pm.

**Present:** Library Board members Kate Summers, David Oser, and Kimberley Chaput. Staff Library Director Jane Tucker, Meghann Lynch and Patty Skinner. Chris Womack arrived at 5:33 pm.

**Excused:** Susan Stein

**Absent:** None

**Call to Order:** Chair Kate Summers called the meeting to order at 5:30 pm.

**Approval of Agenda:** The agenda was approved as presented.

**Welcome New Board Member:** Chair Summers welcomed Susan Stein, who would introduce herself at the next meeting.

**Approval of Minutes:** The minutes of March 24, 2015 were approved as presented.

### **Renovation Update:**

#### **Item 5(a): Foundation Update**

David Oser noted no update was available for the Foundation. He confirmed the 501(c)(3) status for the Foundation had been established.

Chair Summers volunteered to create a Facebook page for the Foundation to capitalize on the positive aspects of the Foundation's work. She noted there were several discussions on Facebook about the library. The Board and Staff discussed how the Foundation's Facebook page would be used to promote the capital campaign and other aspects of the library building project.

#### **Item 5(b): Renovation Committee Update**

Director Tucker reported that during the City Council work session on April 20<sup>th</sup>, City Council decided to explore a new library building at Heritage Square. Council directed Staff to explore how a new building at Heritage Square would affect parking, the Sunday Market, Downtown, the veteran's building, and what would be done with the existing library building. Council wanted to consider a proposed a mixed-use public/private development that may contain work force housing and/or commercial in addition to the library.

#### **Item 5(c): Staff Reports**

Director Tucker reported that public feedback has been positive and many people have come in to the library to ask questions. The Save the Astoria Library's Facebook page had published some misinformation. In response, Staff sent out email blasts encouraging people to contact the library directly for accurate and up to date information.

Director Tucker and City Manager Estes developed potential site selection criteria for the library project. This criteria would be used to compare possible locations against one standard. Staff presented the criteria at the City Council work session.

#### **Item 5(d): Board Reports**

David Oser reported on his meeting with Steve Forrester of The Daily Astorian, who wanted to know how the Library Board felt about City Council's decision to consider a new building at Heritage Square. He told Mr. Forrester he was excited about the decision.

#### **Item 5(e): Reports of Community Presentations**

No reports.

**Library Director's Report:**

Director Tucker reported that the Libraries ROCC IGA had been signed by all three cities and went into effect on May 1<sup>st</sup>. The libraries are fundraising for ROCC and the Seaside Chamber of Commerce will host a trivia tournament to raise money. The Seaside Chamber plans to host the event annually and hopes to raise \$10,000 per event.

Budget Committee meetings would be held on April 28th, 29th, and possibly April 30th.

The Board and Staff briefly discussed the pros and cons of videotaping and live streaming the audio of public meetings in Astoria. City Council meetings and work sessions are already being broadcast on KMUN.

The meet and greet for Community Development Director applicants would be held on May 5<sup>th</sup> at the Barbey Center from 5:00 pm to 7:00 pm. Director Tucker has encouraged members of the Revitalization Committee to attend.

**Update on ALFA Activities:**

Director Tucker reported that ALFA's next meeting is scheduled in June 2015. ALFA is concentrating on immediate needs, such as the summer reading program.

**New Business:**

**Item 8(a):           Staff Report on Oregon Library Conference**

Patty Skinner, who focuses on services to children and families, gave a brief overview of the annual conference. The conference offers many resources, which she believes is the most valuable aspect of the event. Most of the presenters are from regional systems with a large staff, a large budget, and people who specialize in particular areas. She is always impressed to learn these presenters face the same problems and challenges as the Astoria Library.

She attended a session on the changes made to the Ready to Read grant, which has provided Astoria with about \$1,000 for more than 16 years. The changes are in reaction to the new curriculum standards for kindergarten through 12<sup>th</sup> grade students. The grant is allowing funds to be used for more aspects of children's services.

Meghann Lynch said she was impressed by the wide variety of topics that were addressed at the conference. It was challenging to decide which sessions to attend. She attended sessions on social media, marketing library services, and the future of Oregon libraries. The Library Board and Staff discussed several social media sites and how the library could use each one.

**Old Business:** There was none.

**Public Comments:** There were none.

**Items for Next Meeting's Agenda:**

Chair Summers noted the results of the Budget Committee meetings would likely be a discussion item.

**Adjournment:** There being no further business, the meeting was adjourned at 6:12 pm.

Respectfully submitted,

---

Jane Tucker, Director

## ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall  
April 7, 2015

### CALL TO ORDER:

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

### ROLL CALL:

Commissioners Present: President David Pearson, Vice President McLaren Innes, Kent Easom, Sean Fitzpatrick, and Jan Mitchell

Commissioners Excused: Daryl Moore and Frank Spence

Staff Present: City Manager Brett Estes and Consultant Matt Hastie, Angelo Planning Group. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

### PUBLIC HEARINGS:

President Pearson 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):

A14-05 Amendment 14-05 by Community Development Department to amend the Development Code, Zoning map, and Comprehensive Plan to implement the Riverfront Vision Plan in the Bridge Vista Area (Partway to 2nd Streets, West Marine/Marine Drive to the Columbia River Pierhead Line); add Pedestrian Oriented Commercial District Overlay Zone; add Bridge Vista Overlay zone; add design standards for development; miscellaneous related changes with new code references; and rezone the existing C-2 (Tourist Commercial) zoned parcels to C-3 (General Commercial) zone, and S-2 (General Development Shoreland) zone. Amend the Comprehensive Plan Sections CP.140(C & E) Columbia River Estuary Aquatic and Shoreland Designations, CP.210.1 Economic Development, and Figure 1.4 Riverfront Vision Plan map area boundaries. The Planning Commission recommendation will be forwarded to City Council tentatively scheduled on May 18, 2015 City Council meeting at 7:00 pm for public hearing at 1095 Duane Street.

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

City Manager Estes reviewed the written Staff report. Three pieces of written correspondence have been received from Nancy Walker, Ed Wornicky and Rhonda Gerwin, and George (Mick) Hague. The letters were provided to the Planning Commission prior to the meeting. Consultant Matt Hastie presented an overview of the proposed Code amendments the Planning Commission worked on during work sessions. The Code amendments were tentatively proposed be presented to City Council in May and Staff would continue to refine the amendments based on feedback from the Planning Commission and City Council.

President Pearson confirmed the Commission had no questions for Staff and opened the hearing for public testimony. He explained that the Staff report also served as the Applicant's testimony because the City is the Applicant. He called for any testimony in favor of the application. Hearing none, he called for any testimony impartial to the application.

Mike Weston, Port of Astoria, said the Port has adopted a procedure that allows for some waterfront development and some pedestrian friendly developments on some of the properties within the Bridge Vista Area. He believed the procedure would allow for a good mix and balance of developments. The Port is still concerned with building envelope size, but he believed the proposed process in the system would allow enough flexibility that the Port could

do the necessary developments. While the Port is impartial to the application, they believed some portions are good and some are bad.

Ted Osborne, 345 Alameda, Astoria, said the community meeting in January was fairly energized. He asked the Planning Commission what lessons they learned at that meeting that led to revisions and which revisions were incorporated into the proposed amendments. He also wanted to know how the final revisions were reflected in the Code amendments being proposed at this hearing.

President Pearson responded that the Commission would reserve the right to answer those questions and discuss after the public hearing.

Dale Corbett, 701 NW Warrenton Drive #22, Warrenton OR 97146 said there were some interesting, thoughtful, and valuable elements in the presentation, as well as some aspects that would poison the community. Economic development is a given in society and he feared the framework of thinking is that development is necessary for progress. He suggested that some areas be kept as-is instead of developed. He asked the Planning Commission to realize the Astoria riverfront is the only thing of its kind in the world. He requested the riverfront be preserved and protected from building north of Marine Drive as far as the Port of Astoria and possibly the West End Basin. There are thousands of creative opportunities and technical means for economic development. However, there is only one Astoria riverfront. He urged the Planning Commission to keep this in mind and eliminate all of the building that destroys what nature has given, making Astoria very special.

Suzanna Gladwin, 82316 Highway 103, Seaside, said she has a home in Astoria and visits often. Many people drive and walk along the streets near the water want views. She was impartial to the fact that a lot more was going on near the pier than in other areas. She understood the shipping channel changes and wondered if people understood what happens to the bridge supports as the currents and channel change. She believed boats and ships could not safely come in any closer. This affects water-dependent uses that are proposed near the moorage and the Port. She questioned whether the Code amendments would work in Astoria. She used the map to point out areas she believed the Code amendment would not work because of the tides, currents, bridge piers, and the way the shipping channel turns. Maybe this should be studied if it has not already been studied. She pointed to an area on the map where she believed water dependent uses should not be allowed. At the last meeting, a certain percentage of water-dependent uses and a planning mandate were discussed. She did not understand to which area these uses and the mandate would apply. She asked if the mandate could be fulfilled or changed. She believed it was important for the Planning Commission to consider these questions. If certain areas are not safe because of currents, the proposed percentage of water-dependent uses and mandates become problematic. She believed chokecherry and Alder were inappropriate because chokecherry spreads and Alder gets tall. She wanted to hear more about the water-dependent uses.

President Pearson called for testimony opposed to the application.

Richard Schroeder, 8918 Manion, Warrenton, said he did not own any property. However, he had become friends with Roger Forney and Bob Wright who own the property where Robert Jacob received approval to build condominiums. Mr. Forney and Mr. Wright called him several months ago and he became interested because his grandfather, Will Talent built the pilings. Mr. Talent and Peter Grant built the Talent Grant Packing Company on the property. He understood the process the City was going through. However, instead of making blanket zone changes in all of the properties, he requested the Planning Commission wait until a master plan for the property is developed. He and the property owners are in the process of starting to discuss a master plan with various people. He asked the Planning Commission to give him until the end of the year to submit a master plan for the property. He said the property is located on the riverside of Northwest Natural Gas. He has already had some discussions with Northwest Natural Gas. The master plan would include the property and possibly Northwest Natural Gas. He was not aware of what was going on until the first part of November when Mr. Wright called him. Mr. Wright and Mr. Forney have four different projects going throughout the country and neither could attend this meeting because they are both out of the state. Therefore, he was speaking to represent their interests. He has been working with Lawrence Claymore, who did the master plan for Mill Pond. All he and the owners want is a little bit of time.

Juanita Price, 373 Altadena, Astoria said her family came to Astoria in 1964 and she has retired from the Astoria Public Library. The Planning Commission has forgotten its Astoria roots. Astoria is a fishing village that never grew up with tourists in mind. However, the City has retained the concept of a working waterfront, which was in the Murase Plan implemented when Edith Miller was Mayor. The plan prompted the citizens to clean up the waterfront. She participated in work parties on Saturday mornings, cleaning up the waterfront and making it available for the

City to create the Riverwalk. The cleanup was done in increments over about 10 years. The Riverwalk and the bridge are defining features of Astoria. She asked why corridors were necessary to keep views of the river for the people riding the trolley or walking along the Riverwalk. She did not understand why the Planning Commission wanted to add the proposed zone and allowable use changes to the code. This plan is not a bridge vista plan; it is bridge blackout plan. She asked the Planning Commission to refrain from approving the ordinance.

Robert Clark, 145 2<sup>nd</sup> Street, Astoria, understood no petroleum businesses would be allowed in the parcel just west of 2<sup>nd</sup> Street. However, a petroleum business already exists on this property. There are larger forces that have plans for exporting cargo, such as propane, coal, and oil, out of the shipping channel on the north face of the area proposed for non-industrial uses. Navigation is not a perfect science. He wanted to know the general plan for disaster evacuation, should some of these vessels run into some of the development. He suggested the Planning Commission prioritize, above and beyond, reconstruction of existing buildings that need work in Astoria.

Suzanna Gladwin, 82316 Highway 103, Seaside, said that at a meeting several months ago, the general sentiment was to refrain from developing the waterfront. If there was an economic turnaround and the City did not have so many empty buildings, there might be a reason to develop the waterfront. However, once the waterfront is developed, it is difficult to go backwards. So many people love Astoria and the views. She owns a house above the Bridge Vista Area and her views would change with a 45-foot tall building. Buildings this tall would block the views of houses and views from the road. The river can be seen along a few places from Marine Drive and she would hate to see these blocked. She was opposed to development.

President Pearson called for any further testimony about the application.

Chris Farrar, 3023 Harrison Avenue, Astoria, said he understood that some place along the river had to allow development. Maybe some of the parcels in the Bridge Vista Area would be good for development. However, he believed development would be too close to the bridge on the west side. He did not understand why the Planning Commission believed a 150-foot wide strip would preserve the vista of the bridge from the west. He believed the bridge would only be visible by pedestrians and cyclists from the east looking west. The view from the opposite direction would be cut off. The Planning Commission acts like 35 feet is not high. However, these buildings will be high and will block a lot. He stated at a past meeting that development should be condensed to a smaller area and leave other areas open so the water can be seen. Looking out 200 feet through a 45-foot wide window will not provide a view of much. He was surprised to learn that the setbacks on the Rivertrail would only be 10 feet on one side and 20 feet on the other side. This would create a very narrow alley with 45-foot tall buildings on one side and 35-foot tall buildings on the other side. He preferred trees because they provide protection from the wind and rain. The landscaping should be kept natural, not barren.

Nancy Montgomery, 279 West Marine Drive, Astoria, said parking is already minimal along the waterfront and the proposed parking reduction requirements for new businesses would impact the existing businesses. She asked if there was any way to lower the 35-foot building height limit.

President Pearson closed the public hearing and called for closing comments of Staff.

Mr. Hastie responded to questions asked during public testimony, as follows:

- Vegetation would be allowed in the area next to the Rivertrail. The proposed code would reduce the number of tall trees and require trees be spaced farther apart north of the trail.
- A three-story building is approximately 35 feet tall and a four-story building is approximately 45 feet tall. The height restrictions for development on land are consistent with the current zoning and the recommendations approved in the Civic Greenway Area. Proposed height restrictions for over water development are lower than the current zoning allows.
- Setbacks along the Rivertrail would be set back from the existing right-of-way, which is 50 feet wide. This would result in a total minimum width of 80 feet.
- The code amendments have been recommended in order to implement the Bridge Vista Area of the Riverfront Vision Plan, which requires views of selected areas be preserved while allowing overwater development. Staff is not recommending development. The view of the bridge, particularly in front of Maritime Memorial Park, and the area west of 2<sup>nd</sup> Street, were deemed essential vistas. Therefore, development has been condensed into other areas. To prevent a wall of buildings, one of the recommendations is to keep buildings under 60 percent of the parcel width and under 150 feet wide.

Commissioner Mitchell believed the width of the right-of-way on either side of the Riverwalk corresponded to the right-of-way of the train tracks. Mr. Hastie added the right-of-way is 50 feet and the recommendations add to this width. She understood the Riverfront Vision Plan was developed because the existing zoning allowed uses beyond what is currently being discussed. It is important to remember that what existed in the area when there was a big push for development several years ago was a bit scary. Staff did not have any way to prevent development because the zoning allowed it. She did not understand all of the zoning, but appreciated the list of uses that would no longer be allowed. People who own land adjacent to the river need to understand that the City cannot create an area where development is completely prohibited.

Mr. Hastie and City Manager Estes continued to respond to the questions asked during public testimony, as follows:

- Many people at the Town Hall meeting indicated they wanted very little to no overwater development allowed. However, the City must implement the Riverfront Vision Plan, which requires a balance of development and protected vistas in this area. Therefore, Staff has identified areas where overwater development would not be allowed and has limited the uses that could occur over water. Visual simulations were created in response to questions about how development would affect views from up on the hill. If development were to occur to the maximum extent allowed by these recommendations, views from the hill would still be expansive.
- Petroleum and fossil fuel terminals would be prohibited in the aquatic zones, just as in the Civic Greenway Area. Existing fueling stations for vessels would still be allowed, but new coal terminal and petroleum transfer terminals would not be allowed. Existing uses in the commercial zones on land would be grandfathered in.
- Parking restrictions would only apply to uses where the majority of a site on land was occupied by a building or the expansion of an existing use up to 10 percent. This will have a minimal impact on parking in the area.

Commissioner Mitchell understood the parking concerns. However, large parking lots cannot be placed along the riverfront. City Manager Estes explained how the code amendment would allow a business to expand up to 10 percent without having to add additional parking. Staff knows parking is tight in the area, but it is also difficult for many of the businesses in the area to expand or redevelop. This recommendation provides those businesses with some flexibility.

Mr. Hastie reminded this was a balancing act and he believed the parking recommendations would have a minimal impact. In response to the concerns about the shipping channel, he said the channel was beyond the area regulated by the City of Astoria. Development in the shipping channel would require permits from other entities.

City Manager Estes added that the City has jurisdiction up to the pierhead line, which is outside of the shipping channel. Staff has heard that development costs for piers and structures in this area are high. The City is not proposing to encroach into the shipping channel or north of the pierhead line, which is 150 feet from the shipping channel.

President Pearson called for Commission discussion and deliberation.

Commissioner Easom said he supported the proposed code amendments.

Vice President Innes said each time the Planning Commission meets, she tries to think of another way to say the following: The Riverfront Vision Plan was built by the community through hearings and votes and was adopted in 2009. There was an agreement that balance would be sought when planning the future of the riverfront. The balance was to be between an opportunity for economic development and an opportunity to view and treasure the vistas. People who are showing up at the meetings now do not support the economic development. However, she cannot ignore the fact that the majority of the community has requested balance. The City needs to do something about overwater development soon because 45-foot tall structures are currently permitted. She is devoted to the view and the river trail. However, the Planning Commission must speak for everyone who has given their opinion in support of a balanced plan. She believed the City demonstrated how this balance could be achieved through implementation of the Civic Greenway Area. Moving forward with this amendment concludes the risk of having liquefied natural gas (LNG) loaded or stored in Astoria.

Commissioner Easom added that there would be access to the river if development occurred. He believed people lose sight of the fact that they can walk out on a pier and get beyond the buildings to look up and down the river. His office is at the foot of 14<sup>th</sup> Street, where people walk out on to the pier all the time. This plan does not eliminate views of the river and out on the river.

Commissioner Fitzpatrick said he was conflicted for a number of reasons. Many people who have spoken at the hearings and public meetings have asked that all overwater development be prohibited and that building heights be reduced. However, the Riverfront Vision Plan states there would be a balance and that development could not be allowed in the Civic Greenway Area. People who spoke in favor of prohibiting development in the Civic Greenway Area reminded the Planning Commission that development would be allowed in the Bridge Vista Area. The City does not currently have any height restrictions and the proposed allowed use restrictions are considerable compared to currently allowed uses. He did not believe the proposed amendments were perfect. However, no one seems to agree on what would be perfect. While the plan is imperfect, it is still a very good plan. He planned to vote in favor of the amendment.

Commissioner Mitchell said in 2009, she was very concerned that all of a sudden, the City received many proposals for development on properties along the riverfront and there were no boundaries or barriers. The City was dealing with zones and uses that had been implemented when the zoning code was adopted in the 1950s or 1960s. The City was completely unprepared for this, which made her a bit thankful for the economic crash. She prefers restoration over new development because the community has limited capacity and wants to retain its current quality of life. However, the City was given an opportunity to try to put some things in place that would give Astoria more control over what could happen. She has no greater wisdom than Staff and the consultant about these amendments. Having a vision is one thing, but it needs to be implemented so that great ideas have a way of fitting into the community. A lot of effort has gone into these amendments and no plan is perfect. However, she believed the amendments would be a huge step in the right direction and would leave the community less vulnerable to corporations that do not know much about how Astoria sees itself as a fishing village or a river community. She hoped the amendments would give the City more ability to manage the community.

President Pearson thanked everyone in the audience for attending. This is the fifth hearing and the document is very comprehensive. The Planning Commission and Staff have been fine-tuning the code amendments since October. The City is working towards a compromise between allowing development so Astoria can continue to grow, while respecting Astoria's working waterfront, introducing design review, protecting pedestrian vistas, and appropriate landscaping. There are many compromises, but there have also been many steps forward. He believed the proposed amendments provided the best possible balance and he supported sending them to City Council for consideration. This process has not been easy. The Plan is being implemented one section at a time. The Civic Greenway Area was meant to protect a large section of the waterfront and keep the riverfront as it is. The intention of the Bridge Vista Area is to allow development in a controlled manner while preserving elements that are special to a working waterfront and respects Astoria's heritage. There will be more opportunities for the public to voice its opinion at City Council.

Vice President Innes moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and recommend the Astoria City Council adopt Amendment 14-05 on the Riverfront Vision Plan Implementation Ordinance for the Bridge Vista Area; seconded by Commissioner Easom. Motion passed unanimously.

President Pearson announced the next hearing on the Bridge Vista Area would be at the City Council meeting on May 18, 2015.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 7:56 pm.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
City Manager






## CITY OF ASTORIA

Founded 1811 • Incorporated 1856

May 21, 2015

### MEMORANDUM

TO: MAYOR AND CITY COUNCIL  
FROM:  BRETT ESTES, CITY MANAGER  
SUBJECT: RESOLUTION DESIGNATING AUTHORIZED SIGNERS

#### **DISCUSSION/ANALYSIS**

The persons authorized by the City Council to sign checks and other bank withdrawal instruments on behalf of the City are designated by resolution. The attached resolution adds Director of Finance and Administrative Services Susan Brooks.

#### **RECOMMENDATION**

It is recommended that the City Council consider this resolution for adoption.

RESOLUTION NO.15-\_\_\_\_\_

A RESOLUTION AUTHORIZING THE FOLLOWING PERSONS TO SIGN FOR THE WITHDRAWAL OF MONEY FROM AUTHORIZED DEPOSITORIES OF THE CITY OF ASTORIA.

BE IT RESOLVED BY THE CITY OF ASTORIA:

Section 1. That the following persons are authorized to sign for the withdrawal of funds from all City depositories:

\_\_\_\_\_

Arline LaMear Mayor

\_\_\_\_\_

R. Brett Estes City Manager

\_\_\_\_\_

Susan Brooks Director of Finance and Administrative Services

\_\_\_\_\_

Julie Yuill Executive Secretary

Section 2. A stamped signature for Arline LaMear and/or Brett Estes is acceptable.

Section 3. Repeal of Resolution. Resolution No. 15-01 is hereby repealed.

Section 4. Effective Date. This Resolution is effective on the date of its passage.

ADOPTED BY THE CITY COUNCIL THIS 1<sup>ST</sup> DAY OF JUNE, 2015.

APPROVED BY THE MAYOR THIS 1<sup>ST</sup> DAY OF JUNE, 2015.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Manager

ROLL CALL ON ADOPTION	YEA	NAY	ABSENT
Councilor Nemlowill			
Herzig			
Price			
Warr			
Mayor LaMear			



**CITY OF ASTORIA**  
Founded 1811 • Incorporated 1856

May 21, 2015

**MEMORANDUM**

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: LEASE AGREEMENT WITH ASTORIA REGATTA ASSOCIATION FOR USE OF EAST PORTION OF HERITAGE SQUARE LOCATED AT 1153 DUANE STREET, AND CLOSURE OF 12<sup>TH</sup> STREET BETWEEN DUANE AND EXCHANGE STREETS

**DISCUSSION/ANALYSIS**

The Astoria Regatta Association (Association) is requesting the use of the east portion of Heritage Square located at 1153 Duane Street, and the closure of 12<sup>th</sup> Street between Duane and Exchange Streets to accommodate Astoria Regatta events. The time frame for the lease would be for Saturday, August 8, 2015, from 6:00 a.m. to 6:00 p.m. Events include a barbeque, vending of craft beer, and live music.

It is requested that the Heritage Square site be leased for \$1.00. The Association activities provide an opportunity to bring an event to our community that continues to grow in popularity every year. Association will provide liability insurance. Also attached to this memo is a draft Lease Agreement which City Attorney Blair Henningsgaard has reviewed and approved as to form.

**RECOMMENDATION**

It is recommended that Council approve the Lease Agreement with the Astoria Regatta Association for use of the east portion of Heritage Square located at 1153 Duane Street, and the closure of 12<sup>th</sup> Street between Duane and Exchange Streets to accommodate the Regatta events scheduled for Saturday, August 8, 2015, for a total sum of \$1.00.

## LEASE AGREEMENT

### FOR PROPERTY LOCATED ON THE EAST PORTION OF HERITAGE SQUARE LOCATED AT 1153 DUANE STREET AND THE CLOSURE OF 12<sup>TH</sup> STREET BETWEEN DUANE AND EXCHANGE STREETS

**PARTIES:** This Agreement is entered into between the **CITY OF ASTORIA**, hereinafter referred to as CITY,

And the **ASTORIA REGATTA ASSOCIATION**, hereinafter referred to as ASSOCIATION.

**PROPERTY:** East Portion of Heritage Square, known as 1153 Duane Street, and consisting of Lots 1 - 14, Block 64, McClure's, and 12<sup>th</sup> Street between Duane Street and Exchange Street, hereinafter referred to as Property.

#### WHEREAS:

- A. ASSOCIATION desires to lease space from the CITY to provide a central location for event activities, including, but not limited to, public barbeque and other activities associated with the Astoria Regatta for the use and enjoyment by patrons of downtown businesses and all citizens of Astoria; and
- B. Assisting ASSOCIATION in securing a central community gathering place will provide economic and community development benefits to the public, and will also enhance the ability of CITY to attract consumers and tourists, and
- C. The use of the Property owned by the CITY can be enhanced through a lease to ASSOCIATION.

**NOW, THEREFORE**, in consideration of the foregoing and the mutual covenants and agreements contained herein, and for other good and valuable consideration, it is agreed between the Parties as follows:

1. **LEASE PERIOD AND LEASE PAYMENT:** The lease from the CITY to ASSOCIATION shall run on Saturday, August 8, 2015 at a lease amount of \$1.00 for the entire length of the lease.
2. **CITY'S REPRESENTATIVE:** For purposes hereof, the CITY'S authorized representative will be Brett Estes, City Manager, City of Astoria, 1095 Duane Street, Astoria, Oregon, 97103, (503) 338-5183, [bestes@astoria.or.us](mailto:bestes@astoria.or.us).
3. **ASSOCIATION'S REPRESENTATIVE:** For purposes hereof, the ASSOCIATION'S authorized representative will be Kevin Leahy, President, Astoria Regatta Association, PO Box 24, Astoria, Oregon, 97103, (503) 325-8841, [kvleahy@yahoo.com](mailto:kvleahy@yahoo.com).

4. **SCHEDULED USE:** CITY grants ASSOCIATION the exclusive use of Property for the purpose of providing an activity area from 6:00 a.m. to 6:00 p.m., Saturday, August 8, 2015 (changes must be negotiated between the Parties):
5. **PERMITS:** This Agreement constitutes permits for the street closure described in 1B above, and a sound amplification permit from 6:00 a.m. to 6:00 p.m. on Saturday, August 8, 2015.
6. **OLCC LICENSE:** ASSOCIATION will need to abide by all conditions of your temporary liquor license.
7. **PROHIBITED USES:** No religious symbols or presentations will be used or presented by ASSOCIATION or any participant on the property during the term of the Agreement.
8. **CONDITION OF PROPERTY:** ASSOCIATION shall be responsible for all trash removal related to their use of the Property during the Agreement times and period, and any costs associated with cleaning the Property at the conclusion of any daily use. ASSOCIATION agrees to make an effort to provide recycling opportunities for glass, plastic and metal beverage containers. ASSOCIATION further agrees to keep the Property in as good or better condition than it was at the commencement of this Agreement.
9. **DAMAGES AND CLEAN-UP COSTS:** If there is damage to the property or clean-up costs related to the use under this Agreement, ASSOCIATION shall pay these damages or costs. Failure to pay said amounts will result in subsequent collection actions, and also will be grounds for termination under Section 11.
10. **SPECIFIC ISSUES:**
  - A. No vehicles or trailers permitted on Heritage Square Area (Lots 4, 5, 10, 11).
  - B. No vehicles, driving, parking, vendor stands, or storage of goods off paved surfaces.
  - C. Electrical hookup and water hose use must be coordinated with the City of Astoria.
  - D. No liquid or other wastes are to be dumped down storm drains.
  - E. ASSOCIATION is allowed to place temporary signs that must be removed at the conclusion of the Agreement.
    - 1) All signage is limited to announcing ASSOCIATION'S location and/or hours of operation and activities, and for parking control.
    - 2) All signage must comply with City sign codes and the Manual of Uniform Traffic Control Devices.

- F. ASSOCIATION shall insure that public sidewalks are not encumbered and the free passage of pedestrians on sidewalks is not impeded.
  - G. The ASSOCIATION will comply with Astoria Code 5.025(11) governing amplified sound.
  - H. ASSOCIATION will ensure that its use of the parking area east of Heritage Square will be fully cleared by 8:00 p.m., August 8, 2015, and ready for use by Sunday Market.
11. **INSURANCE:** ASSOCIATION shall maintain general liability insurance in an amount of at least \$100,000 for damages to property and at least \$1,000,000 for injury to persons including death. The CITY shall be provided a Certificate of Insurance naming the CITY as an additionally insured.
12. **TERMINATION:** Notwithstanding that this Agreement contemplates a one day period, this Agreement may be terminated by the CITY at any time should the ASSOCIATION fail to comply with any of the provisions of this Agreement. Termination shall be made either in writing by hand delivery or by email to ASSOCIATION'S authorized representative not less than 12 hours prior to the date and hour of termination. Termination will not result in a refund by the CITY to ASSOCIATION for any monies paid.
13. **NON-ASSIGNABILITY:** This Agreement is personal to ASSOCIATION, and the CITY relies on ASSOCIATION to comply with and to receive the benefits of this Agreement.
14. **COMPLIANCE WITH APPLICABLE LAWS:** ASSOCIATION shall comply with all applicable city, state and federal laws and regulations, including, but not limited to, license requirements.
15. **LICENSES:** Any vendor using the Property during the Agreement shall have on file with CITY a valid Occupational Tax License.
16. **SUPERVISION OF PARTICIPANTS:** ASSOCIATION agrees to exercise exclusive control and supervision over its members, ASSOCIATION sponsored activities and organizations, and persons or businesses that sell products on the Property at the time specified for ASSOCIATION occupancy of the premises. ASSOCIATION will publish rules and expectations for these participants.
17. **HOLD HARMLESS:** ASSOCIATION and its successors and assigns shall completely protect and save, defend and hold harmless the CITY, and its officers, agents and employees, from any liability or obligation of any kind or nature whatsoever arising from injury or injuries, including death, to any person or persons, or damage to any property, real or personal, suffered or alleged to

have been suffered all or in part by any person or property arising out of or in connection with the use or occupancy of the Property by ASSOCIATION.

18. **ATTORNEY FEES:** If suit or action is brought by either Party to enforce any right created by this Agreement, the prevailing Party shall be entitled to recover in any trial court, and appellate courts, including costs and disbursements and reasonable attorney fees.

**IN WITNESS WHEREOF**, the Parties have, on this 1<sup>st</sup> day of June, 2015, set their hands by and through their duly authorized agents.

**THE CITY OF ASTORIA**

**ASTORIA REGATTA ASSOCIATION**

By: \_\_\_\_\_  
Arline LaMear, Mayor

By: \_\_\_\_\_  
Kevin Leahy, Co-President

By: \_\_\_\_\_  
Brett Estes, City Manager

**APPROVED AS TO FORM:**



Digitally signed by  
com.apple.idms.appleid.prd.49317566476d4a386775  
4144546f59324e744d354e773d3d  
DN:  
cnc=com.apple.idms.appleid.prd.49317566476d4a386  
7754144546f59324e744d354e773d3d  
Date: 2015.05.28 15:34:10 -0800


\_\_\_\_\_  
City Attorney



CITY OF ASTORIA  
Founded 1811 • Incorporated 1856  
COMMUNITY DEVELOPMENT

May 27, 2015

MEMORANDUM

TO: MAYOR AND CITY COUNCIL  
FROM:  BRETT ESTES, CITY MANAGER  
SUBJECT: TRANSPORTATION AND GROWTH MANAGEMENT (TGM) GRANT APPLICATION

**DISCUSSION/ANALYSIS**

In 2013 the City applied for a grant from the ODOT program, ConnectOregon, in order to rehabilitate that portion of the River Walk and trolley between 11<sup>th</sup> and 12<sup>th</sup> Streets, including pedestrian and bicycle improvements, repair of the tracks, and streetscaping. (See Figure 1)

The grant request was unsuccessful, but it has formed the basis for the attached draft of a new request. This is an application to the State for a Transportation and Growth Management (TGM) planning grant that would expand the scope of the project from 11<sup>th</sup> Street to the 17<sup>th</sup> Street Dock. Public Works and Parks staff feels that the area between 14<sup>th</sup> and 17<sup>th</sup> Streets are especially in need of design work, given the mixture of pedestrian, bicycle, vehicular and trolley traffic. The funding would be used to plan for and design elements so that when opportunities arise for funding or construction, the City would have agreed upon concepts and preliminary designs ready to go.

If successful, the City would assemble a multi-disciplinary team of consultants to evaluate and design specific project elements, including cost analysis. Public Works, Parks and Community Development staff would provide assistance to the consultant team over the project timespan of eighteen months as local match. The draft application is currently being evaluated by City Engineers and consultants that worked on the original ConnectOregon grant.

Although the grant application has not been finalized, it is estimated that the total cost of the project, excluding local match, would be \$150,000 to \$175,000. The application deadline is June 12, so it is important that the Council authorize submission of the grant at the June 1 Council meeting. As stated earlier there would be an in-kind match provided by staff working on the project. No cash match is required.



**RECOMMENDATION**

It is recommended that the City Council authorize submittal the TGM grant.

By: \_\_\_\_\_  
Mike Morgan, Interim Planner

Attachments:

Fig 1 – Concept plan  
Draft Grant application

FIGURE 1



Astoria Waterfront Multimodal Corridor Project  
Connect Oregon V Grant Application

FIGURE 2



Astoria Waterfront Multimodal Corridor Project  
Connect Oregon V Grant Application



## TRANSPORTATION AND GROWTH MANAGEMENT (TGM) 2015 GRANT APPLICATION FORM

Please read the Application Packet carefully before completing this application. You must submit your complete application both electronically and via postal mail.

Examples of successful applications and guidance on project costs are available on the TGM Grants page on the Web: [egov.oregon.gov/LCD/TGM/grants.shtml](http://egov.oregon.gov/LCD/TGM/grants.shtml).

**Please limit application to 10 pages.**

The answer fields below will expand as you type.

ORGANIZATION NAME City of Astoria	503 338 5173
Jeff Harrington, City Engineer	CONTACT PERSON E-MAIL <a href="mailto:jharrington@astoria.or.us">jharrington@astoria.or.us</a>
PROJECT TITLE ASTORIA WATERFRONT MULTIMODAL STUDY	

### Section One: GRANT ELIGIBILITY REQUIREMENTS

TGM grants are for planning work leading to local policy decisions. TGM grants cannot fund preliminary engineering, engineering, or construction work. If in doubt, discuss with your Region TGM planner about whether your proposed work is eligible.

Applications are reviewed on a pass/fail basis on each of the following criteria. Applications found to not meet each of these eligibility requirements will not be scored against the award criteria and will not be awarded a grant. *Provide a brief statement of how you meet each requirement.*

#### 1. Clear Transportation Relationship

A proposed project must have a clear transportation relationship and benefits. A project must entail research, analysis, alternatives evaluation, development of implementation measures, or public involvement that addresses a transportation problem, need, opportunity, or issue of local or regional importance.

*There has been a significant increase in the use of the downtown Astoria waterfront in the last few years. This is attributable to many positive factors in the City's "renaissance": construction of the award winning RiverWalk; development of a waterfront historic trolley along the length of the shoreline; construction of a new 17<sup>th</sup> Street Pier utilizing ConnectOregon III grant funding, enabling the*

*docking of two US Coast Guard Cutters and cruise boats; redevelopment and restoration of many historic buildings along the waterfront, including two new breweries and several restaurants; increased tourist visits to Astoria, including hotel guests, day visitors and cruise ships; increased attendance at the Columbia River Maritime Museum; and development of over one hundred housing units in the redeveloped Mill Pond area, formerly a defunct plywood mill. This corridor, which parallels State Highway 30, serves pedestrians, bicycles, the Astoria Trolley, passenger vehicles, and freight traffic. The entire corridor runs from 11<sup>th</sup> Street to 20<sup>th</sup> Street. There are many underutilized buildings in this area, including former warehouses, which will be redeveloped into more intensive uses in the next ten to twenty years. Parking is a challenge, and will only become more difficult in the future. There are already conflicts between various users, such as pedestrians and bicyclists on the RiverWalk, and cars and trucks delivering freight along the roadway (which also contains the trolley tracks).*

## **2. Adoption of Products to meet Project Objectives**

A proposed project must result in adoption-ready products that directly address the project objectives, such as a transportation system plan, comprehensive plan amendment, land use regulation, or intergovernmental agreement. Projects that will primarily do outreach, research, study an issue, or compile data are not eligible. Projects are expected to include adoption hearings.

*The proposed planning study would redefine the interaction of all users of the corridor and delineate the separation between the users. Through an intensive public involvement component utilizing urban designers and traffic engineers, the City would explore design ideas to improve transportation for all users, and to plan for reutilization of buildings along the corridor. The agreed upon projects would be adopted into the City's Transportation Systems Plan (TSP) adopted in 2013 as well as the Riverfront Vision Plan (part of the City's Comprehensive Plan) adopted in 2009. Ideas for improving the corridor would be explored through meetings with stakeholders and the general public, and could include concepts such as improvements to the RiverWalk and the trolley tracks, potential areas for parking improvement, traffic management, utilization of the overwater street ends, and so forth.*

## **3. Support of Local Officials**

A proposed project must clearly demonstrate that local officials understand the purpose of the grant application and support the outcomes of the project. A letter or resolution of support from the governing body of the applying jurisdiction is required to be submitted with the application to meet this requirement.

*A letter of authorization from the Astoria City Council (June 1, 2015) is included as an attachment.*

## **Section Two: Award Criteria**

Applications are scored on a range of criteria and receive up to 100 points. Projects are selected primarily based on the points scored; also considered are the grant amounts requested, the estimated amounts TGM believes may be required to complete a project, the amount of grant dollars available for award within a geographic region, and the balance of grant dollars between Category 1 and Category 2 projects.

## 1. Proposed Project Addresses a Need and Supports TGM Objectives

The project clearly and effectively addresses a local or regional transportation or transportation-related land use issue, problem, need, or opportunity through achieving one or more of the following TGM objectives (as listed on page 10 of the Application Packet).

**Up to 40 points:** Provide a statement of project purpose and transportation relationships and benefits, and related them to TGM objectives. You must list the specific objective(s) your project supports. Projects that address an issue, problem, need, or opportunity with a clear expected outcome will receive more points. Projects that meet one or several TGM objectives in a substantial, integral way will receive more points than projects that meet one or more TGM objectives superficially. If applying to update your Transportation System Plan and you asked TGM to perform a TSP Assessment, what were the key Assessment recommendations and how do they relate to your proposed project?

*The 2013 Astoria Transportation System Plan states: "Between now and 2035, employment growth is expected to increase about one percent a year, slightly outpacing the rate of household growth over the same period (less than ½ percent). Astoria is expected to be home to about 5,400 households and over 6,300 jobs by 2035, a 7 and 13 percent increase respectively from 2011. With more people and more jobs in Astoria, in addition to increased port and tourism activity, the transportation network will face increased demand through 2035." The Astoria waterfront, particularly the downtown waterfront, is the focus of this proposal because of its increasing desirability and congested transportation system. The downtown waterfront is considered a "key destination" by the TSP, "with potential to attract significant walking and biking trips and areas with existing deficiencies". "The Astoria Riverfront Vision Plan was developed in part due to citizen concerns related to changes in the built environment, including recent developments in downtown and along the riverfront. Key recommendations in the plan that relate to pedestrians are that development should maintain a sense of openness along the River Trail, that the City should continue to improve and expand the River Trail..." "...the plan states that...Astorians expressed the following on the topic of "Transportation and other public improvements: Improving pedestrian crossings along Highway 30, improvements to the River Trail, streetscapes and vehicular circulation, and bicycle and pedestrian improvements on Highway 30."*

*The TGM design project will identify specific achievable projects and activities that are consistent with the TSP and Comprehensive Plan, including:*

- *Cost and method of repairing and replacing the trolley tracks.*
- *Cost and method of expanding the River Walk to accommodate increased pedestrian and bicycle usage, and to design separation for safety purposes.*
- *Approaches to improving vehicle circulation to deal with conflicts between cars and freight.*
- *Design of wayfinding approaches that will direct bicycle and vehicle traffic off of Highway 30.*
- *Potential rezoning of commercial buildings to stimulate restoration and new uses.*
- *Integration of the River Walk with the ODOT funded "Street Ends Project" to enhance pedestrian and bicycle use.*
- *Identify streetscaping opportunities along the project area, especially in conjunction with the Street Ends Project.*

## 2. Proposed Project is Timely and Urgent

The application demonstrates timeliness and urgency. The project is needed now to:

- address pressing local transportation and land use issues;
- make amendments to local plans or regulations necessitated by changes in federal regulations, state requirements, or regional plans;
- make amendments to local plans or regulations necessitated by changes that were not anticipated in previous plans including growth, changes in land use patterns, or changes in available funding;
- build on, complement, or take a necessary step toward completing other high priority community initiatives, including supporting a Governor's Regional Solutions Team priority; or
- resolve transportation- or land use-related issues affecting the project readiness of local, regional, or state transportation projects for which funding is expected to be obligated within the near future.

**Up to 25 points:** To explain why it is important to do the project at this time, describe what the project will accomplish and how it relates to other initiatives. Projects that match well with the TGM grant timeline will receive more points. Projects or project elements that are not clearly timely or urgent will receive fewer points.

