



AGENDA

ASTORIA CITY COUNCIL

June 15, 2015

7:00 p.m.

2nd 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. **PRESENTATIONS**
 - (a) Dr. Edward Harvey Historic Preservation Awards
 - (b) State Historic Preservation Office Oregon Heritage All-Star Community Award
6. **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 5/18/15
 - (b) City Council Special Meeting Minutes of 5/7/15
 - (c) Approval to Execute the Brownfields Redevelopment Fund Technical Assistance Grant for 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)
7. **REGULAR AGENDA ITEMS**
 - (a) Ordinances regarding Amendment Request A14-05 on Riverfront Vision Plan Implementation for Bridge Vista Area (2nd readings & adoption) Community Development)
 - (b) Ordinance regarding Amendment A15-01 – Gateway Overlay Zone (2nd reading & adoption) (Community Development)
 - (c) Resolution Adopting Supplemental Budget for FY 2014-15 (Finance)
8. **NEW BUSINESS AND MISCELLANEOUS**
9. **REPORTS OF COUNCILORS**

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.



June 10, 2015

MEMORANDUM

TO: MAYOR AND CITY COUNCIL
FROM: BRETT ESTES, CITY MANAGER
SUBJECT: ASTORIA CITY COUNCIL MEETING OF JUNE 15, 2015

PRESENTATIONS

Item 5(a): Dr. Edward Harvey Historic Preservation Awards (Community Development)

The City of Astoria Historic Landmarks Commission has selected the 2015 recipients for the Dr. Edward Harvey Historic Preservation Award. The awards are presented each year to recognize property owners who have completed exterior restoration or beautification of a building which exemplifies the historical attributes of the building or the architectural heritage of Astoria. This year there is one property to be presented with a certificate in the residential category is Justin Power for 778 – 38th Street. A framed certificate will be presented by the Mayor to the recipient at the June 15, 2015 Council meeting.

Item 5(b): State Historic Preservation Office Oregon Heritage All-Star Community Award (Community Development)

The State Historic Preservation Office (SHPO) announced a new program, the Oregon Heritage All-Star Community, to recognize cities that make the most of their heritage resources. By doing so, communities safeguard important elements of the past, advance both “quality of life” and economic objectives, and enhance their unique character. The program has three primary goals: 1) to educate communities about the full spectrum of cultural heritage activities available to them; 2) to encourage communities to expand and strengthen their participation in cultural heritage activities; and 3) to recognize communities, through a “certification” process, that reach an exemplary level of participation.

The program is sponsored by the Oregon Heritage Commission which was established to secure, sustain, enhance and promote Oregon's heritage. The nine-member, governor-appointed Commission has broad responsibilities as a connector and catalyst for hundreds of organizations and thousands of Oregonians devoted to preserving and interpreting Oregon's heritage resources. Its programs include the Heritage and Museum grant programs, technical assistance for heritage organizations, and an annual conference. It also gives annually heritage excellence awards and designates Oregon Heritage Traditions

and Statewide Celebrations. The Oregon Heritage Commission created a list of heritage related criteria by which the program can be measured. To be considered as a Heritage All-Star Community, 15 of the 20 criteria need to be met. To receive designation the community needs to submit an application which is reviewed by Oregon Heritage Commission staff and the designation is then approved by the Oregon Heritage Commission.

The City Council approved submission of this application at their December 3, 2012 meeting. Staff worked with the Historic Landmarks Commission to compile the various documents and materials for submittal. The City responded to all 20 of the criteria for designation. Some of the attachments requested for the 20 criteria were not complete as photographs of all of the events or functions were not available; however, at least 15 of the 20 criteria were complete. At the April 2015 Heritage Conference held in Coos Bay, Oregon, the State Historic Preservation Office (SHPO) chose Astoria to receive an All-Star Community designation. Representatives from the SHPO would like to present the Mayor and City Council with the award at the June 15, 2015 meeting.

CONSENT CALENDAR

Item 6(a): City Council Minutes

The minutes of the City Council meeting of May 18, 2015 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

Item 6(b): City Council Special Meeting Minutes

The minutes of the City Council special meeting of May 7, 2015 are enclosed for review. Unless there are any corrections, it is recommended that Council approve these minutes.

Item 6(c): Approval to Execute the Brownfields Redevelopment Fund Technical Assistance Grant for 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)

On April 6, 2015 the City Council approved a contract amendment in the amount of \$18,000 for services provided by ABA Company and K&S Environmental, Inc., related to the mitigation of the contaminated soils associated with the prior removal of the underground heating oil tank at the said location. The City previously contracted with ABA Company and K&S Environmental, Inc., for removal of the tank in the amount of \$4,500, resulting in a total project cost of \$22,500. On May 4, 2015 the Council approved submittal of the Oregon Business Development Department (OBDD) grant application for reimbursement of costs related to the tank removal and adjacent mitigation of the contaminated soils related to the Astoria Senior Center project site. On May 20, 2015 staff was notified by OBDD that the City was successful in securing reimbursement funding for the cost of the tank removal and contaminated soils mitigation via a

Brownfields Redevelopment Fund technical assistance grant. The grant has been reviewed and approved as to form by City Attorney Henningsgaard. It is recommended that Council approve execution of a Brownfields Redevelopment Fund Technical Assistance Grant Agreement.

REGULAR AGENDA ITEMS

Item 7(a): Ordinances regarding Amendment Request A14-05 on Riverfront Vision Plan Implementation Ordinance for Bridge Vista Area (2nd reading & adoption) (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 (16th to 41st Street), and Neighborhood Greenway (41st Street to east end of Alderbrook Lagoon).

The Bridge Vista Plan Area is generally located from Portway to 2nd Street and the River pierhead line to West Marine / Marine Drive. The Planning Commission held four public work sessions 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, setbacks 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 2nd 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. The first reading of the two ordinances was held by Astoria City

Council on Monday, June 1, 2015. As part of the motion for the first reading, the City Council made a minor amendment to restrict variances for over water development height limitations. Upon review of the draft language following the meeting, staff determined the prohibitions for variances were already in place. See Sections 14.100.C.1 and 14.100.C.2 of the Code amendment ordinance. Therefore, no new language is proposed. If the Council is in agreement, it would be in order to hold a second reading and adopt the two separate ordinances.

Item 7(b): Ordinance regarding Amendment A15-01 – Gateway Overlay Zone (2nd reading & adoption) (Community Development)

As a part of the Civic Greenway Riverfront Vision code amendment process, the City Council approved the extension of the Gateway Overlay Zone to 41st Street; however, the Comprehensive Plan contains a map (Figure 1.1) which illustrates the location of the Gateway Overlay Area from 16th to 29th 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 29th to 41st 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. The City Council held the first reading of the ordinance at their June 1, 2015 meeting. If Council is in agreement, it would be appropriate to hold the second reading and adopt the ordinance.

Item 7(c): Resolution Adopting Supplemental Budget for FY 2014-15 (Finance)

ORS 294.473 provides a procedure for a municipality to pass a supplemental budget that adjusts for changes occurring during a fiscal year. There is a requirement to hold a hearing for budget adjustments which exceed 10% the total expenditures. After the hearing, Council may consider a resolution that would adopt the supplemental budget as advertised. The attached staff memo provides detail of the adjustments described as follows:

Capital Improvement Fund (CIF). This supplemental budget increases resources and the related requirements by a total of \$261,550. A supplemental budget, approved on June 1, 2015, recognized additional requirements for the Converge contract and are included in this cumulative presentation of the fund changes.

Parks Operation Fund (POF). The supplemental budget for Parks Operation Fund increases resources and the related requirements in an amount not to exceed \$197,980. Review of transactions through May along with projections for June indicate projected revenues will be approximately 12% above 2013-14 levels and 6% above 2014-15 budgeted levels. Projected expenses are approximately 10% above 2013-14 levels and 12% above 2014-15 budgeted levels. Expenses reflect an increase in minimum wage, increases to pay rates providing the ability to offer competitive part-time wages to skilled employees and additional efforts required for parks maintenance. Deferred parks maintenance, greater emphasis for immediate cemetery and parks remediation and unseasonably warm weather throughout much of the year contributed to increased costs.

General Fund. This supplemental budget increases the transfer to the Parks Operation Fund in an amount not to exceed \$197,980 by reducing the General Fund contingency by an amount not to exceed \$197,980 from \$1,412,190 to \$1,214,210.

Building Inspection Fund. This supplemental budget increases the Beginning Fund Balance by \$19,500 to reflect a higher beginning cash amount than was budgeted. Revenues associated with charges for services are increased by \$3,000 to reflect increased revenues. Resources are increased in total, \$22,500.

The appropriate attached notice was advertised on June 10, 2015. If Council approves these transactions, it is recommended that Council consider adopting the attached resolution implementing these supplemental budgets.




CITY OF ASTORIA
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COMMUNITY DEVELOPMENT

MEMORANDUM

DATE: June 8, 2015

TO: MAYOR AND CITY COUNCIL

FROM:  BRETT ESTES, CITY MANAGER

SUBJECT:  DR. EDWARD HARVEY HISTORIC PRESERVATION AWARDS

The City of Astoria Historic Landmarks Commission has selected the 2015 recipients for the Dr. Edward Harvey Historic Preservation Award. The awards are presented each year to recognize property owners who have completed exterior restoration or beautification of a building which exemplifies the historical attributes of the building or the architectural heritage of Astoria. The work must have been completed within the last two years. This year there is one residential property, owned by Justin Power, to be presented with a certificate for restoration work completed at 778 – 38th Street. This property was previously on the City's derelict building list for enforcement when it was purchased by Mr. Power. Mr. Power submitted a request for Historic Designation in May of 2014 which was subsequently approved by the Historic Landmarks Commission. Mr. Power worked with the building division through the restoration process. Before and after photographs are attached.

A framed certificate will be presented by the Mayor to the recipient at the June 15, 2015 City Council meeting. The recipient has been notified of the meeting to receive the award.