*Astoria has been very proactive in planning for and identifying opportunities to enhance the waterfront, dating back to the mid-1980s, when locations for public piers and other amenities were found. In the 90s the City acquired the Burlington Northern rail line through town in fee simple, (as opposed to railbanking) and innumerable grants have since been written to build its five mile length. With plans in place, City staff can write grant applications and plan for local funding match requirements. There is some urgency to coordinate the design of River Walk improvements with the Street Ends Project, scheduled to begin in 2018. Additionally, several properties along this area of the RiverWalk have changed ownership recently, and redevelopment in the near future is probable. Planning and zoning actions that could stimulate mixed use development will be considered by the planning commission and the City Council starting in 2017, and the TGM project could parallel this work. The Riverfront Vision Plan, adopted in 2007, calls for significant amendments to the development code in several areas. The Bridge Vista zoning amendments are scheduled for adoption in June, 2015. The Alderbrook amendments are scheduled for 2015-16, and the Downtown segment will begin in 2016 or 2017. The City has given this project serious consideration, and recently submitted an application to ODOT for improvement of the area between 11<sup>th</sup> and 12<sup>th</sup> Street. The application was not successful, but it was enthusiastically supported by local property owners and other stakeholders.*

## 3. Proposed Project Approach is Reasonable

The application demonstrates a clear approach to achieving the expected outcome and results in consideration for adoption. Where substantial coordination with other local, regional, and state planning efforts occurs (or will need to occur), the mechanisms and responsibilities for the coordination are clear.

**Up to 15 points:** Describe the major project tasks and expected timeline. Consider data and analysis needs and elements of a public involvement process. If a consultant will be used, what are the likely roles of consultant and staff? How will coordination with other initiatives be handled? If TGM funds

are proposed to leverage another outside source of funding for the project, identify discrete tasks that TGM will fund that will be completed within the TGM timetable. Project approaches will receive more points if they clearly address the project need, are achievable considering scope, objectives, and benefits of the project, and are at a level of detail appropriate to the community.

MAJOR PROJECT TASKS AND EXPECTED TIMELINE

TASK	TIMELINE	ADOPTION
Convene taskforce of business and property owners, other stakeholders, citizens to oversee development of the plan	Meetings throughout the 18 month long project	
Map pedestrian and bicycle assets and needs along the waterfront from 11 <sup>th</sup> to 17 <sup>th</sup> St. including opportunities for expanding the RiverWalk	Months 1-3	
Identify parking issues and opportunities; propose locations for parking lots, identify zoning changes that could stimulate development	Months 3-6	
Design improvements of trolley tracks with cost estimates	Months 3-9	
Design streetscape improvements along entire length, including street ends	Months 9-12	
Financing and implementation options. Identify grants.	Months 12-15	
Adoption process – take task force recommendations thru planning commission & council.	Months 15-18	Months 16-18

To help us understand your project, provide an estimated budget breakdown for the major tasks. If a consultant will be used, separate the costs for local staff and consultant. ***This budget breakdown will not be scored.***

TASK	LOCAL COSTS	CONSULTANT COSTS
1. Public involvement process – staff meetings and hearings	\$5,000	\$20,000
2. Design pedestrian/bike improvements for 5 block area	\$2,000	\$20,000
3. Develop parking plan – potential parking areas & code changes	\$4,000	\$20,000
4. Design improvements to trolley tracks including costs/resources	\$6,000	\$50,000
5. Develop financing options and explore grant opportunities	\$4,000	\$20,000



6. Adoption process	\$5,000	\$20,000
7.	\$	\$
8.	\$	\$
9.	\$	\$
10.	\$	\$
11.	\$	\$
12.	\$	\$
Totals:	\$25,000	\$150,000

**4. Proposed Project has Community Support**

The application demonstrates that there is local support for the project objectives, a commitment to participate, and a desire to implement the expected outcome.

**Up to 5 points:** Projects with written support from stakeholders including partner jurisdictions, community institutions, or businesses will receive more points. Letters of support should demonstrate a clear understanding of the project. A letter of support will score higher if it shows independent understanding of the project by the signer and is not identical in text to others that are submitted for a project.

SOURCE
1. Astoria Warrenton Chamber of Commerce
2. Astoria Downtown Historic District Association
3. Astoria Brewing Company
4. Chris and Jennifer Holen
5.
6.
7.
8.

**5. Proposed Project Sponsor Readiness and Capacity**

The application demonstrates that the local government is ready and able to begin the project within the TGM timetable and that there is local commitment and capability to manage the project considering the complexity of the project, the size of the jurisdiction, and performance on previous TGM projects. Where substantial coordination with other local, regional, and state planning efforts occurs (or will need to occur), all of the partners are ready and able to begin the project within the TGM timetable.

**Up to 5 points:** Projects with a clear description of the jurisdiction’s capabilities and experience relative to the complexity of the proposed project will receive more points. Projects that lack a clear description of how they will be managed will receive fewer points. Applicants with prior TGM grant awards must list previous TGM projects and their performance. [If you are unsure what previous TGM

grant awards your jurisdiction has received, contact Cindy Lesmeister at [cindy.l.lesmeister@odot.state.or.us](mailto:cindy.l.lesmeister@odot.state.or.us)

*Astoria received a TGM grant in 1999 to fund the Gateway Area plan. The 2013 TSP was funded through a TGM grant. As a result of the Gateway plan, the area around the redeveloped Astoria Mill Pond was extensively rezoned. The Mill Pond development between 23<sup>rd</sup> and 29<sup>th</sup> Streets has been almost completely built out with a mixture of single family and multifamily housing. The plan set the standard for the surrounding area, and other medium density multifamily developments have begun as a result. The City staff was able to shepherd the project through the adoption process with the assistance of the consultant team. The City has a staff of three professional engineers, and three planners, all of whom have extensive experience in grant management and implementation.*

## **6. Proposed Project is Innovative**

The application demonstrates that the project will be innovative in its subject matter, approach, or expected outcomes. For example, the project will use public health criteria or economic impact analysis as part of the evaluation of transportation alternatives or will include an innovative multimodal analysis.

**Up to 10 points:** By the nature of this criterion, most projects will not receive any points. Projects may receive some points for innovative project elements. Projects with innovative subject matter will receive more points.



CITY OF ASTORIA  
Founded 1811 • Incorporated 1856

May 22, 2015

Cindy L. Lesmeister  
Oregon Department of Transportation  
Programs – Unit 2  
555 13<sup>th</sup> Street NE  
Salem OR 97301 - 4178

Dear Ms. Lesmeister:

Re: 2015 Transportation and Growth Management Grant

The Mayor and City Council of the City of Astoria hereby authorizes the submission of a TGM grant for the Astoria Waterfront Multimodal Project.

It is our position that the Astoria waterfront, which is in the process of transforming itself into a destination known throughout the state and region, is in need of an intensive examination of the various modes of transportation as well as the land uses along that redeveloping area.

We sincerely hope that the evaluation team will see the long term benefits of this project.

Sincerely,

CITY OF ASTORIA

Arline LaMear  
Mayor



CITY OF ASTORIA  
POLICE DEPARTMENT

May 26, 2015

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: REIMBURSEMENT OF EXPENSES – FRIENDS OF ASTORIA COLUMN

**DISCUSSION/ANALYSIS**

At the May 18<sup>th</sup> City Council meeting, Police Chief / Assistant City Manager Johnston provided background on the history of relocating the existing communications tower off Coxcomb Hill. In April of 2013, after presentations from the Friends of the Column (Friends) and the Astoria Police Department about their efforts at Astor Park, it became apparent that efforts being undertaken by the Police Department to modernize the communications facility at Coxcomb and the efforts of the Friends to develop the site were not well aligned. City Council directed staff to work to find an alternate location for the tower. A key to aligning the efforts was to convince Verizon Wireless moving from the site was in their best interest.

As part of the efforts to work to relocate the tower, the Friends have incurred \$69,657 in expenses. Their efforts have largely benefited the City of Astoria as Verizon Wireless is currently in contract negotiations to relocate the communications tower to a city owned lot northeast of the Reservoir 3. This move would relocate all public safety, leased tenants, and Verizon to a new tower. The benefit of this move is largely to the City and the expenses incurred prohibit the Friends from pursuing other opportunities to pursue their mission. Council discussed this matter at the December 15, 2014 meeting and appeared to have consensus that the efforts of the Friends have been substantively responsible for progress toward this solution. Staff believes it is appropriate to reimburse the Friends for their expenditures. As this amount was not budgeted for this fiscal year a budget resolution has been prepared for consideration at the June 1<sup>st</sup> meeting, should Council approve the reimbursement.

At the May 18<sup>th</sup> Council meeting, Council requested information regarding the specific invoices paid to Converge by the Friends. Those invoices are attached to the memorandum. At the Friends of the Column's request all food related expenditures (in the amount of \$172.48) would be removed from the reimbursement amount. It should be noted that a detailed breakdown of out of pocket expenses is not included with the February 1, 2014 invoice. At the time of issuance of this memo, a breakdown was not available. The Friends also requested that those out of pocket expenses (in the amount of \$130.20) also be removed. Therefore, the reimbursement amount would be \$69,354.32.

**RECOMMENDATION**

Staff recommends reimbursement of \$69,354 from the Capital Improvement Fund to the Friends of Astoria Column for work provided by Converge Communications for relocation of the Coxcomb communications tower.



---

Brad Johnston  
Chief of Police  
Assistant City Manager

## Friends of Astoria Column Vendor QuickReport All Transactions

**CONVERGE COMMUNICATIONS INC**

Type	Date	Invoice Num	Amount	Check Num	Amount
Bill	11/01/2013	20371	-11,221.04		
Bill	12/01/2013	20375	-5,383.03		
Bill Pmt -Check	12/04/2013			6471	-11,221.04
Bill Pmt -Check	12/27/2013			6521	-5,383.03
Bill	12/31/2013	20380	-1,245.00		
Bill	01/01/2014	20386	-6,455.84		
Bill Pmt -Check	01/14/2014			6545	-1,245.00
Bill	02/01/2014	20391	-11,396.20		
Bill Pmt -Check	02/05/2014			6575	-6,455.84
Bill Pmt -Check	03/27/2014			6635	-11,396.20
Bill	04/30/2014	20407	-3,395.16		
Bill Pmt -Check	05/13/2014			6734	-3,395.16
Bill	06/01/2014	20412	-4,174.32		
Bill	07/01/2014	20422	-2,700.00		
Bill Pmt -Check	07/17/2014			6919	-4,174.32
Bill	08/01/2014	20429	-3,456.95		
Bill Pmt -Check	08/07/2014			6958	-2,700.00
Bill	09/01/2014	20435	-2,756.29		
Bill Pmt -Check	09/03/2014			7081	-3,456.95
Bill	10/01/2014	20442	-995.51		
Bill Pmt -Check	10/08/2014			7152	-2,756.29
Bill Pmt -Check	10/24/2014			7194	-995.51
Bill	11/01/2014	20449	-5,188.71		
Bill Pmt -Check	11/28/2014			7238	-5,188.71
Bill	12/01/2014	20454	-1,524.88		
Bill Pmt -Check	12/18/2014			7291	-1,524.88
Bill	12/31/2014	20459	-3,240.37		
Bill Pmt -Check	01/21/2015			7328	-3,240.37
Bill	02/01/2015	20465	-1,715.49		
Bill Pmt -Check	03/04/2015			7377	-1,715.49
			-64,848.79		-64,848.79

03/01/2015 20470

4,808.15

\$ 69,656.94

Converge Communications Inc  
 10425 SW Hawthorne Lane  
 Portland, OR 97225

(503)206-7154  
 info@convergecomm.com



# Invoice

Date	Invoice No.
10/01/2013	20371
Terms	Due Date
Net 30	10/31/2013

<b>Bill To</b>
Friends Of The Astoria Column, Inc Attention: Jordan D. Schnitzer, President Friends of the Astoria Column c/o Harsch Investment Properties 1121 SW Salmon, Suite 500 Portland, OR 97205

Amount Due	Enclosed
\$11,221.04	

Please detach top portion and return with your payment

Service	Activity	Quantity	Rate	Amount
FAC:Consulting	<b>Charges</b> • Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas and Marsha Spellman for the month of September 2013 including in part: > Meeting with Tess Fields at Harsh; schedule coordination for kick off meeting; meeting with David Olson for additional background information on the project > Email update for Jordan; meeting schedule and phone discussion with Heather Campbell at Verizon > Meeting with Mark Gray > Meeting with Verizon Wireless on 122nd Ave, Portland > Meeting preparation and reading background material > Drive to Astoria; conduct kickoff meeting and site visits and return to Portland > Meeting notes from 9-20-13 kick off meeting and scheduling for the Verizon meeting; review new project information; project communication and coordination > Meet with Jordan Schnitzer and Tess Fields; follow up call with David Olson; emails to Verizon; review, sign and transmit NDA to Verizon > Verizon meeting on 122nd to discuss RF, follow up meeting with Mark Gray to process information and discuss further information requirements.	46	180.00	8,280.00
FAC:Staff Support Expenses	• Expenses for September (see attached)	4	55.00	220.00
	<b>Billable Expenses</b> • Sub-consultant: Mark Gray, 15 hours		116.24	116.24
				2,474.85
Continue to the next page				

*FAC*  
*Gray*

Service	Activity	Quantity	Rate	Amount
	<ul style="list-style-type: none"> <li>• Sub-consultant: Mark Gray, mileage</li> </ul>			129.95
Please make check to Converge Communications, Inc.; payments Net 30. Overdue accounts subject to 1% per month service charge			Total	\$11,221.04

THANK YOU FOR YOUR BUSINESS!





Astoria Column  
Travel/Meals  
SILVER SALMON

503-338-6640

Mark Gray, Account  
Marsha Spellman

TABLE 105 CHECK 6  
SHAWN GUESTS 3 SEP 20/13 12:43PM

\$4 CHOWDER 4.00  
\$4 CHOWDER 4.00  
\$4 CHOWDER 4.00  
TEA ICE 2.50  
3 PC F & C 10.00  
SEAFOOD COBB 19.00

TAX 0.00  
TOTAL 43.50

New Happy Hour Daily drink Specials  
3 to 6:30 PM Every Day in the Lounge only  
Special \$4.25 food menu served daily!!!

434321324000  
SILVER SALMON GRILLE  
1105 COMMERCIAL ST  
ASTORIA, OR 97103  
15031320-6640

Term ID: 005  
Server ID: 19

Ref #: 007  
Shift #: 2

Sale

XXXXXXXXXXXX8208  
MASTERCARD

Entry Method: Swiped

09/20/13

12:58:04

Inv #: 060087

Appr Code: 07027E

Apprvd: Online

Batch#: 080616

Amount: \$ 43.50

Tip: 6.45

Total: 49.95

430  
215  
075

Customer Copy  
TABLE 105

SEE DIRECTIONS ON REVERSE

RECEIPT - VALID ONLY IF PROPERLY DISPLAYED  
IN CURBSIDE WINDOW THIS SIDE OUT

Expiration Time  $\Delta\Delta$  Valid Date  $\Delta$   
17898 09/13/13 at 09:55AM  
ID: F121060 PAID: \$ 2.40C

**11:27 AM SEP 13**



*Astoria*  
**City of Portland**  
*Harsvelt West*

*Column*

REMOVE VALUABLES FROM VEHICLE

SEE DIRECTIONS ON REVERSE

RECEIPT - VALID ONLY IF PROPERLY DISPLAYED  
IN CURBSIDE WINDOW THIS SIDE OUT

Expiration Time  $\Delta\Delta$  Valid Date  $\Delta$   
17956 09/16/13 at 01:33PM  
ID: F121060 PAID: \$ 2.00C

**02:49 PM SEP 16**



*Astoria*  
**City of Portland**  
*Westing*

*IBF*

REMOVE VALUABLES FROM VEHICLE

SEE DIRECTIONS ON REVERSE

RECEIPT - VALID ONLY IF PROPERLY DISPLAYED  
IN CURBSIDE WINDOW THIS SIDE OUT

Expiration Time  $\Delta\Delta$  Valid Date  $\Delta$   
18141 09/24/13 at 10:58AM  
ID: F121060 PAID: \$ 2.00C

**12:14 PM SEP 24**



*Astoria Column*  
**City of Portland**

REMOVE VALUABLES FROM VEHICLE

Converge Communications Inc  
 10425 SW Hawthorne Lane  
 Portland, OR 97225

03)206-7154  
 info@convergecomm.com



Invoice

Date	Invoice No.
11/01/2013	20375
Terms	Due Date
Net 30	12/01/2013

**Bill To**  
 Friends Of The Astoria Column, Inc  
 Attention: Jordan D. Schnitzer, President  
 Friends of the Astoria Column  
 c/o Harsch Investment Properties  
 1121 SW Salmon, Suite 500  
 Portland, OR 97205

*Jordan D. Schnitzer*  
*President*

Amount Due	Enclosed
\$5,383.03	

Please detach top portion and return with your payment

Date	Service	Activity	Quantity	Rate	Amount
11/01/2013	FAC:Consulting	<b>Charges</b> Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas and Marsha Spellman for the month of October 2013 including in part: > Work on minutes from meeting with Verizon RF engineers; organize data request, project management; call with John Dassan from Verizon > Call with Brett to discuss regulatory issues. Follow up with reading regs re tower placement > Update call with Tess Fields and discussion of tree removal > Call with Doug Briedwell of Verizon on project update > Develop information request for users; outreach to AT&T; prepare update for FAC Board meeting; attend FAC Board meeting in Portland; > Set up user meeting for Astoria; outreach to Tom Henderson, Director of Facilities at Columbia Memorial Hospital; > Call with Steve Shelton at Day Wireless; reach out to Matt Enser > Drive to Longview for meeting with Cascade Mobile; drive to Astoria and meeting with the Chief Pete Curzon; lunch meeting with Jeff Rusiecki; drive up to Column and take more site photos, return to Portland	22	180.00	3,960.00
11/01/2013	FAC:Staff Support	Staff support	2	55.00	110.00
11/01/2013	Expenses	Expenses for October 2013 (see attached)		158.03	158.03

Continue to the next page

Date	Service	Activity	Quantity	Rate	Amount
10/31/2013		<b>Billable Expenses</b> Sub-consultant: Mark Gray, 7 hours			1,155.00
				<b>Total</b>	<b>\$5,383.03</b>

Please make check to Converge Communications, Inc.; payments Net 30.  
Overdue accounts subject to 1% per month service charge

THANK YOU FOR YOUR BUSINESS!





1483 Duane Street  
Astoria, Oregon 97103  
503-325-PINT

10/30/13 02:06p

In@01:32p Server:Side Section (Master)  
Chk#00033 Table#9

QTY:	ITEM	PRICE
1	glass wine	5.50 (OH)
1	Iced Tea	2.50
2	Single Sausage -Tortilla Chips.	17.90

Total Purchases 25.90

**AMOUNT DUE: 25.90**

Please pay your server...

*thank you.*

*FAC Astoria Column  
Travel/Meals  
Lunch with*



*25.90  
Jeff  
Rusiedki*

CREDIT

02:13:11PM 10/30/13 Wed  
Chk#00033 Tbl: 9 Srv: Side Secti

\*\* VISA \*\*

Cardholder: Hxxx/Axxx  
Acct#xxxxxxxxxxxx8208 Exp: xx/xx  
Seq#18 Appr#09336E

Purchases: 25.90

Tip: 3.75

TOTAL: 29.65

X Adrian 5.50  
24.15

Hxxx/Axxx

I agree to pay above total amount  
according to card issuer agreement.

MERCHANT COPY

SEE DIRECTIONS ON REVERSE

*FAC/ Lunch  
meals*  
**City of Portland**



**01:36** OCT **29**  
PM

▲ Expiration Time ▲▲ Valid Date ▲  
19004 10/29/13 at 11:49AM

ID: F121060 PAID: \$ 2.80C

RECEIPT - VALID ONLY IF PROPERLY DISPLAYED  
IN CURBSIDE WINDOW THIS SIDE OUT

REMOVE VALUABLES FROM VEHICLE

Converge Communications Inc  
 10425 SW Hawthorne Lane  
 Portland, OR 97225

(503)206-7154  
 info@convergecomm.com



# Invoice

Date	Invoice No.
12/01/2013	20380
Terms	Due Date
Net 30	12/31/2013

**Bill To**  
 Friends Of The Astoria Column, Inc  
 Attention: Jordan D. Schnitzer, President  
 c/o Harsch Investment Properties  
 1121 SW Salmon, Suite 500  
 Portland, OR 97205

Amount Due	Enclosed
\$1,245.00	

Please detach top portion and return with your payment.

Service	Activity	Quantity	Rate	Amount
FAC:Consulting	<b>Charges</b> • Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas and Marsha Spellman for the month of November 2013 including in part: > Call with Doug Briedwell at Verizon about drive tests and update call with Mark Gray > Call with Tammy Hamilton regarding pending drive test > Update memo for FAC and email to Mark Gray on propagation study and microwave network > Update calls with David Olson in preparation for the board meeting > Review and edit update report from David Olson	6	180.00	1,080.00
FAC:Staff Support	• Staff Support	3	55.00	165.00
			<b>Total</b>	<b>\$1,245.00</b>

Please make check to Converge Communications, Inc.; payments Net 30.  
 Overdue accounts subject to 1% per month service charge

THANK YOU FOR YOUR BUSINESS!





Date	Service	Activity	Quantity	Rate	Amount
01/01/2014	FAC:Consulting	Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas and Marsha Spellman for the month of December 2013, including in part: <ul style="list-style-type: none"> <li>&gt; Call with Doug Briedwell of Verizon regarding the most recent drive test. Follow up email to Mark Gray. Update email to David Olson; call with Bob Ward of PP&amp;L, call with Dennis Will of USA Mobility; write up notes from call with Dennis Will</li> <li>&gt; Call with Mark Gray; email to Verizon; review coverage maps from Mark Gray</li> <li>&gt; Update call with Doug Briedwell and follow up with Mark Gray</li> <li>&gt; Discussion with Sidra Metzger Hines and Dan Gwin of OEM regarding the regional microwave radio project at Coxcomb Hill</li> <li>&gt; Call with Mark Gray and a second call with Adrian Pearmine; project management</li> <li>&gt; Call with Mark Gray to review spreadsheet and propagation study; follow up email to Adrian Pearmine; project management</li> <li>&gt; Response to Brad Johnston's email request</li> <li>&gt; Meeting with Verizon to review drive tests and follow up with Mark Gray</li> <li>&gt; Call with Mark Gray about costing and updates; email to Verizon about expectations, email to Brad Johnston requesting additional information; call with Cascade Mobile about their past cost study; call with Will Rogers at Day Wireless about their past study</li> <li>&gt; Drive to Longview; draft follow up email to Verizon; meet with Brad Johnston; meet with Matt Enser at Day Wireless; return to Portland</li> <li>&gt; Call with Kevin Hunter of Day Wireless; contact PP&amp;L about power extension</li> <li>&gt; Power estimate</li> </ul>	19	180.00	3,420.00
01/01/2014	FAC:Staff Support	Staff Support	1	55.00	55.00
01/01/2014	Expenses	Expenses for December 2013 (see attached)		82.84	82.84
12/31/2013		<b>Billable Expenses</b> Sub-consultant: Mark Gray, 18 hours			2,898.00
				<b>Total</b>	<b>\$6,455.84</b>

Please make check to Converge Communications, Inc.; payments Net 30.  
Overdue accounts subject to 1% per month service charge

THANK YOU FOR YOUR BUSINESS!



*Astoria Column / Travel /  
Meals Adam Haag*

**Columbia Inn  
RESTAURANT**

698 NE Frontage Rd  
Kalama, WA. 98625

Check#: 432686

Table: FD 13  
Server: Yolanda  
Time: 12:35pm Date: 12/20/13

[Seat 1]

1 Lunch Choices	\$0.00
55 Teriyaki Chicken	\$8.89
1 Coffee	\$2.39

Subtotal:	\$11.28
Tax::	\$0.87
Sbt1 w/Tax:	\$12.15
Amt Due:	\$12.15

Have a nice day!



*Astoria Column, Head/  
Brad Johnston*  
STARBUCKS Store #13507  
808 Ocean Beach Hwy  
Longview, WA (360) 423-3035

CHK 658372  
12/20/2013 08:59 AM  
333834 Drawer: 2 Reg: 2

Gr Skn Cd1 Lat	4.15
Mastercard	4.48
XXXXXXXXXXXX8208	
Subtotal	\$4.15
Tax 8%	\$0.33
Total	\$4.48
Change Due	\$0.00

----- Check Closed -----  
12/20/2013 08:59 AM

Save 30% on a cocoa gift pack  
or coffee and tea sampler  
This week only 12/16 - 12/22  
At participating stores  
While supplies last

Check Number 432686  
Card Number \*\*\*\*\*8208  
Expiration Date \*\*/\*\*  
Reference Number 00467E  
Amount \$12.15  
Tip: 1.80  
Total: 13.95

**Columbia Inn  
RESTAURANT**

Customer Copy

Converge Communications Inc  
10425 SW Hawthorne Lane  
Portland, OR 97225

(503)206-7154  
info@convergecomm.com



# Invoice

Date	Invoice No.
02/01/2014	20391
Terms	Due Date
Net 30	03/03/2014

Bill To
Friends Of The Astoria Column, Inc Attention: Jordan D. Schnitzer, President c/o Harsch Investment Properties 1121 SW Salmon, Suite 500 Portland, OR 97205

Amount Due	Enclosed
\$11,396.20	

✂ Please detach top portion and return with your payment. ✂

Date	Service	Activity	Quantity	Rate	Amount
		<b>Charges</b>			
		Continue to the next page			

Date	Service	Activity	Quantity	Rate	Amount
02/01/2014	FAC:Consulting	<p>Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas and Marsh Spellman for the month of January 2014, including in part:</p> <ul style="list-style-type: none"> <li>&gt; Follow up with Verizon</li> <li>&gt; Prepare for meeting with Jordan Schnitzer, prepare network graphic, meet with Jordan Schnitzer</li> <li>&gt; Create meeting agenda; email to Mark Gray; call with Doug Briedwell of Verizon; call with David Olson</li> <li>&gt; Communications with Mark Gray; map and info request to Marsha for Zoning/Ownership, etc</li> <li>&gt; Letter to Rosemary in Astoria re Upper Reservoir Site</li> <li>&gt; Call with Verizon; work on costing; call with Mark Gray</li> <li>&gt; Cost estimates</li> <li>&gt; Additional call with Rosemary for Clarification issues</li> <li>&gt; Cost estimates; call with Steve Noel; call with Matt Enser from Day Wireless; Dan Fiest at Cascade Networks</li> <li>&gt; Talk to Mark Gray</li> <li>&gt; Meeting with Friends of Column with follow up meeting with David Olson</li> <li>&gt; Research cost estimates; called Doug Briedwell and he said that he had passed the information along to Heather in Real Estate; spoke with Al Slater on tower and generator costs; spoke with Heather Campbell</li> <li>&gt; Finish report; attend Astoria Column meeting; debrief with David Olson</li> <li>&gt; Respond to Heather Campbell email and update team. &gt;</li> <li>&gt; Review David Olson memo</li> <li>&gt; Review historical material on Verizon negotiations in Warm Springs</li> <li>&gt; Write up notes for Astoria Column discussion</li> <li>&gt; Coordinate scheduling for update meeting with City of Astoria</li> <li>&gt; Call with Jeff Rusiecki regarding additional information required</li> <li>&gt; Set up meeting for this Friday and send out email, do research on Tower demolition; set up format for report and content</li> <li>&gt; Work on final report; call with John Budiao of NW Natural and left message with Ron VanBladder</li> <li>&gt; Call with Ron from Northwest Natural and follow up with email and coordinates</li> <li>&gt; Email to David Olson and proposed agenda for City of Astoria meeting</li> <li>&gt; Update with David</li> <li>&gt; Prepare for meeting with City of Astoria; meeting</li> </ul> <p>Continue to the next page</p>	50	180.00	9,000.00

Date	Service	Activity	Quantity	Rate	Amount
02/01/2014	FAC:Staff Support	with City of Astoria in Portland followed by lunch with City officials; debrief with David Olson on City of Astoria meeting > Write report Staff Support	9	55.00	495.00
02/01/2014	Expenses	Expenses for January 2014 (see attached)		130.20	130.20
01/31/2014		<b>Billable Expenses</b> Sub-consultant: Mark Gray, 11 hours			1,771.00
				<b>Total</b>	<b>\$11,396.20</b>

Please make check to Converge Communications, Inc.; payments Net 30.  
Overdue accounts subject to 1% per month service charge

THANK YOU FOR YOUR BUSINESS!

Converge Communications Inc  
 10425 SW Hawthorne Lane  
 Portland, OR 97225

(503)206-7154  
 info@convergecomm.com



# Invoice

Date	Invoice No.
05/01/2014	20407
Terms	Due Date
Net 30	05/31/2014

<b>Bill To</b>
Friends Of The Astoria Column, Inc Attention: Jordan D. Schnitzer, President c/o Harsch Investment Properties 1121 SW Salmon, Suite 500 Portland, OR 97205

Amount Due	Enclosed
\$3,395.16	

Please detach top portion and return with your payment.

Service	Activity	Quantity	Rate	Amount
FAC:Consulting	<b>Charges</b> • Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas, Marsha Spellman and David Olson for the month of April, 2014. Progress billing at 25% of project completion: Met with FAC Board; gave Brett Estes a verbal update; met with Verizon to layout project objectives; telephone conference with City staff to discuss zoning and urban growth boundary issues.	0.25	13,500.00	3,375.00
Expenses	• Expenses for April, 2014 (see attached)	1	20.16	20.16

*Handwritten:* on FAC

Please make check to Converge Communications, Inc.; payments Net 30.  
 Overdue accounts subject to 1% per month service charge

<b>Total</b>	<b>\$3,395.16</b>
--------------	-------------------

THANK YOU FOR YOUR BUSINESS!





Converge Communications Inc  
 10425 SW Hawthorne Lane  
 Portland, OR 97225

(503)206-7154  
 info@convergecomm.com



# Invoice

Date	Invoice No.
06/01/2014	20412
Terms	Due Date
Net 30	07/01/2014

**Bill To**  
 Friends Of The Astoria Column, Inc  
 Attention: Jordan D. Schnitzer, President  
 c/o Harsch Investment Properties  
 1121 SW Salmon, Suite 500  
 Portland, OR 97205

Amount Due	Enclosed
\$4,174.32	

Please detach top portion and return with your payment.

Service	Activity	Quantity	Rate	Amount
FAC:Consulting	<b>Charges</b> • Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas, Marsha Spellman and David Olson for the month of May, 2014. Progress billing at 55% of project completion: Followup planning meeting with Verizon; Shively Park site visit w/ Verizon staff & consultants and City of Astoria personnel	0.3	13,500.00	4,050.00
enses	• Expenses for May, 2014 (see attached)	1	124.32	124.32
			<b>Total</b>	<b>\$4,174.32</b>

Please make check to Converge Communications, Inc.; payments Net 30.  
 Overdue accounts subject to 1% per month service charge

THANK YOU FOR YOUR BUSINESS!

*Sent to Eric 7/11/14*



Converge Communications Inc  
 10425 SW Hawthorne Lane  
 Portland, OR 97225

(503)206-7154  
 info@convergecomm.com



# Invoice

Date	Invoice No.
07/01/2014	20422
Terms	Due Date
Net 30	07/31/2014

<b>Bill To</b>
Friends Of The Astoria Column, Inc Attention: Celeste Rose Grannum c/o Harsch Investment Properties 1121 SW Salmon, Suite 500 Portland, OR 97205

Amount Due	Enclosed
\$2,700.00	

✂ Please detach top portion and return with your payment. ✂

Service	Activity	Quantity	Rate	Amount
FAC:Consulting	<b>Charges</b> • Consulting Services for the Astoria Column Wirteless Alternatives Project by Adam Haas, Marsha Spellman and David Olson for the month of June, 2014. Progress billing at 75% of project completion: Prepare, edit, finalize notes from FAC/Verizon meetings; Meeting with Mike Lindberg & Thane Tienson to discuss progress, schedule and scope of work; Work on contract deal points required of Verizon; Conference call with Verizon; Review matrix from Rosemary and e-mail follow up questions; E-mail discussion about monopole vs. lattice tower; Time-line for zoning of tower heights; Call with Matt Enser of Day Wireless; Call with Brad Johnston; Follow up e-mail with Rosemary regarding review of variance process; Attend FAC board meeting.	0.2	13,500.00	2,700.00
			<i>Fd m</i> <i>AG</i>	

Please make check to Converge Communications, Inc.; payments Net 30.  
 Overdue accounts subject to 1% per month service charge

<b>Total</b>	<b>\$2,700.00</b>
--------------	-------------------

THANK YOU FOR YOUR BUSINESS!

Converge Communications Inc  
 10425 SW Hawthorne Lane  
 Portland, OR 97225

(503)206-7154  
 info@convergecomm.com



# Invoice

Date	Invoice No.
08/01/2014	20429
Terms	Due Date
Net 30	08/31/2014

<b>Bill To</b>
Friends Of The Astoria Column, Inc Attention: Celeste Rose Grannum c/o Harsch Investment Properties 1121 SW Salmon, Suite 500 Portland, OR 97205

Amount Due	Enclosed
\$3,456.95	

Please detach top portion and return with your payment.

Service	Activity	Quantity	Rate	Amount
FAC:Consulting	<b>Charges</b> • Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas, Marsha Spellman and David Olson for the month of July, 2014. Progress billing at 100% of project completion: Call with Brad Johnston on deal points, lattice tower and grant opportunity; follow up e-mails to Brad and Heather at Verizon; Call with Heather Campbell to discuss lattice vs. monopole and also reimbursing cost of FAC; Project coordination, talks with Celeste, Brad and Rosemary about council meeting, height of variance and lattice tower; Bullet point list to Yogi in support of lattice tower; Lock down visit at Shively Park and Upper Reservoir site with Verizon engineers, City of Astoria staff.	0.25	13,500.00	3,375.00
FAC:Staff Support	• Staff Support	1	55.00	55.00
Expenses	• Expenses for July (See attached)	1	26.95	26.95
			<b>Total</b>	<b>\$3,456.95</b>

*Ed MC*

Please make check to Converge Communications, Inc.; payments Net 30.  
 Overdue accounts subject to 1% per month service charge

THANK YOU FOR YOUR BUSINESS!



#####  
#####  
-8.25 \*  
-21.4 \*

\*

CHECK CRD PURCHASE 07/11 Coffee Girl LLC Astoria OR 425908XXXXXX1657 004192727645408 ?MCC=5812  
CHECK CRD PURCHASE 07/11 ASTORIA PUB ASTORIA OR 425908XXXXXX1657 584192719173694 ?MCC=5812

Converge Communications Inc  
 10425 SW Hawthorne Lane  
 Portland, OR 97225

(503)206-7154  
 info@convergecomm.com



**Invoice**

Date	Invoice No.
09/01/2014	20435
Terms	Due Date
Net 30	10/01/2014

**Bill To**  
 Friends Of The Astoria Column, Inc  
 Attention: Celeste Rose Grannum  
 c/o Harsch Investment Properties  
 1121 SW Salmon, Suite 500  
 Portland, OR 97205

Amount Due	Enclosed
\$2,756.29	

Please detach top portion and return with your payment.

Service	Activity	Quantity	Rate	Amount
FAC:Consulting	<b>Charges</b> • Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas, Marsha Spellman and David Olson for the month of August, 2014: Review email chain on Monopole tower and respond to Brad Johnston's concern. Call with Rosemary on the lattice tower issue. Sent justification to Rosemary; spoke with Yogi. Follow up with Brad Johnston and prepare for Verizon meeting. Review construction drawings. Conference call with Verizon re Network Planning. Prepare and send status report to Celeste Grannum. Send emails to Brad Johnston and Mark Gray regarding propagation study. Update call with Brad Johnston to discuss lattice tower, grant and contract process. Meet with FAC Board & staff. Follow up email to Heather on pending action items from Verizon (lease and technical requirements).	1	2,595.00	2,595.00
FAC:Staff Support	• Staff Support	1	55.00	55.00
Expenses	• Mileage Expenses for July; 189.8 @ \$.56 per mile	189.8	0.56	106.29

*FAAC*  
*Q*

Please make check to Converge Communications, Inc.; payments Net 30. Overdue accounts subject to 1% per month service charge

<b>Total</b>	<b>\$2,756.29</b>
--------------	-------------------

THANK YOU FOR YOUR BUSINESS!



Converge Communications Inc  
 10425 SW Hawthorne Lane  
 Portland, OR 97225

(503)206-7154  
 info@convergecomm.com



**Invoice**

Date	Invoice No.
10/01/2014	20442
Terms	Due Date
Net 30	11/01/2014

<b>Bill To</b>
Friends Of The Astoria Column, Inc Attention: Celeste Rose Grannum c/o Harsch Investment Properties 1121 SW Salmon, Suite 500 Portland, OR 97205

Amount Due	Enclosed
\$995.51	

X Please detach top portion and return with your payment. X

Service	Activity	Quantity	Rate	Amount
FAC:Consulting	<b>Charges</b> • Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas, Marsha Spellman and David Olson for the month of September, 2014. Progress billing at 19% completion. Follow up with Heather on lease agreement and transmit Verizon's technical requirements to Brad Johnston; Status update email to Brad Johnston on review of Verizon agreements; Calls and emails with Karen Whitman on schedule and scope of work, results of FAC board meeting; call to Brett Estes; Prepare/transmit briefing/update memo to Celeste Grannum; followup re any issues with Phase 2 contract change.	0.05	19,061.00	953.05
Expenses	• Expenses for September (see attached)	1	42.46	42.46
			<b>Total</b>	<b>\$995.51</b>

*FRAC*  
*GR*

Please make check to Converge Communications, Inc.; payments Net 30.  
 Overdue accounts subject to 1% per month service charge

THANK YOU FOR YOUR BUSINESS!



*David Olson / Marsha  
Astoria Column Speller  
FAC / Travel  
meals*

ASTORIA BREWING/WET DOG CAFE  
THANK YOU FOR DINING WITH US!  
144 11th Street  
503-325-6975

ASTORIA BREWING/WET DOG CAFE  
THANK YOU FOR DINING WITH US!  
144 11th Street  
503-325-6975

Server: Shannon      CE 05/30/2014  
D3/1                      12:00 PM  
Guests: 2  
  
#70001

Server: Shannon      DOB: 05/30/2014  
01:13 PM              05/30/2014  
D3/1                      7/70001

Italian Soda                      3.50  
    SF Flavs  
    SF Black Cherry  
Lemonade                      1.95  
2.95 Cup Chow                  2.95  
1/2 Shrimp Cob Salad          11.95  
1/2 OR Hazelnut                11.95  
\$ADD  
    Add Fish  
    Salmon  
  
Subtotal                      32.30  
  
Total                          32.30  
  
Balance Due                  32.30

SALE  
  
M/C                              6291461  
Card #XXXXXXXXXX0749  
Magnetic card present: AAAS MARSHA  
Card Entry Method: S  
  
Approval: 09568E

Amount:                      \$ 32.30  
+ Tip:                          \$  
= Total:                      35.30

www.wetdogcafe.com  
Join our Facebook fan page!!

I agree to pay the above total amount according to the card issuer agreement.

X Marsha Olsson

Guest Copy

Converge Communications Inc  
 10425 SW Hawthorne Lane  
 Portland, OR 97225

(503)206-7154  
 info@convergecomm.com



# Invoice

Date	Invoice No.
11/01/2014	20449
Terms	Due Date
Net 30	12/01/2014

<b>Bill To</b>
Friends Of The Astoria Column, Inc Attention: Celeste Rose Grannum c/o Harsch Investment Properties 1121 SW Salmon, Suite 500 Portland, OR 97205

Amount Due	Enclosed
\$5,188.71	

✂ Please detach top portion and return with your payment. ✂

Service	Activity	Quantity	Rate	Amount
FAC:Consulting	<b>Charges</b> • Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas, Marsha Spellman and David Olson for the month of October, 2014. Progress billing at 46% completion. Follow up with Karen about Conference call; Review Verizon agreements; Research past CTWS agreements with Verizon; Conference call with Astoria. Pre-call and post call and follow up with Verizon on Shively Park; Astoria Column meeting; Finalize Verizon agreement edits for review by City and forward Verizon permitting packages; Review permitting package from Verizon; Meeting with Verizon; Follow up on red-line requirements for preliminary plans and send email to Rosemary	0.27	19,061.00	5,146.47
Expenses	• Expenses for October (see attached)	1	42.24	42.24
			<b>Total</b>	<b>\$5,188.71</b>

*Handwritten signature and initials: FUR, OK*

Please make check to Converge Communications, Inc.; payments Net 30.  
 Overdue accounts subject to 1% per month service charge

THANK YOU FOR YOUR BUSINESS!

Expenses for Converge Communications

Project: Astoria Column

For Period: October 2014

Category	Rate	Miles	Copies	Other	Total
Personal Mileage	\$0.560	68			
					\$38.08
Photocopy	\$0.08		52		
					\$4.16
Meals					\$0.00
					\$0.00
					\$0.00
Hotel					\$0.00
					\$0.00
					\$0.00
Transportation					\$0.00
					\$0.00
					\$0.00
Misc.					\$0.00
					\$0.00
					\$0.00
<b>TOTAL EXPENSES</b>					<b>\$42.24</b>
Trips (Personal Mileage)					68
Meeting with Verizon 10/31					
TOTAL MILES					68

*7 Celeste*

Converge Communications Inc  
10425 SW Hawthorne Lane  
Portland, OR 97225

(503)206-7154  
info@convergecomm.com



# Invoice

<b>Date</b>	<b>Invoice No.</b>
12/01/2014	20454
<b>Terms</b>	<b>Due Date</b>
Net 30	12/31/2014

<b>Bill To</b>
Friends Of The Astoria Column, Inc Attention: Celeste Rose Grannum c/o Harsch Investment Properties 1121 SW Salmon, Suite 500 Portland, OR 97205

<b>Amount Due</b>	<b>Enclosed</b>
\$1,524.88	

Please detach top portion and return with your payment.

Service	Activity	Quantity	Rate	Amount
FAC:Consulting	<b>Charges</b> • Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas, Marsha Spellman and David Olson for the month of November, 2014. Progress billing at 54% completion: Call with City of Astoria; review meeting minutes from Verizon meeting, send update email to Verizon; Answer emails from Rosemary at Astoria and Sarah Grant from Verizon; Update for Jordan Schnitzer; Call and discussion with Sarah Grant re current status and FCC rule; followup with Mike Lindberg re scheduling; Follow up email to Verizon	0.08	19,061.00	1,524.88
			<b>Total</b>	<b>\$1,524.88</b>

*OK EML*

Please make check to Converge Communications, Inc.; payments Net 30. Overdue accounts subject to 1% per month service charge

THANK YOU FOR YOUR BUSINESS!