In addition to the above award, the Historic Landmarks Commission agreed there is one additional property that should be recognized for restoration efforts of exceptional merit with the receipt of an Honorable Mention award. The Honorable Mention award for the Astoria Brewing Company (formerly Andrew & Steve's) at 1196 Marine will be presented by the Historic Landmarks Commission at their meeting on Tuesday, June 16, 2015.

By: 

Sherri Williams, Administrative Assistant

Residential:

1. 778 – 38th Street
Historic Name: Thompson House
Eligible-Contributing
Adair-Uppertown Historic Inventory Area
(c 1908)

Owner: Justin Power
6632 N Willamette Blvd
Portland OR 97203-5608

Comments: The new property owner of this structure submitted a request for Historic Designation HD14-01 which was approved by the Historic Landmarks Commission on May 21, 2014. The property had previously been a code enforcement issue for the City for many years. Once approved for historic designation, the new property owner cleaned up and removed vegetation and junk items. Aluminum sliding windows were replaced with one over one wood windows, the rear addition was repaired, the non-historic front porch was removed and reconstructed with a chamfered column support post, balustrade with upper and lower rails, stairs were replaced with railing with upper and lower rails and chamfered newel posts. The side porch/stairs were replaced using a similar design. Plywood skirting was replaced with board and batten. All reconstruction was painted to match the structure. Extensive internal renovation was also completed.



BEFORE





BEFORE



AFTER






CITY OF ASTORIA

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COMMUNITY DEVELOPMENT

June 8, 2015

TO: MAYOR AND CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: OREGON HERITAGE ALL-STAR COMMUNITY

Background

Several years ago, the State Historic Preservation Office (SHPO) announced a new program, the Oregon Heritage All-Star Community, to recognize cities that make the most of their heritage resources. By doing so, communities safeguard important elements of the past, advance both "quality of life" and economic objectives, and enhance their unique character. The program has three primary goals: 1) to educate communities about the full spectrum of cultural heritage activities available to them; 2) to encourage communities to expand and strengthen their participation in cultural heritage activities; and 3) to recognize communities, through a "certification" process, that reach an exemplary level of participation.

The program is sponsored by the Oregon Heritage Commission which was established to secure, sustain, enhance and promote Oregon's heritage. The nine-member, governor-appointed Commission has broad responsibilities as a connector and catalyst for hundreds of organizations and thousands of Oregonians devoted to preserving and interpreting Oregon's heritage resources. Its programs include the Heritage and Museum grant programs, technical assistance for heritage organizations, and an annual conference. It also gives annually heritage excellence awards and designates Oregon Heritage Traditions and Statewide Celebrations.

The Oregon Heritage Commission created a list of heritage related criteria by which the program can be measured. To be considered as a Heritage All-Star Community, 15 of the 20 criteria need to be met. To receive designation the community needs to submit an application which is reviewed by Oregon Heritage Commission staff and the designation is then approved by the Oregon Heritage Commission.

Some of the criteria include: having a historic preservation program that has Certified Local Government status, the community maintains a list of historic designated properties, the community partners with non-profit organizations in the area (such as Clatsop County Historical Society), that the community have a history museum, the community has a cultural heritage coalition, the community has successfully managed heritage related grant projects, public education programs, heritage web site, the community is an Oregon Main Street city,

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have businesses that have been in operation for over 50 years, maintain public records preserving historic and other public records, the community has a historic photo archive, has conducted heritage events for at least 25 years, the community has received State or National awards in the heritage field, etc. There is no deadline for applications which can be submitted at any time.

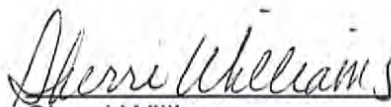
All-Star Communities receive special benefits including:

- a certificate for display
- two metal signs for display
- the designation noted on the Travel Oregon web site
- a logo to use in publications and marketing materials
- Heritage All-Star Community Technical Services

City Council approved submission of this application at their December 3, 2012 meeting. Staff worked with the Historic Landmarks Commission to compile the various documents and materials for submittal. The City responded to all 20 of the criteria for designation. Some of the attachments requested for the 20 criteria were not complete as photographs of all of the events or functions were not available. However, at least 15 of the 20 criteria were complete.

At the April 2015 Heritage Conference held in Coos Bay, Oregon, the State Historic Preservation Office (SHPO) chose Astoria to receive an All-Star Community designation. Representatives from the SHPO would like to present the Mayor and City Council with the award at the June 15, 2015 meeting.

By:



Sherri Williams,
Administrative Assistant

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

Councilors Present: Herzig, Warr, Price, Mayor LaMear

Councilors Excused: Nemlowill

Staff Present: City Manager Estes, Assistant City Manager/Police Chief Johnston, Parks and Recreation Director Cosby, Finance Director Brooks, Fire Chief Ames, 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) There were none.

CHANGES TO AGENDA There were no changes to the agenda.

CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 5(a) City Council Minutes of 4/20/15**
- 5(b) City Council Work Session Minutes of 4/20/15**
- 5(c) Boards and Commission Minutes
 - (1) Design Review Committee Meeting of 3/5/15
 - (2) Historic Landmarks Commission Meeting of 3/31/15
 - (3) Library Board Meeting of 3/31/15

Councilor Price requested that Items 5(a) and (b) be removed for further discussion.

City Council Action: Item 5(c) of the Consent Calendar was unanimously approved. Ayes: Councilors Price, Warr, Herzig, and Mayor LaMear; Nays: None.

Item 5(a): City Council Minutes of 4/20/15

Councilor Price amended the second sentence of the third paragraph on Page 10, to state, "However, the ladder truck would be necessary at her house, ***just as it would at so many other houses in Astoria that are built high above retaining walls and have no driveway access.***"

Item 5(b): City Council Work Session Minutes of 4/20/15

Councilor Price amended the seventh and eighth sentences of the last full paragraph on Page 1 as follows: "This ~~The~~ process is starting with ***starts by specifying*** the Metz recommended square footage ***must be met***, the basement of the existing building will not be used, and the renovation will not include use of the Waldorf space. ***that it must be met all on one floor, also that the Merwyn/Waldorf cannot be demolished.*** Therefore, she believed the only option was to build a new library in a new location. ***That means the basement of the existing building cannot be used. It means the renovation cannot include the Merwyn/Waldorf building. So, what the criteria say is that the only option left for us is to build a new library in a different location.***" She said she wanted to clarify that she was not actually supporting the Heritage Square site, but simply questioning what the City should do.

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

REGULAR AGENDA ITEMS

Item 6(a): Liquor License Application from MNC Enterprises Inc., dba Triangle Tavern, Located at 222 W. Marine Drive, Astoria for a Greater Privilege for a Full On-Premises Sales Commercial Establishment License (Finance)

A Liquor License Application has been filed by Nadine Cearly, MNC Enterprises Inc., doing business as Triangle Tavern, located at 222 W. Marine Drive, Astoria. The application is for a Greater Privilege for a Full On-Premises Sales Commercial Establishment License. The appropriate departments have reviewed the application and it is recommended that Council consider approval.

Mayor LaMear confirmed there were no public comments.

Councilor Herzig asked for the definition of Greater Privilege. City Manager Estes understood a Greater Privilege allowed hard liquor sales by the drink in addition to the beer and wine currently sold.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Warr, to approve the liquor license application by Nadine Cearly for a Greater Privilege for a Full On-Premises Sales Commercial Establishment License. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, and Mayor LaMear; Nays: None.

Item 6(b): Authorization to Solicit Bids – Astoria Aquatic Center 2015 Capital Improvements (Parks)

It is proposed that needed Capital Improvement projects take place at the Astoria Aquatic Center during the facility's annual maintenance closure in the first two weeks of September. Improvements include plaster replacement, HVAC updates, shower plumbing and fixture replacement, and energy efficient lighting fixture replacement. Due to the limited timeframe for these projects to be completed, staff is requesting authorization to solicit bids in an attempt to secure contractors to perform the work during the facility's scheduled two-week closure. The work is estimated to cost \$250,000. It is recommended that Council authorize the solicitation of bids for the 2015 Aquatic Center Capital Improvement projects.

City Manager Estes noted this was discussed at a recent Budget Committee meeting. This expenditure is included in the draft 2015-2016 budget. Staff would solicit bids during the current fiscal year, but a contract would not be presented to Council for approval until after July 1, 2015, after the next fiscal year begins.

Mayor LaMear confirmed there were no public comments.

City Manager Estes confirmed for Councilor Herzig that the expense would be paid in the next fiscal year, but Staff needed to begin soliciting bids now. If Staff waited until after the budget is adopted and the next fiscal year began, there would not be enough time to secure bids and make the September deadline. He confirmed the expense has been budgeted for the next fiscal year.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Warr to authorize the solicitation of bids for the 2015 Aquatic Center Capital Improvement projects. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, and Mayor LaMear; Nays: None.

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

The Friends of the Column have been working with City staff and Verizon to relocate the communications tower from Coxcomb Hill to a City-owned site northeast of Reservoir 3. This work has been to the advantage of the City and to date the Friends have incurred \$69,657 in expenses. At the December 15, 2014 Council meeting, the City Council discussed this matter and appeared to have consensus toward considering reimbursement of the Friends. It is recommended that Council approve the appropriation of \$69,657 from the Capital Improvement Fund and authorize the reimbursement to the Friends.