Converge Communications Inc  
 10425 SW Hawthorne Lane  
 Portland, OR 97225

(503)206-7154  
 info@convergecomm.com



Invoice

Date	Invoice No.
01/02/2015	20459
Terms	Due Date
Net 30	02/01/2015

**Bill To**  
 Friends Of The Astoria Column, Inc  
 Attention: Celeste Rose Grannum  
 c/o Harsch Investment Properties  
 1121 SW Salmon, Suite 500  
 Portland, OR 97205

Amount Due	Enclosed
\$3,240.37	

Please detach top portion and return with your payment.

Service	Activity	Quantity	Rate	Amount
FAC:Consulting	<p><b>Charges</b></p> <ul style="list-style-type: none"> <li>Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas, Marsha Spellman and David Olson for the month of December, 2014. Progress billing at 71% completion. Discussion and follow up research on Sarah Grant email; ; call with Heather Campbell at Verizon; follow up call with Sarah Grant; follow up emails; Follow up with Rosemary at the City of Astoria and project management; Review project timeline from Rosemary; re-contact Mike Lindberg to check dates/times/deliverables for December; Review schedule from Rosemary and send out email to Verizon for follow up conference call; Conference call with Verizon and follow up debrief with Converge team; Prepare written update for Jordan Schnitzer and transmit to Jordan &amp; key Board members; Check-in/telephone conference call with Mike Lindberg; Review Verizon's Shively Park lease; Check-in with Celeste G; prepare for Friends of the Column board meeting; attend Board meeting; provide update to Jordan and the Board; Review mark up of the draft Reservoir agreement from Rosemary, send follow up email to Rosemary.</li> </ul>	0.17	19,061.00	3,240.37
			<b>Total</b>	<b>\$3,240.37</b>

*FK*  
*For*

Please make check to Converge Communications, Inc.; payments Net 30.  
 Overdue accounts subject to 1% per month service charge

THANK YOU FOR YOUR BUSINESS!

sent to Eric 1/19/15

Converge Communications Inc  
 10425 SW Hawthorne Lane  
 Portland, OR 97225

(503)206-7154  
 info@convergecomm.com



# Invoice

Date	Invoice No.
02/01/2015	20465
Terms	Due Date
Net 30	03/03/2015

<b>Bill To</b>
Friends Of The Astoria Column, Inc Attention: Celeste Rose Grannum c/o Harsch Investment Properties 1121 SW Salmon, Suite 500 Portland, OR 97205

Amount Due	Enclosed
\$1,715.49	

✂ Please detach top portion and return with your payment. ✂

Service	Activity	Quantity	Rate	Amount
FAC:Consulting	<b>Charges</b> • Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas, Marsha Spellman and David Olson for the month of January, 2015. Progress billing at 80% completion: Make updates to draft agreement for Reservoir lease based on City input Call with Brad Johnston to review the agreement; work on budget. Prepare revised definitions section for Verizon lease agreement with City. Plan for next phase of project.	0.09	19,061.00	1,715.49
			<b>Total</b>	<b>\$1,715.49</b>

Please make check to Converge Communications, Inc.; payments Net 30.  
 Overdue accounts subject to 1% per month service charge

THANK YOU FOR YOUR BUSINESS!



Converge Communications Inc  
 10425 SW Hawthorne Lane  
 Portland, OR 97225

(503)206-7154  
 info@convergecomm.com



# Invoice

Date	Invoice #
03/01/2015	20470
Terms	Due Date
Net 30	03/31/2015

**Bill To**  
 Friends Of The Astoria Column, Inc  
 Attention: Celeste Rose Grannum  
 c/o Harsch Investment Properties  
 1121 SW Salmon, Suite 500  
 Portland, OR 97205

Amount Due	Enclosed
\$4,808.15	

Please detach top portion and return with your payment.

Service	Activity	Quantity	Rate	Amount
FAC:Consulting	<b>Charges</b> • Consulting Services for the Astoria Column Wireless Alternatives Project by Adam Haas, Marsha Spellman and David Olson for the month of January, 2015. Progress billing at 100% completion: Prepare and present update on Wireless project at Friends of the Astoria Column board meeting Draft, review and transmit to FAC board report re project purposes discussion for FAC to share with City. Email communications with Brad Johnston and outreach to Heather Campbell at Verizon Read David's communications, discuss Talk to Rosemary re timing of the various zoning, committees, and Council meetings Research, review and prepare memorandum to Brett Estes re co-location requirements of City Code, concerns of local broadcaster, advise FAC board  Note: Invoice exceeds contract by \$868.40 pending new contract amendment	0.24	19,061.00	4,574.64
Expenses	• Expenses for February (see attached)	1	233.51	233.51

Please make check to Converge Communications, Inc.; payments Net 30.  
 Overdue accounts subject to 1% per month service charge

<b>Total</b>	<b>\$4,808.15</b>
--------------	-------------------

THANK YOU FOR YOUR BUSINESS!



ASTORIA COFFEEHOUSE BISTR  
243 11TH STREET  
ASTORIA, OR 97103  
Merchant ID: 1609      Ref ID: 0112

Sale

XXXXXXXXXX8208

WAST      Entry Method: Susped

Amount:      \$      10.50

Tip:

Total:      12.00

02/08/15

14:09:07

Inv #: 000067

Appr Code: 07251E

Approved: OnLine

Batch#: 000523

Customer Data  
THANK YOU!

*FAC/Travel  
Meals Marsla  
Spellman, Adlen  
Haas*

ASTORIA COFFEE HOUSE & BISTRO  
243 11TH ST

DATE 02/08/2015 SUN      TIME 15:06

COFFEE	\$4.75
COFFEE	\$2.75
PASTRIES	\$3.00
TOTAL	\$10.50
CASH	\$10.50
CLERK 1 <i>Clise</i>	416603      00000



CITY OF ASTORIA  
POLICE DEPARTMENT

May 27, 2015

**MEMORANDUM**

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: APPROVAL OF PERSONAL SERVICES CONTRACT AMENDMENT –  
CONVERGE COMMUNICATION

**DISCUSSION/ANALYSIS**

In February of 2015 City staff contracted with Converge Communication to negotiate a lease between the City of Astoria and Verizon Wireless related to relocation of the Coxcomb Hill wireless communication facility. Converge was jointly selected by the Friends and City staff through a competitive process. The agreement was for an amount not to exceed \$5,000 and was within the spending authority of the City Manager. At that time, Converge was also working with the Friends of the Column. The work Converge was doing for the Friends is now complete, but the City's final contractual agreement with Verizon and moving the project to construction of a new tower remains to be accomplished.

Staff believes that continuing our relationship with Converge will significantly reduce the costs of, or risks associated with the work yet to be done. City contracting rules allow direct appointment for personal service contracts not exceeding \$20,000 as well as for personal services contracts to continue work of not more than \$100,000. Because of Converge's unique knowledge of this project it is recommended that a contract for additional services be authorized by direct appointment in an amount not to exceed \$20,000. Should the City Council approve this contract, a budget resolution is included in a subsequent agenda item to allocate funds for this fiscal year.

**RECOMMENDATION**

Staff recommends the Council authorize staff to contract with Converge by direct appointment to continue their contract for services in an amount not to exceed \$20,000.

A handwritten signature in black ink, appearing to read "Brad Johnston".

---

Brad Johnston  
Chief of Police  
Assistant City Manager

**CITY OF ASTORIA  
CONTRACT FOR PERSONAL SERVICES**

**CONTRACT:**

This Contract, made and entered into this 1st day of May 2015 by and between the City of Astoria, a municipal corporation of the State of Oregon, hereinafter called "CITY", and Converge Communications, Incorporated, 10425 SW Hawthorne Lane, Portland, OR 97225 hereinafter called "CONSULTANT", duly authorized to perform such services in Oregon.

**WITNESSETH**

WHEREAS, the CITY requires services which CONSULTANT is capable of providing, under terms and conditions hereinafter described; and

WHEREAS, CONSULTANT is able and prepared to provide such services as CITY does hereinafter require, under those terms and conditions set forth; now, therefore,

IN CONSIDERATION of those mutual promises and the terms and conditions set forth hereafter, the parties agree as follows:

1. CONSULTANT SERVICES

A. CONSULTANT shall perform professional services, as outlined in the Attachment A, to the City of Astoria regarding the construction of two cell phone and radio communications towers by Verizon Communications.

B. Consultant's services are defined solely by this Contract and its attachment and not by any other contract or agreement that may be associated with this project.

C. The CONSULTANT'S services shall be performed as expeditiously as is consistent with professional skill and the orderly progress of work.

2. COMPENSATION

A. The CITY agrees to pay CONSULTANT a total not to exceed \$20,000 at the rates described on Attachment A, for performance of those services provided herein;

B. The CONSULTANT will submit monthly billings for payment which will be based upon the hourly rates contained in Attachment A. Said progress billings shall be payable within 30 days of receipt by City.

C. CITY certifies that sufficient funds are available and authorized for expenditure to finance costs of this Contract.

3. CONSULTANT IDENTIFICATION

CONSULTANT shall furnish to the CITY the CONSULTANT'S employer identification number, as designated by the Internal Revenue Service, or CONSULTANT'S Social Security number, as CITY deems applicable.

4. CITY'S REPRESENTATIVE

For purposes hereof, the CITY'S authorized representative will be Brad Johnston, Chief of Police and Assistant City Manager Astoria, Oregon, 97103, (503) 338-5173.

5. CONSULTANT'S REPRESENTATIVE

For purposes hereof, the CONSULTANT'S authorized representative will be Adam Haas, CEO. Converge Communications, Incorporated.

6. CITY'S OBLIGATIONS

In order to facilitate the work of the CONSULTANT as above outlined, the CITY shall furnish to the CONSULTANT access to all relevant maps, aerial photographs, reports and site information which is in the City's possession concerning the project area. In addition, the CITY shall act as liaison for the CONSULTANT, assisting the CONSULTANT with making contacts and facilitating meetings, as necessary.

7. CONSULTANT IS INDEPENDENT CONSULTANT

A. 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 than the compensation provided for under Section 2 of this Contract,

B. 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.

C. 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.

8. CANCELLATION FOR CAUSE

CITY may cancel all or any part of this Contract if CONSULTANT breaches any of the terms herein and fails to cure such breach within 10 days after receiving notice thereof, or 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 any 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. CONSULTANT may likewise cancel all or any part of this contract if CITY breaches any of the terms herein and be therefore entitled to equivalent damages as expressed above for CITY.

9. ACCESS TO RECORDS

CITY shall have access to such books, documents, papers and records of contract as are directly pertinent to this contract for the purposes of making audit, examination, excerpts and transcripts.

10. 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 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.

11. 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.

12. 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.

13. APPLICABLE LAW

The law of the State of Oregon shall govern the validity of this Agreement, its interpretation and performance, and any other claims related to it.

14. CONFLICT BETWEEN TERMS

It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the proposal of the CONSULTANT, this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

15. 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 to the extent it arises 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 Client, this indemnification and agreement to assume defense costs applies only to the extent of negligence of CONSULTANT.

With respect to Commercial Liability and Professional Liability, CONSULTANT reserves the right to approve the choice of counsel.

## 16. INSURANCE

Prior to starting work hereunder, CONSULTANT, at CONSULTANT'S cost, shall secure and continue to carry during the term of this contract, with an insurance company acceptable to CITY, the following insurance:

A. Commercial General Liability. CONSULTANT shall obtain, at CONSULTANT'S expense and keep in effect during the term of this Contract, Commercial General Liability Insurance covering bodily injury and property damage with limits of not less than \$1,000,000 per occurrence and the annual aggregate not less than \$2,000,000. Coverage shall include consultants, subconsultants and anyone directly or indirectly employed by either. This insurance will include personal and advertising injury liability, products and completed operations. Coverage may be written in combination with Automobile Liability Insurance (with separate limits). Coverage will be written on an occurrence basis. If written in conjunction with Automobile Liability, the combined single limit per occurrence will not be less than \$1,000,000 for each job site or location. Each annual aggregate limited will not be less than 2,000,000.

B. Automobile Liability. CONSULTANT shall obtain, at CONSULTANT'S expense and keep in effect during the term of the resulting contract, Commercial Business Automobile Liability Insurance covering all owned, non-owned, or hired vehicles. This coverage may be written in combination with the Commercial General Liability Insurance (with separate limits). Combined single limit per occurrence will not be less than \$1,000,000.

C. Additional Insured. The liability insurance coverage shall include CITY and its officers and employees as Additional Insured but only with respect to CONSULTANT'S activities to be performed under this Contract. Coverage will be primary and non-contributory with any other insurance and self-insurance. Prior to starting work under this Contract, CONSULTANT shall furnish a certificate to CITY from each insurance company providing insurance showing that the CITY is an additional insured, the required coverage is in force, stating policy numbers, dates of expiration and limits of liability, and further stating that such coverage is primary and not contributory.

D. Professional Liability Insurance. The CONSULTANT shall have in force a policy of Professional Liability Insurance in an amount not less than \$1,000,000 per claim and \$2,000,000 aggregate. The CONSULTANT shall keep such policy in force and current during the term of this contract.

E. Notice of Cancellation or Change. There will be no cancellation, material change, potential exhaustion of aggregate limits or non-renewal of insurance coverage(s) without thirty (30) days written notice from CONSULTANT or its insurer(s) to CITY. Any failure to comply with the reporting provisions of this clause will constitute a material breach of this Contract and will be grounds for immediate termination of this Agreement.



17. CITY'S BUSINESS LICENSE

Prior to beginning work, the CONSULTANT shall have a current City of Astoria business license (occupational tax). Before permitting a sub-consultant to begin work, CONSULTANT shall verify that sub-consultant has a current City of Astoria business license.

18. WORKMEN'S COMPENSATION

The CONSULTANT, its subconsultants, 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.

19. 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 subconsultants incurred in the performance of the contract.

CONSULTANT shall not permit any lien or claim to be filed or prosecuted against the state, county, school district, municipality, municipal corporation or subdivision thereof, 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.

20. NONDISCRIMINATION

It is the policy of the City of Astoria that no person shall be denied the benefits of or be subject to unlawful discrimination in any City program, service, or activity on the grounds of age, disability, race, religion, color, national origin, sex, sexual orientation, gender identity/expression. Contractor, its employees, agents and subcontractors shall comply with this policy.

21. PAYMENT OF MEDICAL CARE

CONSULTANT shall promptly, as due, make payment 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 service.

22. OVERTIME

Employees shall be paid for overtime work performed under this contract in accordance with ORS 653.010 to 653.261 and the Fair Labor Standards Act of 1938 (29 U.S.C. Sections 201 to 209).

23. USE OF ENGINEER'S DRAWINGS AND OTHER DOCUMENTS

The CITY retains all drawings and other documents prepared by the CONSULTANT for the project after payment to CONSULTANT.

CONSULTANT will not be held liable for reuse of documents or modifications thereof for any purpose other than those authorized under this Agreement.

24. STANDARD OF CARE

The standard of care applicable to consultant's services will be the degree of skill and diligence normally employed by professional engineers or consultants performing the same or similar services at the time CONSULTANT'S services are performed. CONSULTANT will re-perform any services not meeting this standard without additional compensation.

25. NO THIRD PARTY BENEFICIARIES

This contract gives no rights or benefits to anyone other than the CITY and CONSULTANT and has no third party beneficiaries.

26. ASSIGNMENT

This contract is personal to Consultant and may not be assigned or any work subcontracted without consent from the CITY.

27. SEVERABILITY AND SURVIVAL

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the enforceability of the remaining provisions shall not be impaired thereby. Limitations of liability shall survive termination of this Agreement for any cause.

28. COMPLETE CONTRACT

This Contract and its referenced attachments constitute the complete contract between CITY and CONSULTANT and supersedes all prior written or oral discussions or agreements. CONSULTANT services are defined solely by this Contract and its attachments and not by any other contract or agreement that may be associated with this Contract.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first written above.

Approved as to form:

CITY OF ASTORIA, a municipal corporation of the State of Oregon

\_\_\_\_\_  
Attorney

BY: \_\_\_\_\_  
Mayor Date

BY: \_\_\_\_\_  
City Manager Date

BY: \_\_\_\_\_  
Consultant Date

## Attachment A

### Hourly Rates:

Principal	\$185
Senior Consultant	\$165
Support Staff	\$55

### Scope of Work:

CONTRACTOR will continue to assist the CITY in lease negotiations with Verizon Communications for two new tower leases. CONTRACTOR will facilitate discussions with Verizon Communications regarding specific contract terms and will also assist with drafting language. In this role, CONTRACTOR will serve as a telecommunications expert, and as such, will not be providing legal advice. CITY will provide its' own legal review and oversight.

In addition, CONTRACTOR will undertake the following tasks relating to the design and construction of the new Verizon towers:

- Monitor and facilitate the resolution of pre-construction issues as they arise

- Facilitate communications between Verizon's construction, site development and legal teams and the Astoria City Council and Friends Of the Astoria Column ("FOAC").

- Investigate desired changes, issues, or concerns of Verizon Wireless or FOAC that may arise and assist in resolving problems (e.g. environmental approvals, neighborhood issues; co-location; financial structure, etc.).

- Provide support and facilitate development of necessary documentation for City staff in connection with permit applications and other matters.

- Assist City staff in connection with the preparation of required permit applications before governmental agencies, including the Astoria City Council, Planning Commission, Historic Landmarks Commission as well as County, State or Federal boards, agencies or commissions.

- Assist City staff with presentations at hearings held in connection with permit applications.

- Develop presentations as directed, appear at and present at meetings with the City Council and FOAC regarding the recommended design of a wireless solution (including a summary of the context and history of the design alternative).



May 13, 2015

**MEMORANDUM**

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: **MAINTENANCE PATCHING 2015 - AUTHORIZATION TO AWARD**

**DISCUSSION/ANALYSIS**

Due to aging pavement, certain City streets have deteriorated and will require asphalt maintenance patching to effectively eliminate troublesome potholes and remediate badly rutted sections. This project is an intermediate effort to the major paving project that occurs every two years. The next major paving project is planned for the summer of 2016. City staff has recently completed a city wide condition survey of the most heavily traveled streets, including areas that are subject of repeated complaints. Using that survey, staff has compiled a list of immediate patching needs.

The following competitive quotes for asphalt maintenance patching have been received:


Contractor	Total Quote
Clean Sweep Maintenance, Inc.	\$23,949.40
Bayview Transit Mix, Inc.	\$29,050.00

Funding for this project is recommended to come from the Astoria Road District Fund (Fuel Tax Fund).

This maintenance patching project is one part of the Public Works Department's overall pavement preservation strategy. Pavement crack sealing will also be completed this summer under a separate contact that will be brought to the Council at a later time.

**RECOMMENDATION**

It is recommended that City Council authorize the award of a construction contract to Clean Sweep Maintenance Inc. in the amount of \$23,949.40 for the Maintenance Patching 2015 Project.

Submitted By   
Ken P. Cook, Public Works Director

Prepared By   
Nathan Crater, Assistant City Engineer

**60.01.00 - GENERAL**

**THIS AGREEMENT**, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between Clean Sweep Maintenance, Inc., PO Box 285, Seaside OR 97138, hereinafter called "**CONTRACTOR**" and the **City** of Astoria, a municipal corporation, hereinafter called "**CITY**."

WITNESSETH:

That the said **CONTRACTOR** and the said **CITY**, for the consideration hereinafter named agree as follows:

**60.2.00 - DESCRIPTION OF WORK**

The **CONTRACTOR** agrees to perform the work of:

**Maintenance Patching 2015 Project**

and do all things required of it as per his bid, all in accordance with the described bid, a copy of which is hereto attached and made a part of this contract.

**60.3.00 - COMPLETION OF CONTRACT**

The **CONTRACTOR** agrees that the work under this contract shall be performed within 30 calendar days of Notice to Proceed. If conditions beyond the control of the **CONTRACTOR** prevents completion of the project within the time set, **CONTRACTOR** may request a reasonable extension of time in accordance with APWA General Requirements. If said **CONTRACTOR** has not fully completed this contract within the time set or any extension thereof, he shall pay liquidated damages in accordance with Section 108.6.00 of the Supplementary Conditions to General Requirements.

**60.4.00 - CONTRACT PRICE**

The contract price for this project is \$23,949.40. Payment will be made in accordance with ORS 279C.560 including progress payments at the end of each month. Retainage will be withheld in accordance with ORS 279C.550 - .565.

**60.5.00 - CONTRACT DOCUMENTS**

The **CONTRACTOR** and the **CITY** agree that the plans, specifications (including the APWA Oregon Chapter 1990 Standard Specifications for Public Works Construction with 1996 revisions), general conditions, supplementary conditions, call for bids, special provisions to the engineering specifications, instructions to bidders, all addenda and all modifications thereto and bid are, by this reference, incorporated into this contract and are fully a part of this contract.

**60.6.00 - CHANGES IN WORK**

With the consent of the **CONTRACTOR**'s surety, the **CITY** may change the plans, specification, character of the work, or quantity of work, provided the total value of all such changes, both additive and deductive, does not exceed the following:

**A.** An increase or decrease of more than 25 percent of the total cost of the work calculated from the original proposal quantities and the unit contract prices; or,

**B.** An increase or decrease of more than 25 percent in the quantity of any one major contract item.

For condition b) above, a major item is defined as any item that amounts to 10 percent or more of the total contract price. If it is necessary to exceed this limitation, the change shall be by written supplemental agreement between the **CONTRACTOR** and **CITY**.

Any change shall be in writing and state the dollar value, method of payment, and any adjustments in contract time, and shall provide for the signatures of the **CONTRACTOR** and **CITY**.

Changes in plans and specifications, requested in writing by the **CONTRACTOR**, which do not materially affect the work, may be granted by the Engineer. Payment will be made in accordance with Section 60.4.00 of this contract.

#### **60.7.00 - COMPLIANCE**

The **CONTRACTOR** specifically agrees to comply with all laws, ordinances, and regulations applicable to municipal contracts and to make prompt payment of all amounts that may be due from said **CONTRACTOR** in the way of taxes or lawful deductions and to make prompt payment of all labor and materials, and save the **CITY** harmless from any damages or claims whatsoever in the performance of this contract.

The **CONTRACTOR** further agrees to comply with all laws, ordinances, rules, orders and regulations relating to the performance of the work, the protection of adjacent property, and the maintenance of passageways, guard fences, or other protective facilities.

**CONTRACTOR** agrees to take every precaution against injuries to persons or damage to property.

The **CONTRACTOR** agrees that the work will be done to the satisfaction and approval of the Engineer of the **CITY** of Astoria.

**CONTRACTOR** agrees to store his apparatus, materials, supplies and equipment in such orderly fashion at the site of the work as will not unduly interfere with the progress of their work or the work of any other employees or persons.

**CONTRACTOR** agrees to hold the **CITY** free and harmless from all liability to persons and property for failure to leave the premises in a safe condition and to make payment to all persons employed by them in such project.

It is the policy of the City of Astoria that no person shall be denied the benefits of or be subject to unlawful discrimination in any City program, service, or activity on the grounds of age, disability, race, religion, color, national origin, sex, sexual orientation, gender identity/ expression. Contractor, its employees, agents and subcontractors shall comply with this policy.

#### **60.8.00 - ADDITIONAL CONTRACTOR RESPONSIBILITIES**

**CONTRACTOR** is responsible for obtaining and paying for all necessary permits.

**CONTRACTOR** shall verify existing conditions and locations of all utilities and shall notify the Engineer of any discrepancies that may affect the work.

**CONTRACTOR** is responsible for contacting the utilities to have the lines relocated or repaired as necessary.

#### **60.9.00 - CONTRACTOR IS INDEPENDENT CONTRACTOR**

**A. CONTRACTOR's** services shall be provided under the general supervision of **CITY's** project director or his designee, but **CONTRACTOR** shall be an independent **CONTRACTOR** for all purposes and shall be entitled to no compensation other than the compensation provided for under Section 60.4.00 of this Contract.

**B. CONTRACTOR** acknowledges that for all purposes related to this Contract, **CONTRACTOR** is and shall be deemed to be an independent **CONTRACTOR** and not an employee of **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 **CONTRACTOR** 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 repayment of any amounts from **CONTRACTOR** under the terms of the Contract; to the full extent of any benefits or other remuneration **CONTRACTOR** 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 **CONTRACTOR** or to a third party) as a result of said finding.

**C.** The undersigned **CONTRACTOR** hereby represents that no employee of the **CITY** of Astoria, or any partnership or corporation in which a **CITY** employee has an interest, has or will receive any remuneration of any description from the **CONTRACTOR**, either directly or indirectly, in connection with the letting or performance of this Contract, except as specifically declared in writing.

#### **60.10.00 SUBCONTRACTS - RELATIONS WITH SUBCONTRACTORS, ASSIGNMENTS AND DELEGATION**

**A. CONTRACTOR** shall be fully responsible for the acts or omissions of any subcontractors and of all persons employed by them, and neither the approval by **CITY** of any subcontractor nor anything contained herein shall be deemed to create any contractual relation between subcontractor and **CITY**.

**B. CONTRACTOR's** relations with subcontractors shall comply with ORS 279C.580. In accordance with that statute:

1. **CONTRACTOR** shall include in each subcontract for property or services entered into by the **CONTRACTOR** and a first-tier subcontractor, including a material supplier, for the purpose of performing a construction contract:

(a) A payment clause that obligates the **CONTRACTOR** to pay the first-tier subcontractor for satisfactory performance under its subcontract within 10 day out of

such amounts as are paid to the **CONTRACTOR** by the contracting agency under the contract; and

(b) An interest penalty clause that obligates the **CONTRACTOR**, if payment is not made within 30 days after receipt of payment from the contracting agency, to pay to the first-tier subcontractor an interest penalty on amounts due in the case of each payment not made in accordance with the payment clause included in the subcontract under paragraph (a) of this subsection. A **CONTRACTOR** or first-tier sub-contractor may not be obligated to pay an interest penalty if the only reason that the **CONTRACTOR** or first-tier sub-contractor did not make payment when payment was due is that the **CONTRACTOR** or first-tier subcontractor did not receive payment from the contracting agency or **CONTRACTOR** when payment was due. The interest penalty shall be: (A) For the period beginning on the day after the required payment date and ending on the date on which payment of the amount due is made; and (B) Computed at the rate specified on ORS 279C.515 (2).

2. **CONTRACTOR** shall include in each of the **CONTRACTOR's** subcontracts, for the purpose of performance of such contract condition, a provision requiring the first-tier subcontractor to include a payment clause and an interest penalty clause conforming to the standards of subsection (1) of this section in each of the first-tier subcontractor's subcontracts and to require each of the first-tier subcontractor's subcontractors to include such clauses in their subcontracts with each lower-tier subcontractor or supplier.

The above required clauses are required by ORS 279C.580 (3) and (4) and all the provisions of ORS279C.580 are applicable.

**C. CONTRACTOR** certifies that all subcontractors performing work described in ORS 701.005(3) or ORS 671.520(1) will be registered with the Construction Contractors Board or by the State Landscape Contractors Board before the subcontractors commence work under this contract.

**D. Assignment or Transfer Restricted.** The **CONTRACTOR** shall not assign, sell, dispose of, or transfer rights nor delegate duties under the contract, either in whole or in part, without the **CITY's** prior written consent. Unless otherwise agreed by the **CITY** in writing, such consent shall not relieve the **CONTRACTOR** of any obligations under the contract. Any assignee or transferee shall be considered the agent of the **CONTRACTOR** and be bound to abide by all provisions the contract. If the **CITY** consents in writing to an assignment, sale, disposal or transfer of the **CONTRACTOR's** rights or delegation of the **CONTRACTOR's** duties, the **CONTRACTOR** and its surety, if any, shall remain liable to the **CITY** for complete performance of the contract as if no such assignment, sale, disposal, transfer or delegation had occurred unless the **CITY** otherwise agrees in writing.

**E.** Contractor may not discriminate against a subcontractor in awarding a subcontract because the subcontractor is a minority, women or emerging small business enterprise certified under ORS 200.055 or a business enterprise that is owned or controlled by or that employs a disabled veteran, as defined in ORS 408.225. If contractor violates this prohibition, the City will regard the violation as a breach of contract and may either terminate the contract or exercise any other remedy for breach of contract.



#### **60.13.01 - REMEDIES**

Consequences for **Contractor's** failure to perform the scope of work identified in the invitation to bid or the **Contractor's** failure to meet established performance standards may include, but are not limited to:

- (A) Reducing or withholding payment;
- (B) Requiring the contractor to perform, at the contractor's expense, additional work necessary to perform the identified scope of work or meet the establish performance standards; or
- (C) Declaring a default, terminating the public contract, and seeking damages and other relief available under the terms of the public contract or other applicable law.
- (D) Liquidated damages as calculated in Division 98, Supplementary Conditions, Section 108.6.00

#### **60.14.00 - SUIT OR ACTION**

In the event suit or action is instituted to enforce any of the terms of this agreement, 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.

#### **60.15.00 - CONFLICT BETWEEN TERMS**

It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the bid of the **CONTRACTOR**, this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said bid conflicting herewith.

#### **60.16.00 - INDEMNIFICATION**

The **CONTRACTOR** agrees to indemnify and to hold harmless the **CITY**, its officers, employees and agents against and from any and all loss, claims, actions, suits, including costs and attorney's fees, for or on account of injury, bodily or otherwise, to, or death of persons, damage to or destruction of property belonging to **CITY**, **CONTRACTOR** or others, resulting from **CONTRACTOR's** negligence.

#### **60.17.00 - WORKERS' COMPENSATION**

All employers, including **CONTRACTOR**, that employ subject workers who work under this contract in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage, unless such employers are exempt under ORS 656.126. **CONTRACTOR** shall ensure that each of its subcontractors complies with these requirements. (ORS 279C.530 (2)).

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

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

**CONTRACTOR** shall pay all contributions or amounts due the Industrial Accident Fund from **CONTRACTOR** or any subcontractor incurred in the performance of the contract.

**CONTRACTOR** shall not permit any lien or claim to be filed or prosecuted against the state, county, school district, municipality, municipal corporation or subdivision thereof, on account of any labor or material furnished.

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

**60.19.00 - PAYMENT OF CLAIMS BY PUBLIC OFFICERS; PAYMENT TO PERSONS FURNISHING LABOR AND MATERIALS; AND COMPLAINTS**

**A.** If the **CONTRACTOR** fails, neglects or refuses to make prompt payment of any claim for labor or services furnished to the **CONTRACTOR** or a subcontractor by any person in connection with the public contract as such claim becomes due, the proper officer or officers representing the municipality may pay such claim to the person furnishing the labor or services and charge the amount of the payment against funds due or to become due the **CONTRACTOR** by reason of such contract.

**B.** If the **CONTRACTOR** or a first-tier subcontractor fails, neglects, or refuses to make payment to a person furnishing labor or materials in connection with the public contract for a public improvement within 30 days after receipt of payment from the public contracting agency or a **CONTRACTOR**, the **CONTRACTOR** or first-tier subcontractor shall owe the person the amount due plus interest charges commencing at the end of the 30-day period that payment is due under ORS 279C.580 and ending upon final payment, unless payment is subject to a good faith dispute as defined in 279C.580. The interest penalty shall be as provided in ORS 279C.580.

**C.** If the **CONTRACTOR** or a sub-contractor fails, neglects or refuses to make payment to a person furnishing labor or materials in connection with the public contract, the person may file a complaint with the Construction Contractors Board, unless payment is subject to a good faith dispute as defined in ORS 279C.580.

**D.** The payment of a claim in the manner here authorized shall not relieve the **CONTRACTOR** or the **CONTRACTOR's** surety from obligation with respect to any unpaid claims.

**60.20.00 - HOURS OF LABOR**

No person shall be employed for more than 10 hours in any one day, or 40 hours in any one week, except in cases of necessity, emergency, or where the public policy absolutely requires it, and in such cases, the employee shall be paid at least time and a half pay:

- A. For all overtime in excess of eight hours in any one day or 40 hours in any one week when the work week is five consecutive days, Monday through Friday; or
- B. For all overtime in excess of 10 hours in any one day or 40 hours in any one week when the work week is five consecutive days, Monday through Friday; and
- C. For all work performed on Saturday and on any legal holiday specified in ORS 279C.540.
- D. **CONTRACTOR** must give notice to employees who work on a public contract in writing, either at the time of hire or before commencement of work on the contract, or by posting a notice in a location frequented by employees of the number of hours per day and days per week that the employees may be required to work.
- E. **CONTRACTOR** will comply with the requirements of ORS 279.C545 regarding time limitation or claim for overtime, posting of circular.

#### **60.21.00 - PAYMENT OF MEDICAL CARE**

**CONTRACTOR** shall promptly, as due, make payment 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 **CONTRACTOR**, of all sums which the **CONTRACTOR** agrees to pay for such services and all moneys and sums which the **CONTRACTOR** collected or deducted from the wages of employees pursuant to any law, contract or agreement for the purpose of providing or paying for such service.

#### **60.22.00 - DRUG TESTING PROGRAM**

**CONTRACTOR** shall demonstrate, to the satisfaction of the Public Works Director that an employee drug-testing program is in place. **CONTRACTOR** may attach hereto a written description of his drug testing program, or a copy of the adopted drug-testing program, to comply with this condition.

#### **60.23.00 – PREVAILING WAGE RATE**

A. **Prevailing Wage Rate.** If this contract is subject to both ORS 279C.800 to ORS 279C870 and the Davis-Bacon Act (40 USC 3141 *et seq*) every contract and subcontract must provide that the worker whom the **CONTRACTOR**, subcontractor, or other person who is a party to the contract uses in performing all or part of this contract, must be paid not less than the higher of the applicable state prevailing rate of wage for each trade or occupation as defined by the Commissioner of the Bureau of Labor and Industries in the applicable publication entitled *Definitions of Covered Occupations for Public Works Contracts in Oregon* or federal prevailing rate of wage. A current copy (title page only) of Prevailing wage Rates for Public Works contracts in Oregon is included in Section 40 of the specifications. A web site where these publications are available is <http://egov.oregon.gov/BOLI/WHD/PWR/pwr.state.shtml>.

B. **Statutory Public Works Bond.** **CONTRACTOR** shall have a Public Works bond on file with the Construction Contractors Board before starting work on the project, unless exempt under the terms of ORS 279C.836. **CONTRACTOR** shall include a provision in every subcontract

requiring the subcontractor to have a public works bond on file with the Construction Contractors Board before starting work on the project, unless exempt under the terms of ORS 279C.836.

**C. Certified Payroll Reports.** CONTRACTOR or CONTRACTOR's surety and every subcontractor or subcontractor's surety shall file certified payroll reports with the CITY in conformance with ORS 279C.845. The CITY is required to withhold 25% of amounts earned by CONTRACTOR if certified payroll reports are not submitted as required.

#### **60.24.00 – INSURANCE**

**A. Commercial General Liability.** CONTRACTOR shall obtain, at CONTRACTOR'S expense and keep in effect during the term of this Contract, Commercial General Liability Insurance covering bodily injury and property damage with limits of not less \$1,000,000 per occurrence and the annual aggregate not less than \$2,000,000. Coverage shall include contractors, subcontractors and anyone directly or indirectly employed by either. This insurance will include personal and advertising injury liability, products and completed operations. Coverage may be written in combination with Automobile Liability Insurance (with separate limits). Coverage will be written on an occurrence basis, and coverage will be primary, not contributory. If written in conjunction with Automobile Liability the combined single limit per occurrence will not be less than \$1,000,000 for each job site or location. Each annual aggregate limit will not be less than \$2,000,000.

**B. Automobile Liability.** Contract shall obtain, at Contractor's expense and keep in effect during the term of the resulting Contract, Commercial Business Automobile Liability Insurance covering all owned, non-owned, or hired vehicles. This coverage may be written in combination with the Commercial General Liability Insurance (with separate limits). Combined single limit per occurrence will not be less than \$1,000,000.

**C. Additional Insured.** The liability insurance coverage shall include CITY and its officers and employees as Additional Insured but only with respect to CONTRACTOR'S activities to be performed under this Contract. Coverage will be primary and non-contributory with any other insurance and self-insurance. Prior to starting work under this Contract, CONTRACTOR shall furnish a certificate to CITY from each insurance company providing insurance showing that the CITY is an additional insured, the required coverage is in force, stating policy numbers, dates of expiration and limits of liability, and further stating that such coverage is primary and not contributory.

**D. Notice of Cancellation or Change.** There will be no cancellation, material change, potential exhaustion of aggregate limits or non-renewal of insurance coverage(s) without thirty (30) days written notice from CONTRACTOR or its insurer(s) to CITY. Any failure to comply with the reporting provisions of this clause will constitute a material breach of this Contract and will be grounds for immediate termination of this Agreement.

#### **60.25.00 - PERFORMANCE AND PAYMENT BOND**

The CONTRACTOR will not be required to furnish a performance bond or payment bond for this project.

**60.26.00 - CERTIFICATION OF COMPLIANCE WITH TAX LAWS**

As required by ORS 305.385(6), **CONTRACTOR** certifies under penalty of perjury that the **CONTRACTOR**, to the best of **CONTRACTOR's** knowledge, is not in violation of any of the tax laws described in ORS 305.380(4).

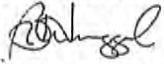
**60.26.01 - CITY OCCUPATION TAX**

Prior to starting work, **Contractor** shall pay the City occupation tax and provide the Public Works Department with a copy of occupation tax receipt. **Contractor** shall, likewise, require all subcontractors to pay the City occupation tax and provide a copy of the receipt to the Public Works Department prior to commencement of work.

**60.27.00 - NO THIRD PARTY BENEFICIARIES**

This agreement and each and every provision is for the sole benefit of the **CITY** and **CONTRACTOR** and no third parties have any rights or benefits except to the extent expressly provided herein.

APPROVED AS TO FORM:



Digitally signed by  
City Attorney  
DN: cn=City Attorney, o=City of Astoria, ou=City of Astoria, email=cityatt@astoria-or.gov, c=US

City Attorney

**CITY OF ASTORIA**, a municipal of the  
State of Oregon

BY: \_\_\_\_\_  
Mayor Date

ATTEST:

\_\_\_\_\_  
City Manager Date

  
Contractor Date 5-13-17



**CITY OF ASTORIA**  
 Founded 1811 • Incorporated 1856

## MAINTENANCE PATCHING 2015 REQUEST FOR QUOTES

The City of Astoria Engineering Division is requesting quotes to furnish all labor, equipment and material for pavement patching. The scope of work includes skim patching and pothole repair. Table 1 identifies the locations and associated limits for anticipated skim patching and pothole repair.

Table 1 – Asphalt Patching & Pothole Repair Locations			
Location	Length (ft.)	Width (ft.)	Area (ft <sup>2</sup> )
4727 & 4795 Cedar St.	5	5	25
	4	30	120
5169, 5202, 5249, 5294 Birch St.	5	10	50
	7	4	28
	4	20	80
	6	10	60
	5	10	50
5331 Alder St.	6	10	60
53 <sup>rd</sup> St. & Ash St.	6	10	60
44 <sup>th</sup> St. & Commercial St.	15	15	225
38 <sup>th</sup> St. & Duane St.	10	10	100
Niagara Ave. & 14 <sup>th</sup> St.	40	7	280
Grand Ave. & 38 <sup>th</sup> St.	5	10	50
	5	10	50
	5	10	50
	6	6	36
	6	6	36
37 <sup>th</sup> St. & Duane St.	10	10	100
36 <sup>th</sup> St. & Duane St.	15	10	150
673 34 <sup>th</sup> St.	4	30	120
Grand Ave. & 34 <sup>th</sup> St.	5	10	50
	10	10	100
	12	15	150
3486 Grand Ave.	8	8	68
720 35 <sup>th</sup> St.	6	6	36
3591 Harrison St.	6	6	36
Harrison Ave. & 35 <sup>th</sup> St.	4	4	16
3228 Grand Ave.	15	30	450
Grand Ave. & 31 <sup>st</sup> St.	6	6	36
	6	8	48
Grand Ave. & 30 <sup>th</sup> St.	6	8	48

Marine Dr. & 27 <sup>th</sup> St.	6	6	36
Exchange St. & 17 <sup>th</sup> St.	6	6	36
Grand Ave. & 17 <sup>th</sup> St.	15	15	225
570 Lexington Ave.	9	10	90
Coxcomb Dr. ( As marked on pavement )	6	6	36
	10	10	100
	4	4	16
Niagara Ave. & 16 <sup>th</sup> St.	10	20	200
Duane St. & Hume Ave.	20	40	800
Lincoln Ave. & Exchange St.	20	10	200
Lincoln Ave. & W Grand Ave.	20	40	800
210 W Grand Ave.	15	30	430
East of 371 W. Grand Ave.	15	20	300
W. Lexington Ave. & W Grand Ave.	15	20	300
Clatsop Ave. & South St.	10	20	200
Niagara Ave. & 5 <sup>th</sup> St.	15	40	600
	6	30	180
Klatskanine Ave. & 6 <sup>th</sup> St.	6	20	120
1647 6 <sup>th</sup> St.	8	8	64
390 Nehalem Ave.	20	20	400
1821 Hanover St.	10	20	200
959 Franklin Ave.	10	30	300
Exchange St. across from Fort Astoria	10	50	500
1508 Exchange St.	10	15	150
Exchange St. & 16 <sup>th</sup> St.	6	6	36
1636 Exchange St.	4	40	160
	3	30	90
1796 Exchange St.	4	20	80
Duane St. & 13 <sup>th</sup> St.	8	8	64
513 Bond St.	6	40	240
146 Bond St.	10	15	150
	3	3	9
W Bond St. & Hume Ave.	10	20	200
W Bond St. & Washing ton St.	3	60	180
Astor St. & 9 <sup>th</sup> St.	20	40	800
Astor St. & 7 <sup>th</sup> St.	20	20	400
SE 2 <sup>nd</sup> St. & Grant St.	15	20	300
	10	30	300
	10	30	300
TOTAL AREA =			<b>12,060</b>

The areas identified above are approximate and may need to be adjusted in the field to address the limits of the pavement repair. The Contractor will coordinate with Engineering Division staff regarding repair limits prior to construction.

The contractor will be permitted to temporarily close streets that have alternate routes. One lane must be open on dead-end streets or areas with no alternate route.

Corrected Math Error -  
NCC 5/12/15

Please provide quotes for the items listed below.

Skim Patching & Pothole Repair					
#	Item	Qty	Unit	Unit Price	Item Total
1	Mobilization	1	LS	2,600 <sup>00</sup>	\$ 2,600 <sup>00</sup>
2	Traffic Control	1	LS	1,850 <sup>00</sup>	\$ 1,850 <sup>00</sup>
3	Level 2, 1/2" Dense HMA - Patch	135	Ton	\$ 144.44	\$ 19,500 <sup>00</sup>
Total Quote:					\$ 23,950 <sup>00</sup>

\$19,499.40  
\$23,949.40

Please review the attached construction contract. The City will execute this contract with the selected Contractor.

Contractor shall read and comply with the attached documents before finalizing a quote. Quotes are due May 12<sup>th</sup>, 2015 by 2:00 p.m. Please send quotes to:

Nathan Crater, PE  
1095 Duane St.  
Astoria, OR 97103  
[ncrater@astoria.or.us](mailto:ncrater@astoria.or.us)  
FAX: 503-338-6538

Fax and emailed quotes are acceptable, but will require acknowledgement of receipt. All work and material shall meet APWA and City of Astoria Standards and Special Provisions.

5-11-15  
DATE SIGNED

Clean Sweep Maintenance Inc  
OFFEROR  
Jami Olson Secretary/owner  
SIGNED (NAME AND TITLE)  
P.O. Box 255  
MAILING ADDRESS  
Seaside, OR 97138  
CITY, STATE, AND ZIP CODE  
PHONE NUMBER: 503 738 7556  
CORPORATION:  YES  NO  
IF NO, TAX ID NUMBER OR SOCIAL SECURITY NUMBER: \_\_\_\_\_  
CONTRACTOR BOARD NO. 103308





**CITY OF ASTORIA**  
Founded 1811 • Incorporated 1856

May 22, 2015

**MEMORANDUM**

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: **PUMP STATION NO. 1 UPGRADES – CONTRACT FOR ENGINEERING SERVICES**

**DISCUSSION/ANALYSIS**

The City of Astoria's wastewater treatment facility, interceptor and the main pump and lift stations were constructed in the mid-1970s. Pump Station No. 1 (PS#1) is the largest pump station in Astoria and is located in the Alderbrook neighborhood. This pump station receives approximately 95% of the City's combined sewage flows and, depending on the weather and the season, it pumps between one and eighteen million gallons per day to the City's wastewater treatment plant (WWTP).

PS#1 contains three wastewater pumps with two variable speed 125 horsepower (hp) pumps and one fixed speed 75 hp pump. The system has provided reliable service for the past 40 years, but lacks efficiency. Replacement parts are no longer readily available and parts of the system have reached the end of their useful life. It is a credit to our wastewater treatment plant operators that this unit has functioned for such an extended number of years.

A Technical Analysis Study for PS#1 has been prepared by Energy Trust of Oregon. This study evaluated the energy consumption and economics related to upgrading the pump station to improve energy efficiency and conserve energy. It was determined that at least two upgrade options are cost effective and would qualify for Energy Trust incentives ranging between \$65,083 and \$67,265.

The City now needs to determine the best project scope to upgrade PS#1 balancing future needs and operational considerations while taking advantage of the Energy Trust incentives. Since this is a retrofit project it is also important to consider the impact to the existing equipment and the potential requirements to meet current codes, particularly to the electrical system, that could significantly affect the cost.

It is recommended that the City hire Richwine Environmental to prepare a Preliminary Design Technical Memorandum. Dale Richwine P.E., President, has over 35 years of experience in planning, design, operation and management of wastewater treatment facilities. Mr. Richwine has been working with the City of Astoria as a key wastewater expert since 2008 when he provided integral expertise to help negotiate a favorable National Pollutant Discharge Elimination System (NDPES) Permit with the Department of Environmental Quality and then

lead the effort to develop Astoria's WWTP Facility Plan. Mr. Richwine has continued to support the City as an on-call consultant by providing advice and input during project development, particularly during the WWTP Effluent Treatment Upgrades Project from the scoping effort through construction. He is also a technical resource to the wastewater treatment plant operators.

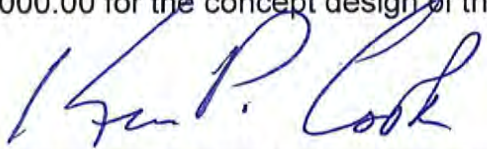
Items to be included in the Preliminary Design Technical Memorandum will be a recommended scope, anticipated necessary electrical upgrades, construction cost estimate, and options for a hybrid contract for construction. A hybrid contract such as Design/Build, Construction Manager/General Contractor (CM/GC) and Energy Savings Performance are allowed by City Code and may be the most advantageous type of contract for this project. Of particular concern, is expediting construction of this critical facility for construction this summer, if possible. The final report, along with a construction contract for the work, will be brought back to Council for consideration of approval.


The estimated fee for the concept design is \$16,000. The City may direct appoint a personal services contract up to \$20,000. Since Richwine Environmental is highly qualified and has important history with the City's wastewater system, it is recommended that the City use the direct appointment option to award the \$16,000 contract.

Funding is available in the Public Works Improvement Fund. The City Attorney has reviewed, and approved as to form, the contract documents.

**RECOMMENDATION**

It is recommended that Council execute a contract for engineering services with Richwine Environmental for a total not to exceed amount of \$16,000.00 for the concept design of the Pump Station No. 1 Project.

Submitted By:   
Ken P. Cook, Public Works Director

Prepared By:   
Cindy D. Moore, City Support Engineer

**CITY OF ASTORIA  
CONTRACT FOR PERSONAL SERVICES**

CONTRACT:

This Contract, made and entered into this \_\_\_ day of \_\_\_\_\_, 2015 by and between the City of Astoria, a municipal corporation of the State of Oregon, hereinafter called "CITY", and RICHWINE ENVIRONMENTAL, INC., 16360 NW Paisley Drive, Beaverton, OR 97006 hereinafter called "CONSULTANT", duly authorized to perform such services in Oregon.

WITNESSETH

WHEREAS, the CITY requires services which CONSULTANT is capable of providing, under terms and conditions hereinafter described; and

WHEREAS, CONSULTANT is able and prepared to provide such services as CITY does hereinafter require, under those terms and conditions set forth; now, therefore,

IN CONSIDERATION of those mutual promises and the terms and conditions set forth hereafter, the parties agree as follows:

1. CONSULTANT SERVICES

- A. CONSULTANT shall perform professional services, as outlined in the Attachment A, to the City of Astoria regarding the design of PUMP STATION NO. 1 UPGRADES.
- B. Consultant's services are defined solely by this Contract and its attachment and not by any other contract or agreement that may be associated with this project.
- C. The CONSULTANT'S services shall be performed as expeditiously as is consistent with professional skill and the orderly progress of work. All work shall be completed no later than August 30, 2015.

2. COMPENSATION

- A. The CITY agrees to pay CONSULTANT a total not to exceed \$16,000.00 for performance of those services provided herein;
- B. The CONSULTANT will submit monthly billings for payment which will be based upon the percentage of work completed in each of the categories listed in the scope of work. Said progress billings shall be payable within 30 days of receipt by City.
- C. CITY certifies that sufficient funds are available and authorized for expenditure to finance costs of this Contract.

3. CONSULTANT IDENTIFICATION

CONSULTANT shall furnish to the CITY the CONSULTANT'S employer identification number, as designated by the Internal Revenue Service, or CONSULTANT'S Social Security number, as CITY deems applicable.

4. CITY'S REPRESENTATIVE

For purposes hereof, the CITY'S authorized representative will be Cindy Moore, City Support Engineer, City of Astoria, 1095 Duane Street, Astoria, Oregon, 97103, (503) 338-5173.

5. CONSULTANT'S REPRESENTATIVE

For purposes hereof, the CONSULTANT'S authorized representative will be Reynold D. Richwine, President, Richwine Environmental, 16360 NW Paisley Drive, Beaverton, OR 97006, (503) 858-5153.

6. CITY'S OBLIGATIONS

In order to facilitate the work of the CONSULTANT as above outlined, the CITY shall furnish to the CONSULTANT access to all relevant maps, aerial photographs, reports and site information which is in the City's possession concerning the project area. In addition, the CITY shall act as liaison for the CONSULTANT, assisting the CONSULTANT with making contacts and facilitating meetings, as necessary.

7. CONSULTANT IS INDEPENDENT CONSULTANT

A. 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 than the compensation provided for under Section 2 of this Contract,

B. 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.

C. 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.

8. CANCELLATION FOR CAUSE

CITY may cancel all or any part of this Contract if CONSULTANT breaches any of the terms herein and fails to cure such breach within 10 days after receiving notice thereof, or 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 any 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. CONSULTANT may likewise cancel all or any part of this contract if CITY breaches any of the terms herein and be therefore entitled to equivalent damages as expressed above for CITY.

9. ACCESS TO RECORDS

CITY shall have access to such books, documents, papers and records of contract as are directly pertinent to this contract for the purposes of making audit, examination, excerpts and transcripts.

10. 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 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.

11. 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.

12. 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.

13. APPLICABLE LAW

The law of the State of Oregon shall govern the validity of this Agreement, its interpretation and performance, and any other claims related to it.

14. CONFLICT BETWEEN TERMS

It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the proposal of the CONSULTANT, this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

15. 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 to the extent it arises 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.

With respect to Commercial Liability and Professional Liability, CONSULTANT reserves the right to approve the choice of counsel.

16. INSURANCE

Prior to starting work hereunder, CONSULTANT, at CONSULTANT'S cost, shall secure and continue to carry during the term of this contract, with an insurance company acceptable to CITY, the following insurance:

A. Commercial General Liability. CONSULTANT shall obtain, at CONSULTANT'S expense and keep in effect during the term of this Contract, Commercial General Liability Insurance covering bodily injury and property damage with limits of not less than \$1,000,000 per occurrence and the annual aggregate not less than \$2,000,000. Coverage shall include consultants, subconsultants and anyone directly or indirectly employed by either. This insurance will include personal and advertising injury liability, products and completed operations. Coverage may be written in combination with Automobile Liability Insurance (with separate limits). Coverage will be written on an occurrence basis. If written in conjunction with Automobile Liability, the combined single limit per occurrence will not be less than \$1,000,000 for each job site or location. Each annual aggregate limited will not be less than 2,000,000.

B. Automobile Liability. CONSULTANT shall obtain, at CONSULTANT'S expense and keep in effect during the term of the resulting contract, Commercial Business Automobile Liability Insurance covering all owned, non-owned, or hired vehicles. This coverage may be written in combination with the Commercial General Liability Insurance (with separate limits). Combined single limit per occurrence will not be less than \$1,000,000.

C. Additional Insured. The liability insurance coverage shall include CITY and its officers and employees as Additional Insured but only with respect to CONSULTANT'S activities to be performed under this Contract. Coverage will be primary and non-contributory with any other insurance and self-insurance. Prior to starting work under this Contract, CONSULTANT shall

furnish a certificate to CITY from each insurance company providing insurance showing that the CITY is an additional insured, the required coverage is in force, stating policy numbers, dates of expiration and limits of liability, and further stating that such coverage is primary and not contributory.

D. Professional Liability Insurance. The CONSULTANT shall have in force a policy of Professional Liability Insurance in an amount not less than \$1,000,000 per claim and \$2,000,000 aggregate. The CONSULTANT shall keep such policy in force and current during the term of this contract.

E. Notice of Cancellation or Change. There will be no cancellation, material change, potential exhaustion of aggregate limits or non-renewal of insurance coverage(s) without thirty (30) days written notice from CONSULTANT or its insurer(s) to CITY. Any failure to comply with the reporting provisions of this clause will constitute a material breach of this Contract and will be grounds for immediate termination of this Agreement.

17. CITY'S BUSINESS LICENSE

Prior to beginning work, the CONSULTANT shall have a current City of Astoria business license (occupational tax). Before permitting a sub-consultant to begin work, CONSULTANT shall verify that sub-consultant has a current City of Astoria business license.

18. WORKMEN'S COMPENSATION

The CONSULTANT, its subconsultants, 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.

19. 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 subconsultants incurred in the performance of the contract.

CONSULTANT shall not permit any lien or claim to be filed or prosecuted against the state, county, school district, municipality, municipal corporation or subdivision thereof, 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.

20. NONDISCRIMINATION

It is the policy of the City of Astoria that no person shall be denied the benefits of or be subject to unlawful discrimination in any City program, service, or activity on the grounds of age, disability, race, religion, color, national origin, sex, sexual orientation, gender

identity/expression. Contractor, its employees, agents and subcontractors shall comply with this policy.

21. PAYMENT OF MEDICAL CARE

CONSULTANT shall promptly, as due, make payment 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 service.

22. OVERTIME

Employees shall be paid for overtime work performed under this contract in accordance with ORS 653.010 to 653.261 and the Fair Labor Standards Act of 1938 (29 U.S.C. Sections 201 to 209).

23. USE OF ENGINEER'S DRAWINGS AND OTHER DOCUMENTS

The CITY retains all drawings and other documents prepared by the CONSULTANT for the project after payment to CONSULTANT.

CONSULTANT will not be held liable for reuse of documents or modifications thereof for any purpose other than those authorized under this Agreement.

24. STANDARD OF CARE

The standard of care applicable to consultant's services will be the degree of skill and diligence normally employed by professional engineers or consultants performing the same or similar services at the time CONSULTANT'S services are performed. CONSULTANT will re-perform any services not meeting this standard without additional compensation.

25. NO THIRD PARTY BENEFICIARIES

This contract gives no rights or benefits to anyone other than the CITY and CONSULTANT and has no third party beneficiaries.

26. ASSIGNMENT

This contract is personal to Consultant and may not be assigned or any work subcontracted without consent from the CITY.

27. SEVERABILITY AND SURVIVAL

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the enforceability of the remaining provisions shall not be impaired thereby. Limitations of liability shall survive termination of this Agreement for any cause.

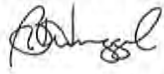


28. COMPLETE CONTRACT

This Contract and its referenced attachments constitute the complete contract between CITY and CONSULTANT and supersedes all prior written or oral discussions or agreements. CONSULTANT services are defined solely by this Contract and its attachments and not by any other contract or agreement that may be associated with this Contract.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first written above.

Approved as to form:



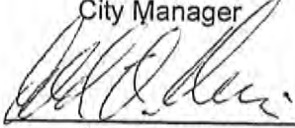
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Attorney

CITY OF ASTORIA, a municipal corporation of the State of Oregon

BY: \_\_\_\_\_  
Mayor Date

BY: \_\_\_\_\_  
City Manager Date

BY:  \_\_\_\_\_  
Consultant 5/25/15 Date

# **ATTACHMENT A PUMP STATION NO. 1 CONCEPT DESIGN REPORT**

## **SCOPE OF SERVICES**

REI will perform the following tasks:

1. Site visit of the influent pump station. Hold a workshop with City staff to determine design and delivery approach.
2. Perform field reconnaissance of electrical system by MWH electrical staff.
3. Prepare a Preliminary Design Technical Memorandum, summarizing the recommended improvements. The Preliminary Design Technical Memorandum will include:
  - a. Single-Line Electrical Diagram
  - b. Options for Design-Bid-Build (DBB) vs. Construction Manager / General Contractor (CM/GC).
  - c. Preparation of a system curve analysis and preliminary pump selection to meet the anticipated low flow demand of 1.0 to 1.5 million gallons per day (mgd) to a peak flow consistent with the CSO planning requirements.
  - d. Development of a station control strategy
  - e. Engineer's Opinion of Probable Construction Costs of the recommended improvements
4. It is anticipated that the aforementioned scope of services will be complete by June 5, 2015.

## **FEE**

A not to exceed fee of \$16,000.



# CITY OF ASTORIA

Founded 1811 • Incorporated 1856

## COMMUNITY DEVELOPMENT

May 22, 2015

TO: MAYOR AND ASTORIA CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: AMENDMENT REQUEST (A14-05) ON RIVERFRONT VISION PLAN IMPLEMENTATION ORDINANCES IN BRIDGE VISTA AREA

### 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 (Portway 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 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) and DLCD. 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 Code Assistance Project is for the implementation phase of the Astoria Riverfront Vision Plan. Phase 1 of the project (already complete) developed land use codes and new zones for the Civic Greenway Plan Area. Phase 2 of the project developed land use codes and/or new zones for the Bridge Vista Plan Area.

The consultant team identified to work on this project was 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 included public involvement opportunities held during Planning Commission work sessions.

With completion of Phase 1, DLCD approved for the start of Phase 2 for the Bridge Vista Area. As a first step in the next Phase of this process, the project team prepared a Code Evaluation Report summarizing development code issues to be addressed in drafting amendments. The Bridge Vista Plan Area is generally located from Portway to 2nd Street and the River pierhead line to West Marine / Marine 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 Bridge Vista 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 four public work sessions (October 28, 2014, November 25, 2014, December 17, 2014, and January 27, 2015) on the draft amendments with mailed, e-mailed, and published notification to the general public and to anyone who expressed interest in the Riverfront Vision Plan implementation process. In addition, a Town Hall meeting was held on January 6, 2015. A presentation to the City Council on the progress made to date was held on March 16, 2015. The work sessions have been well attended.

The RVP for the Bridge Vista Planning Area identified Land Use Assumptions and Objectives which state that *"This area is an appropriate location for new overwater development, should it occur. However, specific areas should remain open to preserve broad view of the river..."* The objectives include:

- Continue to support water-dependent uses within this area, but allow for a mix of commercial and residential uses that support but don't compete with the Downtown core.
- If development is to occur, promote new uses that are consistent with Astoria's "working waterfront."
- Encourage design of new or rehabilitated buildings that respect Astoria's character.
- Encourage new development along the Columbia River to improve and celebrate the River Trail and provide visual and periodic physical access to the water.
- Improve physical connections to adjacent neighborhoods.
- Use setbacks, stepbacks and other measures to ensure an open feel and continued visual access to the river.
- Work with property owners, including those with existing leases to maximize open areas over the water.
- Change zoning of area west of 2<sup>nd</sup> Street from Tourist Commercial to other commercial zone.
- Expand (Uniontown) design overlay for the historic district to accentuate the historic area (north of US 30) and create a more prominent gateway for the urban core.

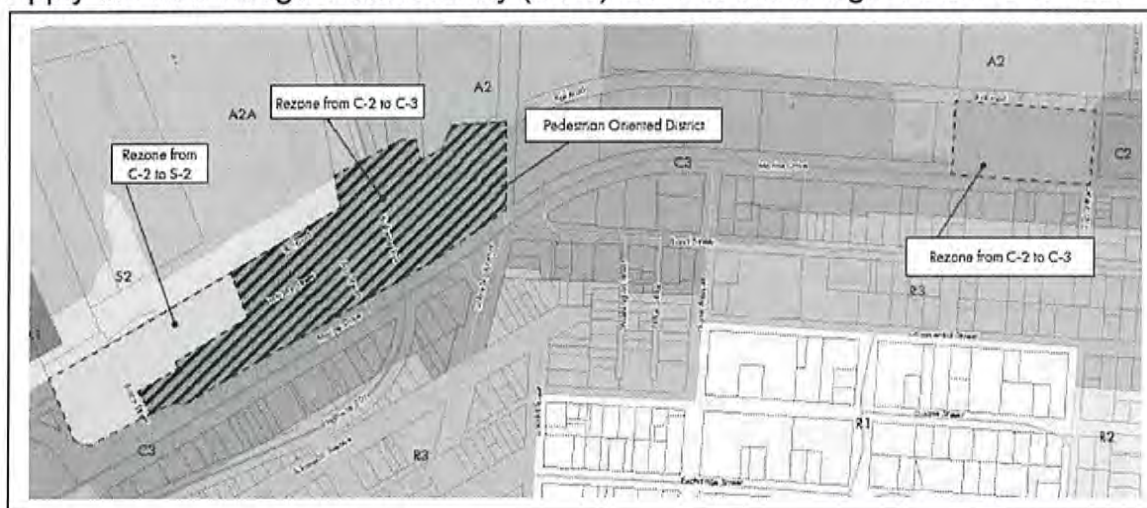
Throughout the RVP implementation process, the Planning Commission (APC) focused on these Assumptions and Objectives and did not attempt to change the Vision Plan as adopted. There was discussion and public comment during the work sessions on the interpretation of these objectives.

At work sessions through Commissioner feedback and straw votes, the Planning Commission ultimately developed a set of proposed amendments to implement the Bridge Vista Plan Area. Implementation of recommendations from the Riverfront Vision Plan in the Bridge Vista Plan Area

will take the form of Zoning Map amendments, Development Code amendments, Comprehensive Plan map amendment, and Comprehensive Plan amendments.

Proposed map amendments will include:

1. Rezone the parcels north of West Marine Drive currently zoned C-2 (Tourist Commercial) midblock between Basin Street and Columbia Avenue to C-3 (General Commercial) with a Pedestrian Oriented Commercial District Overlay.
2. Rezone the parcels north of West Marine Drive currently zoned C-2 (Tourist Commercial) midblock between Basin Street and Portway Street to S-2 (General Development Shoreland).
3. Rezone the parcels north of Marine Drive west of 2nd Street currently zoned C-2 (Tourist Commercial) to C-3 (General Commercial).
4. Apply the new Bridge Vista Overlay (BVO) Zone to the Bridge Vista Plan Area.



Proposed text/code amendments will include:

1. Add a new Pedestrian Oriented Commercial District Overlay Zone to allow for smaller commercial development at a pedestrian scale with less automobile dependent uses on the land side of the River Trail in the Bridge Vista Area.
2. Add a new Bridge Vista 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, landscaping, and off-street parking; and
  - river access requirements.
3. Add new design standards for development in the Bridge Vista Area.
4. Move the sections on use of native plants from the Civic Greenway Overlay Zone to Article 3 on Landscaping to be applicable to other areas of the Riverfront Vision Plan.


5. Make miscellaneous "housekeeping" amendments related to references to the above noted amendments.

The Planning Commission held a public hearing at the April 7, 2015 APC meetings. 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 June 1, 2015 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 (two separate readings required):

1. Amend the Astoria Development Code Pertaining to the Bridge Vista Area issues; amend the Astoria Land Use and Zoning Map to rezone an area from C-2 (Tourist Commercial) to C-3 (General Commercial and S-2 (General Development Shoreland); amend the Astoria Land Use and Zoning Map to apply the Bridge Vista Overlay Zone and Pedestrian Oriented Commercial District Overlay Zone.
2. Amend the Comprehensive Plan Sections concerning the Riverfront Vision Plan implementation; amend the Comprehensive Plan Figure to adjust the boundaries of the Civic Greenway and Bridge Vista Areas.

By:   
Rosemary Johnson, Special Projects Planner



CITY OF ASTORIA  
Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

May 20, 2015

TO: MAYOR AND ASTORIA CITY COUNCIL  
FROM: ROSEMARY JOHNSON, SPECIAL PROJECTS PLANNER  
SUBJECT: AMENDMENT REQUEST (A14-05) ON RIVERFRONT VISION PLAN  
IMPLEMENTATION ORDINANCE FOR BRIDGE VISTA AREA

I. BACKGROUND SUMMARY

- A. Applicant: Community Development Department  
City of Astoria  
1095 Duane Street  
Astoria OR 97103
- B. Request: Amend the Development Code and Zoning map to implement the Riverfront Vision Plan in the Bridge Vista Area (Portway to 2nd Streets, West Marine / Marine Drive to the Columbia River Pierhead Line); add Pedestrian Oriented Commercial District Overlay Zone; add Bridge Vista Overlay zone; add design standards for development; miscellaneous related changes with new code references; and rezone the existing C-2 zoned parcels to C-3 (General Commercial) zone, and S-2 (General Development Shoreland) zone. Amend the Comprehensive Plan Sections CP.140(C & E) Columbia River Estuary Aquatic and Shoreland Designations, CP.210.1 Economic Development, and Figure 1.4 Riverfront Vision Plan map area boundaries.
- C. Location: City-wide

II. BACKGROUND

In 2008-2009, the City of Astoria developed the Riverfront Vision Plan (RVP) to address issues dealing with open space, land use, and transportation 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 (Portway 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 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 from a Transportation Growth Management (TGM) grant through the Oregon Department of Transportation (ODOT) and DLCD. 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 that can be achieved through amendments to the City's Comprehensive Plan and Development Code. Other aspects of the Riverfront Vision Plan would be implemented through completion of capital improvements and other actions by the City and/or private property owners. The TGM Code Assistance project was proposed to be completed in two phases. 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. Phase 1 for the Civic Greenway Area was completed with adoption of Ordinance 14-09 by the City Council on October 6, 2014.

With completion of Phase 1, DLCD approved the start of Phase 2 for the Bridge Vista Area in October 2014. As a first step in this Phase of this process, the project team prepared a Code Evaluation Report summarizing development code issues to be addressed in drafting amendments. The Bridge Vista Plan Area is generally located from Portway to 2nd Street and the River pierhead line to West Marine / Marine 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 Bridge Vista 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 four public work sessions (October 28, 2014, November 25, 2014, December 17, 2014, and January 27, 2015) 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 implementation process. The project team also conducted a Town Hall meeting for interested community members on January 6, 2015. A presentation to the City Council on the progress made to date was held on March 16, 2015. The work sessions have been well attended and over 100 people attended the Town Hall meeting.

The RVP for the Bridge Vista Planning Area identified Land Use Assumptions and Objectives which state that *"This area is an appropriate location for new overwater development, should it occur. However, specific areas should remain open to preserve broad view of the river..."* The objectives include:

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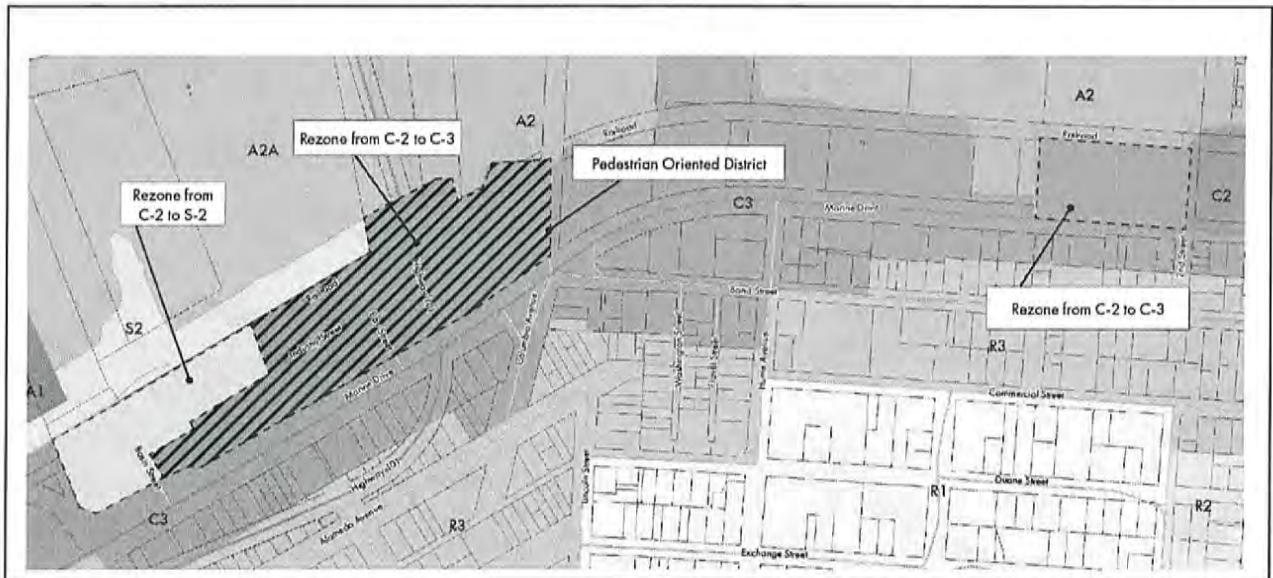
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At the work sessions, using a combination of discussion and straw votes, the Planning Commission ultimately developed a set of proposed amendments to implement the Bridge Vista Plan Area. Implementation of recommendations from the Riverfront Vision Plan in the Bridge Vista Plan Area will take the form of Zoning Map amendments, Development Code amendments, Comprehensive Plan map amendment, and Comprehensive Plan amendments.

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  - land side development including building heights, setback, stepback, landscaping, and off-street parking; and
  - river access requirements.
3. Add new design standards for development in the Bridge Vista Area.
4. Move the sections on use of native plants from the Civic Greenway Overlay Zone to Article 3 on Landscaping to be applicable to other areas of the Riverfront Vision Plan.
5. Make miscellaneous “housekeeping” amendments related to references to the above noted amendments.

### III. PUBLIC REVIEW AND COMMENT

#### A. Astoria Planning Commission

A public notice was mailed to Neighborhood Associations, various agencies, and interested parties on March 13, 2015. In accordance with ORS 227.186(5), a notice was mailed on March 13, 2015 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 March 31, 2015. The proposed amendment is legislative as it applies City-wide. At their April 7, 2015 meeting, the Planning Commission unanimously recommended that the City Council adopt the proposed amendment as presented.

#### B. City Council

A public notice was mailed to Neighborhood Associations, various agencies, and interested parties on May 8, 2015 for a public hearing at the City Council meeting on June 1, 2015. In accordance with Section 9.020, a notice of public hearing will be published in the Daily Astorian on May 25, 2015. In accordance with ORS 227.186(5), a notice was mailed on May 8, 2015 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. Any comments received will be made available at the City Council meeting.

#### C. State Agencies

Although concurrence or approval by State agencies is not required for adoption of the proposed amendments, the City has provided a copy of the draft amendments to representatives of the Oregon Departments of Transportation (ODOT) and Land Conservation and Development (DLCD) as part of the planning process. Representatives of both agencies have reviewed the amendments and the draft staff report which accompanied the April 7, 2015 APC meeting packet and have indicated their concurrence with the proposed amendments during a conference call conducted on May 19, 2015.

### 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."*

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

Finding: The proposed amendments to the Development Code, Comprehensive Plan, and Astoria Land Use and Zoning Map are being initiated by the Community Development Director.

- B. Section 10.050(A) states that *"The following amendment actions are considered legislative under this Code:*
1. *An amendment to the text of the Development Code or Comprehensive Plan.*
  2. *A zone change action that the Community Development Director has designated as legislative after finding the matter at issue involves such a substantial area and number of property owners or such broad public policy changes that processing the request as a quasi-judicial action would be inappropriate."*

Finding: The proposed amendment is to amend the text of the Astoria Development Code Article 2 concerning Use Zones, and Article 14 concerning Overlay Zones. The amendment would create new overlay zone standards. The request is also to amend the Astoria Land Use and Zoning Map to create a new Pedestrian Oriented Commercial District Overlay Zone, and to rezone multiple properties. The proposed amendment is also to amend the text of the Comprehensive Plan and Comprehensive Plan map relative to the Riverfront Vision Plan.

The proposed amendments are applicable to a large area of the City. Processing as a legislative action is appropriate.

- C. Section 10.070(A)(1) concerning Text Amendments, requires that *"The amendment is consistent with the Comprehensive Plan."*
1. CP.005(5), General Plan Philosophy and Policy Statement states that local comprehensive plans *"Shall be regularly reviewed, and, if necessary, revised to keep them consistent with the changing needs and desires of the public they are designed to serve."*
- Finding: The City accepted the Riverfront Vision Plan in 2009 as a long-range planning framework 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.
2. CP.010(2), Natural Features states that *"The City will cooperate to foster a high quality of development through the use of flexible development standards, cluster or open space subdivisions, the sale or use of public lands, and other techniques. Site design which conforms with the natural topography and protects natural vegetation will be encouraged. Protection of scenic views and vistas will be encouraged."*

Finding: The proposed amendments will implement the Riverfront Vision Plan for the Bridge Vista Area. The amendments include design standards for development, protection of scenic views and vistas, and the development of a Pedestrian Oriented Commercial District Overlay Zone.

3. CP.015(1), General Land & Water Goals states that *"It is the primary goal of the Comprehensive Plan to maintain Astoria's existing character by encouraging a compact urban form, by strengthening the downtown core and waterfront areas, and by protecting the residential and historic character of the City's neighborhoods. It is the intent of the Plan to promote Astoria as the commercial, industrial, tourist, and cultural center of the area."*

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

Finding: The proposed amendments create a new Pedestrian Oriented Commercial District Overlay Zone and 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 on parcels extending over the water, 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.

4. 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.”*

Finding: While the proposed amendments create new design criteria and limit development within the Bridge Vista Area, it does not prohibit development and continues to support development of water-related and water-dependent uses in the shoreland and aquatic zones in the Bridge Vista area. 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 development near the Maritime Memorial / Astoria Megler Bridge and near the former cannery site near 2nd Street which would be limited to uses such as moorage, and other piers and dock activities. It is anticipated that there may be future development at and around the Port area near the “Red Building” (20 Basin Street) and near Astoria Warehouse (70 West Marine Drive) that would be compatible with the Riverfront Vision Plan for this area such as water dependent or water related uses. 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 and hillside properties.

The proposed allowable uses within the Bridge Vista Area eliminate some of the non-maritime related uses from the A-1, A-2, A-2A, and S-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 Bridge Vista Area that are currently allowed in the A-1, A-2, A-2A, and S-2 Zones. These uses would continue to be allowed within these zones in other portions of the City.

Current Allowable Uses to be Eliminated in Bridge Vista Area	A-1 Zone	A-2 Zone	A-2A Zone	S-2 Zone
In-water log dump, sorting operation	CU			
Eating and drinking establishment	Outright	CU	CU	CU
Hotel, motel, inn, bed and breakfast		CU	CU	CU***
Tourist oriented retail sales		CU	CU	CU
Indoor amusement, entertainment, and/or recreation establishment		CU	CU	CU
Professional, business and medical office, personal service establishment (w/limitations)		CU	CU	CU
Conference Center		CU	CU	CU
Manufactured Dwelling in an approved park				Outright
Automobile sales and service establishment				CU
Gasoline service station				CU
Residential use			CU	CU
Retail sales establishment				CU
Wood processing				CU
Light manufacturing without retail component				CU

CP.020.2 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.”* The Riverfront Vision Plan recognizes the need for development but balances that with the need to protect the vistas and views of the Columbia River, the Astoria-Megler Bridge and the surrounding landscape. By establishing four Plan areas with different focus for development, the various sections of the Riverfront could be developed in a flexible manner. Bridge Vista Area is envisioned as more of a marine related area for overwater and shoreland development while allowing flexibility of development south of the River Trail. Overall, the objectives for this area are met with the proposed allowable type and level development on land and elsewhere along the Riverfront.

The rezoning of a portion of the C-2 Zone adjacent to the River Trail to C-3 Zone with the Pedestrian Oriented Commercial District Overlay would create a new pedestrian oriented neighborhood that is compatible with the River Trail development and would differentiate it from the more intrusive commercial development along West Marine Drive. This area is not conducive to maritime related industries as it is not immediately accessible to the waterfront, sits south of the trolley line and does not abut the River and shoreland. It would eliminate an approximate 0.25 acre area currently occupied by the Astoria Megler Bridge and the Maritime Memorial from the S-2 Zone to be rezoned C-3. While zoned S-2, it is not a developable parcel. However, a portion of the C-2 Zone is proposed to be rezoned to S-2 increasing the shoreland / maritime related zoned land in this area by 3.16 acres.

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

Finding: When the Riverfront Vision Plan (RVP) was adopted in 2009, several sections of the Comprehensive Plan were amended to update it to the current vision for Astoria. This section was overlooked and should be amended to reflect the RVP as adopted and supported by other sections of the Comprehensive Plan. The proposed amendments are as follows:

*"In the City's waterfront areas, 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 will continue to promote a combination of tourist oriented development, industrial development associated with the City's working waterfront and water-related and dependent industries, and distribution and sales of goods and services for Astoria residents and businesses. These efforts will be guided by and consistent with the Astoria Riverfront Vision Plan. 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."*

6. 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."*

Finding: 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. that are consistent and reflective of the Uniontown historic area.

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



**Finding:** The City conducted a Buildable Lands Inventory which was adopted in 2011. The report states that “A comparison of need and supply of industrial and other employment lands indicates an overall surplus of approximately 6.7 acres of employment land. While there is sufficient land for industrial uses (27.8 acre surplus), there is a deficit of land zoned for commercial and particularly retail use. However, a portion of the land identified as “Other” can accommodate specific commercial, industrial, and high-density residential development and help meet the need for additional commercial land.” With other recent amendments to rezone properties, there is an overall surplus 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-2 (Tourist Commercial) to C-3 (General Commercial) and S-2 (General Development Shoreland) is approximately 8.5 acres. Much of the land is currently developed leaving approximately 1.89 acres included in the BLI as buildable lands. The proposed map amendment reduces the Employment Total for Commercial Land Supply by approximately 0.67 acres in two small parcels and increases the Employment Total for Industrial/Other Land Supply by approximately 0.67 acres. While it will reduce the amount of Commercial land, the overall Employment land would not change and a number of different types of commercial uses would continue to be allowed in the shoreland zone in this area.

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

*Source: Cogan Owens Cogan*

**Adjusted Estimated Net Land Surplus/(Deficit) by Zoning Designation, after Amendments**

<b>Type of Use</b>	<b>Location &amp; total acreage</b>	<b>Commercial (Office/Retail)</b>	<b>Industrial/Other</b>	<b>Employment Total</b>	<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>AH-MP</b>	<b>Residential Total</b>
<b>Amended Surplus/(Deficit)</b>		(20.7)	27.8	7.1	(91.0)	24.13	52.24	(1.21)	(15.84)
<b>Proposed Amended Surplus/(Deficit)</b>	0.67	(21.37)	28.47	7.1					

The proposed map amendment would rezone Employment land currently in “commercial” to Employment land partially “commercial” and partially “industrial/other” land supply thereby not changing the overall total of available Employment buildable land.

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

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

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

9. CP.038.1, Port-Uniontown Overlay Area Policies, states that *“The City will use the vision established in the Port/Uniontown Transportation Refinement Plan (2007) to direct future development in the Port- Uniontown Overlay Area. The overall Comprehensive Plan Policies are to:*
- a. *Promote development that complements the surrounding areas of Downtown and the West End.*
  - b. *Enhance existing primary uses, such as Port of Astoria facilities, the marina, visitor services, open space, trails, and small businesses and neighborhoods.*
  - c. *Support redevelopment of former industrial sites and vacant and underutilized lots*
  - d. *Stimulate development interest by establishing complementary surrounding land uses and quality development and design, and by improving transportation conditions through road construction and connections, circulation plans, and access management plans.*
  - e. *Establish visual and physical linkages within and around the Port-Uniontown Overlay Area, with emphasis on the Columbia River waterfront.*
  - f. *Create a pedestrian-friendly environment through the District by increasing connectivity throughout the Port-Uniontown Overlay Area, orienting buildings toward adjacent streets and pathways, extending the River Trail, adding and improving sidewalks, and enhancing the streetscape with landscaping, human-scale lighting, seating, and other amenities.*

Finding: The proposed amendments would rezone areas that are limited to tourist oriented uses to C-3 and S-2 zones which would generally allow a greater range of allowed land uses in these areas. The design and siting standards would create view corridors and preserve portions of the waterfront for vistas and views that are currently allowed to be fully developed. The proposal balances the need for development and the need for public access to the waterfront by allowing some areas for controlled, marine related development, some areas for general commercial

development with some limitations, and creating a pedestrian oriented overlay zone district.

10. CP.038, Port-Uniontown Overlay Area Policies, states that

- “2. *The City will implement the Port-Uniontown Overlay Area element of the Comprehensive Plan through its Design Review process and amendments to the Development Code that provide design and development standards.*
3. *The City, through the Development Code, will develop a set of design standards for the Port-Uniontown Overlay Area that address building massing and orientation, architecture, access and parking, streetscape, landscaping and other elements. These standards will apply to development projects in the District as defined in the Development Code.*
4. *To the extent possible, the design and development standards are intended to be clear and objective so that most proposed development can be evaluated administratively. The Design Review Committee, created and enabled by the Development Code, will review appeals of administrative decisions and proposals that vary from the standards and yet may still embody the spirit of the Port-Uniontown Overlay Area.”*

Finding: The proposed amendments would establish design review guidelines and standards based on the existing historic and waterfront development design of the Uniontown and Port area. There are separate guidelines and standards for industrial versus non-industrial development acknowledging the differences in the needs of the nature of the different uses within the buildings. The design review would be conducted either by the existing Design Review Committee or administratively by the Planner. The guidelines and standards would include a combination of clear and objective standards and guidelines that allow the City more discretion to allow flexibility in meeting the intent of the guidelines. The standards and guidelines have been written to allow for ease of administration and interpretation.

11. CP.038.5, Port-Uniontown Overlay Area Policies, states that *“The City encourages public and private owners in the Port-Uniontown Overlay Area, especially large landowners such as the Port of Astoria, to continue to participate and collaborate with the City in implementing the objectives and visions established in the Port/Uniontown Transportation Refinement Plan.*

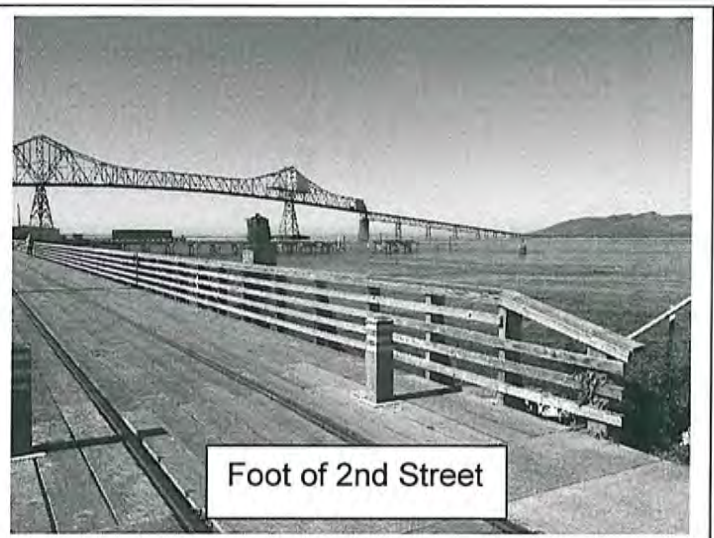
Finding: The Riverfront Vision Plan includes elements on uses, design, landscaping, public access, and transportation. The Plan was developed in concert with existing transportation plans such as the Port/Uniontown Transportation Refinement Plan. The proposed amendments identify changes in allowable uses in certain areas based on development potential,

protection of public access to the riverfront, and transportation issues for that area. The City met with representatives of the Port and other land owners in the area during the drafting of the proposed amendments. The Port has indicated support of the proposed amendments as presented in the most recent draft.