Assistant City Manager/Police Chief Johnston reviewed the history of the relocation of the existing communications tower at Coxcomb Hill. Completion of the emergency communications system is currently a City Council Goal that this effort supports. His presentation included the following timeline of events that led to this request:

- 1989 – The City consolidated independent “efforts” on to a single facility, a City-owned communication tower on Coxcomb Hill.
- 1996 - GTE Mobile (now Verizon) added equipment to the tower to accommodate cell phones, added 20 feet to tower, and turned ownership back over to City.
- 2007 – A storm in October resulted in significant failure of emergency communications.
- 2008 – The Police Department took over management of the communication facility with the understanding that the location of the tower would always be under political pressure to move and always be threatened by trees.
- 2010 – Staff presented to City Council that Coxcomb Hill was not ideal location for emergency communications and proposed a better location.
- 2013 – At the April 1st City council meeting, Jordan Schnitzer and Friends of Column presented their plan to cut down trees near the communication facility and develop a parks master plan. Immediately following the presentation, Staff presented a deal with Verizon to hide a cell tower in the trees.
 - After the meeting, Staff began working with the Friends of Column and Verizon to compel Verizon to move the tower. Staff had already been talking to Verizon for three years about moving to the preferred location by the caretaker house.
 - In cooperation with City Staff, The Friends engaged with Converge Communications to convince Verizon to move the tower when the City was unable to. This cost the friends just under \$70,000.

City Manager Estes added that the Friends would begin a restoration and improvement project on the Column, which will cost about \$1 million. While the Column is City-owned, the Friends are raising the necessary funds independent of the City. If City Council approves this appropriation, Staff would present a budget resolution to City Council at a subsequent meeting because this expenditure is not included in the current budget. The beginning fund balance of the next fiscal year would not be affected by this expenditure because the beginning fund balance includes a buffer.

Mayor LaMear confirmed this would be paid out of the current budget.

City Manager Estes confirmed for Councilor Warr that \$750,000 of the \$1 million in renovation costs had already been raised by Friends of the Column members.

Councilor Price thanked City Council, City Manager Estes, and Assistant City Manager/Police Chief Johnston for indulging the long list of questions she had earlier about this reimbursement. She recalled former Mayor Van Dusen saying at a Council meeting in December 2014 that the Friends might be asking for this reimbursement. She believed Councilor Warr had suggested the request be discussed at the 2015-2016 budget meeting. Therefore, she was surprised to see the request on this meeting’s agenda. However, the Friends do a lot. The Column is an expensive landmark in the community.

City Council Action: Motion made by Councilor Price, seconded by Councilor Warr to approve the appropriation of \$69,657 from the Capital Improvement Fund and authorize the reimbursement to the Friends of the Astoria Column.

Councilor Herzig said he wished Mr. Schnitzer had mentioned this request when he attended a recent City Council meeting. It would have been better to hear the request directly from Mr. Schnitzer. The reimbursement does not compare to the \$750,000 the Friends have raised. However, he did not feel comfortable approving a lump sum and wanted an itemized list of expenses. At this time, he will have to vote no.

Mayor LaMear called for public comments.

George McCartin, 490 Franklin Avenue, Astoria, believed it was very daring for anyone to oppose the request for this reimbursement in light of all that the Friends have done and the tremendous amount of money the Friends have spent over the years. However, City Council has certain procedures, according to their own code and State law that must be followed when contracting. He asked if the City’s contract with the Friends included a clause that indicated the Friends would request a reimbursement under certain circumstances. The last administration set a precedent, but City Council is about to set another precedent. The City does not have control of who is bidding or the scope of work and now the Friends want a reimbursement. He believed this was irregular.

Chris Farrar, 3023 Harrison Avenue, Astoria, agreed with Mr. McCartin and Councilor Herzig. He believed Council should have more documentation, adding that \$70,000 is a significant amount, even if it is only a tenth of what the Friends have raised for renovations. Citizens deserve to see how the money was spent. He also

believed the Friends should have come forward earlier in the process to say they would be requesting a reimbursement. He did not believe it was a good idea for the Friends to make the request after all of the work was complete. He liked the Column, but the City needed to get tighter financially.

Mayor LaMear said the Column is a city treasure. Without the help of the Friends, the Column would not be repaired. She confirmed that City Manager Estes and Assistant City Manager/Police Chief Johnston were part of the selection committee that chose to contract with Converge Communications. The Friends were able to accomplish something the City could not, which was getting Verizon to move. Most citizens in Astoria did not want a big tower on the top of Coxcomb Hill competing with the beautiful Column. The Friends did a great job. This request indicates that the Friends are willing to take care of renovations, maintenance, and improvements. However, the administrative work should be done the City of Astoria. She supported the request.

Zachary Frank Seidel, 364 9th Street, Suite C, Astoria, asked how much the tower was estimated to cost. Assistant City Manager/Police Chief Johnston said he had not seen a valuation in a few years. However, five years ago, when building a new tower was discussed, the costs were estimated at about \$750,000.

Mr. Seidel asked if the tower were owned by Comcast, Singular, or Verizon, would they be responsible for building it. He also asked if the companies would receive funds from use of the tower. City Manager Estes said the City owns the existing tower. Currently, negotiations with Verizon indicate Verizon would build a new tower and would cover the expenses of moving the City's communication antennas to the new tower. Assistant City Manager/Police Chief Johnston added that the City's current communications facility is over capacity, has structural issues, and is nearing the end of its life, so it needs to be replaced. Converge has done what the City believed was impossible.

Councilor Price believed Mr. Seidel was asking if the City would have to pay to build the tower. City Manager Estes said no, Verizon would pay to build the new tower. Councilor Price confirmed Verizon would own the tower while the City owned the land the tower is built on and the City will be allowed to keep its communications equipment on their tower. City Manager Estes reminded the specific details were still being negotiated.

Mr. Ziedell wanted to know what was involved in wooing a communications company. Staff explained that the current tower, which is owned by the City and holds Verizon's equipment, needs to be replaced. The City needed to get a new tower with the least fiscal impact. The City had to convince Verizon it was in their best interest to use a new configuration of towers that will increase service and potentially increase revenue. Negotiations have involved hundreds of meetings and finding technical data to support the new site. Converge did research that Verizon was unwilling to do. However, this research demonstrated the new site would work for both Verizon and the City.

Mr. Seidel said he wanted to review all of the information and preferred the reimbursement be postponed until the community had the opportunity to review the information.

Councilor Herzig did not believe anyone was questioning that the City would not have been able to relocate the tower with the influence of the Friends or that the City desperately needs a new tower. The issue before Council is \$69,657 of unitemized expenses to be awarded back to the Friends of the Column. He believed Council needed the expenses to be itemized. The next item on the agenda is reimbursing Converge Communications separately. This is not about the help the Friends have given or the need for a new tower; it is simply about money being turned over to the Friends without any itemization.

Assistant City Manager/Police Chief Johnston confirmed he did not have an itemized list of this expense.

City Manager Estes said staff could present Council with more information at the next City Council meeting.

Councilor Price said in light of the comments, she would withdraw her motion. Councilor Warr agreed to set the item aside for one meeting.

Mayor LaMear confirmed delaying action to the next meeting would not create any issues time wise.

The City Council consented to continue Item 6(c): Reimbursement of Expenses – Friends of Astoria Column to the next City Council meeting, scheduled for June 8, 2015.

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

City staff has contracted with Converge Communications to negotiate the lease between the City and Verizon Communications. This work is in process and related to the relocation of the Coxcomb Hill communications tower. There is additional work to be done ensuring that the project moves from its current status to construction. Converge Communications, who has been working on behalf of the Friends, is uniquely suited to continue this work. It is recommended that Council approve expansion of the Scope of Work and that Converge be authorized to expend up to \$20,000 in this Fiscal Year.

City Manager Estes suggested this item be continued to the next City Council meeting, as it is a companion matter to Item 6(c): Reimbursement of Expenses-Friends of the Astoria Column.

City Council agreed to continue this item to the next City Council meeting on June 8, 2015.

Councilor Herzig said Converge is a technical firm that contracted to do Verizon's work for them and convince Verizon that they could find a suitable and more profitable location. He wanted to know when Verizon's franchise with the City expired and if the City could replace Verizon with a company that would work better with the City. Converge provided the technical information relating to the relocation of the Verizon tower that includes emergency communications tower.

Item 6(e): Ordinance Establishing an Assessment Fee that shall be known as the Police Officer Training Fee (1st Reading) (Police)

The Police Department wishes to establish funding for enhancing their training activities. The training budget for Police employees has been largely unchanged for 10 years. While resources have not increased, costs to train have. The Department proposes imposing an assessment on traffic citations that would fund additional Police training. Persons who are found not to have committed the offense will have no fee imposed. Estimated revenue from this fee is \$20,000 annually. These dollars would be earmarked for equipment related to training, training costs, and contractually obligated tuition reimbursement. It is recommended that Council conduct the first reading of this ordinance.

City Manager Estes said the cities of Warrenton and St. Helens have similar ordinances. Staff proposes a fee of \$15 for traffic offenses and code violations and \$50 for conviction of crimes. The use of these fines to support training would relieve pressure on the General Fund. City Council was provided copies of amendments to the draft ordinance proposed by City Attorney Henningsgaard.

Councilor Herzig noted a typographical error on Page 44, second paragraph, last sentence of the agenda packet: "It seems appropriate that those who are contacted **convicted** for violations of law directly support the efforts to further professionalize the department.

Councilor Price understood fines, particularly on criminal cases, were difficult to collect because these fines were typically imposed upon people at the lower part of the socioeconomic status. She supported these fees. However, she believed the City should avoid any kind of bounty and avoid making officers feel they must meet a quota in order to make the anticipated \$20,000 each year. If the fees do not provide enough support for training, she preferred training expenses be paid for out of the General Fund. She did not want the Police Department to feel it must go bounty hunting for training funds. Assistant City Manager/Police Chief Johnston responded he would be the first to request repeal of the ordinance if that were to happen.

Councilor Herzig preferred the \$20,000 come out of the City budget. Mr. Cantor advised the Budget Committee that if the City paid off some of its outstanding debts in modest amounts, the City would save over \$20,000 annually. He was concerned about directly linking police citations with income to the Police Department because he believed it would send a troubling message to the public. He did not believe the police would abuse this fee structure, but it gives the appearance that the more violations the police can maintain in court, the more money flows into police training.

Councilor Warr believed the fees would be fine, but would not raise a lot of money. The problem with taking funds out of the General Fund is that such an ongoing expense is easy to cut. Therefore, he favored the request.

Mayor LaMear called for public comments.

David Oser, 254 W. Irving, Astoria, said he was not concerned about bounty hunting. However, he did not believe it was appropriate to raise training funds in this manner because many people who have convictions are not people who have a lot of money. People who are living on the edge get a traffic citation, cannot afford to pay the fine, and cannot get to work because they lost their license. There is a growing sense in the country that adding these amounts to the poorest of citizens is not the right way to raise money. He believed everyone agreed that police training is very important, but he did not believe this was the right mechanism for raising the necessary funds.

Councilor Price asked if it was possible to take \$20,000 from the General Fund and allocate it to the Police Department for training. City Manager Estes said the funds would be taken from the General Fund's contingency, which would leave almost no contingency. In response to Councilor Herzig's comment, he explained that the City did not have any debt in the General Fund. The City's debt service is being paid for out of the Capital Improvement Fund, Promote Astoria Fund, and Astor East Urban Renewal District. The Budget Committee has recommended a fairly tight General Fund. The Police Department was trying to be creative and recommend another funding mechanism because the General Fund does not have much capacity right now.

Councilor Price said the City has \$2 million+ contingency for the next fiscal year. City Manager Estes explained the budget is based on projected revenues and projected expenditures. An additional \$20,000 in expenditures would put the fund at close to zero. The City would have the contingency, but it would have to be drawn down in future years in order to maintain sustainability.

Councilor Price asked what happens when a person cannot pay their fines. City Attorney Henningsgaard confirmed Astoria did not have debtor's prison. The municipal court puts very few people in jail. When fines and fees are not paid, the municipal court issues a warrant and sends the account to a collection agency.

Councilor Herzig believed the City could find training funds elsewhere and \$20,000 could be raised for police training in a way that does not affect some of the most disadvantaged people in the community. The proposed fees could spiral a person into a situation where they owed thousands of dollars to the City and could not work. He requested that Council support the police and their need for training and direct Staff to find other sources of police training funds.

City Manager Estes suggested that Council discuss directing Staff to find training funds in the budget at the next City Council meeting on June 8th, during review of the budget.

Item 6(f): Resolution Amending Fee Schedule for Maritime Memorial Park (Parks)

The Maritime Memorial Park was designed to commemorate the people who were intimately involved with maritime activities during their lives. Engraved individual Memorial Wall spaces are approximately 4" x 12" and include the name of the deceased person, year of birth and death, and a maritime related inscription that pertains to the deceased. An additional option for the memorial space is to include a maritime related graphic closely associated with the deceased. For example, a gillnet boat if the deceased was a gillnetter. On April 21, 2015, the City of Astoria's Maritime Memorial Committee unanimously voted to approve a proposed fee increase for memorial engravings on the Maritime Memorial Wall. This fee increase will close the gap between fees charged for services and the cost of services. It is proposed that the fees be increased \$150 for engraving and \$50 for a customized graphic or artwork effective June 1, 2015. The fee amounts are shown below:

	<u>Current</u>	<u>Effective 6/1/15</u>
Engraving	\$350	\$500
Customized Graphic/Artwork	\$100	\$150

It is recommended that Council authorize this fee schedule amendment in order to offset costs at the Maritime Memorial Park.

City Manager Estes noted the agenda packet included information that clarified the proposed fee increases.

Councilor Warr declared a conflict of interest, as he has done most of the work at the memorial. Therefore, he would not engage in conversation about this item.

Mayor LaMear confirmed there were no public comments. She said the Maritime Memorial was one of her favorite memorials in Astoria. It is extremely moving to read the inscriptions and see the boats. The community wants to keep up the excellence of the area and the City cannot keep doing so without charging enough to cover the costs. Therefore, she was in favor of the resolution.

Councilor Herzig said Page 64 of the agenda packet had not been revised. He asked if this could be corrected as needed. City Manager Estes confirmed the signature packet had been amended correctly. Councilor Herzig explained the agenda packet did not reflect the increased fees on plaques with graphics, which would be increased to about \$650.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Price to adopt the resolution amending the fee schedule for Maritime Memorial Park. Motion carried 3 to 0 to 1. Ayes: Councilors Price and Herzig and Mayor LaMear; Nays: None. Abstentions: Councilor Warr.

Item 6(g): Ordinance Amending Astoria City Code Section 1.964 Relating to Local Government Public Contracting Regulations (1st Reading) (Public Works)

The Public Works Department is requesting that the City Council consider adopting an ordinance that would modify the spending authority of the City Manager for adjustments to the contract amount of public works Improvement projects. The proposed ordinance amends Astoria City Code Section 1.964 Public Contracts - Authority of Purchasing Manager, which authorizes the purchasing manager (City Manager) to execute contract change orders in accordance with the project contract documents so long as the total project cost does not exceed the total funding for the project in the approved construction budget. It is recommended that Council conduct the first reading of this ordinance.

City Manager Estes explained the new procedure being proposed by Staff, as noted on Page 71 of the agenda packet. The new procedure proposed that Staff would give Council financial status updates upon request. However, financial status updates would automatically be presented to Council on a monthly basis. A revised copy of the ordinance, which included language amended by City Attorney Henningsgaard, was presented to City Council.

Councilor Warr believed the City should have some flexibility. However, some of the larger contracts, like the contracts for mandated work on the CSO projects, have contingencies of more than \$500,000. The amendments to this ordinance would give the City Manager the authority to spend up to \$500,000 without consulting with City Council. For as long as he has been on City Council, he could not recall every denying a change order. He did believe some things could be changed to make the process go more quickly. However, the proposed amendments could tempt future Staff to do some irregular things. He was uncomfortable giving Staff this level of spending authority.

Councilor Herzig agreed. He did not believe Council should waive its responsibility to manage City funds in this way. He understood the proposal was in the interest of efficiency. However, City Council has recently demonstrated it is willing to convene for emergency meetings. If it became critical to move a large adjustment of funding forward, he believed City Council could meet to approve the request. He held nothing against the City Manager or his predecessor, but believed City Council needed to retain the oversight.

Councilor Price agreed.

Item 6(h): Consideration of Draft City Council Goals for Fiscal Year 2015-2016

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*. After the April 20, 2015 City Council Work Session regarding the Library, a revised draft of the goals was posted on the City's website. This was done in advance of the May 4, 2015 Council meeting, and to date, no comments or suggestions for modifications or additions to the goals have been received from the public. It would be in order for the Council to consider adopting the draft list as the official City Council goals for Fiscal Year 2015-2016.

Councilor Price believed she had been overly hasty when agreeing to pursue only one option for the library, the development of Heritage Square. She wants to see Heritage Square developed soon and believed a library as a

public/private partnership at Heritage Square could be a good use of the space. She hoped the City would vigorously pursue this option. However, she also believed it was essential to consider two options because the finances could be different. At this point, the City does not know what the citizens are willing to finance and it is likely that help from the citizens will be necessary. She suggested the City consider using the current library building as a second option. She believed developers, architects, and others should be allowed to suggest ways of satisfying the criteria, even if it means considering adjacent spaces. This option could be pursued at the same time as Heritage Square. The City removed the notion that there would never be additional funding for library Staff. If the City is going to build a community hub, it must be willing to put some money behind operations and Staff to ensure the library will be the great community hub Astoria is looking forward to. This was the main reason for insisting on a one-floor library. However, more Staff is a possibility so a multi-floor library can be considered. She believed the City should consider the tremendous community effort being put into the rehabilitation of the Van Dusen building by the harbor. The City should question whether the only option should be that an entire block of abandoned buildings be left behind and/or give a developer of Heritage Square the burden of having to find an appropriate use for the library, which was part of Council's motion at the last meeting. The City's volunteers who serve on the Planning Commission and the Historic Landmarks Commission spend so much time and effort trying to encourage building owners to rehabilitate and use existing buildings instead of building new structures or moving to Warrenton. She believed the City should do the same for its own property. After the last work session, she spoke with City Manager Estes who said it was not Staff's intention for Council to choose one option. Staff simply wanted Council to review the criteria to see if they were the types of criterion Council wanted Staff to use when considering the four options on the table at that time.

City Council Action: Motion made by Councilor Price to direct Staff to explore two options for the library, a new development at Heritage Square and renovation of the current library building, with or without adjacent spaces.

Councilor Price did not want to end up after some period of time without a plan for Heritage Square and have to start the process all over again.

Councilor Warr noted the library goal stated, "Investigate locating the Astoria Public Library as part of a mixed use residential development within Heritage Square to facilitate redevelopment of this space." He did not believe this language locked the City into one option. He believed it would be too expensive to consider both options simultaneously and each option should be investigated one at a time. Architects do not present plans in the hopes the City will purchase them and it will be expensive to fund development and research at both locations. Councilor Price made a great argument; however, he did not believe her argument helped the goals. Therefore, he was not in favor of her suggestion.

Councilor Herzig agreed. Council needs to give Staff clear direction. When a report on Heritage Square comes back, Council can then decide if a second option should be investigated. He wanted to leave the library goal as is. He was sorry the goals might be adopted with Councilor Nemlowill absent. He hoped this was the last year the City used this format for goal setting. The City has no marker for achievement, no reporting, and no specific departments to shepherd the goals. There is no tracking mechanism or way to prioritize the goals. He hoped that next year, the City would adopt a vision plan to see how the City's vision might be implemented by specific goals through specific departments with specific tracking mechanisms. He suggested a quarterly report on each goal.

Councilor Price said at the work session in April, Staff presented the criteria it would use to pursue the four options that were on the table at that time. The four options were the two included in the Metz study, an option suggested by Ted Osborne, and Heritage Square. Staff was prepared to move forward with those four options either simultaneously or one at a time. She asked if pursuing two options would be a burden on Staff. City Manager Estes clarified that the criteria proposed at the work session were to be used when considering a location. The criteria would not have allowed Staff to develop a cost estimate. Staff needed Council to consider a preferred location at a policy level. This goal would take into account a more detailed analysis that could result in some rough cost estimates and feasibility studies. Staff could pursue two options. However, this work would be more in depth than he originally anticipated. When this goal was developed at the last City Council meeting, he understood that Council wanted more information.