12. CP.068, Astoria Riverfront Vision Overlay Area Policies, states that

- “1. *Promote physical and visual access to the river. The overall Comprehensive Plan objectives are to:*
- a. *Maintain current areas of open space and create new open space areas.*
  - b. *Provide for public access to the river within private developments.*
  - c. *Retain public ownership of key sites along the riverfront.*
  - d. *Protect view sheds along the river, including corridors and panoramas from key viewpoints.*
  - e. *Use alternative development forms (e.g., clustered development, narrower, taller profiles, setbacks, stepbacks, and gaps in building frontages) to preserve views.”*

Finding: The proposed amendments implement the Riverfront Vision Plan. They identify areas for limited development either to top of bank height maximum, or by setting overwater buildings out 200' to 300' from the shoreline to minimize their impact on public access. They also create design review and siting standards to limit the size, height, and location of buildings to preserve view corridors. Two key view areas at the Maritime Memorial (10 Bay Street) and the area west of 2nd Street (proposed historic former fish processing facility site) are proposed as protected view areas with development limited to top of existing bank height.



- "2. *Encourage a mix of uses that supports Astoria's "working waterfront" and the City's economy. The overall Comprehensive Plan objectives are to:*
- a. *Maintain the authentic feel of the riverfront.*
  - b. *Prioritize siting of water-related businesses along the river.*
  - c. *Allow for some residential development along the riverfront emphasizing smaller-scale work force (moderate income) housing.*
  - d. *Allow for development that supports downtown and other commercial areas.*
  - e. *Limit development in areas with most significant impacts on open space, view or other resources.*
  - f. *Promote uses that provide jobs and support the local economy."*

Finding: The proposed amendments include rezoning of some areas from C-2 to C-3 and S-2. These zones would allow for greater flexibility in uses and development while protecting views and other resources. The waterfront aquatic and shoreland areas are proposed to limit some of the uses to more water-related businesses while allowing some mixed use, residential development in the land areas south of the River Trail.

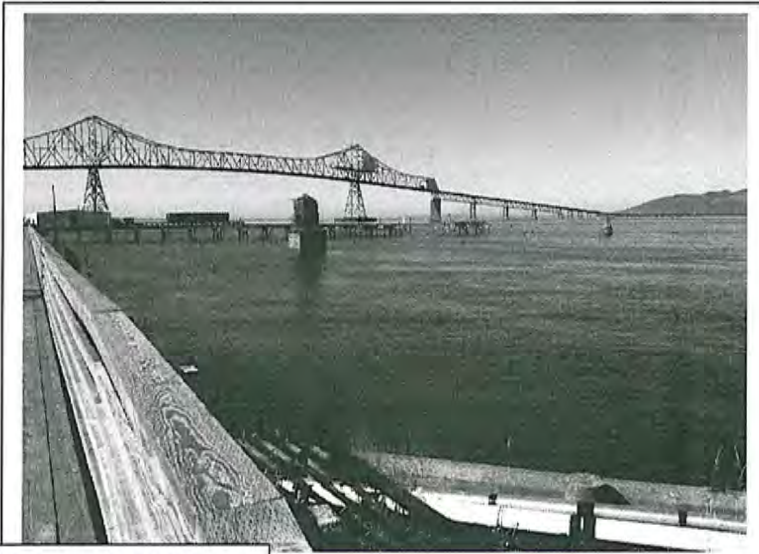
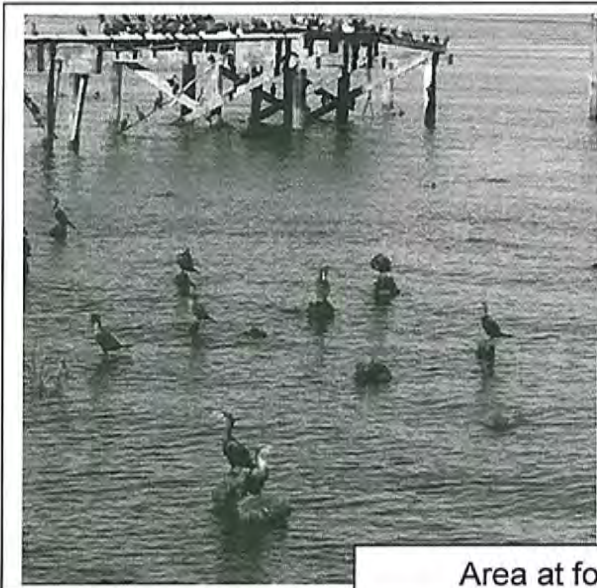
- "3. *Support new development that respects Astoria's historic character. The overall Comprehensive Plan objectives are to:*
- a. *Enhance or refine Development Code to achieve vision principles.*
  - b. *Implement design review, design standards, or other tools to guide the appearance of new development.*
  - c. *Devote resources to rehabilitating old structures."*

Finding: The proposed amendments would create design review guidelines and new siting requirements that reflect the historic character of the Uniontown area for both commercial and industrial waterfront buildings and uses. The proposal would allow for repair, restoration, and reconstruction of existing historic buildings.

- "4. *Protect the health of the river and adjacent natural areas. The overall Comprehensive Plan objectives are to:*
- a. *Protect natural areas for wildlife viewing.*
  - b. *Replace invasive plants with native species.*
  - c. *Incorporate natural elements in the design of future public and private improvements."*

Finding: The proposed amendments would encourage the use of native plants along the Riverfront using the list of recommended plants from the Civic Greenway Overlay Area. The list is proposed to be renumbered to the general landscape requirements in Article 3

for applicability to all of the Riverfront Vision Plan area. Landscaping requirements for both shoreland and land areas would encourage and/or require placement of plant material that would enhance the riverfront and viewing opportunities. The area west of 2nd Street is a known wildlife viewing area as the pilings are used by many different bird species throughout the year and is a primary viewing area for citizens and tourists. This area is proposed to be protected by limiting development to top of bank height maximum.



Area at foot of 2nd Street

- “5. *Enhance the River Trail. The overall Comprehensive Plan objectives are to:*
- a. *Maintain, repair, extend, and enhance the River Trail.*
  - b. *Provide better pedestrian connections between the downtown and the riverfront.*
  - c. *Create amenities such as shelters, lighting, and public restrooms in targeted locations.*
  - d. *Ensure adequate parking opportunities along, adjacent to, and near the riverfront.*
  - e. *Address safety issues associated with mix of autos, pedestrians, trolley, and other activities.*
  - f. *Ensure long-term maintenance of public improvements.”*

Finding: The proposed amendments would establish design and siting standards, including required building setbacks to protect the River Trail from incompatible encroachments. It would require public access to the riverfront, require recorded maintenance agreements for certain landscaping features, and allow for the continuation of the River Trail. The amendments would also allow some flexibility in landscaping by allowing a percentage to be devoted to public amenities such as benches, restrooms, interpretive signage, etc.

13. CP.140.C, Columbia River Estuary Aquatic and Shoreland Designations, Development Aquatic, is proposed to be amended to add reference to the Riverfront Vision Plan objective to protect some vistas and views. The proposed amendment would read as follows:

*“C. Development Aquatic.*

*Development Aquatic areas are designated to provide for navigation and other identified needs for public, commercial, and industrial water-dependent uses. The objective of the Development Aquatic designation is to ensure optimum utilization of appropriate aquatic areas by providing for intensive development. Such areas include deepwater adjacent to or near the shoreline, navigation channels, sub-tidal areas for in-water disposal of dredged material, areas of minimal biological significance needed for uses requiring alteration of the estuary, and areas that are not in Conservation or Natural designations. In some cases, protection of scenic vistas of the Columbia River also may be an important planning objective, consistent with the City’s Riverfront Vision Plan. These areas are in the Aquatic One Development Zone (A-1), the Aquatic Two Development Zone (A-2), the Aquatic Two-A Development Zone (A-2A).”*

Finding: The Aquatic designations are not proposed to be changed, but some uses are proposed to be prohibited in the Bridge Vista Area. The use limitations would be for commercial and residential uses while allowing the maritime related uses and activities. A sentence acknowledging the objective of the Riverfront Vision Plan to protect some vistas of the Columbia River is proposed to be added. The proposed amendments are consistent with the intent of this CP section.

14. CP.140.E, Columbia River Estuary Aquatic and Shoreland Designations, Development Shoreland, is proposed to be amended to add reference to the Riverfront Vision Plan objective to protect some vistas and views. The proposed amendment would read as follows:

*“E. Development Shoreland.*

*Development Shoreland areas are designated to provide for water-related and water-dependent development along the estuary's shoreline. These areas may present opportunities to develop uses that complement uses in Downtown Astoria, consistent with the City’s Riverfront Vision Plan. Development Shoreland areas include urban or developed shorelands with little or no natural resource value, and shorelands with existing water-dependent or water-related uses. Development Shoreland areas may include scenic vistas of the Columbia River that may be an important planning objective to protect, consistent with the City’s Riverfront Vision Plan. These areas are in the General Development Shorelands Zone (S-2), or the*

*Tourist-Oriented Shorelands Zone (S-2A). Some of these areas are in residential or commercial zones with a Shorelands Overlay Zone.”*

Finding: The existing Development Shoreland designations are not proposed to be changed, but an existing area C-2 is proposed to be rezoned to S-2 (General Development Shoreland). Some uses are proposed to be prohibited in the Bridge Vista Area. The use limitations would be for commercial and residential uses while allowing the maritime related uses and activities. A sentence acknowledging the objective of the Riverfront Vision Plan to protect some vistas of the Columbia River is proposed to be added. The proposed amendments are consistent with the intent of this CP section.

15. *CP.165.F, Port of Astoria Subarea Plan, Aquatic and Shoreland Designations, states that*

*“1. The following aquatic areas are designated Development: . . .*

*c. The aquatic area between the east side of Pier 1 and the Columbia River bridge, south of the pierhead line, including the mooring basin and the Union Cannery. . .*

- 4. All shorelands are designated Water-Dependent Development, except those south of the railroad right-of-way in a Development designation, and those north of the railroad right-of-way lying east of the mooring basin and west of the Astoria-Megler Bridge, also in a Development designation.*

Finding: The areas proposed to be rezoned from C-2 are in the land area east of the mooring basin and west of the Astoria-Megler Bridge and are proposed to be rezoned S-2 (Shoreland Development) with some areas zoned C-3 for general commercial development. The aquatic areas are not proposed to be rezoned. The change from C-2 and the additional limitations that the uses be marine related or marine dependent are supported by this Comprehensive Plan section.

16. *CP.185.H, Regional Estuary and Shoreland Policies, Fisheries and Aquaculture Policies, states that “Policies in this subsection apply to all projects that could conceivably affect fisheries (either commercial or recreational) or aquaculture in the Columbia River Estuary. This subsection is also applicable to the development of aquaculture facilities and to fisheries enhancement projects. . .*

- 2. Sufficient space for present and anticipated needs shall be reserved for the following uses:*

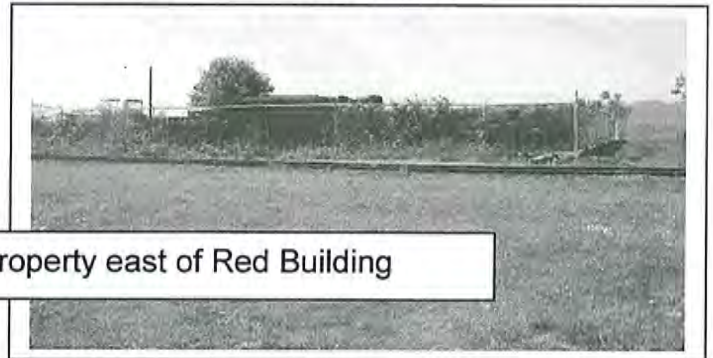
*Fishing vessel moorage;  
Seafood receiving and processing;  
Boat repair;  
Gear storage;*



Ice making;  
Cold storage;  
Other seafood industry support facilities. . .

7. A number of sites in Astoria and throughout the Columbia River Estuary are suitable for development or expansion of facilities for the commercial seafood industry. These include moorage, fuel, ice, fish receiving and processing, gear storage, marine hardware sales and repair, boat building and repair, and related facilities. The City will periodically consider amending its Comprehensive Plan as needed to provide sufficient sites for these facilities. The City will rely on information in periodic updates of the Columbia River Estuary Regional Management Plan pertaining to fisheries-related development in the estuary.

**Finding:** The area east of Pier 1 has limited development area. The size of lots are limited by the Columbia River on the north, the River Trail / former railroad line, existing development pattern, and limited access to the sites. The proposed amendments limit the over-water areas to marine related and marine dependent uses such as the ones noted in this Comprehensive Plan section. The limited land area could be used to support the maritime uses and therefore are proposed to be rezoned to the S-2 Zone with limitations on allowable uses. The proposed amendments comply with this section.



Port property east of Red Building

17. CP.185.O, Residential, Commercial and Industrial Development Policies, states that *“Policies in this subsection are applicable to construction or expansion of residential, commercial or industrial facilities in Columbia River Estuary shoreland and aquatic areas. Within the context of this subsection, residential uses include single and multifamily structures, mobile homes, and floating residences (subject to an exception to Oregon Statewide Planning Goal 16). Duck shacks, recreational vehicles, hotels, motels and bed-and-breakfast facilities are not considered residential structures for purposes of this subsection. Commercial structures and uses include all retail or wholesale storage, service or sales facilities and uses, whether water-dependent, water-related, or non-dependent, non-related. Industrial uses and activities include facilities for fabrication, assembly, and processing, whether water-dependent, water-related or non-dependent, non-related.*

1. *New non-water-dependent uses in aquatic areas and in Marine Industrial Shorelands shall not preclude or pose any significant conflicts with existing, proposed or probable future water-dependent uses on the site or in the vicinity.*
2. *Residential, commercial or industrial development requiring new dredging or filling of aquatic areas may be permitted only if all of the following criteria are met:*
  - a. *The proposed use is required for navigation or other water-dependent use requiring an estuarine location, or if specifically allowed in the applicable aquatic designation; and*
  - b. *A substantial public benefit is demonstrated; and*
  - c. *The proposed use does not unreasonably interfere with public trust rights; and*
  - d. *Feasible alternative upland locations do not exist; and*
  - e. *Potential adverse impacts are minimized.”*

Finding: The proposed amendments would limit the allowable uses in the aquatic and shoreland areas to uses that are more water-related and water-dependent. Commercial development would be restricted to the land area south of the River Trail with some mixed use residential allowed. These proposed uses are consistent with this Comprehensive Plan section which protects the waterfront area for the marine uses. The proposed siting standards would protect the public access to the Riverfront. Any project proposed would be subject to compliance with this section at the time of project proposal.

18. CP.186.C, Cumulative Impacts, Cumulative Impact Analysis, states that

1. *Public Access.*

*Activities generating cumulative impacts on public access can both enhance and reduce opportunities for public access to the waters and shorelines of the Columbia River Estuary. Public access is treated broadly here to include both physical and visual access. . .*

*Boat ramps and marinas have a strongly beneficial cumulative impact on public access for the boating public. Private individual moorages on the other hand can have negative cumulative impacts with respect to public access if allowed to overcrowd particular waterways. Continuous development of individual moorages along a reach of the Columbia River Estuary or a tributary can block public shoreline access and inhibit small boat navigation, having a strongly negative cumulative impact. The regional estuarine construction policies and standards encourage community docks and piers and discourage individual moorages. . .*

*Port development is often not fully compatible with public access; however, the cumulative impact of port development on public*

*access is expected to be minor. Port development is limited to only a few sites in the estuary. Full development of all existing designated Development and Water Dependent Development shorelands would not significantly reduce public access opportunities in the Columbia River Estuary, but may have locally significant effects. . .*

5. *Recreation/Tourism.*

*Discussion of cumulative impacts on recreation and tourism includes estuary-oriented recreation undertaken by both local residents and by visitors from outside the region. Many impacts may be largely aesthetic in nature. . .*

*Boat ramps, marinas, and moorages have a generally positive impact on recreation and tourism, though there may also be a negative aesthetic component. The net cumulative impact is probably positive, however, because the estuary is large relative to the extent of existing recreational boat facilities. . .*

*Port development may generate both positive and negative impacts with respect to tourism and recreation. The passage of deep draft vessels up and down the Columbia River Estuary, together with associated tug, barge and wharf activities, are significant elements of the Columbia River Estuary's attractiveness for visitors. Port development may also, however, generate negative impacts on recreational fishing and public access (see "Columbia River Estuary Regional Management Plan" Subsections 5.3.3. and 5.3.1.). Net cumulative impacts are believed to be positive. . .*

Finding: The proposed amendments would limit some Riverfront areas to water-related and water-dependent uses consistent with the fishing industry and Port activities. It would also limit some important public view areas to development at shoreland height maximum. This would support boat ramps, marinas, moorages, etc. that are considered to be a positive impact on recreation and tourism. The proposed amendments are intended to minimize the cumulative negative impacts along the Riverfront by preserving some areas for marine development and protecting some vistas and views. The proposed amendments also would require any future overwater development taller than bank height, where it is allowed, to provide piers or walkways providing visual access to the river.

19. CP.185(M), Regional Estuary and Shoreland Policies, Public Access Policies, states that *"Public access" is used broadly here to include direct physical access to estuary aquatic areas (boat ramps, for example), aesthetic access (viewing opportunities, for example), and other facilities that provide some degree of public access to Columbia River Estuary shorelands and aquatic areas."*

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

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

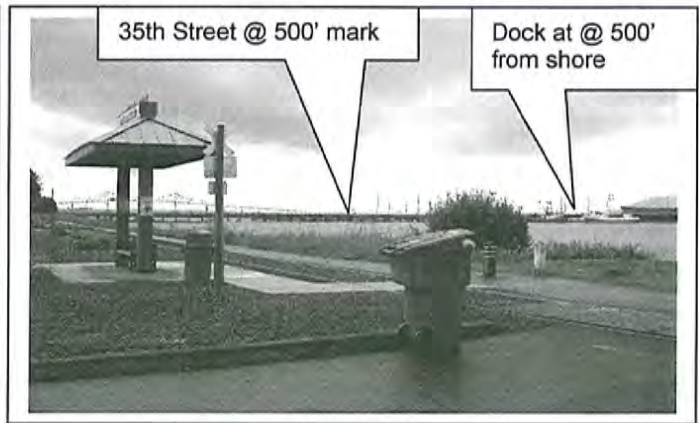
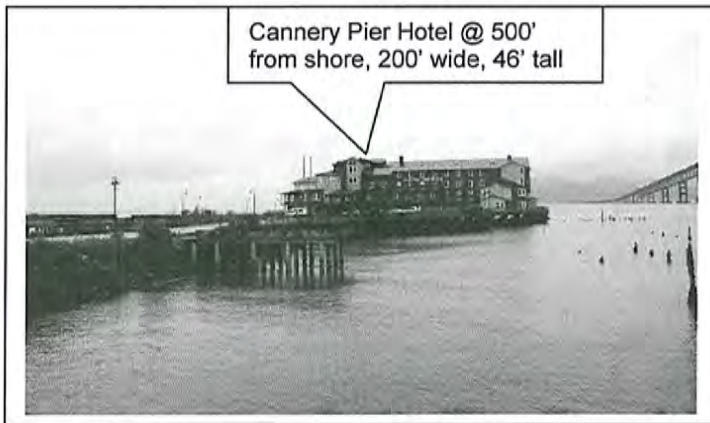
CP.185(N.2), Regional Estuary and Shoreland Policies, Recreation and Tourism Policies, states that *“Recreation uses in waterfront areas shall take maximum advantage of their proximity to the water by: providing water access points or waterfront viewing areas; and building designs that are visually u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

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

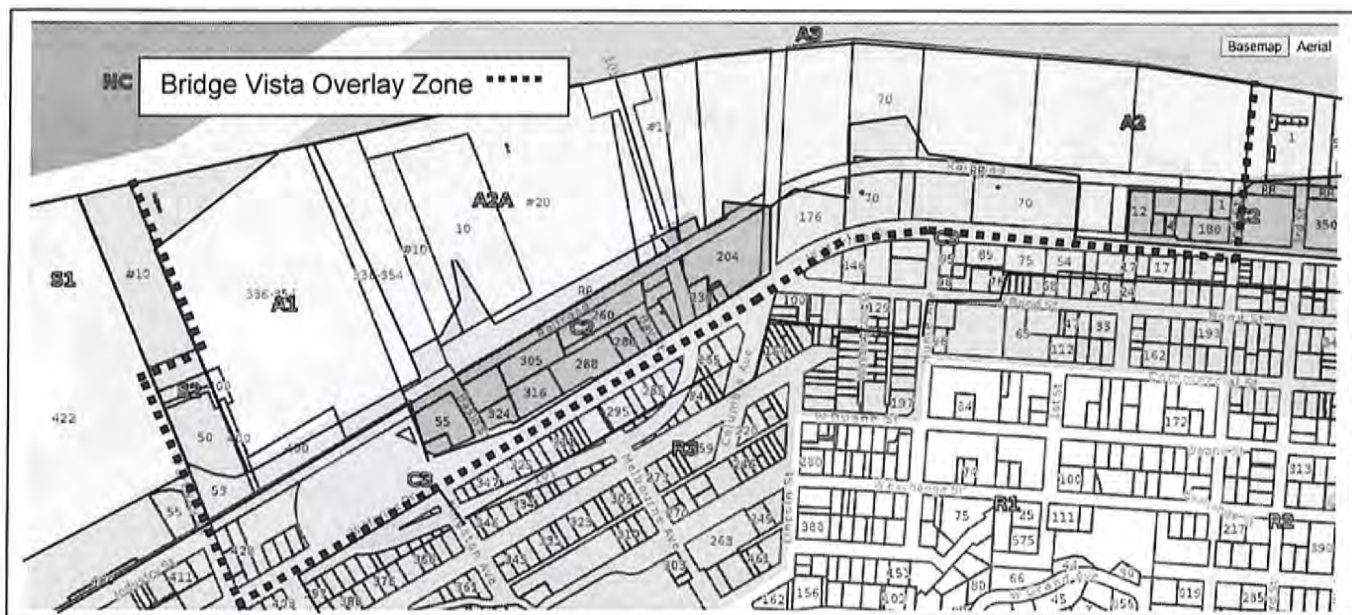
Finding: One of the reasons the Riverfront Vision Plan was developed was to enhance public access to the estuary and allow for preservation of public open space and park areas along the Columbia River. Public access includes both physical and visual access. The River Trail along the Columbia River is used by locals as well as visitors and is maintained for its aesthetic values as well as for its transportation values. The Bridge Vista Area was identified as an area to allow some development while preserving visual and public access. The Urban Core Area was identified for more intense development and the Civic Greenway Area was identified for more open space. The proposed on-land building and landscaping setback and stepbacks create wider view corridors from West Marine / Marine 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 for the area near the Maritime Memorial under the Astoria-Megler Bridge (10 Bay Street) and for the area west of 2nd Street (site of former fish processing facility) which would limit the type of development that could occur. Some of the remaining areas allow development to 35' high if positioned at least 200' or 300' from the shoreline (former railroad property line). However, it is recognized that some development could occur near the established Astoria Warehousing facility (70 W Marine) and east of the Red Building (20 Basin Street), therefore development is allowed over water in this area. 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 area would be subject to allowable uses, design, and other development standards of the proposed Bridge Vista Area Overlay. The proposed amendments include a requirement for public access piers for over-water development.



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

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

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

Finding: The proposed amendment allows for some over water development while excluding commercial uses that are not marine related

and could be located elsewhere on land areas. It encourages and/or requires 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.

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

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

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

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

CP.205(5), Economic Development Policies states that *“The City encourages the growth of tourism as a part of the economy. Zoning standards which improve the attractiveness of the city shall be considered including designation of historic districts, stronger landscaping requirements for new construction, and Design Review requirements.”*

Finding: The proposed amendments will adopt design standards to allow for development that is consistent with the design of the historic Uniontown 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. The area west of 2nd Street was the site of a former fish processing facility. This site contains a good example of the former pile field, a portion of the facility (a boiler), and historic ballast rock piles. The site is pending review by the Historic Landmarks Commission for designation as a historic site. The proposed plan would protect this area from development above the bank height, thereby protecting the historic view of the site. The Plan establishes design standards that would protect historic neighborhoods and the many scenic views that bring visitors to the community.

22. 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. . .*
5. *Encourage low and moderate income housing throughout the City, not concentrated in one area. . .*
18. *Zone adequate land to meet identified future housing needs for a broad range of housing types, including single-family attached and detached homes, manufactured homes, two-family dwellings, and multi-family dwellings.*”

CP.223, Housing Element, Housing Tools and Actions, states “*Revise zoning requirements to accommodate a variety of housing types as identified in the City’s Housing Needs Analysis.*”

Finding: The request is to rezone approximately 8.5 acres of C-2 Zone (Tourist Oriented Commercial) to C-3 Zone (General Commercial). The C-3 Zone would allow for some multi-family development with mixed use while the existing C-2 Zone does not allow residential uses. Therefore, the proposed change would accommodate high density, compact residential 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* with ability for mixed use multi-family residential development. Residential use within the A-2, A-2A, and S-2 Zones is proposed to be eliminated. However, these areas are not “residential” zones and any residential use was secondary to the allowable commercial/industrial Employment Lands inventory of buildable lands as discussed above. The proposed amendments would still support affordable housing opportunities.

23. CP.270, Parks, Recreation, and Open Space Element, Goals states that “*The City of Astoria will work:*
1. *To develop a balanced park system.*
  2. *To reflect Astoria’s special qualities and characteristics. . .*
  5. *To provide or encourage waterfront parks. . .*
  7. *To promote general beautification. . .*



12. *The City will continue its efforts to improve public access to the shoreline through:*
  - a. *The construction of public access points, pathways, and street ends;*
  - b. *The encouragement of public access projects in conjunction with private waterfront development actions, possibly through the use of local improvement districts and/or grant funds; and*
  - c. *The protection of street ends and other public lands from vacation or sale where there is the potential for public access to the water. The City will work with the Division of State Lands (DSL) to determine the status of submerged and submersible lands adjacent to the City street ends."*

Finding: The City has established a River Trail along the Columbia River as a City park. The Riverfront Vision Plan identifies this as a public area and encourages protection of a portion of the public views and vistas in the Bridge Vista Area. The RVP for the Bridge Vista Planning Area identified Land Use Assumptions and Objectives which state that *"This area is an appropriate location for new overwater development, should it occur. However, specific areas should remain open to preserve broad view of the river..."*

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 setbacks, 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. Required setbacks along the River Trail also would support protection of vistas along the trail, and contribute to the development of amenities and gathering spaces adjacent to the trail. The City partially owns one of the sites (Maritime Memorial) within the Bridge Vista Area and there are several street ends. These properties would be protected as public access areas. However, there is a large area between Columbia Avenue and 2nd Street where there are no street ends. Except for the historic area at 2nd Street, this area is proposed to allow some development.

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

Finding: Throughout the process of drafting the proposed ordinance, the City has provided extensive public outreach. The APC has held three work sessions and one town hall meeting over the last few months 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. There were numerous "Letters to the Editor" in the Daily Astorian which are not listed.

October 28, 2014	APC work session
November 25, 2014	APC work session
November 27, 2014	Daily Astorian "A New Vision for Uniontown"
December 17, 2014	APC work session
December 22, 2014	Daily Astorian "Keep Astor West Historic"
January 5, 2015	Daily Astorian "Remaking Uniontown: Planners hold town hall to hear feedback on Bridge Vista transitions"
January 6, 2015	Daily Astorian editorial "Speak Now on Waterfront Priorities"
January 7, 2015	Daily Astorian "Bridge Vista: It's all about the view"
January 27, 2015	Town Hall Meeting
January 29, 2015	Daily Astorian "Bridge Vista Moves Into View"
February 6, 2015	Daily Astorian "A blast from our past: Iconic cannery boiler from fire might be historic"
March 16, 2015	City Council presentation
April 7, 2015	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, property owners, 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 Bridge Vista 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), A-2 (Aquatic Two Development), and A-2A (Aquatic Two-A Development) which have limited allowable development, most of which are maritime related. The existing C-2 Zone (Tourist Oriented Commercial) is very



There is a traffic light at Basin Street and at Columbia Avenue. 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 zone change to C-3 and S-2 Zone will provide for a different variety of uses within the approximate 8.5 acre site. Issues concerning the TPR and traffic impact will be addressed in the next section of these Findings of Fact.

The site is relatively flat and there are no designated wetlands. All City utility services are available to the area. 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.

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 West Marine / Marine Drive between Basin Street and Columbia Avenue and the area west of 2nd Street. There were several projects identified in the TSP for the Bridge Vista Area as follows:

D2 – US101/30 from Portway to Columbia Avenue - Optimize the signals and update the signal controls

D21 – Marine Drive, Columbia Avenue to 9th Street – reconfigure to three lanes

D24 – Industry Extension, Basin to Bay Street – extend Industry as active local street

D25 – Bay Extension, north of West Marine to Industry – extend Bay as active local street

D34 – Portway Capacity Enhancement – Portway to Industry – reconfigure Portway

B50 – Marine / West Marine Bike Lanes – Portway to Industry – improve bike lanes

CR01 – Hwy 30 / Bay Crossing Enhancement – upgrade the crossing

These projects are aimed at pedestrian and bike safety and to create better vehicle and pedestrian circulation in the Bridge Vista Area. The proposal to rezone the C-2 Zone in the Basin/Bay Street area to C-3 with a pedestrian oriented district overlay would be consistent with these projects. Redevelopment of this area for limited commercial and marine related uses would be supported and benefit from these projects.

The area proposed to be zoned C-3 and S-2 are accessed from both City streets and directly from the State Highway. Therefore, ODOT would comment on the TPR review. ODOT has been included in the draft amendment review process. From the existing TSP and projected traffic volumes and projected uses, the transportation facilities in this area with any proposed future improvements will be sufficient to accommodate the uses allowed in the proposed C-3 and S-2 Zone areas.

E. Oregon Administrative Rules Section 660-012-0060 (Plan and Land Use Regulation Amendments) states that:

1. *“(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:
  - (a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);”**

Finding: As shown in the attached draft Ordinance, Attachment B, the proposed Land Use and Zoning Map amendment consists of the following:

- Rezoning an area of C-2 west of the Astoria-Megler Bridge to S-2
- Rezoning an area of C-2 around the Astoria-Megler Bridge to C-3
- Rezoning an area of C-2 west of 2nd Street to C-3

These areas contain or are adjacent to roadways including Basin Street, 2nd Street, Marine Drive, and West Marine Drive. Basin Street and 2nd Street are designated as mixed-use local streets and Marine / West Marine Drive (US 30, a State highway) as an arterial street, as shown in Figure 13 (Multi-Modal Street System) of the 2013 City of Astoria Transportation System Plan (TSP), The proposed Land Use and Zoning Map amendment does not propose or necessitate changes to these classifications.

2. *“(b) Change standards implementing a functional classification system; or . . .”*

Finding: Section 6 of the Astoria TSP establishes design guidelines, spacing standards, and mobility targets for City streets based on functional classification. The proposed Land Use and Zoning Map amendment does not propose or necessitate changes to these guidelines, standards, or targets.

3. *“(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*

(A) *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*

(B) *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or . . .”*

Finding: The proposed Land Use and Zoning Map amendment primarily involves revising the set of allowed uses from one set of commercial and industrial uses to another set of commercial and industrial uses in the map amendment area. A portion of the area currently zoned C-2 (Tourist Commercial) will be rezoned to C-3 (General Commercial). The bulk of this area also will receive a “Pedestrian-Oriented District” overlay designation. The Pedestrian Oriented District will prohibit a number of higher trip-generating commercial uses. The remainder of the C-2 area to be rezoned will be converted to the S-2 (General Development Shoreland) zone which primarily allows a mix of water-dependent and water-related industrial and commercial uses, most of which generate relatively low rates of traffic in comparison to tourist-oriented uses currently allowed in the C-2 zone. Several of the more intensive uses that are typically allowed in the S-2 zone in other parts of Astoria (and currently allowed in this area) will not be allowed within the Bridge Vista area.

In general, as proposed, the amendment would allow similar uses or uses that are not expected to generate significantly more trips than existing zoning. In a number of cases, the number of trips generated would be expected to decrease. Therefore, the proposed map amendment should not significantly change the character of land use

and zoning in the area and, thus, the changes in zoning would not affect the types and levels of travel and performance of transportation facilities. More detailed information about specific changes in allowed uses is provided in the following paragraphs.

Table E.1 presents examples of uses currently permitted in the C-2, C-3, and S-2 Zones, as well as some uses that are proposed to be permitted or prohibited.

#### C-2/C-3 Zone Change:

In rezoning from C-2 to C-3, there will not be a change between potentially high trip generating uses such as retail sales and services, eating and drinking establishments, indoor family entertainment, and public and semi-public uses. Further, potential high trip generating uses such as commercial/public parking lots and gas stations, which are normally allowed in the C-3 Zone, will not be permitted in the C-3 Zone in the Bridge Vista Overlay Zone, which also will have a "Pedestrian-Oriented District" designation. Drive-through facilities, which are very high trip generating uses that are permitted in C-2 and C-3 Zones, are proposed to be prohibited in the Pedestrian-Oriented District in the Bridge Vista Overlay Zone, thus reducing trips in the zone.

Light manufacturing that is proposed to be permitted with a retail component should generate no more trips than the general retail sales and services already permitted in the C-2 and C-3 Zones. Regarding residential uses, single- and two-family dwellings are not permitted in the C-3 Zone in the Bridge Vista Overlay Zone. Multi-family housing is permitted in the C-3 Zone but there is relatively little land available for such development in this area and if such development occurs, it will be only on a limited basis. Further, multi-family housing typically generates fewer trips per household (0.5 to 0.6 trips per unit in the PM peak hour<sup>1</sup>) than other types of residential uses (e.g., single-family housing) already allowed in the District.

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<sup>1</sup> Institute of Transportation Engineers Common Trip Generation Rates (PM Peak Hour), Trip Generation Manual, 9<sup>th</sup> Edition

**Table E.1: Examples of Uses Permitted Outright or Conditionally in the C-2, C-3, and S-2 Zones**

Uses	C-2 Zone	C-3 Zone	S-2 Zone
Professional offices		✓	*
Retail sales and services	✓ Tourist-oriented outright; Non-tourist-oriented conditionally	✓	✓ Water-dependent
Eating or drinking establishment	✓	✓	✓
Indoor family entertainment	✓	✓	*
Commercial or public parking lot		*	
Automotive services and gas station		*	*
Light manufacturing		** With a retail component	✓
Marina and water-dependent recreation			✓
Ship and boat building and repair			✓
Public or semi-public use	✓	✓	✓
Motel, hotel, bed & breakfast, other lodging	✓	✓	*
Single-family and two-family dwelling		*	*
Multi-family dwelling		✓	*

\* Proposed to be prohibited in the Bridge Vista Overlay Zone

\*\* Proposed to be permitted in the Bridge Vista Overlay Zone

C-2/S-2 Zone Change:

Industrial and water-dependent uses permitted in the S-2 Zone, such as light manufacturing and boat building, have low trip generation rates (e.g., 0.7 trips per 1,000 square feet for manufacturing) when compared to general or specialty retail uses (e.g., 2.30 trips per 1,000 square feet) currently allowed in the C-2 zone. Retail services that are permitted in the S-2 Zone are limited to water-dependent services. Other uses that are permitted in the S-2 Zone and not in the C-2 Zone include marinas/water-dependent recreation. A marina is estimated to generate approximately 0.2 trips per berth, but additional trips from this use should be more than offset by the limits on retail services that will be allowed in this area. In addition, the S-2 Zone does not permit traffic generators such as indoor family entertainment or new lodging establishments, which are currently permitted in the C-2 Zone.



Development Standards:

Reductions or exemptions of off-street parking standards that are proposed in the Pedestrian-Oriented District Overlay Zone in the Bridge Vista Overlay Zone may allow for a slight increase in intensity of development on a limited number of parcels in this area. However, these will be balanced out by lower trip generation in this area overall (e.g., gas stations and drive-through facilities prohibited), as well as restrictions on building area for commercial uses in the Bridge Vista Overlay Zone.

4. *“(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.”*

Finding: As concluded in the Future Needs Analysis (Section H, Volume 2) in the Astoria TSP, intersection capacity and street capacity on US 30 in the Bridge Vista Overlay Zone are projected to meet standards in 2035 under baseline average weekday and baseline summer conditions. Therefore, this criterion is not applicable.

Finding: The proposed amendments comply with the Oregon Administrative Rules Section 660-012-0060 (Plan and Land Use Regulation Amendments) requirements.

V. CONCLUSION AND RECOMMENDATION

The request is consistent with the Comprehensive Plan and Development Code. Staff recommends that the City Council hold a public hearing and conduct a first reading of the proposed Ordinance as recommended by the Astoria Planning Commission for adoption of the proposed amendment.

ORDINANCE NO. 15-\_\_\_\_\_

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

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Astoria Development Code Sections 14. to 14. pertaining to Bridge Vista Overlay Zone is hereby added to read as follows:

“BVO: BRIDGE VISTA OVERLAY ZONE

14.085. PURPOSE.

The purpose of the Bridge Vista Overlay Zone is to implement the land use principles of the Astoria Riverfront Vision Plan, dated December 2009, as they pertain to the Bridge Vista Area. The Bridge Vista Overlay (BVO) Zone is intended to serve objectives including supporting water-dependent and water-related uses and new uses consistent with Astoria’s working waterfront; encouraging design that is compatible with the area’s historic and working waterfront character; protecting views of and access to the Columbia River; enhancing open space and landscaping, particularly adjacent to the River Trail; strengthening the pedestrian orientation and gateway characteristics of the area; and allowing for commercial and residential uses that complement the Downtown core and support other planning objectives for the area. The BVO Zone extends from approximately the West Mooring Basin to 2nd Street and between West Marine Drive / Marine Drive and the northern edge of overwater parcels on the Columbia River, as shown in the City’s Zoning Map.

14.090. APPLICABILITY AND REVIEW PROCEDURES.

The provisions in Sections 14.085 to 14.125 apply all uses in all areas of the Bridge Vista Overlay Zone unless indicated otherwise in Table 14.090-1 and in the individual sections.