Councilor Price restated her motion. Motion died for lack of a second.

City Council Action: Motion made by Councilor Herzig, seconded by Mayor LaMear to adopt City Council Goals for Fiscal Year 2015-2016. Motion carried 3 to 0 to 1. Ayes: Councilors Warr, Herzig, and Mayor LaMear; Nays: None. Abstentions: Councilor Price.

NEW BUSINESS & MISCELLANEOUS

REPORTS OF COUNCILORS

Item 11(a): Councilor Herzig reported Parks After Dark begins on Saturday, May 23rd at McClure Park with the showing of the film *Jurassic Park*. This new event that will support the Parks Department's scholarship program for families that cannot afford Parks programs. In 2014, the Parks Department awarded \$35,000 in scholarships. The entry fee is \$5 and the event is for ages 21 and over because beer will be available for purchase. The park will open at 8:00 pm. There will be one Parks After Dark event each month through September. Flyers were available in the lobby.

Item 11(b): Councilor Warr reported that on Sunday, May 17th, the CHIP-IN event was held at Oceanview Cemetery. He supported volunteerism and the way the City has promoted the program.

Director Cosby noted there were 23 volunteers and a large group from Tongue Point at the cemetery. The volunteers cleaned up headstones, picked up garbage, and prepared the cemetery for Memorial Day.

Item 11(c): Councilor Price reported that over the last couple of weeks she had visited some of the business owners in Astoria. She described some of the businesses in the downtown area. She noted that at the last City Council meeting, Council had to deny a request to place a boat food cart next to the Bowpicker; however, Scott Bechtoldt has decided to open a boat food cart area with eight or nine food carts in the space in front of Number 10 6th Street, right along the Riverwalk. She spoke with Senator Johnson about a range of issues, including the appointment of Bruce Buckmaster to the Fish and Wildlife Commission. A contested hearing has been scheduled for 3:00 pm on Tuesday, May 19th in Salem, OR. She believed the vote would be postponed. The Senate is considering a bill to raise the statute of limitations on rape from 12 to 20 years. She was asked on Facebook for an update on the Bond Street slide area by someone who was very distressed by the fact it had not been mentioned in the budget. A feasibility study and topographic survey are being conducted. If deemed feasible, Director Cook will present a proposal to City Council to approve the expansion of the Astor West Urban Renewal District (AWURD) and use about \$100,000 for debris removal and reopening of Bond Street to two-way traffic. However, it is unlikely the street could be widened enough to accommodate on-street parking. If approved, work would take place over about two weeks at the beginning of October. Two million dollars has been budgeted in the AWURD for capital improvements.

Item 11(d): Mayor LaMear reported that she has appointed new members to the Maritime Memorial Committee. The current members are Bob Ellsberg, Rae Goforth, Scott McMullen, and Shirley Tinner. The new members are Jim Bergeron, Kim Supple, and Carolyn Wuebben. Russ Warr will be leaving the committee, but will continue to serve as an ex-officio member to avoid conflicts. The Parks and Recreation Board has requested that a member of City Council also serve on their board. She believed it was best that Councilors refrain from serving on boards and commissions so they could work more independently. However, the Parks Board strongly believes they need a Council member. She has appointed Councilor Herzig to the Parks Board because he has already been attending their meetings regularly. She announced the new Community Development Director has been chosen. She reported that Columbia Memorial Hospital and the Harbor had successful fundraisers, which demonstrates the community supports great causes.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:22 pm.

ATTEST:

APPROVED:

Finance Director

City Manager

A special meeting of the Astoria Common Council was held at the above place at the hour of 6:45 pm.

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

Councilors Excused: None

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

REGULAR AGENDA ITEMS

Item 6(a): Astoria Senior Center Renovation Project Amended Community Development Block Grant Award

In March of 2013, the City Council approved the contract with the Oregon Business Development Department Infrastructure Finance Authority (IFA) for a Community Development Block Grant (CDBG) award in the amount of \$1,500,000 for the Renovation of the Astoria Senior Center.

Following receipt of the bids for Astoria Senior Center Renovation in late February 2015 project staff has been working with the apparent low bid general contractor, S|EA (project architect), City Staff, and the Senior Center Management to adjust the scope of work defined in the bid/design documents. This is being done to align closer with the available project renovation funds in consideration the bids received exceeded the project cost estimate while still addressing the direct core needs of the Senior Center and the defined project requirements within the Community Development Block Grant contract documents.

Concurrent with the work to adjust the project scope, staff has been working with IFA to attempt and secure additional funding for the project. IFA has offered an additional \$240,000 for the project. The receipt of this amended award (attached) of \$1,740,000 greatly assists in narrowing the previous gap of available funds for construction to ensure the core needs of the Senior Center project will be realized.

It is recommended that the City Council provide approval to accept the amended Community Development Block Grant award for the Renovation of the Astoria Senior Center Project in the sum of \$1,740,000.

Larry Allen, Senior Center President, said the Senior Center has waited a long time to get to this point. There have been a lot of setbacks and modifications. All of Mr. Jacques revisions and efforts to find funds make him very happy and he hoped Council would approve the request.

Assistant City Manager Johnston noted that even with changes to the plan, this grant would cover the costs of the project.

Councilor Nemlowill confirmed that the low bidder had come in at about \$475,000 over the original estimate. She thanked Al Jacques for working with the low bidder, the City's partners, and the State to find funds.

Councilor Herzig asked if the project would now include renovation of the basement. Mr. Jacques answered no, all the work in the basement had been eliminated from the plans and the first floor plan has been revised to accommodate the needs of the seniors.

Councilor Warr confirmed these changes would still allow the Senior Center to accommodate Meals on Wheels.

Councilor Herzig confirmed that about \$220,000 in additional funding would be needed to renovate the basement. He noted that Mayor LaMear had asked about this at a budget meeting. Knowing how much would be needed will help Council as they deliberate on the budget. Mr. Jacques suggested that once the seniors acquire the building, they should consider grants that may be available for development of the basement space.

Councilor Herzig said the seniors would not acquire the building for five years and would not want to wait five years to renovate the basement. Mr. Allen said the seniors would look for grants, but the renovation needs to be complete before moving on. The basement could be used for many things and the Senior Center would eventually need to create revenue. A lot of work still needs to be done; however, the Senior Center is getting exactly what it needs now.

Councilor Herzig suggested the City create a fund in anticipation of matching grant funds for the Senior Center.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Herzig to approve the amended Community Development Block Grant award for the Renovation of the Astoria Senior Center Project in the sum of \$1,740,000. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Item 6(b): Astoria Senior Center Renovation Project Architectural Services Contract Amendment Number 2

Scott Edwards Architect LLP (S|EA) the Astoria Senior Center Renovation Architect of Record was awarded a contract in the amount of \$115,000 in July 2013 to provide architectural services for the said project. In November of 2013, the contract was amended by \$5,500 to the total sum of \$120,500 to support the need for additional engineering services related to seismic upgrades of the design documents.

Following receipt of the bids for Astoria Senior Center Renovation in late February 2015 project staff has been working with the apparent low bid general contractor, S|EA, City Staff and the Senior Center Management to adjust the scope of work defined in the design documents to align closer with the available project renovation funds while still addressing the direct core needs of the Senior Center and the defined project requirements within the Community Development Block Grant documents. In addition, project staff has been successful with its efforts to secure additional funds for construction activities by the means of amended Community Development Block Grant award.

S|EA has provided a proposal (attached) to provide services to revise the design documents to reflect the agreed upon scope of work adjustments in the amount of \$11,370. This work is required to provide the revised design documents for review by the City of Astoria Building Official for permitting purposes, to document the scope changes for contracting purposes with the general contractor, and for use during the construction activities.

It is recommended that the City Council provide approval to amend the contract with Scott Edwards Architect, LLP by an additional \$11,370, for a total amended contract sum of \$131,870 in support of revising the project construction documents based on the adjusted scope of work.

Mayor LaMear confirmed the additional \$11,370 was based on the revised plans Staff already has and that this amount is within the current budget.

City Council Action: Motion made by Councilor Nemlowill, seconded by Councilor Herzig to approve an amendment to the contract with Scott Edwards Architect LLP by an additional \$11,370, for a total amended contract sum of \$131,870 in support of revising the project construction documents based on the adjusted scope of work. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Mr. Jacques said he anticipated groundbreaking would be in early July.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:54 pm to convene the Budget Committee meeting.

ATTEST:

APPROVED:

Finance Director


City Manager



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

June 1, 2015

MEMORANDUM

TO: MAYOR AND CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: **APPROVAL TO EXECUTE THE BROWNFIELDS REDEVELOPMENT FUND TECHNICAL ASSISTANCE GRANT FOR 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.**

DISCUSSION/ANALYSIS

On April 6, 2015 the Council approved a contract amendment in the amount of \$18,000 for services provided by ABA Company and K&S Environmental, Inc. related to the mitigation of the contaminated soils associated with the prior removal of the underground heating oil tank at the said location. The City had previously contracted services with ABA Company and K&S Environmental, Inc. for removal of the tank in the amount of \$4,500, resulting in a total project cost of \$22,500.

On May 4, 2015 the Council approved submittal of the Business Oregon Development Department grant application for the reimbursement of costs related to the removal of the underground heating oil tank and subjacent mitigation of the contaminated soils related to the Astoria Senior Center project site.

On May 20, 2015 the project staff was notified by the Business Oregon Development Department's Brownfields Program Specialist that the City was successful in securing the reimbursement funding for the cost of the tank removal and contaminated soils mitigation via a Brownfields Redevelopment Fund technical assistance grant. The City Attorney has reviewed and approved the Grant Contract as to form.

RECOMMENDATION

It is recommended that the City Council approve execution of a Brownfields Redevelopment Fund technical assistance grant contract for reimbursement of the costs related to the removal of the underground heating oil tank and subjacent mitigation at the Astoria Senior Center project site.

Prepared By: Al Jaques

**OREGON BUSINESS DEVELOPMENT DEPARTMENT
BROWNFIELDS REDEVELOPMENT FUND
GRANT CONTRACT**

BETWEEN: State of Oregon, acting by and through its (“Department”)
Oregon Business Development Department
775 Summer Street NE, Suite 200
Salem, OR 97301-1280

AND: City of Astoria (“Recipient”)
1095 Duane Street
Astoria, OR 97103

DATE OF AWARD: 15 May 2015

PROJECT NAME: Astoria Senior Center Underground Storage Tank Cleanup Project

PROJECT NUMBER: N15015

SECTION 1 - LEGAL BASIS OF AWARD

Pursuant to ORS 285A.188(2) and OAR 123-135-0000 through 123-135-0110 (“Program Rules”), Department is authorized to enter into a grant agreement and to make an award from the Brownfields Redevelopment Fund (“Fund”). Department is willing to make the grant on the terms and conditions of this Agreement. Accordingly, the parties agree as follows:

SECTION 2 - GRANT AWARD

Section 2.01. Grant. In accordance with the terms and conditions of this Agreement, Department will provide Recipient with a maximum of \$22,500 (“Grant”) from the Brownfields Redevelopment Fund for the activities and purposes set forth in Exhibit A (the “Project”). All expenditures of Grant moneys must be in accordance with the Project budget set forth in Exhibit B. Recipient will not use the Grant moneys to retire any debt.

Section 2.02. Disbursement of Grant Moneys. Subject to Sections 2.03, Department will disburse the Grant moneys to Recipient on an expense reimbursement basis, within thirty (30) days after Department’s receipt of a disbursement request on a form provided by Department, accompanied by documentation satisfactory to Department (including, but not limited to the nature of the activity, when it took place, cost details, and applicable receipts and invoices) of the expenses for which reimbursement is requested. Subject to the availability of undisbursed Grant moneys, each disbursement of Grant moneys under this Section 2.02 will be in an amount equal to the total amount of expenses satisfactorily documented in the disbursement request, provided that any reimbursement of travel expenses cannot exceed the State of Oregon approved rates.

Section 2.03. Conditions Precedent to Each Disbursement. Department’s obligation to disburse Grant moneys to Recipient pursuant to Section 2.02 is subject to satisfaction, with respect to each disbursement, of each of the following conditions precedent:

(a) The Oregon Department of Administrative Services has not notified the Oregon Business Development Department of an anticipated shortfall in Oregon State Lottery revenues for the biennium in which this Agreement becomes effective or for any biennium thereafter;

(b) Moneys are available in the Brownfields Redevelopment Fund to finance the disbursement;

(c) Department has received sufficient appropriations and other expenditure authorizations to allow Department, in the reasonable exercise of its administrative discretion, to make the disbursement;

(d) No default as described in Section 6.03 has occurred and is continuing;

(e) Recipient's representations and warranties set forth in Section 4 are true and correct on the date of disbursement with the same effect as though made on the date of disbursement.

Section 2.04. Grant Availability Termination. The availability of Grant moneys under this Agreement and Department's obligation to disburse Grant moneys pursuant to Section 2.02 ends on the earlier of thirty (30) days after the date the Project is completed or thirty (30) days after the Project completion deadline set forth in Section 4.01 (the "Availability Termination Date"). Recipient will not submit any disbursement requests and Department will not disburse any Grant moneys after the Availability Termination Date.

SECTION 3 - RECIPIENT'S REPRESENTATIONS AND WARRANTIES

Recipient represents and warrants to Department as follows:

Section 3.01. Existence and Power. Recipient is a municipality, duly organized and validly existing under the laws of Oregon; and Recipient has full power, authority and legal right to execute and deliver this Agreement and to incur and perform its obligations hereunder.

Section 3.02. Authority, No Contravention. The making and performance by Recipient of this Agreement (a) have been duly authorized by all necessary action of Recipient, (b) do not and will not violate any provision of any applicable law, rule, regulation or order of any court, regulatory commission, board or other administrative agency and (c) do not and will not result in the breach of, or constitute a default or require any consent under any other agreement or instrument to which Recipient is a party or by which Recipient or any of its properties may be bound or affected.

Section 3.03. Binding Obligation. This Agreement has been duly authorized, executed and delivered on behalf of Recipient and constitutes the legal, valid, and binding obligation of Recipient, enforceable in accordance with its terms.

Section 3.04. Approvals. No further authorization, consent, license, approval of, filing or registration with, or notification to, any governmental body or regulatory or supervisory authority is required for the execution, delivery or performance by Recipient of this Agreement.

SECTION 4 - RECIPIENT'S OBLIGATIONS

Section 4.01. Project Completion. Recipient will complete the Project within twenty-four months from the date of execution of this Agreement.

Section 4.02. Notifications. Recipient will reasonably acknowledge in some public fashion, such as in promotional materials, on its web site and in public statements, that the Project was funded in part with Oregon State Lottery Funds administered by the Oregon Business Development Department.

Section 4.03. Other Funds. Other funds (including in-kind match) in the amount of \$0 are available and committed to the Project. Before disbursement of any Grant funds, the Recipient shall demonstrate, to the satisfaction of the Department, that it has obtained all other funds that are necessary to complete the Project.

Section 4.04. Final Report. Within thirty (30) days after the completion of the Project, but no later than thirty (30) days after the date set forth in Section 4.01, Recipient shall submit a final report on the Project to Department on a form provided by Department.

Section 4.05. Books, Inspection. Recipient will keep proper books of account and records on all activities associated with the Grant, including, but not limited to, invoices, cancelled checks, instruments, agreements and other supporting financial records documenting the use of the Grant. Recipient will maintain these books of account and records in accordance with generally accepted accounting principles and will retain these books of account and records at least until three years after the later of the Availability Termination Date or the date that all disputes, if any, arising under this Agreement have been resolved.

Recipient will permit Department, the Oregon Secretary of State, or their duly authorized representatives to inspect its properties, all work done, labor performed and materials furnished in and about the Project, and to review and make excerpts, transcripts, and copies of its books of account and records with respect to the receipt and disbursement of funds received from Department. The authorized representatives will have access to these books of account and records for as long as those books of account and records are required to be maintained by Recipient pursuant to this Section 5.05; provided that if such records are kept for a longer period, the authorized representatives shall have access to these records for as long as they are kept by Recipient.

Section 4.06. Compliance with Laws. Recipient will comply with the requirements of all applicable laws, rules, regulations and orders of any governmental authority, except to the extent an order of a governmental authority is contested in good faith and by proper proceedings. Applicable laws and rules include, but are not limited to: Workers' Compensation laws (ORS Chapter 656); Wages, Hours and Records Laws (ORS Chapter 652); Conditions of Employment Laws (ORS Chapter 643); and Unemployment Insurance (ORS Chapter 657).

Section 4.07. Responsibility for Taxes. Recipient will be responsible for all taxes, if any, arising from or related to Recipient's receipt of the Grant. Department will not withhold from the disbursements made to Recipient hereunder, any amounts to cover Recipient's tax liability.

Section 4.08. Minority, Women & Emerging Small Business. ORS 200.090 requires all public agencies to "aggressively pursue a policy of providing opportunities for available contracts to emerging small businesses..." The Department encourages Recipient in any contracting activity to follow good faith efforts as described in ORS 200.045. Additional resources are provided by the Director of Economic & Business Equity at <http://www.oregon.gov/gov/MWESB/Pages/index.aspx>. Also, the Office of Minority, Women, and Emerging Small Business at the Oregon Business Development Department maintains a list of certified firms and can answer questions. Search for certified MWESB firms on the web at: <https://oregon4biz.diversitysoftware.com/FrontEnd/VendorSearchPublic.asp>.

Section 4.09. Economic Benefit Data. Department may request that Recipient submit specific requested data on the economic development benefits of the Project, from the date hereof until six (6) years after the Project completion date. Upon such request by Department, Recipient will, at Recipient's expense, prepare and file the requested data within the time specified in the request. Data must include specific requested information such as any new direct permanent or retained jobs resulting from the Project and other information to evaluate the success and economic impact of the Project.

SECTION 5 - TERMINATION AND DEFAULT; REMEDIES

Section 5.01. Mutual Termination. This Agreement may be terminated by mutual consent of both parties.

Section 5.02. Termination by Department. Department may terminate this Agreement effective upon written notice to Recipient, or at such later date as may be established by Department in such notice, under any of the following circumstances: (a) the Oregon Department of Administrative Services notifies Department of an anticipated shortfall in Oregon State Lottery revenues, (b) Department fails to receive sufficient appropriations or other expenditure authorizations to allow Department, in the reasonable exercise of its administrative discretion, to continue making payments under this Agreement, (c) there are not sufficient funds in the Fund to permit Department to continue making payments under this Agreement, (d) there is a change in federal or state laws, rules, regulations or guidelines so that the Project funded by this Agreement is no longer eligible for funding, or (e) in accordance with Section 5.04.

Section 5.03. Default. Recipient will be in default under this Agreement upon the occurrence of any of the following events:

(a) Recipient fails to perform, observe or discharge any of its covenants, agreements or obligations contained herein or in any exhibit attached hereto; or

(b) Any representation, warranty or statement made by Recipient herein or in any documents or reports relied upon by Department to measure progress on the Project, the expenditure of Grant moneys or the performance by Recipient is untrue in any material respect when made.

Section 5.04. Remedies Upon Default. If Recipient's default is not cured within thirty (30) days of written notice thereof to Recipient from Department or such longer period as Department may authorize in its sole discretion, Department may pursue any remedies available under this Agreement, at law or in equity. Such remedies include, but are not limited to, termination of this Agreement, return of all or a portion of the Grant amount, payment of interest earned on the Grant amount, and declaration of ineligibility for the receipt of future Fund awards. If, as a result of Recipient's default, Department demands return of all or a portion of the Grant amount or payment of interest earned on the Grant amount, Recipient will pay the amount upon Department's demand. The remedies provided herein are cumulative and not exclusive of any remedies provided by law.