**Table 14.090-1: Applicability of Bridge Vista Overlay Zone Code Sections**

<b>Code Section</b>	<b>Applicability</b>
Section 14.095 Uses Prohibited for Overwater Development	<ul style="list-style-type: none"><li>• Aquatic Zones</li><li>• Shoreland Zones</li></ul>
Section 14.100 Standards for Overwater Development	Limitation Areas (Figure 14.100-1) – overwater and land north of the River Trail / 50’ wide railroad line property
Section 14.105 Uses Permitted for On-Land Development	<ul style="list-style-type: none"><li>• Pedestrian-Oriented District (Figure 14.105-2)</li><li>• C-3 Zone</li></ul>
Section 14.110 Uses Prohibited for On-Land	<ul style="list-style-type: none"><li>• Pedestrian-Oriented District (Figure 14.105-2)</li><li>• C-3 Zone</li></ul>

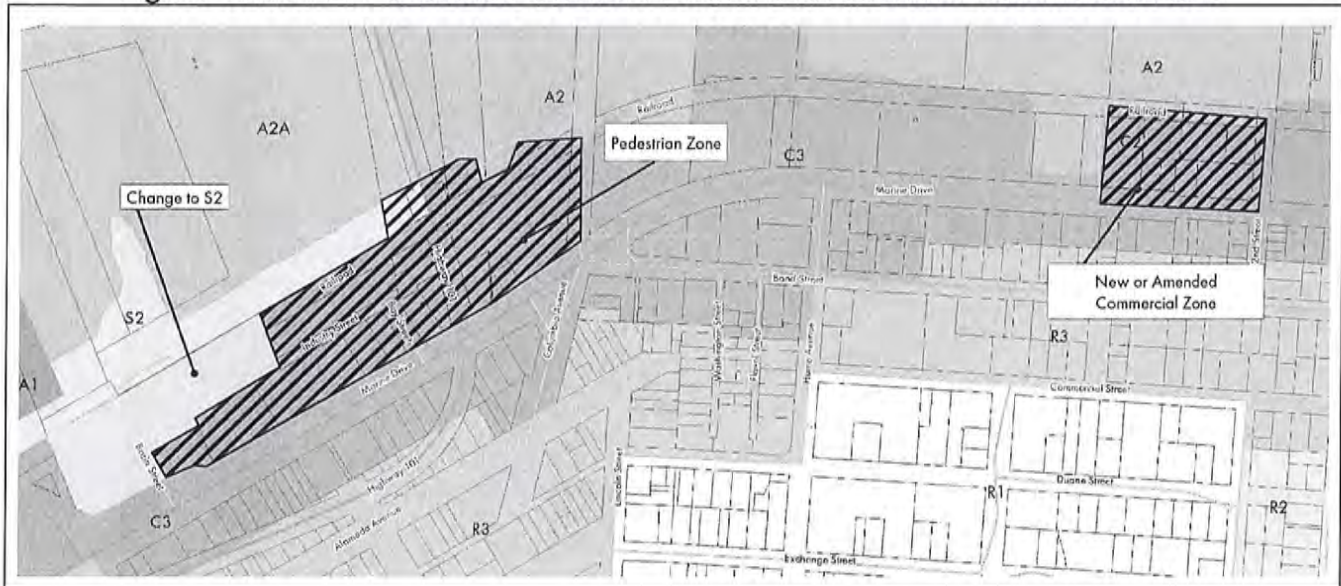
Code Section	Applicability
Development	
Section 14.113 Standards for On-Land Development	<p>Minimum Setbacks</p> <ul style="list-style-type: none"> <li>• North/south Rights-of-way between West Marine Drive / Marine Drive and Columbia River</li> <li>• Adjacent to River Trail</li> <li>• Adjacent to West Marine Drive / Marine Drive and Other Rights-of-Way Parallel to West Marine Drive / Marine Drive (except River Trail)</li> </ul> <p>Maximum Setbacks</p> <ul style="list-style-type: none"> <li>• Adjacent to West Marine Drive / Marine Drive and Parallel Rights-of-Way</li> </ul> <p>Stepbacks</p> <ul style="list-style-type: none"> <li>• All Overlay Zone Adjacent to Rights-of-Way</li> </ul> <p>Size</p>
Section 14.115 Design Guidelines and Standards	<p>Building Style and Form</p> <ul style="list-style-type: none"> <li>• Standards for Projecting Wall-Mounted Mechanical Units Visible from Public Right-of-Way or River Trail</li> <li>• Guidelines for All Uses, All Overlay Zone Adjacent to Rights-of-Way (except West Marine Drive / Marine Drive)</li> </ul> <p>Roof Form and Materials</p> <ul style="list-style-type: none"> <li>• Form Standards for All Uses</li> <li>• Materials Standards for All Uses</li> <li>• Form Standards for Non-Industrial Uses</li> <li>• Form Standards and Guidelines for Industrial Uses</li> </ul> <p>Doors</p> <ul style="list-style-type: none"> <li>• Standards for All Uses</li> <li>• Guidelines for All Uses</li> <li>• Standards for Non-Industrial Uses</li> <li>• Guidelines for Non-Industrial Uses</li> </ul> <p>Windows</p> <ul style="list-style-type: none"> <li>• Coverage Standards for All Uses</li> <li>• Design Standards for All Uses</li> <li>• Design Guidelines for All Uses</li> <li>• Coverage Standards for Non-Industrial Uses in Pedestrian-Oriented District</li> <li>• Coverage Standards for Non-Industrial Uses Outside Pedestrian-Oriented District</li> <li>• Coverage Standards for Industrial Uses</li> </ul> <p>Siding and Wall Treatment</p> <ul style="list-style-type: none"> <li>• Standards for All Uses</li> <li>• Guidelines for All Uses</li> </ul> <p>Awnings</p> <ul style="list-style-type: none"> <li>• Standards for Types of Awnings/Treatments for All Uses</li> <li>• Guidelines for Types of Awnings/Treatments for All Uses</li> <li>• Standards Along River Trail and North/South Rights-of-</li> </ul>

Code Section	Applicability
	Way Lighting <ul style="list-style-type: none"> <li>• Standards for All Uses</li> <li>• Guidelines for All Uses</li> </ul> Signs <ul style="list-style-type: none"> <li>• Standards for All Uses in Pedestrian-Oriented District</li> </ul>
Section 14.120 Landscaping	River Side/Riparian Land Side/Upland Street Trees <ul style="list-style-type: none"> <li>• All Street Trees</li> <li>• North-South Rights-of-Way Between West Marine Drive / Marine Drive and Columbia River</li> </ul>
Section 14.125 Off-Street Parking	In Pedestrian-Oriented District <ul style="list-style-type: none"> <li>• Small Floor Area</li> <li>• Buildings Covering Site</li> <li>• Small Building Expansions</li> </ul>

**Figure 14.090-1: Limitation Area**



Figure 14.090-2: Pedestrian-Oriented District and Amended Commercial Zone



The provisions of the Bridge Vista 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. Applications in the Bridge Vista Overlay Zone shall be reviewed in a public design review process subject to the standards and guidelines in Sections 14.095-14.125.

14.095. USES PROHIBITED FOR OVERWATER DEVELOPMENT.

A. Aquatic Zones.

The following uses and activities and their accessory uses and activities are prohibited in Aquatic Zones in the Bridge Vista Overlay Zone. Permitted uses are identified in the base zones in Article 2.

1. Fossil fuel and petroleum product terminals.
2. Auto sales and gas stations.
3. Wood processing.
4. Eating and drinking establishments.
5. Retail uses.
6. Professional, medical offices.
7. Indoor entertainment.
8. Hotels/motels. Facilities existing prior to 2013 may be repaired, replaced, and/or redeveloped with new hotels/motels.
9. Conference center
10. Residential uses, including manufactured dwellings.

B. Shoreland Zones.

The following uses and activities and their accessory uses and activities are prohibited in Shoreland Zones in the Bridge Vista Overlay Zone. Permitted uses are identified in the base zones in Article 2.

1. Fossil fuel and petroleum product terminals.
2. Auto sales and gas stations.
3. Wood processing.
4. Professional, medical offices.
5. Indoor entertainment.
6. Hotels/motels. Facilities existing prior to 2013 may be repaired, replaced, and/or redeveloped with hotels/motels.
7. Conference center. Except if located south of the River Trail property.
8. Residential uses, including manufactured dwellings.

14.100. STANDARDS FOR OVERWATER DEVELOPMENT.

A. Applicability.

The following development standards apply to overwater development and to on-land development north of the River Trail / 50 feet wide railroad line property in the Bridge Vista Overlay Zone in areas shown in Figure 14-090-1. These Limitation Areas are located approximately 200 Feet from Shoreline or 300 Feet from north edge of River Trail right-of-way as shown in Figure 14-090-1. In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control.

B. Exemption

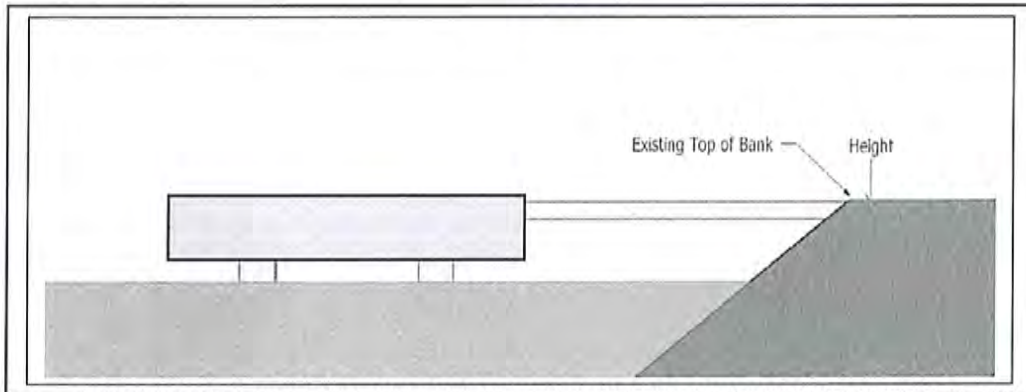
Maintenance, repair, or restoration of buildings existing prior to 2013 shall be exempt from the standards of this Section 14.100. Additions valued at 25% or more of the assessed value of the structure and/or new construction on these buildings shall be subject to these standards.

C. Distance from Shore and Height.

1. Structures within Designated Limitation Areas (Figure 14.090-1).

Maximum building height, except hand rails, shall be the top of the existing adjacent riverbank. No variance may be granted for an exception to this height limitation.

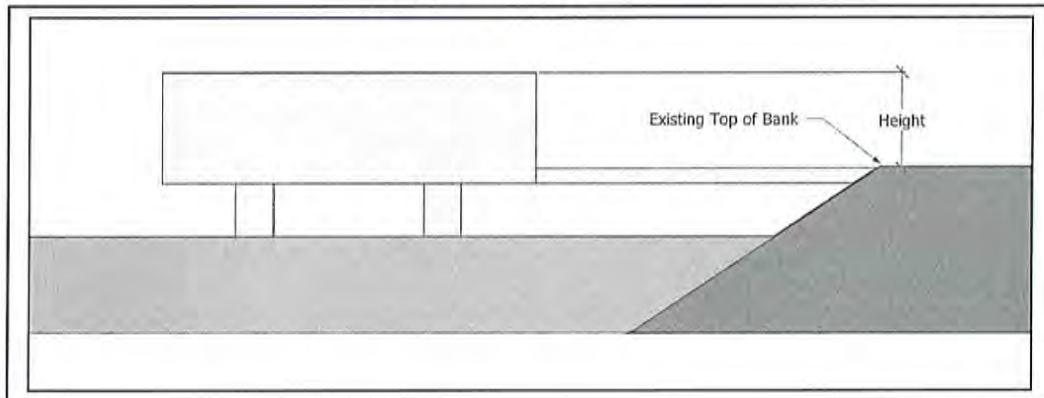
**Figure 14.100-1: Maximum Building Height within Overwater Development Limitation Areas**



2. Structures Outside Overwater Development Limitation Areas (Figure 14.\_\_\_\_-2).

The maximum height shall be 35 feet from the top of the existing adjacent riverbank. No variance may be granted for an exception to this height limitation.

**Figure 14.100-2: Maximum Building Height Outside of Overwater Development Limitation Areas**



D. Size.

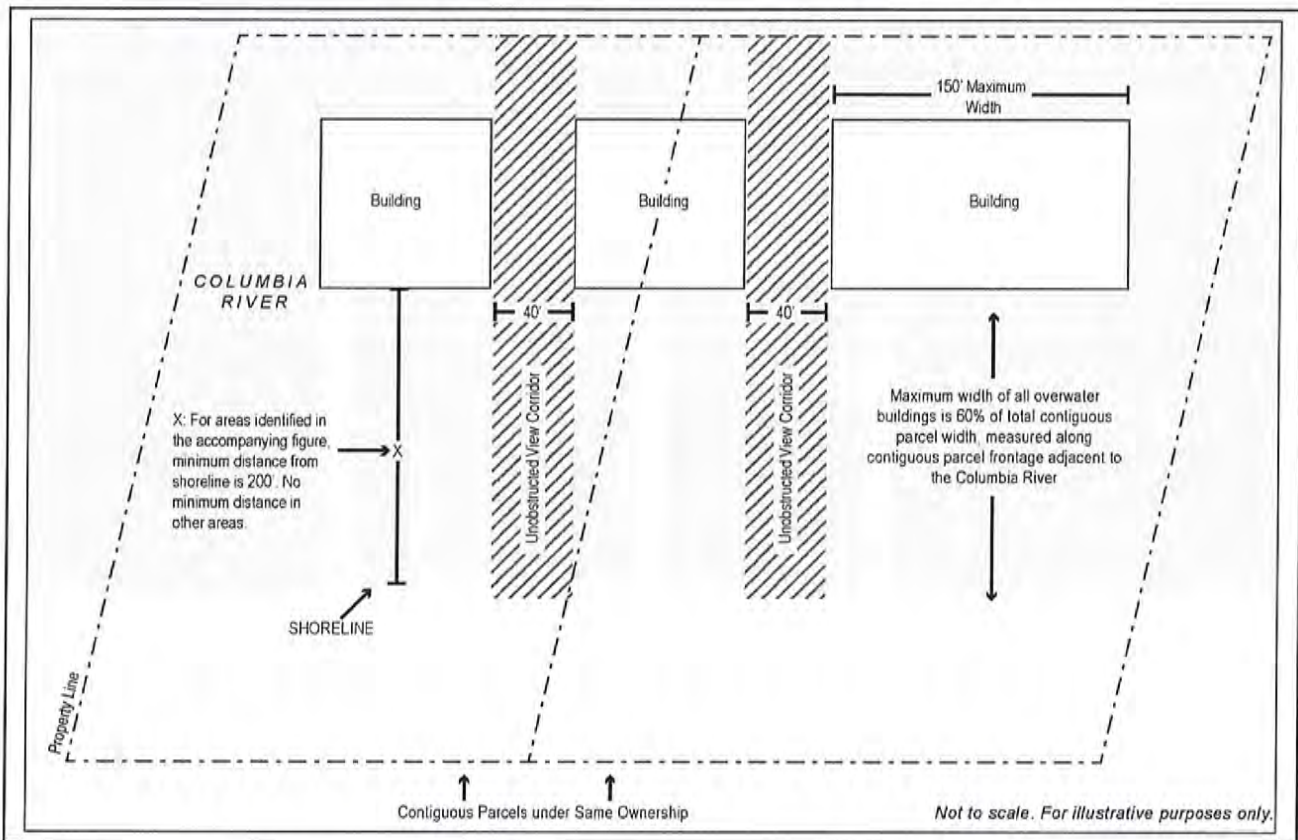
1. Structures within overwater development Limitation Area (Figure 14.090-1). The maximum gross floor area of enclosed structures is 4,000 square feet.
2. Structures outside of overwater development Limitation Areas (Figure 14.090-1). There shall be no maximum gross floor area for buildings located in these areas.

E. Width and Spacing.

1. The maximum width of an individual overwater building shall be a maximum of 60% of the total parcel width (measured along the parcel frontage adjacent to the Columbia River shoreline) or 150 feet, whichever is less.

2. The maximum combined width of all overwater buildings located on a contiguous set of parcels under the same ownership shall be a maximum of 60% of the total width of the combined parcels (measured along the parcel frontage adjacent to the Columbia River shoreline) with no individual building exceeding 150 feet in width.
3. There shall be a minimum 40 feet wide, unobstructed view corridor separation between individual buildings.

**Figure 14.100-3: Maximum Building Width (200'+ from Shoreline or 300'+ from North Edge of River Trail Right-of-Way)**



**F. 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.

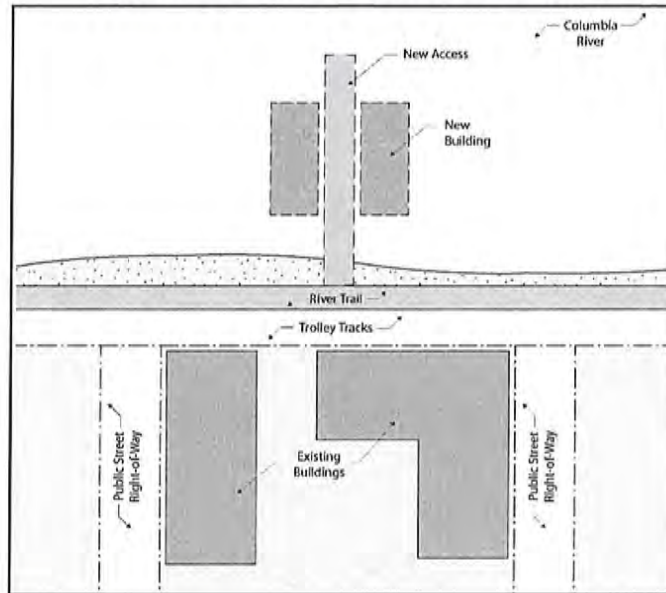
Piers and walkways shall be constructed in accordance with Access Design A, Access Design B, or Access Design C, as shown and described below.

This access design shall be provided in a public access easement provided through



the middle of the development or structure.

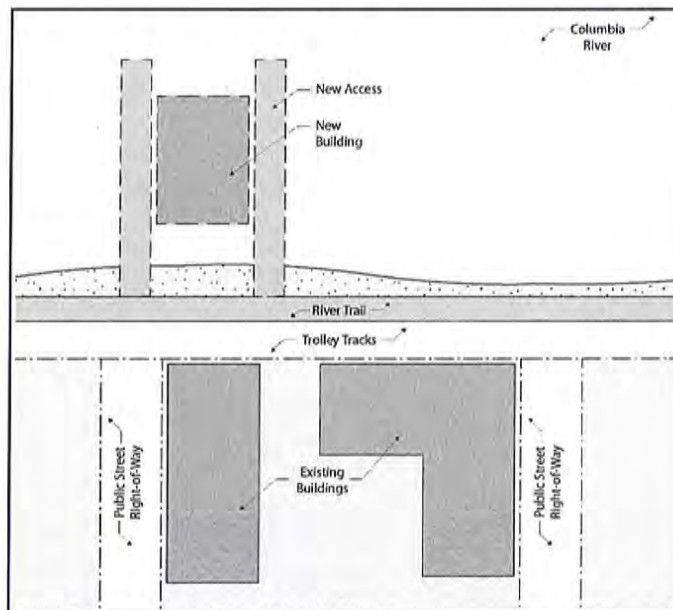
**Figure 14.100-4: Access Design A**



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.

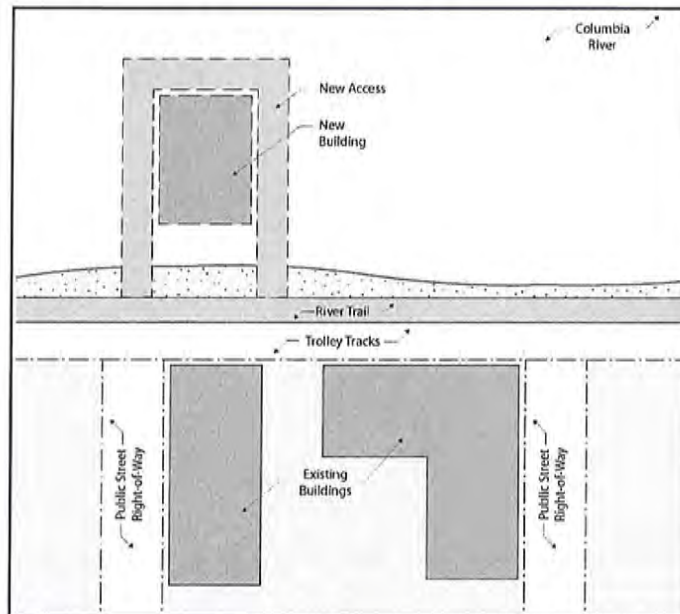
**Figure 14.100-5: Access Design B**



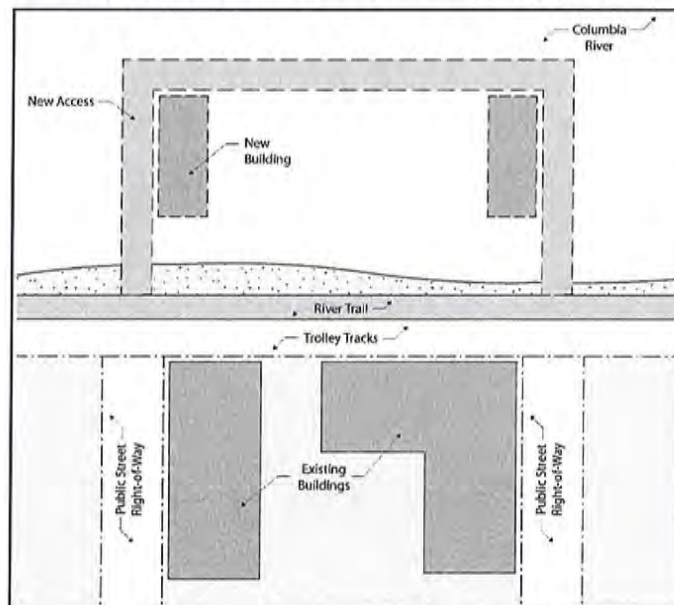
3. Access Design C - "Trail Extension".

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

**Figure 14.100-6: Access Design C.1**



**Figure 14.100-7: Access Design C.2**



4. Pier and Walkway Width.

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

5. Pier and Walkway Length.

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

6. Hours of Access.

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

7. Maintenance Responsibility.

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

14.105. USES PERMITTED FOR ON-LAND DEVELOPMENT.

A. Pedestrian-Oriented District.

The following uses and activities and their accessory uses and activities are permitted outright in the Pedestrian-Oriented District (Figure 14.090-2) in the Bridge Vista Overlay Zone, in addition to uses permitted outright in the base zone identified in Article 2, and are subject to the other appropriate development provisions of this Section.

1. Manufacturing or light industrial with a retail component.
2. Motel, hotel, bed and breakfast, inn or other tourist lodging facility and associated uses when parking is located at the rear or interior of the site, screened by the building.
3. Existing motels and their expansion and reconstruction if destroyed.
4. Dwellings in a new or existing structure above the first floor that has commercial or mixed uses.

B. Commercial Zone.

The following uses and activities and their accessory uses and activities are permitted outright in Commercial Zones in the Bridge Vista Overlay Zone, in addition to uses

permitted outright in the base zone identified in Article 2, and subject to the other appropriate development provisions of this Section.

1. Manufacturing or light industrial with a retail component.
2. Dwellings in a new or existing structure above the first floor that has commercial or mixed uses.

14.110. USES PROHIBITED FOR ON-LAND DEVELOPMENT.

A. Pedestrian-Oriented District.

The following uses and activities and their accessory uses and activities are prohibited in the Pedestrian-Oriented District (Figure 14-090.2) in the Bridge Vista Overlay Zone. Permitted uses are identified in the base zones in Article 2 and in Section 14.105.A of this ordinance.

1. Animal hospital or kennel
2. Auto sales and services.
3. Commercial or public off-street parking lot.
4. Conference center.
5. Construction service establishment.
6. Drive-through facilities.
7. Gasoline services stations.
8. Hospital
9. Manufacturing or light industrial without a retail component.
10. Repair service establishment not allowed as an Outright Use.
11. Transportation service establishment.
12. Wholesale trade or warehouse establishment.

B. Commercial Zone.

The following uses and activities and their accessory uses and activities are prohibited in the Commercial Zone in the Bridge Vista Overlay Zone. Permitted uses are identified in the base zones in Article 2 and in Section 14.105.B of this ordinance.

1. Auto sales and services.
2. Gasoline services stations.
3. Manufacturing or light industrial without a retail component.
4. Single-family dwelling.
5. Two-family dwelling.

14.113. STANDARDS FOR ON-LAND DEVELOPMENT

The following development standards apply to on-land development in the Bridge Vista Overlay Zone south of the River Trail / 50 feet wide railroad line property. The Overwater Development standards shall apply to on-land development north of the River Trail / 50 feet

wide railroad line property. In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control.

A. Height.

1. Maximum building height is 35 feet except as noted in subsection (2) of this section.
2. Building height up to 45 feet is permitted when building stories above 24 feet are stepped back at least 10 feet in accordance with Section 14.113.C.
3. Exceptions to building height restrictions may be granted through provisions in Section 3.075.

B. Setbacks.

1. Minimum Setbacks.

- a. North-South Rights-of-Way between West Marine Drive / Marine Drive and the Columbia River.

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 West Marine Drive / Marine Drive and the Columbia River. Buildings shall be set back in order to achieve the 70-foot view corridor.

- b. Adjacent to the River Trail.

- (1) The minimum setback adjacent to the River Trail shall be 10 feet on the south side of the trail and 20 feet on the north side of the trail.
- (2) The setback area shall be landscaped or shall include a combination of landscaping and pedestrian-oriented amenities such as walkways, seating, and plaza space.

- c. Adjacent to West Marine Drive / Marine Drive and Other Rights-of-Way Parallel to West Marine Drive (except River Trail).

The minimum setback for yards fronting West Marine Drive / Marine Drive and other public rights-of-way parallel to West Marine Drive / Marine Drive in the Bridge Vista Overlay Zone, with the exception of the River Trail, shall be zero (0) feet.

2. Maximum Setbacks.

- a. Adjacent to West Marine Drive / Marine Drive and Parallel Rights-of-Way.

The maximum setback for yards fronting West Marine Drive / Marine Drive and all parallel rights-of-way in the Bridge Vista Overlay Zone, with the exception of the River Trail, shall be five (5) feet.

b. Allowed Extensions of Maximum Setbacks.

The maximum setback for yards fronting a public right-of-way in the Bridge Vista Overlay Zone may be extended to 20 feet for up to 50% of the building facade if the setback is used for a walkway, plaza, courtyard, or other pedestrian-oriented amenity or public gathering space.

C. Stepbacks.

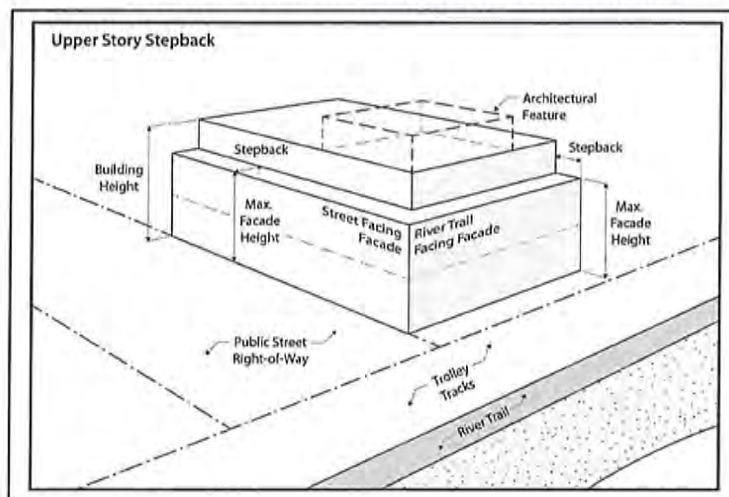
1. Purpose.

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 24 feet, at least that portion of the building exceeding 24 feet, shall provide a stepback of at least 10 feet from the front plane of the proposed building or building addition that faces the street or the River Trail.

**Figure 14.113-1: Building Stepbacks**



D. Size.

The gross floor area of on-land commercial uses in the Bridge Vista Overlay Zone shall be a maximum of 30,000 square feet.

14.115. DESIGN STANDARDS AND GUIDELINES

A. Applicability and Review.

The following design standards and guidelines 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. Applications in the Bridge Vista Overlay Zone shall be reviewed in a public design review process subject to the standards and guidelines in Sections 14.095 to 14.125.

Some of the following design standards and guidelines apply to all uses. Other standards and guidelines are differentiated by non-industrial uses and industrial uses. For the purposes of these Sections, industrial uses include the following as further defined in Section 1.400 of the Development Code:

1. Water-dependent or water-related commercial or industrial use.
2. Communication facility.
3. Communication service establishment.
4. Utility.
5. Cold storage and/or ice-processing facility independent of seafood processing facility.
6. Water-dependent facilities including terminals and transfer facilities.
7. Seafood receiving and processing.
8. Ship and boat building and repair.
9. Aquaculture and water-dependent portions of aquaculture facility.
10. Wholesale trade, warehouse, and/or distribution establishment (including trucking terminal).
11. Research and development laboratory.
12. Wood processing.
13. Manufacturing.
14. Light manufacturing.
15. Petroleum receiving, dispensing and storage for marine use.
16. Transportation services

Non-industrial uses include all other uses that are allowed outright or conditionally in the S-2, A-1, A-2, A-2A, and C-3 zones in the Bridge Vista Overlay Zone.

B. Building Style and Form.

1. Standards for All Uses.

Projecting wall-mounted mechanical units are prohibited where they are visible from a public right-of-way or the River Trail. Projecting wall-mounted mechanical units are allowed where they are not visible from a public right-of-way or River Trail.

2. Guidelines for All Uses.

- a. Buildings should retain significant original characteristics of scale, massing, and building material along street facades.
- b. Additions to buildings should not deform or adversely affect the composition of the facade or be out of scale with the building.
- c. Distinctive stylistic features or examples of skilled craftsmanship should be treated with sensitivity. All buildings should be respected and recognized as products of their time.
- d. Mid-century "slip covers" should be removed when possible.
- e. Solid waste disposal, outdoor storage, and utility and mechanical equipment should be enclosed and screened from view (Figure 14.115-1). Rooftop equipment should be screened from view by a parapet wall, a screen made of a primary exterior finish building material used elsewhere on the building, or by a setback such that it is not visible from adjacent properties and rights-of-way up to approximately 100 feet away.

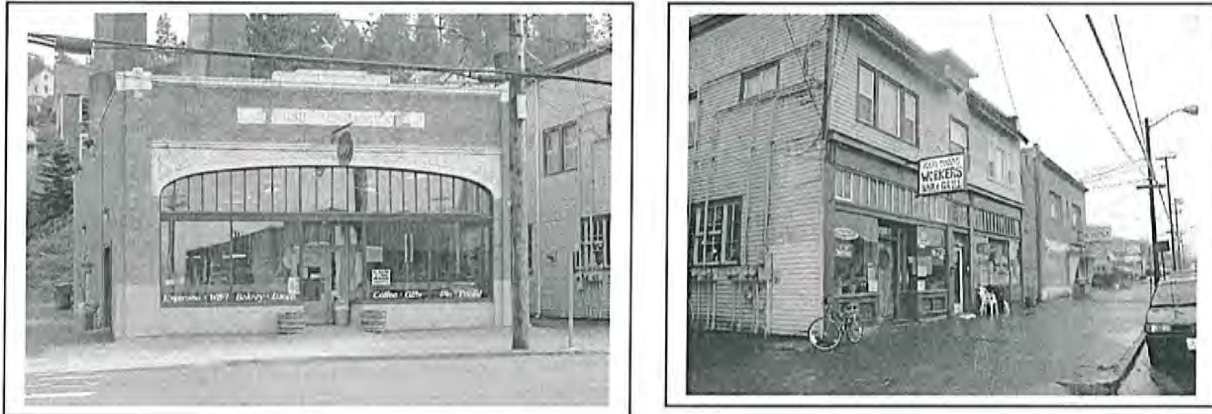
**Figure 14.115-1: Screening Waste Disposal, Outdoor Storage, and Utility/Mechanical Equipment**



- f. Building forms should be simple single geometric shapes, e.g. square, rectangular, triangular (Figure 14.115-2).



**Figure 14.115-2: Geometric Building Form**



- g. Incompatible additions or building alterations using contemporary materials, forms, or colors on building facades are discouraged.

C. Roof Form and Materials.

1. Roof Form Standards for All Uses.

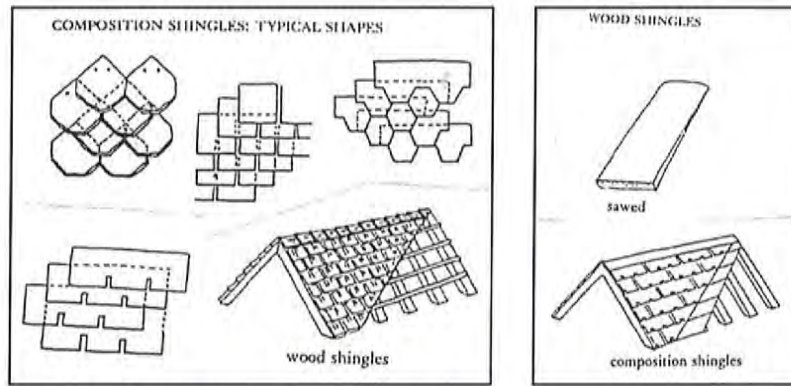
The following roof forms are prohibited:

- a. False mansard or other applied forms; and
- b. Dome skylights.

2. Roof Materials Standards for All Uses.

- a. Buildings shall be constructed or reconstructed with one of the following roofing materials.
  - (1) Cedar shingle (Figure 14.115-3);
  - (2) Composition roofing (Figure 14.115-3); or
  - (3) Materials cited in Section 14.115.C.4 or Section 14.115.C.6..

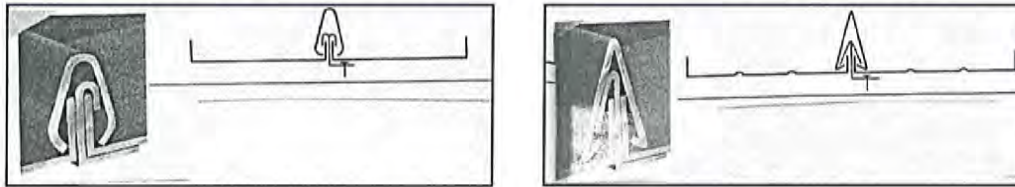
**Figure 14.115-3: Roofing Materials**



b. The following roofing materials are prohibited for all types of buildings:

- (1) High profile standing seam metal roof (Figure 14.115-4); and
- (2) Brightly colored roofing material.

**Figure 14.115-4: Low (3/8" x 1") and High (1/4" x 1-1/4") Roof Seams**



c. Roofing materials shall be gray, brown, black, deep red, or another subdued color.

### 3. Roof Form Standards for Non-Industrial Uses

Buildings for non-industrial uses shall include one of the following roof forms:

- a. Single gable with low pitch; or
- b. Repetitive gable with steep pitch; or
- c. Flat or gable roof behind parapet wall (Figure 14.115-5).

**Figure 14.115-5: Non-Industrial Building, Flat Roof Behind Parapet Wall**



4. Roof Materials Standards for Non-Industrial Uses.

Buildings for non-industrial uses shall be constructed or reconstructed with one of the following roofing materials:

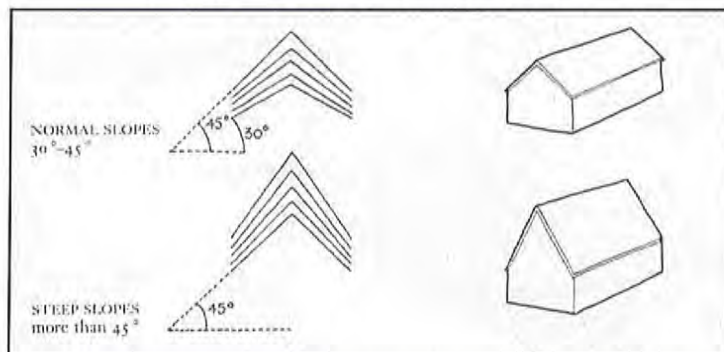
- a. Materials cited in Section 14.115.C.2; or
- b. Built-up roofing materials.

5. Roof Form Standards for Industrial Uses.

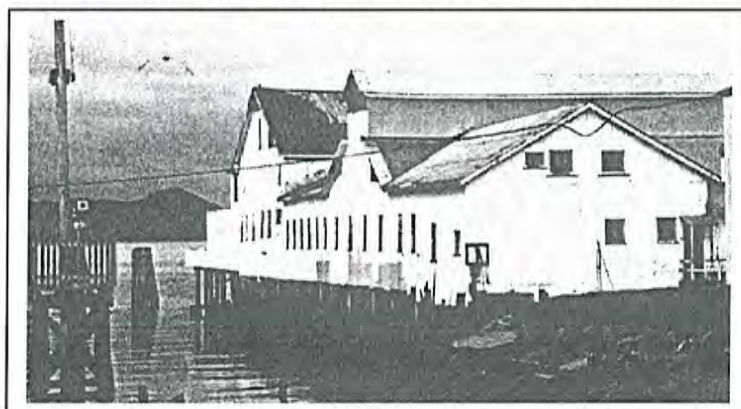
Buildings for industrial uses shall include the following roof forms:

- a. Single gable with low pitch; or
- b. Repetitive gable with steep pitch (Figure 14.115-6 and Figure 14.115-7); and
- c. Shallow eaves (Figure 14.115-7).

**Figure 14.115-6: Roof Pitches**



**Figure 14.115-7: Industrial Building, Multiple Gables, Monitor Roof, and Shallow Eaves**



6. Roof Materials Standards for Industrial Uses.

Buildings shall be constructed or reconstructed with one of the following roofing materials:

- a. Materials cited in Section 14.115.C.2; or
- b. Galvanized corrugated metal; or
- c. Low profile standing seam, metal roof (Figure 14.115-4); or
- d. Roll down.

7. Roof Form Guidelines for Non-Industrial Uses.

Buildings for non-industrial uses may also include the following roof forms or features:

- a. Structural skylights
- b. Shallow eaves behind parapet wall

8. Roof Form Guidelines for Industrial Uses.

Buildings for industrial uses may also include one or more of the following roof forms or features:

- a. Small shed roof dormers
- b. Monitor roof on ridge line (Figure 14.115-7)
- c. Flat panel skylights or roof window

D. Doors.

1. Standards for All Uses.

The following types of doors and door treatments are prohibited:

- a. Automatic sliding doors;
- b. Primary entry doors raised more than three feet above sidewalk level;
- c. Doors flush with building facade;
- d. Clear anodized aluminum frames; and
- e. Reflective, opaque, or tinted glazing.

2. Guideline for All Uses.

Building lighting should emphasize entrances.

3. Standards for Non-Industrial Uses.

- a. Solid metal or wood doors with small or no windows are prohibited.
- b. Doors with a minimum of 50% of the door area that is glass are required.

4. Guidelines for Non-Industrial Uses.

- a. Doors should be recessed when feasible (Figures 14.115-8 and 14.115-9).
- b. Large cafe or restaurant doors that open the street to the interior by pivoting, sliding, or rolling up overhead are encouraged (Figure 14.115-8).
- c. Well-detailed or ornate door hardware is encouraged (Figure 14.115-9). Contemporary hardware should be compatible with the design of the door.
- d. Transom, side lites, or other door/window combinations are encouraged (Figure 14.115-9).
- e. Doors combined with special architectural detailing are encouraged.
- f. Double or multiple door entries are encouraged (Figure 14.115-9).

**Figure 14.115-8: Roll-Up Doors and Recessed Doors**



**Figure 14.115-9: Recessed Doors, Contemporary Door Hardware, Single/Double Doors, Side Lites, and Transom Windows**



E. Windows.

1. Coverage Standards for All Uses.

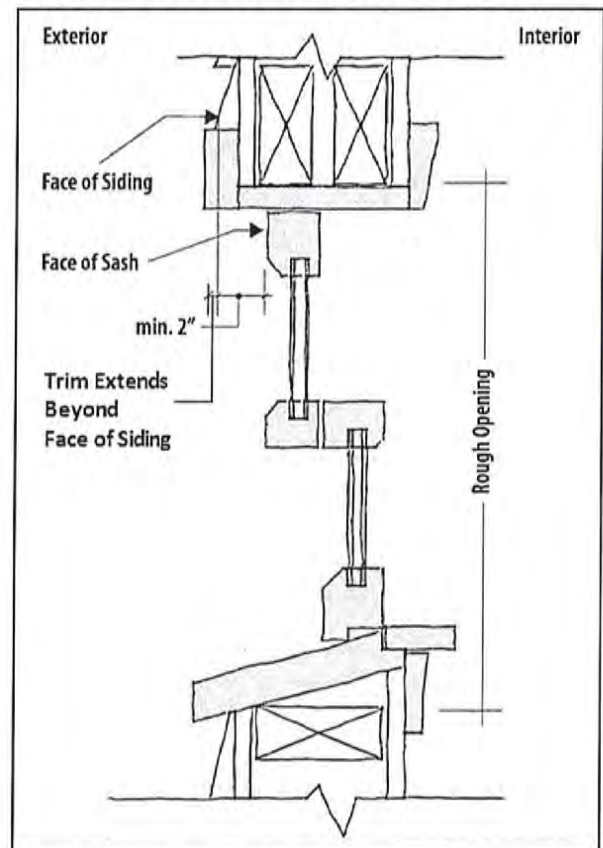
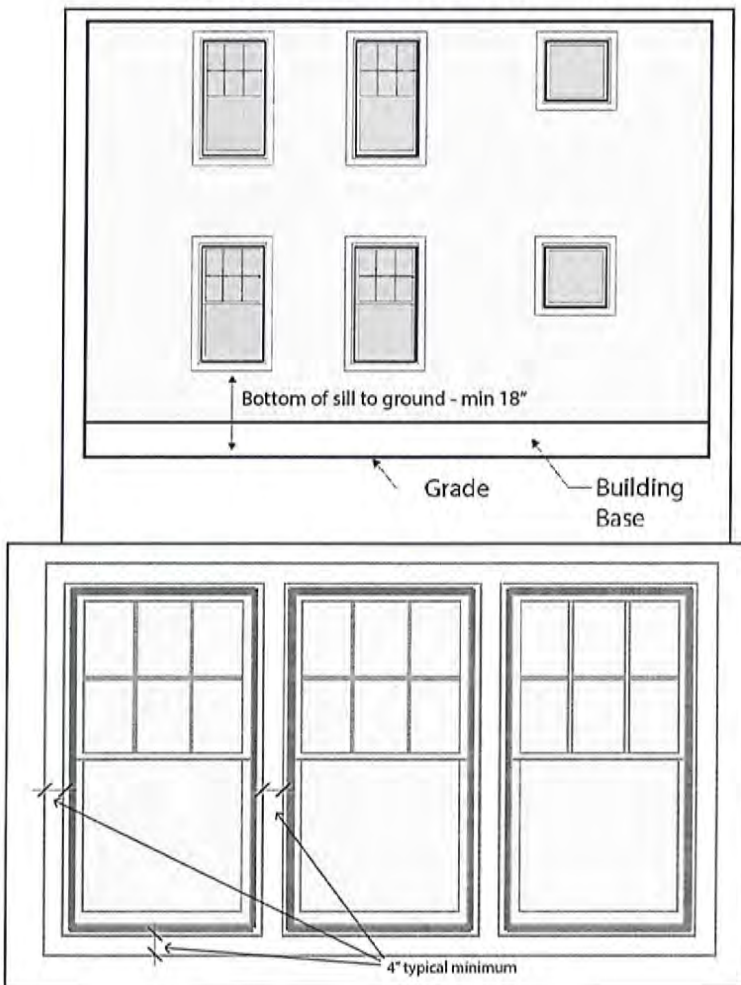
All building facades visible from a public right-of-way and/or the River Trail shall have windows or other openings in the facade. Blank walls on any facades visible from the right-of-way and/or River Trail for any type of use are prohibited.

2. Design Standards for All Uses.

a. Window detailing. Windows shall have casings/trim, sills, and crown moldings. Window detailing shall meet the following requirements.

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

**Figure 14.115-10: Window Detailing – Trim and casement location and dimensions**



- b. The following types of windows or window treatments are prohibited:
  - 1) Residential-styled window bays;
  - 2) Half-round windows;
  - 3) Tinted and/or reflective glass;
  - 4) Sliding windows;
  - 5) Vinyl windows; and
  - 6) Blocked-out windows; and
  - 7) Windows that extend beyond the plane of the building facade.

3. Design Guidelines for All Uses.

- a. Windows, including transoms on existing buildings, should retain their original size and location as part of renovation activities.
- b. Windows that open by pivoting, casement, single hung, or other shuttering are encouraged.
- c. Painted wood or stucco panels or tile clad panels below windows are encouraged (Figure 14.115-11).
- d. Clear glass is encouraged.
- e. True divided lites are encouraged (Figure 14.115-11). Simulated divided lites shall have exterior muntins to create exterior shadow lines.
- f. Boldly articulated window and storefront trim are encouraged.

**Figure 14.115-11: Transom Windows, Panels Below Windows, and True Divided Lites**



4. Coverage Standards for Non-Industrial Uses.

- a. In the Pedestrian-Oriented District.