SECTION 6 - MISCELLANEOUS

Section 6.01. No Implied Waiver. No failure or delay on the part of Department to exercise any right, power, or privilege under this Agreement will operate as a waiver thereof, nor will any single or partial exercise of any right, power, or privilege under this Agreement preclude any other or further exercise thereof or the exercise of any other such right, power, or privilege.

Section 6.02. Choice of Law; Designation of Forum; Federal Forum.

(a) The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Contract, including, without limitation, its validity, interpretation, construction, performance, and enforcement.

(b) Any party bringing a legal action or proceeding against any other party arising out of or relating to this Contract shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for Marion County (unless Oregon law requires that it be brought and conducted in another county). Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum.

(c) Notwithstanding the prior paragraph, if a claim must be brought in a federal forum, then it must be brought and adjudicated solely and exclusively within the United States District Court for the District of Oregon. This Section applies to a claim brought against the State of Oregon only to the extent Congress has appropriately abrogated the State of Oregon's sovereign immunity and is not consent by the State of Oregon to be sued in federal court. This Section is also not a waiver by the State of Oregon of any form of defense or immunity, including but not limited to sovereign immunity and immunity based on the Eleventh Amendment to the Constitution of the United States.

Section 6.03. Notices. Except as otherwise expressly provided in this Agreement, any required or permitted notice will be given in writing by personal delivery, facsimile, or by mail, postage prepaid, to Recipient or Department at the address or number on page 1 of this Agreement, or to such other addresses or numbers as either party may subsequently indicate pursuant to this Section. Any notice so addressed and mailed will be deemed to be given five (5) days after mailing. Any notice delivered by facsimile will be deemed to be given when receipt of the transmission is generated by the transmitting machine. Any notice by personal delivery will be deemed to be given when actually delivered.

Section 6.04. Amendments. This Agreement may not be altered, modified, supplemented, or amended in any manner except by written instrument signed by both parties.

Section 6.05. Severability. If any provision of this Agreement will be held invalid or unenforceable by any court of competent jurisdiction, such holding will not invalidate or render unenforceable any other provision.

Section 6.06. Successors and Assigns. This Agreement will be binding upon and inure to the benefit of Department, Recipient, and their respective successors and assigns, except that Recipient may not assign or transfer its rights or obligations hereunder or any interest herein without the prior consent in writing of Department, which consent will not be unreasonably withheld in the event the Recipient wishes to assign its rights or obligations hereunder to the Recipient's Urban Renewal Agency.

Section 6.07. Indemnity. To the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, Recipient will defend (subject to ORS chapter 180), save, hold harmless and indemnify the State of Oregon, the Oregon Business Development Department and their officers, agents, employees, and members from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature whatsoever resulting from or arising out of, or relating to the activities of Recipient or its officers, employees, contractors, or agents under this Agreement.

Section 6.08. Titles and Subtitles. The titles in this Agreement are for convenience only and in no way define, limit, or describe the scope or intent of any provision of this Agreement.

Section 6.09. Counterparts. This Agreement may be executed in more than one counterpart, which, taken together, will constitute one and the same instrument, and either party may execute this Agreement by signing any such counterpart.

Section 6.10. No Third Party Beneficiaries. Department and Recipient are the only parties to this Agreement and are the only parties entitled to enforce the terms of this Agreement. Nothing in this Agreement gives or provides, or is intended to give or provide, to third persons any benefit or right not held by or made generally available to the public, whether directly, indirectly or otherwise, unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement.

Section 6.11. Entire Agreement. This Agreement (including any attachments hereto which are by this reference incorporated herein) constitutes the entire agreement between the parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. Any waiver or consent, if made, will be effective only if in writing signed by the party against whom such waiver or consent is sought to be enforced and is effective only in the specific instance and for the specific purpose given.

Section 6.12. Survival. All provisions of this Agreement set forth in the following sections and any that by their terms are intended to survive shall survive termination of this Agreement: Section 2.05. Unexpended Grant Moneys; Section 4.05. Books; Inspection; Section 4.09. Economic Benefit Data; Section 5.04. Remedies Upon Default; Section 6.07. Indemnity.

Section 6.13. Time is of the Essence. Recipient agrees that time is of the essence under this Agreement.

Section 6.14. Attorney Fees. To the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, the prevailing party in any dispute arising from this Agreement will be entitled to recover from the other its reasonable attorney fees and costs and expenses at trial, in a bankruptcy, receivership or similar proceeding, and on appeal. Reasonable attorney fees shall not exceed the rate charged to the Department by its attorneys.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the dates set forth below their respective signature and approved as required by applicable laws. The Recipient, by the signature below of its authorized representative, hereby acknowledges that it has read this Agreement, understands it and agrees to be bound by its terms and conditions.



STATE OF OREGON
acting by and through the
Oregon Business Development Department



CITY OF ASTORIA

By: _____
Lynn Schoessler, Assistant Director

By: _____
The Honorable Arline LaMear
Mayor of Astoria

Date: _____

Date: _____

APPROVED AS TO LEGAL SUFFICIENCY IN ACCORDANCE WITH ORS 291.047:

Not Required per OAR 137-045-0030

Exhibit A: Project Description and Project Special Condition

Exhibit B: Project Budget

Approved as to form:

Digitally signed by
com.apple.idms.appleid.prd.49317566476d4
a3867754144546f59324e744d354e773d3d
DN:
cn=com.apple.idms.appleid.prd.4931756647
6d443067754144546f59324e744d354e773d
3d
Date: 2015.05.29 14:53:34 -0800

EXHIBIT A - PROJECT DESCRIPTION AND PROJECT SPECIAL CONDITION

I. Project Description

Recipient will complete removal and disposal of one underground storage tank (UST); removal and disposal of associated petroleum contaminated soil from the Property located at 1111 Exchange Street, Astoria, Oregon to a permitted Subtitle D landfill; and backfill to grade with clean overburden and crushed rock.

II. Project Special Condition

Recipient shall submit documentation detailing the UST decommissioning and risk-based cleanup to the Oregon Department of Environmental Quality for review and approval.

Exhibit B: Project Budget

	Department Funds	Other / Matching Funds
Activity	Approved Budget	Approved Budget
Underground Storage Tank Removal & Soil Cleanup	\$22,500	
Total	\$22,500	




CITY OF ASTORIA

Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

June 8, 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, DLCDC 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 2nd 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.

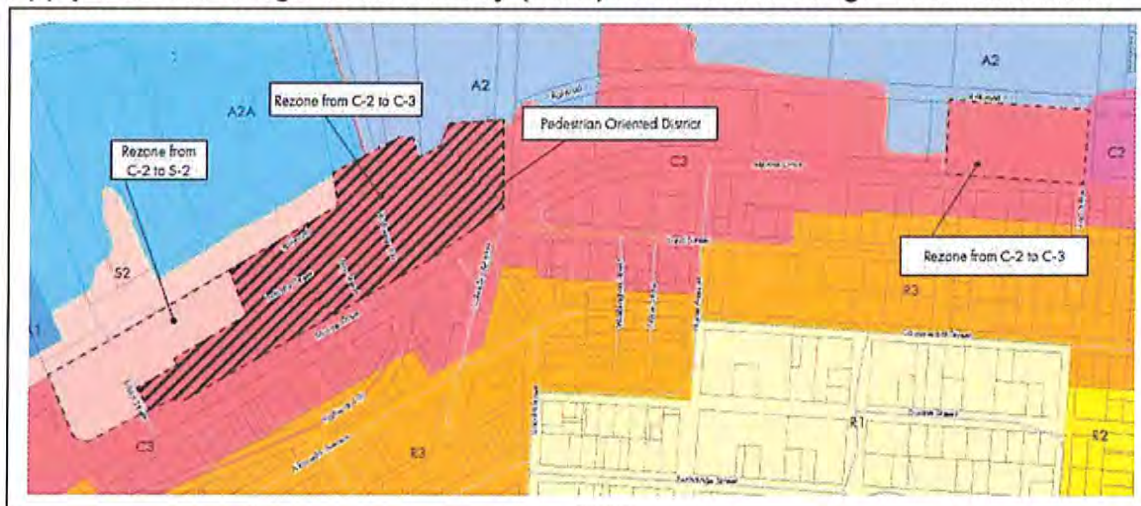
Throughout the RVP implementation process, the Planning Commission (APC) focused on these Assumptions and Objectives and did not attempt to change the Vision Plan as adopted. There was discussion and public comment during the work sessions on the interpretation of these objectives.

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 was held and the Council conducted a first reading of the ordinances at the June 1, 2015 City Council meeting. As a part of the motion for the first reading, the City Council made a minor amendment to restrict variances for over water development height limitations. Upon review of the draft language following the meeting, staff determined the prohibitions for variances were already in place. See Sections 14.100.C.1 and 14.100.C.2 of the Code amendment ordinance. Therefore, no new language is proposed.

RECOMMENDATION

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

"I move that the Astoria City Council adopt the findings and conclusions contained in the staff report, and approve Amendment Request A14-05 to the Development Code and Astoria Land Use and Zoning Map and adopt the Ordinance."

"I move that the Astoria City Council adopt the findings and conclusions contained in the staff report, and approve Amendment Request A14-05 to the Comprehensive Plan and Plan Figures and adopt the Ordinance."

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.