In the Pedestrian-Oriented District (Figure 14-090.2) and adjacent to the River Trail, at least 50% of the ground-floor street-facing facades of non-

industrial uses shall be covered by windows and at least 30% of the upper-floor street-facing facades should be covered by windows.

b. Outside Pedestrian-Oriented District.

Outside the Pedestrian-Oriented District, at least 40% of the ground-floor street-facing facades of non-industrial uses shall be covered by windows and at least 30% of the upper-floor street-facing facades should be covered by windows.

5. Coverage Standards for Industrial Uses.

- a. All building facades of buildings for industrial uses in the Bridge Vista Overlay Zone that are visible from a public right-of-way and/or River Trail shall have windows. However, buildings for industrial uses are not subject to minimum window area requirements.
- b. Buildings for industrial uses are not required to have ground floor windows but shall have, at the least, clear story or transom windows on the upper story facades or above a height of 14 feet.

F. Siding and Wall Treatment.

1. Standards for All Uses.

The following types of siding and wall materials and treatments are prohibited:

- a. Cladding materials such as corrugated metal panels or spandrel glass;
- b. Panels that are poorly detailed or do not have detailing;
- c. Neon or other fluorescent colors;
- d. Bright or primary wall colors for the entire wall surface;
- e. Flagstone, simulated river rock, or other similar veneer cladding;
- f. Painted brick; and
- g. Non-durable materials such as synthetic stucco or shingles at the ground floor.

2. Guidelines for All Uses.

- a. Variations in wall cladding materials and patterns consistent with historic patterns are encouraged (Figure 14.115-12).
- b. Natural or subdued building colors are encouraged (Figure 14.115-12).
- c. Bright colors may be used for accent trim in limited amounts.
- d. Durable materials such as brick, stucco, granite, pre-cast concrete, board and batten, or horizontal wood siding should be used (Figure 14.115-12).



These materials include galvanized corrugated metal on buildings for industrial uses.

- e. Architectural wall features such as belt courses, pilasters, and medallions are encouraged.

**Figure 14.115-12: Siding Variety and Compatible Materials and Colors**



G. Awnings.

1. Standards for Types of Awnings and Treatments.

The following types of awnings and awning treatments are prohibited:

- a. Fixed “bubble shaped” awnings (Figure 14.115-13); and
- b. Awnings lit internally.
- c. Awnings improperly sized for the building/entry/window (Figure 14.115-13).

2. Guidelines for Types of Awnings and Treatments.

The following types of awnings and awning treatments are discouraged:

- a. Vinyl or other non-compatible material awnings (Figure 14.115-13); and

**Figure 14.115-13: Prohibited and Discouraged Awning Types and Treatments**



3. Standards for Awning locations Along River Trail and North/South Rights-of-Way.

Awnings are generally discouraged and shall not project into the setback area.

#### H. Lighting.

1. Standards for Lighting Types and Treatments for All Uses.

The following lighting types or treatments are prohibited:

- a. Neon silhouette accent lighting;
- b. Fluorescent tube lighting;
- c. Security spotlight;
- d. Signs lit by lights containing exposed electrical conduit, junction boxes, or other electrical infrastructure; and
- e. Up-lighting that shines into the sky or light that shines into other properties or traffic.

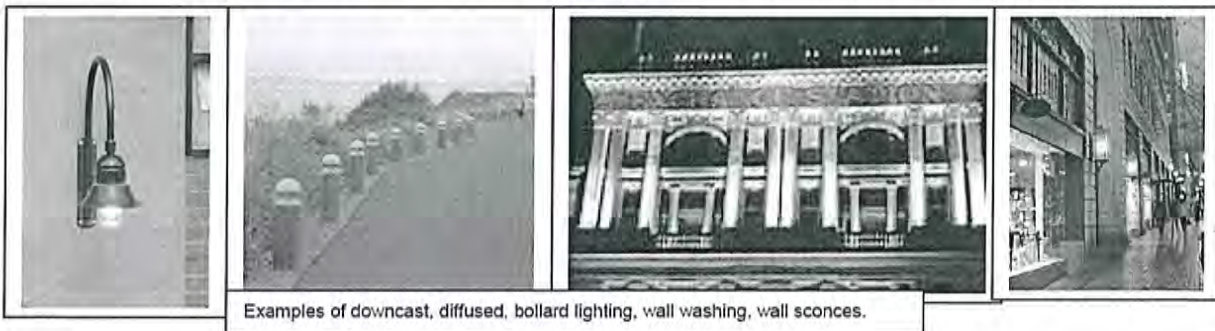
2. Standards Regarding Glare for All Uses.

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

3. Guidelines Regarding Wall-Washing Light.

Wall-washing lighting fixtures should be concealed and integrated into the design of buildings or landscape walls and stairways (Figure 14.115-14).

**Figure 14.115-14: Downward and Diffused Lighting, Wall-Washing Lighting**



I. Signs.

Signs in the Bridge Vista Overlay Zone are subject to the requirements in Article 8 (Sign Regulations) of the Astoria Development Code. The following additional standards apply to signs in the Pedestrian-Oriented District. In the event of a conflict between this Section and other Sections of the Astoria Development Code, this Section shall control.

1. Monument signs (Figure 14.115-15) are allowed up to a maximum of 32 square feet.
2. Monument signs shall be a maximum of five (5) feet tall.
3. Monument signs shall be constructed from materials that are consistent with the historic character of the area, including wood, brick, stone, and metal.
4. Freestanding pole-mounted signs are prohibited (Figure 14.115-15).

**Figure 14.115-15: Monument Signs and Freestanding Pole-Mounted Signs**



14.120. LANDSCAPING.

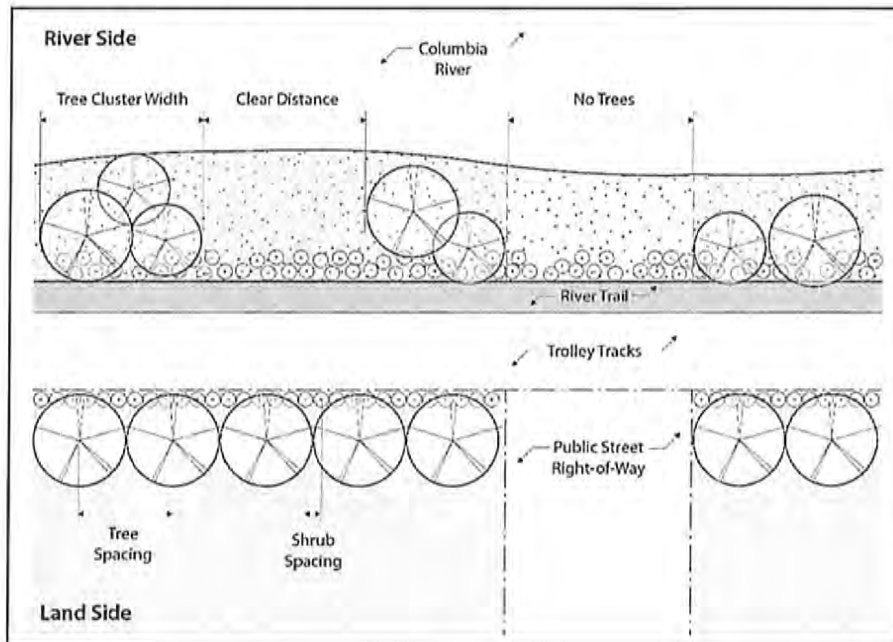
Landscaping is required in the Bridge Vista Overlay Zone in accordance with the provisions in this Section and those in Section 3.120 to 3.125. The provisions in this Section apply to new construction or exterior renovations with a value of at least 20% of the assessed value of the structure, or in the event of installation of new parking areas.

A. River Side or Riparian Standards.

1. Height and Spacing.

- a. Maximum shrub height is 30 inches.
- b. Maximum width of clusters of trees is 30 feet.
- c. Clusters of trees shall have a minimum of 50 feet clear between branches at maturity.
- d. 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 feet centered on the right-of-way centerline.
- e. Trees shall not exceed 25 feet in height at maturity
- f. Maximum height of fences is three (3) feet.

**Figure 14.120-1: River Side/Riparian Landscaping**



2. Native Plants.

See Section 3.125 concerning use of native plants and list of recommended native plants.

3. Landscaping Credits for Non-Vegetation Features.

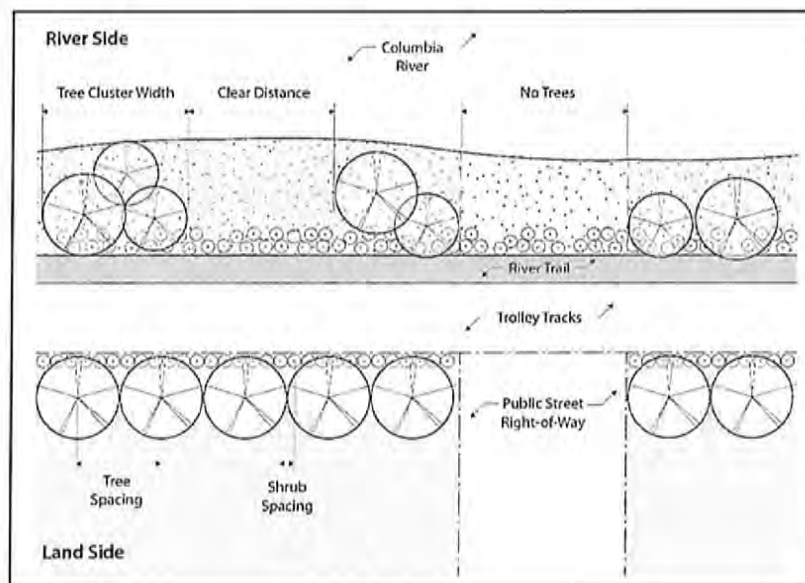
- a. The Community Development Director may approve non-vegetative features to account for up to 40% of required landscaping when the features consist of hardscaped pedestrian-oriented areas (e.g., courtyards, plazas). Permeable paving and other stormwater management techniques are encouraged in the design of these areas.
- b. An application proposing more than 40% of required landscaping be credited by non-vegetative features is subject to approval in accordance with procedures in Article 9 and Article 12.
- c. Non-vegetative features allowed in the public right-of-way and/or on the River Trail in lieu of required landscaping shall be maintained by the applicant. There shall be a maintenance agreement or other City approved agreement. Failure to maintain or loss of the non-vegetative feature will result in the requirement for installation of the landscaping in accordance with the Code at the time of the loss.

B. Land Side or Upland Standards.

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

1. Height and Spacing.
  - a. Maximum spacing of trees.
    - (1) 20 feet on center for non-industrial uses
    - (2) 15 feet on center for industrial uses
  - b. Maximum spacing of shrubs
    - (1) Five (5) feet on center for non-industrial uses
    - (2) Three (3) feet on center for industrial uses
  - c. Ground cover landscaping is required in between shrubs and trees.
  - d. Trees shall not exceed 35 feet in height at maturity

**Figure 14.120-2: Land Side Landscaping**



2. Parking Area Landscaping.
  - a. 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.
  - b. Landscaping shall minimize pedestrian exposure to parking lots with a hedge or a decorative fence that is 36" to 42" high.
  - c. Maximum tree height and width in parking areas shall be 15 feet at maturity.

3. Landscaping Credits for Non-Vegetation Features.

a. The Community Development Director may approve non-vegetative features to account for up to 25% of required landscaping when the features consist of the following:

- (1) Hardscaped pedestrian-oriented areas (e.g., courtyards, plazas); and/or
- (2) At least one of the following amenities meeting the City approved design within the public right-of-way and/or River Trail right-of-way:
  - (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

Permeable paving and other stormwater management techniques are encouraged in the design of these areas.

- b. 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.
- c. Non-vegetative features allowed in the public right-of-way and/or on the River Trail in lieu of required landscaping shall be maintained by the applicant. There shall be a maintenance agreement or other City approved agreement. Failure to maintain or loss of the non-vegetative feature will result in the requirement for installation of the landscaping in accordance with the Code at the time of the loss.

C. Street Trees.

Street trees shall be planted within the right-of-way along both sides of the street in the Bridge Vista Overlay Zone in accordance with the provisions in this Section.

1. Spacing should be 30 feet on center, depending on species and branching habit.
2. Minimum size of deciduous trees should be 2" caliper, with an upright form.

3. Mature branching height should be a minimum of 15 feet.
4. Maximum height for street trees along north-south streets between West Marine Drive / Marine Drive and the Columbia River is 45 feet.
5. Street trees along north-south streets between West Marine Drive / Marine Drive and the Columbia River shall have narrow profiles and/or be pruned to a maximum width of 15 feet.
6. Street trees along north-south streets between West Marine Drive / Marine Drive and the Columbia River shall be one of the columnar species listed in Section 3.125.B.1, unless otherwise approved by the Community Development Director.
7. Durable tree grates and trunk protectors should be installed.
8. Areas between trees should be landscaped with a variety of shrubs and perennials, with an emphasis on flowering species.
9. 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.

14.125. OFF-STREET PARKING.

In the Pedestrian-Oriented District in the Bridge Vista Overlay Zone (Figure 14.090-2), the following provisions apply to parking requirements established in Article 7 of this Code.

A. Reductions.

Minimum parking space requirements in Section 7.100 may be reduced by 50% for uses with less than 5,000 square feet of gross floor area.

B. Exemptions.

Exemptions from minimum parking space requirements in Section 7.100 are permitted under the following conditions:

1. Existing buildings that cover the maximum area of the site allowable
2. Building expansions of 10% or less."

Section 2. Astoria Development Code Section 14.075.A, paragraph 1, pertaining to Landscaping is hereby deleted in its entirety and amended to read as follows:

14.075. LANDSCAPING.



"A. Landscaping is required in the Civic Greenway Overlay Zone in accordance with the provisions in this Section and those in Sections 3.120 to 3.125. 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."

Section 3. Astoria Development Code Section 14.075.A.1, paragraph 1, pertaining to Landscaping is hereby deleted in its entirety and amended to read as follows:

"1. River side or riparian standards.

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

Section 4. Astoria Development Code Section 14.075.A.2, paragraph 1, pertaining to Landscaping is hereby deleted in its entirety and amended to read as follows:

"2. Land side or upland standards.

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

Section 5. Astoria Development Code Section 14.075.A.3.c, pertaining to Landscaping, Street Trees, is hereby deleted in its entirety and amended to read as follows:

"c. Street trees along north-south streets between Marine Drive and the Columbia River shall be one of the columnar species listed in Section 3.125, unless otherwise approved by the Community Development Director."

Section 6. Astoria Development Code Section 14.075.A.1.b, pertaining to Landscaping, Native Plants is hereby deleted in its entirety and amended to read as follows:

"b. Native plants.

~~Landscaping shall consist of native plants from the list of recommended native trees, shrubs, grasses and groundcover listed in Section 14.075.B below, or that are otherwise determined to be native plants. (Flora of the Pacific Northwest (1973) by Hitchcock & Conquist; Gardening with Oregon Native Plants, West of the Cascades (2008) by Oregon State University Extension Service, or a comparable document recommended by the City staff will be the reference for determining other native plants.)~~

~~The Community Development Director, or designee, may approve plants that are not native if it is determined that the plant better addresses~~

~~environmental constraints, habitat value, transparency, height, resilience, and maintenance needs.~~

See Section 3.125 concerning use of native plants and list of recommended native plants.”

Section 7. Astoria Development Code Section 14.075.B, pertaining to Landscaping, Native Plants is hereby deleted in its entirety.

Section 8. Astoria Development Code Section 3.125 pertaining to Landscaping, Native Plants, is hereby added to read as follows:

“3.125. NATIVE PLANTS.

The following shall apply to landscaping within the Riverfront Vision Plan Overlay Area Zones.

A. Use of Native Plants.

Landscaping shall consist of native plants from the list of recommended native trees, shrubs, grasses and groundcover listed in Section 3.125(B), or that are otherwise determined to be native plants in documents such as the following: *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.

B. Recommended List of Native Plants.

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

1. Trees

a. Native Trees

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

b. Street Trees - 15 feet diameter

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

c. Trees for parking lots and other uses

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

2. Shrubs

a. Native Shrubs

*Arbutus menziesii* - madrone  
*Cornus sericea ssp. sericea* - Red-osier Dogwood  
*Gaultheria shallon* - salal  
*Oemleria cerasiformis* - Indian Plum  
*Malus fusca* - Western Crabapple  
*Myrica pacifica* – Wax myrtle  
*Physocarpus capitatus* - Pacific Ninebark  
*Prunus virginiana* - Common Chokecherry  
*Ribes lobbii* - Pioneer Gooseberry  
*Ribes sanguineum* - Red Currant  
*Rosa gymnocarpa* - Baldhip Rose  
*Rosa nutkana* - Nootka Rose  
*Salix fluviatilis* - Columbia River Willow  
*Salix hookeriana* – Hookers Willow  
*Salix sessilifolia* - Soft-leafed Willow  
*Salix sitchensis* - Sitka Willow  
*Sambucus cerulea* - Blue Elderberry  
*Sambucus racemosa* - Red Elderberry  
*Spiraea douglasii* - Douglas' Spirea  
*Symphoricarpos albus* - Common Snowberry

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

*Barberry*  
*Ceanothus*  
*Cistus*  
*Chaenomeles* (Flowering quince)  
*Escallonia*  
*Euonymus*  
*Fuschia* (hardy)  
Laurel – 'Schipka'

*Rhododendron*  
*Rosa rugosa*  
*Salix purpurea* – Alaska blue willow  
*Syringa vulgaris* - Lilac  
*Viburnum* (Hydrangea, etc)

3. Herbaceous Perennials, Grasses and Groundcover Plants

a. Natives

*Adiantum pedatum* - Northern Maidenhair Fern  
*Alopecurus geniculatus* - Water Foxtail  
*Aquilegia formosa* - Red Columbine  
*Angelica arguta* - Sharptooth Angelica  
*Arnica amplexicaulis var. piperi* - Claspig Arnica  
*Aruncus sylvestris* - Goatsbeard  
*Aster Aruncus subspicatus* - Douglas' Aster  
*Athyrium filix-femina* - Lady Fern  
*Blechnum spicant* - Deer Fern  
*Boykinia occidentalis* - Slender Boykinia  
*Cardamine oligosperma* - Little Western Bittergrass  
*Carex deweyana ssp. leptopoda* - Dewey's Sedge  
*Carex unilateralis* - One-sided Sedge  
*Chrysosplenium glechomaefolium* - Pacific Water-carpet  
*Claytonia perfoliata* or *Montia perfoliata* - Miner's Lettuce  
*Corydalis scouleri* - Western Corydalis  
*Cyperus aristatus* - Awned flatsedge  
*Cyperus erythrorhizos* - Red-Rooted flatsedge  
*Cyperus strigosus* - Straw-colored flatsedge  
*Dicentra formosa* - Pacific Bleedingheart  
*Dicentra formosa ssp. oregana* - Oregon Bleeding Heart  
*Epilobium ciliatum spp. glandulosum* - Common Willow-reed  
*Epilobium ciliatum spp. watsonii* - Watson's Willow-reed  
*Festuca occidentalis* - Western Fescue-grass  
*Festuca subuliflora* - Coast Range Fescue-grass  
*Festuca subulata* - Bearded Fescue-grass  
*Fragaria vesca var. bracteata* - Wood Strawberry  
*Fragaria vesca var. crinita* - Wood Strawberry  
*Galium trifidum* - Small Bedstraw  
*Gentianella amerella spp. acuta* - Northern Gentian  
*Geum macrophyllum* - Oregon Avens  
*Heracleum lanatum* - Cow-parsnip  
*Heuchera glabra* - Smooth Alumroot  
*Heuchera micrantha* - Smallflowered Alumroot  
*Juncus ensifolius* - Dagger-leaf Rush  
*Lupinus rivularis* - Stream Lupine  
*Mertensia platyphylla* - Western Bluebells

*Mitella pentandra* - Five-stamened Mitrewort  
*Montia sibirica* - Candy Flower  
*Oxalis trilliifolia* - Trillium-leaved Wood-sorrel  
*Polypodium glycyrrhiza* - Licorice Fern  
*Polystichum munitum* - Sword Fern  
*Pteridium aquilinum* - Bracken Fern  
*Pyrola asarifolia* - Wintergreen  
*Scirpus cyperinus* - Woolly Sedge  
*Streptopus amplexifolius* - Claspingleaved Twisted-stalk  
*Tellima grandiflora* - Fringecup  
*Thalictrum occidentale* - Western Meadowrue  
*Tiarella trifoliata* - Laceflower Trillium  
*Vancouveria hexandra* - White Inside-out Flower  
*Viola glabella* - Stream Violet

b. Non-native ornamentals

*Alchemilla mollis* – Lady’s mantle  
*Aquilegia* - Columbine  
*Ajuga*  
Cranesbill geraniums  
*Digitalis* – foxglove  
*Helebore*  
*Heuchera* – coral bells  
*Hosta*  
*Lavandula* - Lavender  
*Rosmarinus officinalis* - Rosemary  
*Sedums*  
*Thalictrum* – meadow rue”

Section 9. Astoria Development Code Section 1.400 is amended by the addition of definitions to read as follow:

“GUIDELINES: For the purpose of the Riverfront Vision Plan Overlay Zones, the term guidelines shall mean code provisions that encourage or allow for design features or approaches and that provide flexibility and discretion for the appropriate review body to interpret and apply the guideline.”

“STANDARDS: For the purpose of the Riverfront Vision Plan Overlay Zones, the term guidelines shall mean code provisions that require or prohibit specific design features, incorporate numerical or other clear and objective standards, and provide for limited or no discretion by the appropriate review body to interpret and apply the standard.”

Section 10. The 1992 Astoria Land Use and Zoning Map is amended to rezone the following area to apply the Bridge Vista Overlay (BVO) Zone as indicated on the map shown as Attachment A and further described below:

The area is generally described as Portway Street to 2nd Street north of West Marine Drive / Marine Drive, north to the Columbia River pierhead line.

Section 11. The 1992 Astoria Land Use and Zoning Map is amended to rezone the following areas as indicated on the map shown as Attachment B and further described below from C-2 (Tourist Commercial) to S-2 (General Development Shoreland):

The area is generally described as parcels on the east and west side of Basin Street north of West Marine Drive within the C-2 Zone and includes: Map T8N-R9W Section 7CA, Tax Lots 600, 601, 700, 701, 704, west portion of 5400.

Section 12. The 1992 Astoria Land Use and Zoning Map is amended to rezone the following areas as indicated on the map shown as Attachment B and further described below from C-2 (Tourist Commercial) to C-3 (General Commercial):

The area is generally described as parcels east of Basin Street to Columbia Avenue and north of West Marine Drive to the shoreline within the C-2 Zone and includes: Map T8N-R9W Section 7CA, Tax Lots 703, 900, 1300, 1400, 1500, 1600, 1700, 1800, 2100, 2200, 2300, 2500 2800, 2802, land portions of 100, 200, 300, and east portion of 5400.

Section 13. The 1992 Astoria Land Use and Zoning Map is amended to rezone the following areas as indicated on the map shown as Attachment B and further described below from C-2 (Tourist Commercial) to C-3 (General Commercial):

The area is generally described as parcels west of 2nd Street to the extended line of 1st Street, and north of Marine Drive to the Columbia River shoreline within the C-2 Zone and includes: Map T8N-R9W Section 7DA, Tax Lots 11800, 11900, 12000, 12100; Map T8N-R9W Section 7DB, Tax Lots 1200, 1300, 1400, 1501

Section 14. Effective Date. This ordinance and its amendment will be effective 30 days following its adoption and enactment by the City Council.

ADOPTED BY THE COMMON COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

APPROVED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Brett Estes, City Manager

ROLL CALL ON ADOPTION:                    YEA                    NAY                    ABSENT

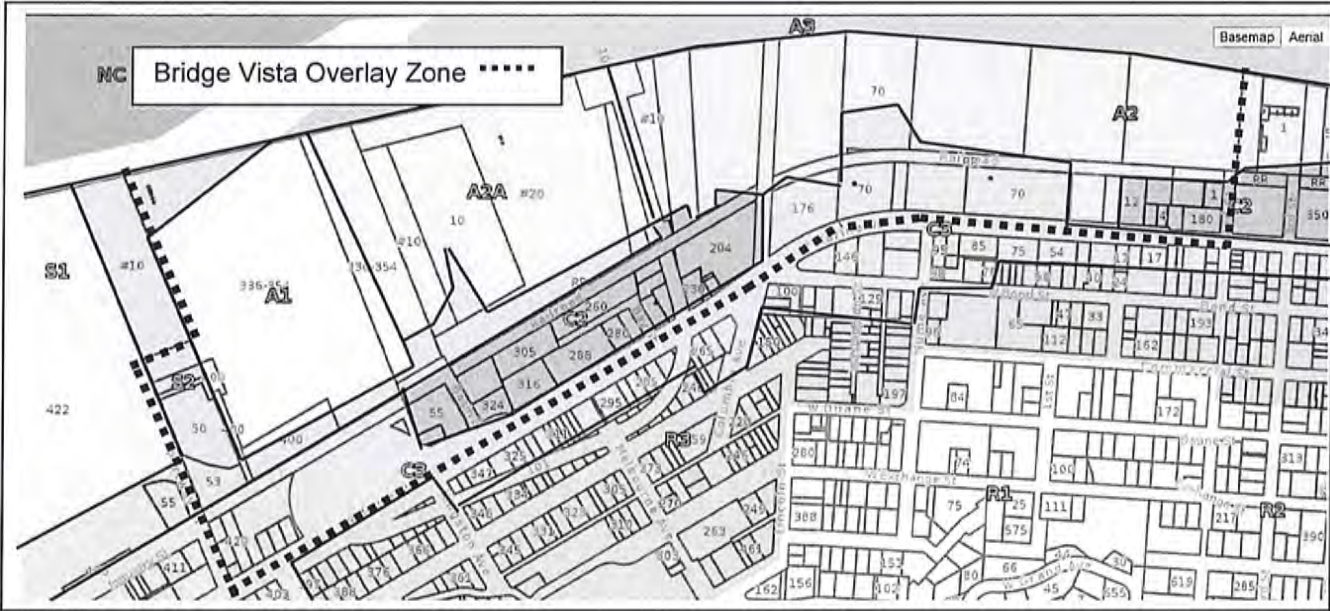
Commissioner

Nemlowill  
Herzig  
Price  
Warr

Mayor LaMear

Ordinance 15-\_\_\_\_ - Attachment A

BRIDGE VISTA OVERLAY ZONE





Ordinance 15-\_\_\_\_ - Attachment B

LAND USE AND ZONING MAP AMENDMENT



II.

ORDINANCE NO. 15-\_\_\_\_\_

AN ORDINANCE AMENDING THE ASTORIA COMPREHENSIVE PLAN AND MAPS  
PERTAINING TO IMPLEMENTATION OF THE ASTORIA RIVERFRONT VISION PLAN

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Astoria Comprehensive Plan Section CP.140.C, Columbia River Estuary Aquatic and Shoreland Designations, Development Aquatic, is deleted in its entirety and hereby amended to read as follows:

“C. Development Aquatic.

Development Aquatic areas are designated to provide for navigation and other identified needs for public, commercial, and industrial water-dependent uses. The objective of the Development Aquatic designation is to ensure optimum utilization of appropriate aquatic areas by providing for intensive development. Such areas include deepwater adjacent to or near the shoreline, navigation channels, sub-tidal areas for in-water disposal of dredged material, areas of minimal biological significance needed for uses requiring alteration of the estuary, and areas that are not in Conservation or Natural designations. In some cases, protection of scenic vistas of the Columbia River also may be an important planning objective, consistent with the City’s Riverfront Vision Plan. These areas are in the Aquatic One Development Zone (A-1), the Aquatic Two Development Zone (A-2), the Aquatic Two-A Development Zone (A-2A).”

Section 2. Astoria Comprehensive Plan Section CP.140.E, Columbia River Estuary Aquatic and Shoreland Designations, Development Shoreland, is deleted in its entirety and hereby amended to read as follows:

“E. Development Shoreland.

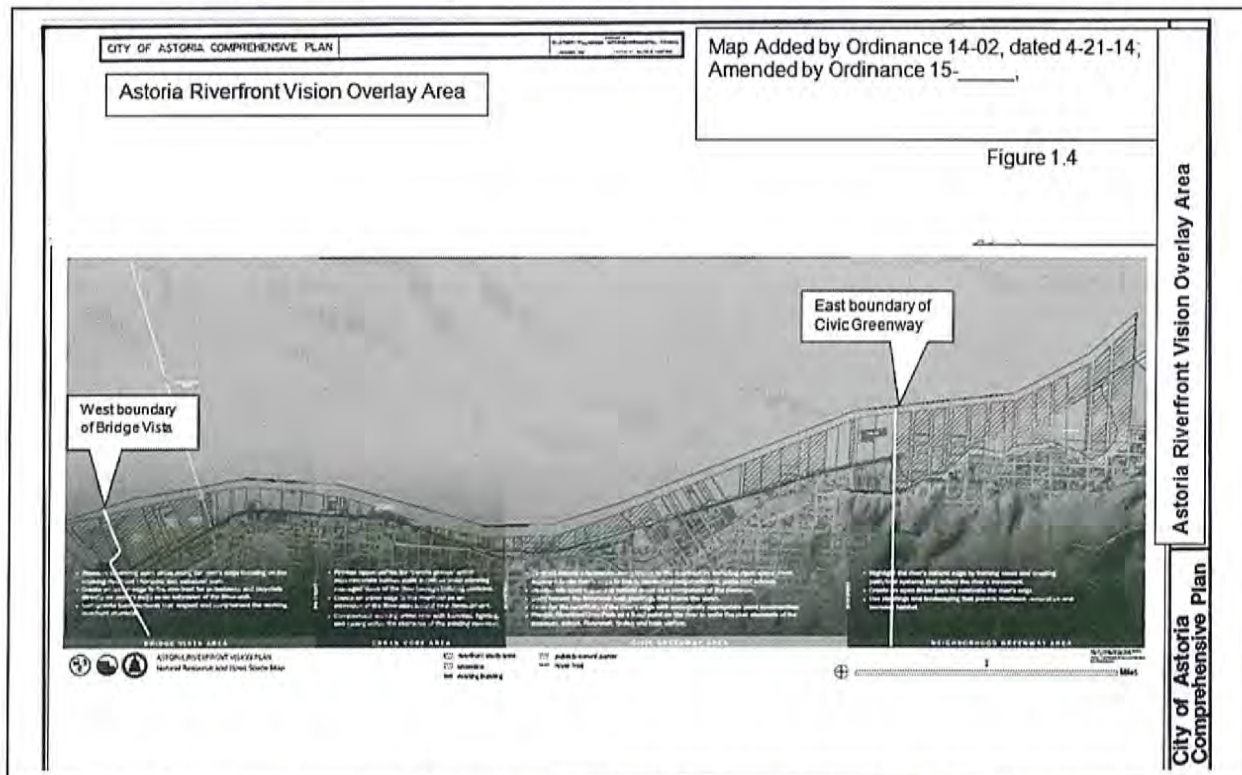
Development Shoreland areas are designated to provide for water-related and water-dependent development along the estuary's shoreline. These areas may present opportunities to develop uses that complement uses in Downtown Astoria, consistent with the City’s Riverfront Vision Plan. Development Shoreland areas include urban or developed shorelands with little or no natural resource value, and shorelands with existing water-dependent or water-related uses. Development Shoreland areas may include scenic vistas of the Columbia River that may be an important planning objective to protect, consistent with the City’s Riverfront Vision Plan. These areas are in the General Development Shorelands Zone (S-2), or the Tourist-Oriented Shorelands Zone (S-2A). Some of these areas are in residential or commercial zones with a Shorelands Overlay Zone.”

Section 3. Astoria Comprehensive Plan Section CP.210.1, Economic Development Recommendations, is deleted in its entirety and hereby amended to read as follows:

"CP.210 Economic Development Recommendations

1. In the City's waterfront areas, 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 will continue to promote a combination of tourist oriented development, industrial development associated with the City's working waterfront and water-related and dependent industries, and distribution and sales of goods and services for Astoria residents and businesses. These efforts will be guided by and consistent with the Astoria Riverfront Vision Plan. 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."

Section 4. Astoria Comprehensive Plan Figure 1.4, Astoria Riverfront Vision Overlay Area is deleted in its entirety and hereby amended to read as follows:



Section 5. Effective Date. This ordinance and its amendment will be effective 30 days following its adoption and enactment by the City Council.

ADOPTED BY THE COMMON COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

APPROVED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

ATTEST:

---

Brett Estes, City Manager

ROLL CALL ON ADOPTION:

YEA

NAY

ABSENT

Commissioner      Nemlowill  
                                 Herzig  
                                 Price  
                                 Warr

Mayor LaMear

To Astoria 4-17-15

David Lee Myers  
120 Commercial Street  
Astoria, OR 97103  
503-325-4789  
[david@DavidLeeMyersPhoto.com](mailto:david@DavidLeeMyersPhoto.com)



February 3, 2015

The recent Astoria Planning Commission's town hall meeting left me with significant concerns.

What characteristics of Astoria matter the most? There's the stimulating mix of cultures: fishers and loggers work with skill and cleverness, physical courage, and brawn. Artists and intellectuals work with skill and cleverness, social and cultural courage, and sensitivity. There's a vital downtown business community. Visitors love this, and their spending helps us thrive. Every day we're immersed in awesome beauty of the river and sky, and in dramatic and melancholy weather. Best of all, views of this are available from affordable homes as well as from the River Walk.

The planning process proposes standards for major construction on the Columbia between Second Street and the bridge. Such buildings would destroy many views from homes and from the River Walk. The views from homes matter immensely: they're why many of us are here. David Carter asked about views of ships. It was then admitted that views from homes were not considered, and his query about ships was never even acknowledged. There's a problem here. Please protect all of the views.

It was explained that the proposed restrictions for new buildings north of the River Walk are for smaller and lower structures than now allowed. That's great. But why allow any? No motivation was given in the presentation, but in discussion afterwards I heard reference to a state requirement that 125 acres be available for development for water-dependent uses. We have such uses already. In fact, NOAA recently reported that the Astoria area topped the West Coast in pounds of fish landed. We're doing enough. It's time for major pushback against requirements to do more.

Reassurances were heard that there won't be any development anyway, because building over water is too expensive. I hope that's true, but it sounds like a sucker deal to rely on that.

For another issue, contrary to a proposed standard of concealing machinery along the River Walk, one of the great things about a working waterfront is seeing interesting operations and equipment. I watch fish in the chutes between Eleventh and Twelfth. I love seeing machinery. The brew pubs all have windows and glass doors so we can see. Are they making a mistake, or are they on to something?

**Sherri Williams**

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**From:** Cindy Price  
**Sent:** Wednesday, January 21, 2015 10:02 AM  
**To:** Kenneth A Barnhart  
**Cc:** Brett Estes; Sherri Williams  
**Subject:** RE: Daily Astorian E-Edition Article

Good point and one I frankly hadn't considered.

I'm copying your email to Sherri Williams, secretary for the Planning Commission, who will be able to pass it along to the Commissioners.

Thank you for writing,  
Cindy Price

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**From:** Kenneth A Barnhart [kennethabarnhart@me.com]  
**Sent:** Wednesday, January 21, 2015 9:01 AM  
**To:** Brett Estes; Cindy Price  
**Subject:** Daily Astorian E-Edition Article

As I was reading the article below "Into the River" I couldn't help but remark that buildings and parking lots built over the Columbia River will allow pollutants to run-off into the river. As Port outflows and the City Stormwater outflows have led to costly fines and remedial actions, it seems wise to disallow over-the-water construction in Astoria.

Follow the link below to view the article.

[dailyastorian.or.newsmemory.com/publink.php?shareid=0b55d57f5](http://dailyastorian.or.newsmemory.com/publink.php?shareid=0b55d57f5)<<http://dailyastorian.or.newsmemory.com/publink.php?shareid=0b55d57f5>>

Ken and Carole Barnhart  
503-325-5588  
(Cell) 971-263-8269 \*this is new\*

To Matt 1/14/15

**From:** Roberta Brice [<mailto:bobbi@skeezix.us>]

**Sent:** Wednesday, January 07, 2015 9:18 PM

**To:** Julie Yuill; Zetty Nemlowill; Drew Herzig; Cindy Price; Russ Warr (External)

**Subject:** River Vision Plan - Bridge Vista

Mayor LaMear and Members of the Council:

I was not able to attend the meeting last night, but would like to add my name to the list of residents asking that you please protect access to the river and its view. I agree with George that development should take place south of the trolley tracks.

Thank you for the opportunity to give input.

Bobbi Brice

Astoria Resident

**Sherri Williams**

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**From:** Roberta Brice <bobbi@skeezix.us>  
**Sent:** Thursday, January 08, 2015 1:13 PM  
**To:** Sherri Williams  
**Subject:** River Vision Plan: Bridge Vista

Sherri and Members of the Planning Commission:

I was not able to attend the meeting on the 7th, but would like to add my name to the list of residents asking that you please protect access to the river and its view. I agree with George that development should take place south of the trolley tracks.

Thank you for the opportunity to give input.

Bobbi Brice

Astoria Resident



To Matt 6-7-15



CITY OF ASTORIA  
Founded 1811 • Incorporated 1856

# Riverfront Vision Plan Implementation Bridge Vista Area Town Hall Meeting 1/6/15

## Comment Form

Your comments will be considered in updating the City's development code to implement the Riverfront Vision Plan for properties in the Bridge Vista area.

When I hear the word "development" in terms of communities & cities — especially communities & cities who seem to be already commercially & socially content — I shiver. Granted, the fuel for this instinctual shiver IS indeed emotional. ~~It is not~~

Also, I think the community is focusing on the obstruction of views rather than what business ~~is~~ will grow. Ethics trumps scenic views!

I + it is paramount to take the active walk along the river path and ask yourself, "Is there anything that needs to be different?"

Contact information: Jayo.Masters@gmail.com

**Thank you for your comments!** Please leave this completed comment form with one of the project team members before you leave the meeting, or return it to the City's Community Development Department (1095 Duane Street).

J. Matt 1-7-15

January 6, 2015

Astoria Planning Commission

RE: Bridge Vista Public Comment

I would like to reiterate my belief that there should be no in water structures allowed that are not directly dependent on river access for their livelihood.

Additionally I am extremely concerned about the proposal to allow indiscriminant siting of three story structures without any review. The structures in question are the three story trees that you're proposing to allow along the river which will adversely affect any low level view that might now be enjoyed from the hillside to the south. Astoria's views add to the enjoyment of living here as well as increase home equity, and allowing the planting of large trees along any portion of the river immediately and adversely affects both. Small shrubbery makes sense, but large trees certainly don't, and why you would even entertain the idea is incomprehensible to me. Trees have immense value but not when they impact views, and to allow such along the river in my mind is inexcusable.

Permitting and even encouraging the planting of trees that fall within a structures footprint is not only practical but quite sensible. The trees at the Holiday Inn Express are perfect examples of using appropriate trees and shrubs to enhance the aesthetic quality of the property. Those trees at maturity will remain within the footprint of the existing structure and therefore will not create any further view impact.

I would implore you to think very long and very hard about what large trees along the river will do the views from the hillside. Given your stewardship responsibilities I would hope you can see the folly in allowing such a thing to happen, and would eliminate the planting of any trees that are not directly tied to the footprint of a structure from the proposed codes. The structure in-and-of-itself should be the determining factor as to what views are blocked. Low growing shrubbery yes, large trees absolutely not!

Cordially yours,

Russ Farmer  
1 3<sup>rd</sup> Street, #501  
Astoria, OR 97103



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

To Matt 1/14/15  
**Riverfront Vision Plan Implementation  
Bridge Vista Area  
Town Hall Meeting 1/6/15**

### Comment Form

Your comments will be considered in updating the City's development code to implement the Riverfront Vision Plan for properties in the Bridge Vista area.

Definition of irony: holding this meeting in this building -  
Maybe the biggest, most egregious planning decision in the  
last dozen + years - A 300' <sup>x 45'</sup> monstrosity blocking view  
of River + Bridge at this location - The more I attend these  
meetings for public input the more it seems like there is  
a lack of vision for the Big Picture of what Astoria is/should be.  
Even the discussion/demos of what could be allowed is  
like opening a Pandora's Box of development possibilities.  
Please scale down any development that would further com-  
promise the actual vista we need to protect - which is the River  
itself. I propose a moratorium on any new development  
in this landscape - use existing structures only, aka  
Brew Beer - New development, if a must, limit to 60'  
front with 70' space, which could include parking.  
Contact information: Bare Verley bverex@yahoo.com

**Thank you for your comments!** Please leave this completed comment form with one of the project team members before you leave the meeting, or return it to the City's Community Development Department (1095 Duane Street).

I would like to know how many acres this parcel represents. And how many of state-mandated 125 acres

To Matt 6-7-15



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

# Riverfront Vision Plan Implementation Bridge Vista Area Town Hall Meeting 1/6/15

## Comment Form

Your comments will be considered in updating the City's development code to implement the Riverfront Vision Plan for properties in the Bridge Vista area.

There is ONLY ONE Astoria Riverfront!

- Already this one-of-a-kind vista has been compromised by "cookie-cutter" motel and business buildings.

- There are many means to foster building and business development.

THERE IS ONLY ONE ASTORIA RIVERFRONT !!!

PLEASE PRESERVE and PROTECT IT!

Contact information: D. Q. Caber 503-861-0702  
DOCQRB@ gmail.com

**Thank you for your comments!** Please leave this completed comment form with one of the project team members before you leave the meeting, or return it to the City's Community Development Department (1095 Duane Street).

To Matt 6-7-15



CITY OF ASTORIA  
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# Riverfront Vision Plan Implementation Bridge Vista Area Town Hall Meeting 1/6/15

## Comment Form

Your comments will be considered in updating the City's development code to implement the Riverfront Vision Plan for properties in the Bridge Vista area.

Why allow any building between the river walk  
and the river that is not water related? Hotels &  
restaurants do not need to be on the water - 1/2 a block  
away will still allow views!

Contact information:

*Chad Wagner*

**Thank you for your comments!** Please leave this completed comment form with one of the project team members before you leave the meeting, or return it to the City's Community Development Department (1095 Duane Street).

*added to email list - S*

**Rosemary Johnson**

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**From:** Rhonda Gewin <rhondaned@msn.com>  
**Sent:** Tuesday, December 23, 2014 9:50 AM  
**To:** Rosemary Johnson  
**Subject:** Astoria's Maritime Heritage

Dear Commissioners,

With respect to the ongoing discussions regarding the City of Astoria options for development of the Astoria Riverfront we would like to strongly endorse the concept of doing as little as possible to negatively impact Astoria's Maritime Heritage, which is the attraction for untold numbers and visitors and residents alike.

While it may appear to be true initially, that building more hotels and other commercial interests would bring more jobs to Astoria, we should be aware that building on top of historical artifacts like the old pilings and obstructing magnificent views in the process is like biting the hand that feeds us. We would literally be burying the our Maritime Heritage and obstructing the views that attract visitors and residents.

The Trolley and Riverfront walkway, the views of the river and Astoria's Historical Maritime artifacts should not be compromised, as this would only be to the detriment of all concerned.

Sincerely,

Ed Wernicke and Rhonda Gewin  
1 3rd St, 301  
Astoria Oregon

**Sherry Williams**

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**From:** George Hague <gbhague@gmail.com>  
**Sent:** Tuesday, December 16, 2014 10:19 AM  
**To:** Rosemary Johnson  
**Cc:** Sherry Williams  
**Subject:** Please forward Bridge Vista thoughts to each Planning Commissioner

**December 17, 2014 Memo**

Good afternoon/evening Planning Commissioners,

I hope you have read the letter by Russ Farmer which is on page 21 of the Memo you received for Wednesday's meeting on the Bridge Vista Plan which can be seen in the above link. I believe it would be useful for you to have several more individual walks along the section in front of and west of the Ships Inn and Stephanie's Cabin. I know you had a group walk and have a long history with our City, but you can see that these restaurants enjoy a view of the River without being over it and blocking the view of those who are walking. I can think of at least five restaurants which are in historic buildings and over the River. I believe this is a good fit and we shouldn't be building new structures for restaurants which would be over the River. It is a stretch to say such new structures are "water dependent", because we have excellent restaurants in town which are several blocks from the river. I also believe hotels, motels and convention centers are not "water dependent" and should be excluded from all areas north of the trolley tracks -- even conditionally. All of these should be built south of the Riverwalk like the Holiday Express which allows for excellent views of the River.

I also go back and forth about allowing 35 foot trees north of the trolley tracks. I hope someone does some serious thinking about their placement in order to maintain views. Some planning departments use balloons which float up to the height/mass of things like trees and/or buildings to show how the height/mass blocks views. Trees might be good for the wildlife like the deer I see every year walking along the river's edge between 2nd Street and the warehouses. I hope the Bridge Vista Plan takes wildlife into consideration as most are "water dependent". The people walking along the Riverwalk really enjoy seeing it.

Roof pitch is something you do not see on most of the remaining historic buildings along the river. I hope new structures that are allowed will have the same roof lines as is currently represented. Roofs with a steep pitch also block views.

I believe all windows need to be required to be at least dual glazed and maybe the City should encourage LEED certified buildings.

As I mentioned to you once before, I believe all new lighting needs to meet International Dark Sky Standards and maybe slowly retrofit those who do not. It will make for a safer City and more enjoyable night sky. The recommendations before you will help.

Some Cities do not allow for much signage except for on the building itself. I hope you think of Cities you drive into with a lot of pole signs and what they add to the City before you encourage our City to also have lots of them.

Solid waste disposal bin screening needs to have strong standards. Some cities require a separate door for people to use to throw in the trash. This is needed to prevent the doors which garbage trucks use being left open or in many cases left partially open. Some places also require some type of open cover over the top to make it so multiple story buildings are not looking into the bins. I hope we are also setting standards for large outdoor recycling bins.

What is written concerning roof top equipment is good, but maybe you could add that it should look "like it is an integral part of the building".

The views of the River are a major draw and money maker for the City. It is also something we can preserve so all people can enjoy for years to come. Almost every day I am able to be there I see young families, which I know are struggling finically, enjoying this stretch by walking the Riverwalk. We need to maintain the views for all people and not just for those who can afford an expensive meal or room. People should not have to walk out to a lookout, like the end of 14th Street, to enjoy the River and all its activity.

Thank you for reading and considering the above,

George (Mick) Hague



To Matt 1-7-15

# Waterfront Development Comments - Kenneth Barnhart, 1379 Madison Avenue, Astoria, Oregon

I could not attend the recent meeting on this subject, so I wrote down a few ideas that I would like to share with you.

## Astoria's location at the mouth of the Columbia River is its Greatest Asset

It is important that development in Astoria understand how important the City's connection to the Columbia River is. As the river supports the life to its fish and wildlife, so too it sustains the City of Astoria. Both historically and currently people who live and visit the city are drawn to the river. It supports a commercial and recreational fish industry. The River brings people to our city as tourists and enriches its residents with incredible scenic beauty. I can't overstate how important the River is to the long-term prospering of Astoria. How we live next to it will either enhance or demean this relationship.

## Views of the River need to be Carefully Managed

The primary River views will be from three locations. People will view the River from their homes and commercial businesses. People will view the River from city streets will traveling within Astoria. People will view the River from the Riverwalk. While the specifics of these viewing locations are varied it is important that the development codes of the city maximize viewing opportunities. Ideally the river shore and a visual buffer or building setback zone would exist along the entire river shore. I recognize this has not been the case historically or even currently in many instances. Planning however sets as its objective what is desired, so I would urge you to endeavor to influence over time development to this end.

In addition it is important that travelers on major roadways periodically catch a glimpse of the River, as these views will draw them to stop and get more close-up river views and experiences. It is no accident that restaurants with River views are so sought out by visitors. The popularity of the Riverwalk further emphasizes the River's attraction.

## Tall Buildings and Over-Water Buildings ignore the Cities connection to the River

The City of Portland has enacted a sort of stair-step approach to preserving its connection to the Willamette River. Building heights are lowest at the rivers edge and increase as distance from the River increases. I urge a similar approach in Astoria.

While the history of Astoria includes building structures on piling over the River, this was a different time with different conditions. The communities attractiveness to tourists and retirees wasn't an issue. Harvesting the river's bounty was. Conditions change, some aspects of the past are not worth sustaining, particularly if this would be contrary to current conditions.



I urge the City to slowly and intentionally plan for the removal of all structures built over the River. This for some reason doesn't seem an obviously desirable goal to some. I can't understand this. Building at the waters edge cuts off River views to all but those occupying the building. Building over water is much more costly than building on land, and the environmental and utility restrictions (need I mention fire fighting) on over water development would seem economically and culturally insurmountable. I have pointed out that the citizens of the U.S. Are the owners of the riverbed in navigable rivers like the Columbia. Federal agencies, state agencies and many environmental protection groups will not sit back quietly while the City of Astoria pursues actions that could harm the River and it fish and wildlife. Over-water buildings diminish Astoria's connection and appreciation of the River. I urge that you put this outdated idea to a permanent end.

The Riverwalk needs to be made All-Whether Safe and Independent Structurally

Portions of the Riverwalk currently cross the River or tidal influenced zones. This is unavoidable it seems and as the walk doesn't introduce river contaminants and offers a desirable river edge experience, I would not relocate these areas to land. Instead I would urge that a new Riverwalk design standard be developed that provides a non-slip wading surface and structural support independent from existing building support structures. As overwater buildings become obsolete or damaged they could be removed without impacting the Riverwalk.

Long-term I believe the vision should be to have many fewer buildings over and adjacent to the River. The exception would be the Riverwalk, supported by its own structural supports. Existing pilings could remain as indications of Astoria's heritage.



TO AR 1-27-15

Sherrri Williams

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**From:** George Hague <gbhague@gmail.com>  
**Sent:** Sunday, January 25, 2015 10:58 PM  
**To:** Rosemary Johnson  
**Cc:** Sherrri Williams; Mike Morgan  
**Subject:** Bridge Vista & Letter to the Editor & Appendices for Riverfront Vidon Plan  
**Attachments:** DailyAstorian.pdf

[http://www.astoria.or.us/Assets/dept\\_3/pm/pdf/riverfront\\_vision\\_plan\\_appendices.pdf](http://www.astoria.or.us/Assets/dept_3/pm/pdf/riverfront_vision_plan_appendices.pdf)

Appendices for the Riverfront Vison Plan -- Please find the time to read

January 27, 2015 Memo

Good morning/afternoon Planning Commissioner,

This past Friday there was a letter to the Editor in the Daily Astorian which if you haven't already can read if you Double Click on the below. It would be good if the Planning Commission could have what David Lee Myers wrote in his letter under the title "Pushback" as one of your options instead of what you have on pages 7-9 found in the above link (January 27, 2015 Memo). Pages 10-16 show you even more options you will be deciding this Tuesday. You need to realize you will be allowing buildings over the River up to 45 feet tall under the current proposals. Restricting new structures south of the trolley tracks should also be a major option and I believe if you put this to a vote of your fellow Astorians they would approve this requirement in the Bridge Vista area.

I have been reading the appendices of the Riverfront Vision Plan found in the above link which I recommend for all of you. When people have the freedom to give views you will read again and again the need to preserve the River's extensive views with very little endorsement for buildings that block views of the River. It is sad that the City would guide comments about development in areas like the Bridge Vista, instead of having a more open set of questions for responses as appears to have been done in other areas. I know it will take awhile to read, but it is worth your time.

Take care,

George (Mick) Hague

ions when there is pamphlet? Would o have a voter's for the May 2015 It could happen, elp is needed.

Clatsop County Office has sent a e 39 districts par- in the May 2015 s asking them if they : to help fund the . The letters prom- istimate the cost istrict, which is d by the number The total cost in \$13,000, or an \$384 per district price to pay for a al component of

contact the boards election and ask port the publica- voter's pamphlet, s include the Port . Clatsop Com- illege, the school the Sunset Em- ployment District, ny others. If you d members, give ill. The response oards to the Elec- ice must be re- Feb. 6.

County last pub- veler's pamphlet ar elections in top County In- tions Clerk Val- d said the county blishing the vote- slet because there and. r, without a vol- ilet, the elec- or to the discre- on of newspapers or campaign litera- andidates choos- e.

ocracy cannot suc- s those who ex- choice are pre- pose wisely. The ard of democ- re, is education," n D. Roosevelt .ARRY TAYLOR chairman, Clatsop County emocratic Central Committee

ncroaching rned over the tion of the envi- t. Smith Point in- ing is the expan- log-sorting oper- the creation of a icing yard there. walked my dog e a day for more rears, I have no- le variety of crea- e grassy meadow p of Smith Point joining wetland. birds frequent ncluding a small f — something derling — that e grass and com- en I walk by. It empts to lure me . the meadow side rwalk where the she herons over- e tall grass. ous times of the ada geese and a ducks and terns area. At least one s from the area.

During the Astoria City Council meeting Tuesday, the approximately five-year-long controversy over where to prosecute Astoria's Driving Under the Influence of Intoxicants (DUI) offenders was brought to an end. By a vote of 4-1, Astoria Police officers will now cite DUI offenders into Circuit Court, as do all other law enforcement officers in Clatsop County.

Thank you, Councilor Drew Herzig, who was elected in 2012 after campaigning to end this controversy, and who was the lone voice on council advocating that position — until now.

Thank you newly elected Councilors Zeity Nemlowitt and Cindy Price, who each also campaigned in favor of ending this controversy, and voted in accordance with

their stated positions. Thank you newly elected Mayor Arline LaMear, who cast the toughest vote. LaMear read a prepared statement at the beginning of the discussion in which she first listed arguments in favor of keeping DUI prosecution in Astoria Municipal Court, but then went on to explain that she had become convinced it was in the best interest of Astoria to put this behind us, and that this was an important part of her wish to be inclusive in her administration.

I believe the council's decision was the right one, for many reasons. Therefore, thank you all, for putting public service first and foremost.

SHEL CANTOR  
Astoria

Many amphibians live there, a chorus of frogs each twilight.

Thousands of slugs and snails help to keep the meadow clean.

Small groups of deer occasionally browse there.

It has been a place rich in life.

Since the expansion of the log-sorting operation and the addition of the truck-service yard (which has become a mud hole), I have seen almost none of the critters I met there.

The logs keep encroaching on the meadow and the wetland. Heavy log-handling vehicles are stored on the wetland.

Now, a large number of huge pipes (I believe they are dredge pipes) have been moved onto the meadow and the wetland, further reducing the inhabitable space while likely killing little critters that were in the wrong place at the wrong time.

The Port of Astoria should explain why they have allowed this and whether they have weighed the environmental impact of the commercial activity.

Maybe the economic advantages of the activity outweigh the impact on the critters' home. Personally, I don't think so, nor, I suspect, would the critters.

We should be mindful that the land belongs to us no more than it does to the critters. The logs and pipes should be removed from the meadow and wetland. The log and truck operations should be kept on the areas already paved without further paving to the west being allowed.

The meadow and the wetland are or were a treasure.

PAUL HAIST  
Astoria

Pushback The recent Astoria Planning Commission's town hall meeting left me with significant concerns.

What characteristics of Astoria matter the most? There's the stimulating mix of cultures: fishers and loggers work with skill and cleverness, physical courage and brawn. Artists and intellectuals work with skill and cleverness, social and cultural courage and sensitivity. There's a vital downtown business community. Visitors love this, and their spending helps us thrive.

Every day we're immersed in awesome beauty of the river and sky, and in dramatic and melancholy weather. Best of all, views of this are available from affordable homes as well as from the Riverwalk.

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Reassurances were heard that there won't be any development anyway, because building over water is too expensive. I hope that's true, but it sounds like a sucker deal to rely on that.

For another issue, contrary to a proposed standard of concealing machinery along the Riverwalk, one of the great things about a working waterfront is seeing interesting operations and equipment. I watch fish in the chutes between 11th and 12th streets. I love seeing machinery. The brew pubs all have windows and glass doors so we can see. Are they making a mistake, or are they on to something?

DAVID LEE MYERS  
Astoria

Obama is MIA A flood of criticism has been directed at the affirmative action president

over the fact that he failed to attend the massive anti-terrorism demonstration held in Paris recently. That's when the leaders of some 40 nations joined the unprecedented display of solidarity against the horrific mass murders there by Muslim extremists aka terrorists. There was wide-ranging and myriad number of reasons and/or excuses as to why the community organizer turned up MIA (Missing In Action) from that stunning show of civilized-world solidarity. Based on a reading of several public pronouncements he has made in the past and actions he has taken, I would venture that the empty suit in the Oval Office either is a closet Muslim himself or, at least, a strong sympathizer of the "Religion of Peace." That's the opinion of one American citizen — me — given freely in a nation that still protects the right of freedom of speech.

E. ROBERT NASSIKAS  
Astoria

Doomsday letter

The "Polluters should pay" letter in the Jan. 16 Daily Astorian is about as biased, untrue and hyperbolic a doomsday article as

acid. The rising oceans will flood most of the world's coastlines. War, pestilence, economic disaster, starvation, homelessness and more will be everywhere. Society as we know it will be gone, forever.

But, the writers miraculously have a solution. They say 11' of Oregon will save the world.

How? Gas is too cheap. They want polluters (i.e. gas companies) to pay to pollute. They don't have to stop polluting, just pay a fine. Then, we will have carbon fees, carbon mitigation fees, higher taxes and on and on and on.

Al Sharpion-style shake-downs of so-called polluters by extorting money from them for things that are never going to happen on that scale is coming soon. A company like Oregon Climate has got to get funds from somewhere. Why not just try to scare everybody to death?

The only solution that I see that will work in all honesty for such a prediction is to ban all internal combustion autos from our highways. Ban lawn mowers, weed eaters, barbecues, outdoor fires, generators, trimmers, heavy equipment, fertilizer and so on. Dire predictions require dire consequences. The problem of underpriced fossil fuels is a joke.

Please, Oregon Climate go away!

I worry more about our sun going super nova in a few million years. Now that's societal disruption.

STEVE SIMMONS  
Astoria

Sense of place

I am a barn-and-raised Astorian, 32 years old, living there as recently as August. I just moved to

place. I wou back to an F ues historic ters sustain ment, provit housing ar community t als were loo I came of 31 After the re- of the his buildings at 3 streets, to an expanded pa have begun Astoria's tea

Now the molish the h Hotel (aka in order to c lic library. demolition i soundly buil counter to movement i USA. Demi ic buildings lective men it for all etc reuse is emi er, but takes more dream Company is ample of Ast dream.

Right now ers seem to v toria into a community I've witness value turn a country of This does nt the future of professionalh sense of place look elsewh give small t cultural heri diversity. Yes, empty. As d Flavel hous Franklin, WI properties gi an imaginati ponder the demohed i living to dream CI

Visit us online at www.DailyAstorian.com



Advertisement for Columbia Memorial Hospital. Includes a calendar for February, a photo of a woman, and the text 'Join us!' and 'FREE! Fun for the whole family Community Health Fair'.

PUBLIC NOTICE

ENT/Cosmetic Surgery Clinic to close Feb. 20, 2015 two years of dedicated service, Dr. Christopher Nyte leaving Astoria and the CMH ENT/Cosmetic Surgery will be closing. Nyte will continue to keep scheduled appointments until



CITY OF ASTORIA  
Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

## MEMORANDUM

DATE: May 27, 2015

TO: CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT: AMENDMENT A15-01 GATEWAY OVERLAY ZONE EXTENSION

### DISCUSSION / ANALYSIS

As a part of the Civic Greenway Riverfront Vision code amendment process, the City Council approved the extension of the Gateway Overlay Zone to 41<sup>st</sup> Street. However, the Comprehensive Plan contains a map (Figure 1.1) which illustrates the location of the Gateway Overlay Area from 16<sup>th</sup> to 29<sup>th</sup> Streets. In order to ensure that the Development Code is consistent with the Comprehensive Plan, staff has prepared an amendment to the Comprehensive Plan that extends the Gateway Overlay Area from 29<sup>th</sup> to 41<sup>st</sup> Street, and makes various “housekeeping” changes to the description of the area.

Changes include updated information concerning John Warren Field, the East Mooring Basin and the Astoria Plywood Mill, and a synopsis of the Riverfront Vision Plan. The only policy change is as follows:

Comprehensive Plan Section CP.08.1.b, Gateway Overlay Area Policies, is amended to read as follows:

*“b. Enhance the primary uses, such as the Columbia River Maritime Museum and Columbia Memorial Hospital, and work to redevelop areas such as the former John Warren Field site, which have significant development potential.”*

The Planning Commission considered these changes at their April 28, 2015 hearing and moved to recommend them to the City Council.

**RECOMMENDATION**

The request is consistent with the Comprehensive Plan. Staff recommends that the City Council hold a public hearing and conduct a first reading of the proposed Ordinance as recommended by the Astoria Planning Commission for adoption of the proposed amendment.

By:  \_\_\_\_\_  
Mike Morgan, Interim Planner



STAFF REPORT AND FINDINGS OF FACT

May 22, 2015

TO: MAYOR AND CITY COUNCIL

FROM: BRETT ESTES, CITY MANAGER

SUBJECT: AMENDMENT (A15-01) TO THE COMPREHENSIVE PLAN CONCERNING THE GATEWAY OVERLAY AREA

I. BACKGROUND SUMMARY

- A. Applicant: Brett Estes  
City Manager/Community Development Director  
City of Astoria  
1095 Duane  
Astoria OR 97103
- B. Owner: Not Applicable
- C. Request: Amend the Comprehensive Plan to delete Figure 1.1, and replace it with a Map entitled 1.2, Gateway Overlay Area, extending the area from 29<sup>th</sup> Street to 41<sup>st</sup> Street; amend CP.057 Gateway Overlay Area Gateway Overlay Area to make various changes including a description of the Riverfront Vision Plan.
- D. Location: Area from 29<sup>th</sup> Street east to 41<sup>st</sup> Street, north from Marine Drive to the pierhead line as described by the Riverfront Vision Plan
- E. Zones: C3, A1, S1, S2A, GI

II. BACKGROUND

Attached to this memo is a copy of the proposed amendment to the Comprehensive Plan Sections CP.057 concerning the Gateway Overlay Area and the Riverfront Vision Plan (RVP) with updates, amendments and a description of the RVP. These amendments are proposed by the Community Development Department in order to extend the Gateway Overlay Area to be consistent with the Gateway Overlay Zone that was adopted by A14-02, the implementation of the Civic Greenway Area. In addition, CP.058.1.b is proposed to be amended for "housekeeping" purposes, including deletion of the reference to the Plywood Mill, and including John Warren Field as a potential development site.

### III. PUBLIC REVIEW AND COMMENT

#### A. Planning Commission

In accordance with Section 9.020, a notice of public hearing was published in the Daily Astorian on April 3, 2015. A public notice was mailed to Neighborhood Associations and other interested groups on April 3, 2015. Additionally, the individual public notices as required by Measure 56 were mailed to property owners as part of Amendment 14-02.

#### B. City Council

Public notices were mailed to individual property owners on May 8, and a notice of public hearing was published in the Daily Astorian on May 25<sup>th</sup>.

### 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, or the owner or owners of the property for which the change is proposed.

Finding: The proposed amendment to the Development Code is being initiated by the Community Development Director.

- B. Section 10.050(A) states that *"The following amendment actions are considered legislative under this Code:*

1. *An amendment to the text of the Development Code or Comprehensive Plan.*
2. *A zone change action that the Community Development Director has designated as legislative after finding the matter at issue involves such a substantial area and number of property owners or such broad public policy changes that processing the request as a quasi-judicial action would be inappropriate."*

Finding: The proposed amendment is to amend the section of the Astoria Comprehensive Plan concerning the Gateway Overlay Area map. There are no regulatory changes proposed for the Development Code. The proposed amendment will also amend the Comprehensive Plan Sections CP.057 and CP.058.1.b concerning the Riverfront Vision Plan and with updates.

- C. Section 10.070(A)(1) requires that *"The amendment is consistent with the Comprehensive Plan."*

Finding: The proposed amendments will support the intention of the Comprehensive Plan to foster development that protects scenic views along the Columbia River.

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

Finding: The proposed amendment will satisfy land use needs in that it will establish policies for the development and use of the Gateway Overlay area within the City limits. The proposed amendment will not adversely affect the ability of the City to satisfy land and water use needs.

V. CONCLUSION AND RECOMMENDATION

The request is consistent with the Comprehensive Plan and Development Code. Staff recommends that the City Council adopt the amendments.



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Mike Morgan, Planner

Attachments:

Proposed Ordinance 15-01  
Map of Gateway Overlay Area

ORDINANCE NO. 15-\_\_\_\_\_

AN ORDINANCE AMENDING THE ASTORIA COMPREHENSIVE PLAN PERTAINING TO IMPLEMENTATION OF THE GATEWAY OVERLAY AREA

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section. Astoria Comprehensive Plan Section CP.057, Gateway Overlay Area, is deleted in its entirety and amended to read as follows:

"CP.057. Gateway Overlay Area.

The Gateway Overlay Area extends generally from 16th Street to 29th 41st Street, from the pierhead line of the Columbia River on the north to Exchange and Franklin Streets on the south between 16th and 29th Streets, and Marine / Lief Erikson Drive on the south between 29th and 41st Streets (see map Figure 1.1). As such, it overlays portions of the Downtown and the Uppertown Areas, which are discussed elsewhere in the Comprehensive Plan. The area is dominated by major institutional uses, including the Columbia River Maritime Museum, ~~the Astoria School District's Warren Field,~~ the City of Astoria Aquatics Center, Columbia Memorial Hospital, ~~and the Oregon State University Seafood Lab, and Duncan Law Seafood Consumer Education Center,~~ East End Mooring Basin, and associated Port property. There are several significant vacant land and water areas suitable for redevelopment, notably ~~the former Astoria Plywood Corporation Mill Site, and the riverfront area east of 20th Street. The former Astoria Plywood Corporation Mill Site was planned for acquisition acquired by the City of Astoria in early 1998 and sold for redevelopment~~ redeveloped as a mixed use residential / with some possible commercial areas.

In 1996, the City embarked on a master planning program for the Gateway Overlay Area to provide a vision for future development. The master planning process, which extended over the course of twelve months, entailed extensive public involvement and received considerable public support. In April 1997, the Astoria Gateway Master Plan was accepted by the City Council. The Gateway Master Plan provides a conceptual basis for future development. Its vision is implemented through the City's Comprehensive Plan and Development Code. The City intends to stimulate a pedestrian oriented, diverse area that actively promotes new complementary uses while maintaining and supporting primary existing uses, takes advantage of the proximity of the Columbia River waterfront, and complements the City's Downtown core. The Gateway Area is organized as a collection of eight discrete, interrelated sub-areas comprised of similar and compatible land uses. The sub-areas are linked by a circulation framework that includes a series of public open space amenities, trails, and a network of neighborhood streets.

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 pierhead line to West Marine / Marine Drive / Lief Erikson Drive) was divided into four Plan areas of development: Bridge Vista (Portway 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, extensive community involvement included community-wide forums, open houses, numerous community meetings, stakeholder interviews, surveys, and public hearings were conducted. 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, 2014-2015, the City Council set goals to "Implement Riverfront Vision Plan on a Zone by Zone Basis." Phase 1 of the implementation project developed land use codes and new zones for the Civic Greenway Plan Area. 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. Phase 1 for the Civic Greenway Area implementation was completed with adoption of Ordinance 14-09 by the City Council on October 6, 2014. The Ordinance extended the Gateway Overlay Area to include the entire Civic Greenway Area.

To promote quality development which respects Astoria's character and heritage, the Development Code should include design review guidelines to be applied to new construction and major renovation projects. ~~Anticipated new uses include high density housing, limited retail and general commercial, and tourist-oriented commercial development."~~

Section . Comprehensive Plan Section CP.058.1.b, Gateway Overlay Area Policies, is deleted in its entirety and amended to read as follows:

- "b. enhance the primary uses, such as the Columbia River Maritime Museum and Columbia Memorial Hospital, and work to redevelop areas such as the former ~~Plywood Mill Site~~John Warren Field site, which have significant development potential;

Section . Astoria Comprehensive Plan Figure 1.1, Astoria Gateway Overlay Area is deleted in its entirety and hereby amended as indicated on the map shown as Attachment A and further described below:

Generally from 16th Street to 41st Street, and from the pierhead line of the Columbia River on the north to Exchange and Franklin Streets on the south between 16th and 29th Streets, and Marine / Lief Erikson Drive on the south between 29th and 41st Streets.

Section 5. Effective Date. This ordinance and its amendment will be effective 30 days following its adoption and enactment by the City Council.

ADOPTED BY THE COMMON COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

APPROVED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

ATTEST:

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Brett Estes, City Manager

ROLL CALL ON ADOPTION:

YEA

NAY

ABSENT

Commissioner

Nemlowill  
Herzig  
Price  
Warr

Mayor LaMear






## CITY OF ASTORIA

Founded 1811 • Incorporated 1856

May 21, 2015

### MEMORANDUM

TO: MAYOR AND CITY COUNCIL  
FROM:  BRETT ESTES, CITY MANAGER  
SUBJECT: SUPPLEMENTAL BUDGET FOR FY 2014-15

### DISCUSSION/ANALYSIS

ORS 294.473 provides a procedure for a municipality to pass a supplemental budget that adjusts for changes that happen during a fiscal year. The process is to advertise a supplemental budget not less than 5 days before a Council meeting. Since the supplemental budget is less than 10% of the total expenditures, there is no requirement to hold a hearing for this adjustment. Council may consider a resolution that would adopt the supplemental budget as advertised.

#### Capital Improvement Fund

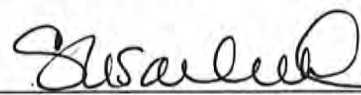
Expenses have been incurred in an amount just under \$70,000 by the Friends of the Astoria Column that relate to improvements for communication devices subject to a contract with Converge, Inc. The City Council has been considering a reimbursement to the Friends for these expenses. City Council initially considered this request at the prior meeting and will continue discussion at the June 1<sup>st</sup> meeting.

The City currently has a contract with Converge for work relating to communication improvements at the Column. Also under consideration at the June 1<sup>st</sup> meeting is a contract to expand the services to be provided by Converge. Staff is requesting a budget allocation increase of \$10,000 in anticipation of work that may be completed before the end of this fiscal year 2014-15.

The supplemental budget would allocate \$80,000 to the Capital Outlay line item under the Capital Improvement Fund. The appropriate attached notice was advertised on May 26, 2015.

### RECOMMENDATION

If Council approves these transactions, it is recommended that Council consider adopting the attached resolution for the supplemental budget.

By:   
Susan Brooks CPA  
Finance Director



**AB4767  
FUNDS NOT REQUIRING**

**A PROPERTY TAX TO BE LEVIED**

LB-2

A public meeting of the Astoria City Council will be held on June 1, 2015 at 7 PM at the Astoria Council Chambers,  
1095 Duane Street, Astoria, Oregon to consider the supplemental budget presented below.

A copy of this notice is on the City of Astoria website: [www.astoria.or.us](http://www.astoria.or.us)

Contact: Susan Brooks, Finance Director Telephone: 503-298-2433 Email: [sbrooks@astoria.or.us](mailto:sbrooks@astoria.or.us)

Publish ONLY completed portion of this page. Total Anticipated Requirements must equal Total Resources.  Republication

NAME OF FUND	Adopted Budget		Proposed Supplemental	
	This Year 2014-15	This Year 2014-15	This Year 2014-15	This Year 2014-15
1. Total Personal Services.....		0		0
2. Total Materials and Services.....		1,199,200		1,199,200
3. Total Capital Outlay.....		210,310		290,310
4. Total Debt Service.....		40,480		40,480
5. Total Transfers.....		0		0
6. Total Contingencies.....		150,000		70,000
7. Total All Other Expenditures and Requirements		0		0
8. Total Unappropriated or Ending Fund Balance		178,450		178,450
9. Total Requirements.....		1,778,440		1,778,440
10. Total Resources Except Property Taxes.....		1,778,440		1,778,440

Published: May 26, 2015

RESOLUTION NO. 15-\_\_\_\_\_

A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET  
FOR THE CITY OF ASTORIA.

WHEREAS, a supplemental budget is required for the Capital Improvement Fund to appropriate an expenditure after the FY 2014-15 budget was adopted.

WHEREAS, the expenditure relates to payments for communication improvements at the Astoria Column.

WHEREAS, the supplemental budget is on file in the office of the Finance Director at City Hall.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ASTORIA:

**Capital Improvement Fund**

<u>Resources</u>	<u>Amount</u>
Beginning Fund Balance	\$ 300,000
Interest Earnings	1,440
Grants	1,100,000
State Shared Revenue	217,000
Timber and Land Sales	<u>160,000</u>
Total Resources	<u>\$ 1,778,440</u>
<u>Requirements</u>	<u>Amount</u>
Materials & Services	1,199,200
Capital Outlay	290,310
Debt Service	40,480
Contingency	70,000
Ending fund Balance	<u>178,450</u>
Total Requirements	<u>\$1,778,440</u>

ADOPTED BY THE CITY COUNCIL THIS 1<sup>ST</sup> DAY OF JUNE, 2015.

APPROVED BY THE MAYOR THIS 1<sup>ST</sup> DAY OF JUNE, 2015.

---

Mayor

ATTEST:

\_\_\_\_\_  
City Manager

ROLL CALL ON ADOPTION

Commissioner

Nemlowill

Herzig

Price

Warr

Mayor LaMear

YEA

NAY

ABSENT



CITY OF ASTORIA  
Founded 1811 • Incorporated 1856

May 20, 2015

MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

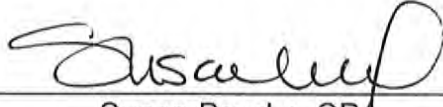
SUBJECT: RESOLUTION TO ELECT TO RECEIVE STATE SHARED REVENUES

**DISCUSSION/ANALYSIS**

Oregon Revised Statute 221.770 requires the City to adopt a resolution to declare its intent to receive state revenue for each new fiscal year. State shared revenues include the state gas tax, alcohol tax, cigarette tax and state shared revenues. The attached resolution expresses the City's intention to receive state shared revenues for FY 2015-16.

**RECOMMENDATION**

It is recommended that the City Council consider this resolution for adoption.

By:   
\_\_\_\_\_  
Susan Brooks, CPA  
Finance Director

Resolution No. 15-

A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ASTORIA:

Section 1. That, in accordance with ORS 221.770, the City of Astoria hereby elects to receive state revenues for fiscal year 2015-2016.

ADOPTED BY THE CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Manager

ROLL CALL ON ADOPTION

YEA

NAY

ABSENT

Councilor -Nemlowill

Herzig

Price


Warr

Mayor LaMear



May 19, 2015

**MEMORANDUM**

TO: Mayor and City Council  
FROM:  Brett Estes, City Manager  
SUBJECT: Public Hearing and Resolution to Adopt the City of Astoria Budget for FYE June 30, 2016

Discussion & Analysis

Oregon Local Budget Law requires that the City Council hold a public hearing on the budget, as approved by the Budget Committee. Notice of this hearing, scheduled for June 1, 2015, was published in the Daily Astorian on Wednesday, May 20, 2015.

The budget for the City of Astoria, as discussed and recommended for approval by the Budget Committee, is ready for the City Council to consider for adoption. Copies of the approved budget were previously distributed to the Council. They were also posted on the City's website and were available in hard copy at the Finance Department and the Astoria Public Library.

The changes from the proposed budget that the Budget Committee approved are as follows:

500,000 is transferred from the Beginning Fund Balance of the General Fund to Machinery and Equipment in the Capital Improvement Fund in support of the purchase of an aerial ladder truck for the Fire Department

10,000 was added to each of the appropriations for the Astoria Downtown Historic District Association, the Chamber of Commerce and the Lower Columbia Tourism Committee from the Ending Fund Balance of the Promote Astoria Fund

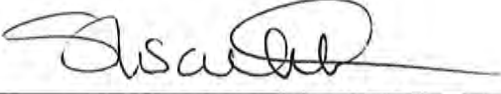
These changes are reflected in the attached resolution.

A second potential change relates to adjusting the approved Capital Improvement Fund budget by \$20,000 for a contract with Converge relating to services at the Astoria Column. This item is scheduled for consideration by the City Council at the June 1<sup>st</sup> meeting. A second resolution is available, if Council approves an appropriation for this expenditure.

The attached resolution will adopt resources and appropriations and authorize the collection of taxes at a rate of \$8.1738 per thousand for FYE June 30, 2015.

Recommendation

It is recommended that the City Council hold a public hearing on the FYE June 30, 2016 budget as approved by the Budget Committee. After the hearing, it is recommended that the Council consider the resolution to adopt this budget.

By:   
\_\_\_\_\_  
Susan Brooks CPA  
Finance Director

Resolution No. 15-

WHEREAS, in accordance with ORS 294.456, the City Council is required to adopt the budget, make appropriations, declare tax levies and categorize taxes by resolution; now, therefore,

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

Section 1. That the City Council of the City of Astoria hereby adopts the budget as approved by the Budget Committee for 2015-16 in the total sum of \$41,847,290.00, now on file at City Hall.

Section 2. That the expenditures for the fiscal year beginning July 1, 2015, and for the purposes shown below, are hereby appropriated as

<u>General Fund</u>		<u>CSO Projects Fund</u>	
City Council	13,220	Personnel Services	-
City Manager	271,660	Materials & Services	1,173,000
Municipal Court	175,040	Capital Outlay	5,257,350
Finance	654,320	Contingency	-
City Attorney	84,900	Ending Fund Balance	-
Community Development	397,880	FUND TOTAL	<u>6,430,350</u>
City Hall	63,670		
Non & Interdepartmental	667,250	<u>Local Impr. Debt Service Fund</u>	
Fire	1,741,590	Debt Service	-
Police	2,284,010	Ending Fund Balance	201,790
Library	474,260	Transfer to Other Funds	241,420
Contingency	2,022,080	FUND TOTAL	<u>443,210</u>
Transfers to Other Funds	<u>1,841,810</u>		
FUND TOTAL	<u>10,691,690</u>	<u>East Astoria Waterline Debt Service Fund</u>	
		Debt Service	69,490
<u>Capital Improvement Fund</u>		Ending Fund Balance	<u>49,430</u>
Materials & Services	2,025,200	FUND TOTAL	<u>118,920</u>
Capital Outlay	1,437,500		
Debt Service	40,480	<u>7th Street Dock LID Debt Svc Fund</u>	
Contingency	95,000	Debt Service	14,110
Ending Fund Balance	<u>405,820</u>	Ending Fund Balance	<u>19,120</u>
FUND TOTAL	<u>4,004,000</u>	FUND TOTAL	<u>33,230</u>
<u>Unemployment Fund</u>		<u>Combined Sewer Overflow (CSO) Debt Service Fund</u>	
Personnel Services	30,000	Materials & Services	60,410
Contingency	4,500	Debt Service	1,417,660
Ending Fund Balance	<u>6,290</u>	Contingency	50,000
FUND TOTAL	<u>40,790</u>	Ending Fund Balance	<u>725,790</u>
		FUND TOTAL	<u>2,253,860</u>
<u>Revolving Loan Fund</u>		<u>Public Works Fund</u>	
Special Payments	80,000	Engineering	984,040
Contingency	12,000	Shop & Yard	429,410
Ending Fund Balance	<u>48,350</u>	Streets	543,140
FUND TOTAL	<u>140,350</u>	Sanitation	62,880
		Sewer	1,210,520
<u>Building Inspection Fund</u>		Stormwater	186,790
Personnel Services	181,450	Water	1,582,510
Materials & Services	21,200	Contingency	<u>245,160</u>
Contingency	10,000	FUND TOTAL	<u>5,244,450</u>
Transfers to Other Funds	15,210		
Ending Fund Balance	<u>123,440</u>	<u>Landfill Reserve Fund</u>	
FUND TOTAL	<u>351,300</u>	Transfer to Other Funds	91,970
		FUND TOTAL	<u>91,970</u>
<u>Emergency Communications Fund</u>		<u>Cemetery Fund</u>	
Personnel Services	961,620	Capital Outlay	52,960
Materials & Services	122,340		
Capital Outlay	119,000		
Transfers to Other Funds	21,000		



Contingency	30,000
Ending Fund Balance	<u>194,900</u>
FUND TOTAL	<u>1,448,860</u>
<b><u>Community Policing Fund</u></b>	
Materials & Services	13,340
Contingency	<u>-</u>
FUND TOTAL	<u>13,340</u>
<b><u>Parks Project Fund</u></b>	
Materials & Services	5,000
Capital Outlay	15,500
Transfer to Other Fund	100,000
Contingency	15,000
Ending Fund Balance	<u>65,670</u>
FUND TOTAL	<u>201,170</u>
<b><u>Maritime Memorial Fund</u></b>	
Materials & Services	20,000
Capital Outlay	75,660
Contingency	<u>-</u>
FUND TOTAL	<u>95,660</u>
<b><u>Parks Operation Fund</u></b>	
Aquatics	511,260
Recreation/Administration	726,820
Maintenance	<u>582,600</u>
FUND TOTAL	<u>1,820,680</u>
<b><u>Astoria Road District Fund</u></b>	
Materials & Services	10,000
Capital Outlay	440,000
Contingency	<u>49,120</u>
FUND TOTAL	<u>499,120</u>
<b><u>State Tax Street Fund</u></b>	
Transfer to Other Funds	551,100
Contingency	20,000
Ending Fund Balance	<u>92,670</u>
FUND TOTAL	<u>663,770</u>
<b><u>Trails Reserve Fund</u></b>	
Materials & Services	5,000
Capital Outlay	<u>22,950</u>
FUND TOTAL	<u>27,950</u>
<b><u>Public Works Improvement Fund</u></b>	
Materials & Services	865,000
Capital Outlay	207,680
Debt Service	791,240
Transfer to Other Funds	214,360
Contingency	<u>337,310</u>
FUND TOTAL	<u>2,415,590</u>
<b><u>Public Works Capital Reserve Fund</u></b>	
Capital Outlay	<u>800,000</u>
FUND TOTAL	<u>800,000</u>
<b><u>CSO Maintenance Fund</u></b>	
Transfer to Other Funds	<u>28,200</u>
FUND TOTAL	<u>28,200</u>

Contingency	-
Ending Fund Balance	<u>-</u>
FUND TOTAL	<u>52,960</u>
<b><u>17th Street Dock Fund</u></b>	
Personnel Services	12,000
Materials & Services	56,500
Capital Outlay	200,000
Debt Service	85,540
Transfer to Other Funds	75,000
Contingency	50,000
Ending Fund Balance	<u>355,670</u>
FUND TOTAL	<u>834,710</u>
<b><u>Aquatic Facility Trust</u></b>	
Materials & Services	1,080
Ending Fund Balance	<u>6,390</u>
FUND TOTAL	<u>7,470</u>
<b><u>Astoria Public Library Endowment Fund</u></b>	
Materials & Services	24,090
Capital Outlay	4,500
Contingency	<u>-</u>
Ending Fund Balance	<u>111,920</u>
FUND TOTAL	<u>140,510</u>
<b><u>Cemetery Irreducible Fund</u></b>	
Ending Fund Balance	<u>871,050</u>
FUND TOTAL	<u>871,050</u>
<b><u>Promote Astoria Fund</u></b>	
Materials & Services	615,750
Capital Outlay	88,000
Debt Service	78,680
Contingency	95,000
Ending Fund Balance	<u>338,350</u>
FUND TOTAL	<u>1,215,780</u>
<b><u>Logan Memorial Library</u></b>	
Materials & Services	100,000
Contingency	15,000
Ending Fund Balance	<u>751,350</u>
FUND TOTAL	<u>866,350</u>
<b>TOTAL APPROPRIATIONS</b>	
	<u>41,847,290</u>

Section 3. That the City Council of the City of Astoria hereby imposes taxes provided for in the adopted budget at the rate of \$8.1738 per \$1,000 of assessed value for operations.

Section 4. That, in accordance with ORS 310.060(2), the taxes imposed in Section 3 are categorized as General Government taxes subject to the limits of Section 2, Article XI of the Oregon Constitution.

Section 5. That the Finance Director will file this resolution with the Clatsop County Clerk and the County Assessor on or before July 15, 2015.

ADOPTED BY THE CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Manager

ROLL CALL ON ADOPTION	YEA	NAY	ABSENT
Councilor - Nemlowill			
Herzig			
Price			
Warr			
Mayor LaMear			