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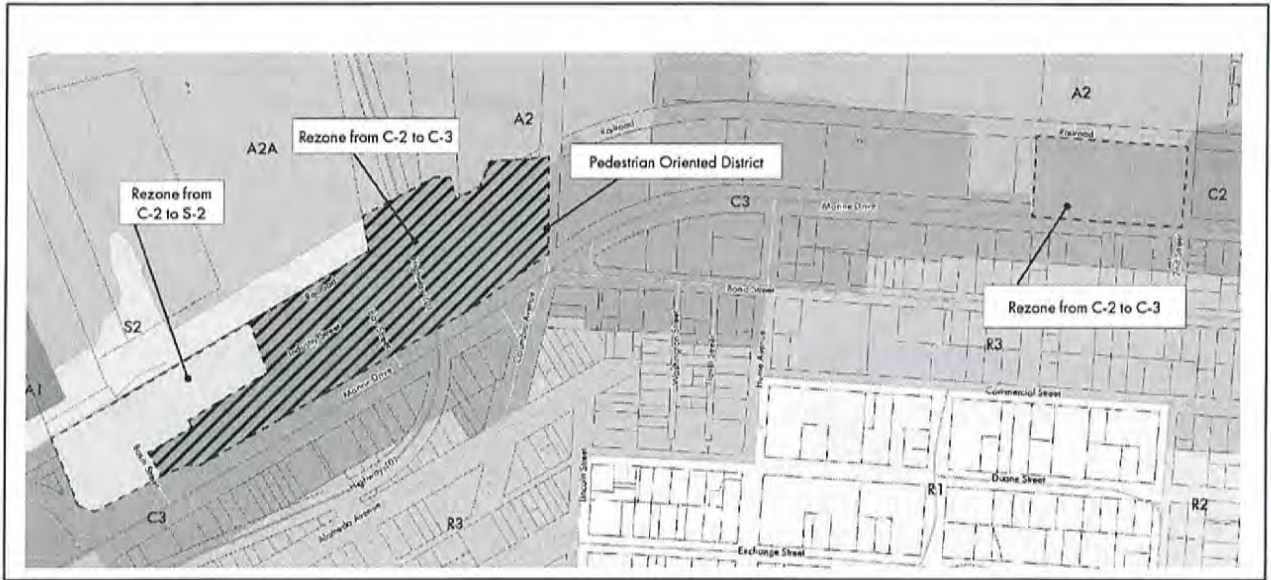
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5. Make miscellaneous “housekeeping” amendments related to references to the above noted amendments.

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 (DLCDD) 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.

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

Source: Cogan Owens Cogan

Adjusted Estimated Net Land Surplus/(Deficit) by Zoning Designation, after Amendments

Type of Use	Location & total acreage	Commercial (Office/Retail)	Industrial/ Other	Employment Total	R1	R2	R3	AH-MP	Residential Total
Amended Surplus/(Deficit)		(20.7)	27.8	7.1	(91.0)	24.13	52.24	(1.21)	(15.84)
Proposed Amended Surplus/(Deficit)	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.*

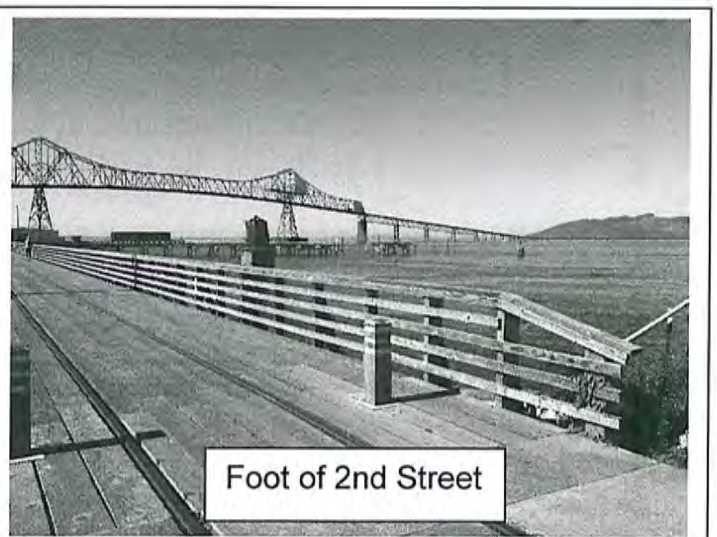
Finding: The Riverfront Vision Plan includes elements on uses, design, landscaping, public access, and transportation. The Plan was developed in concert with existing transportation plans such as the Port/Uniontown Transportation Refinement Plan. The proposed amendments identify changes in allowable 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.

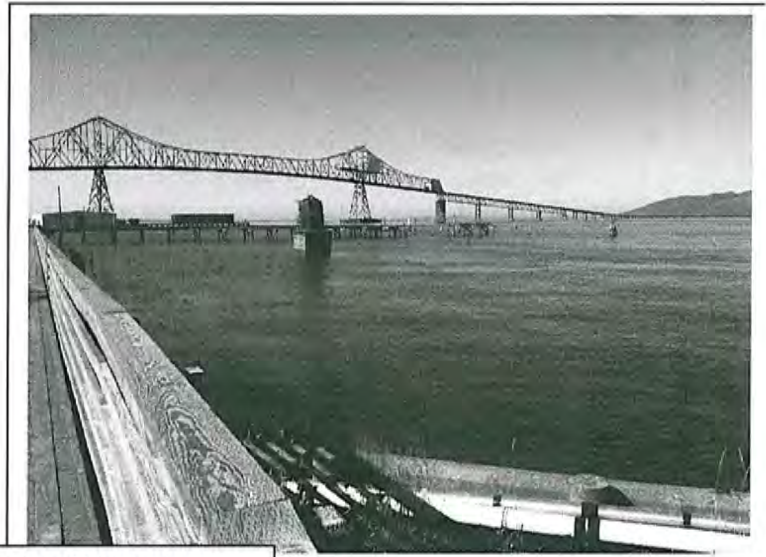
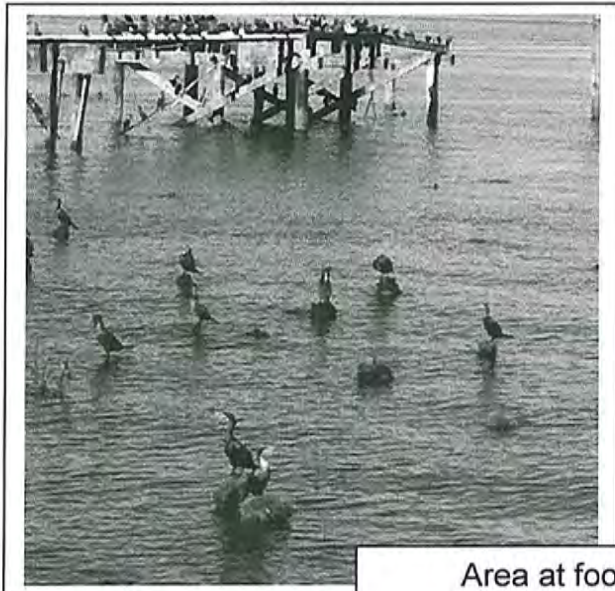
- "3. *Support new development that respects Astoria's historic character. The overall Comprehensive Plan objectives are to:*
- a. *Enhance or refine Development Code to achieve vision principles.*
 - b. *Implement design review, design standards, or other tools to guide the appearance of new development.*
 - 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. . .*

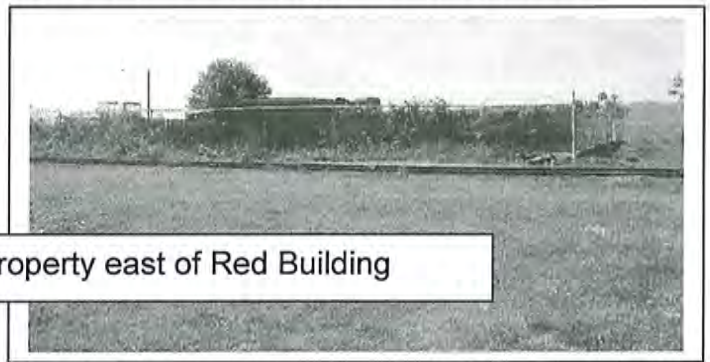
- 2. Sufficient space for present and anticipated needs shall be reserved for the following uses:*

*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.”*

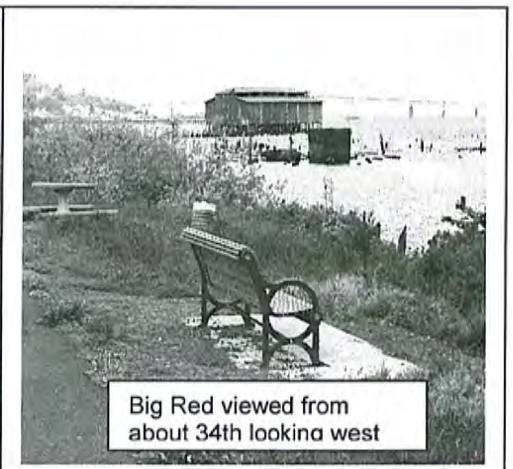
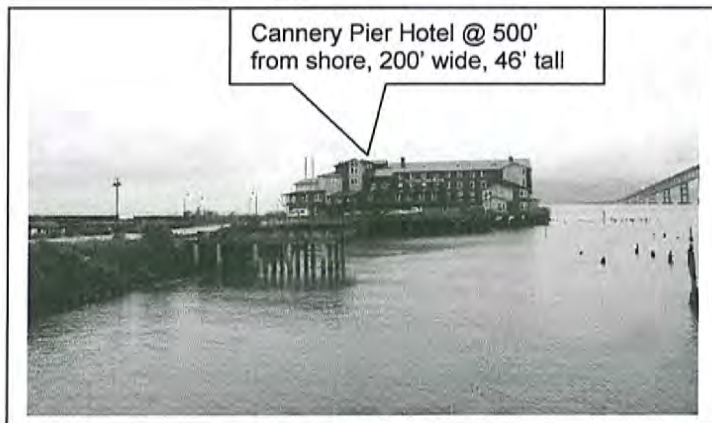
CP.185(N.2), Regional Estuary and Shoreland Policies, Recreation and Tourism Policies, states that *“Recreation uses in waterfront areas shall take maximum advantage of their proximity to the water by: providing water access points or waterfront viewing areas; and building designs that are visually u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

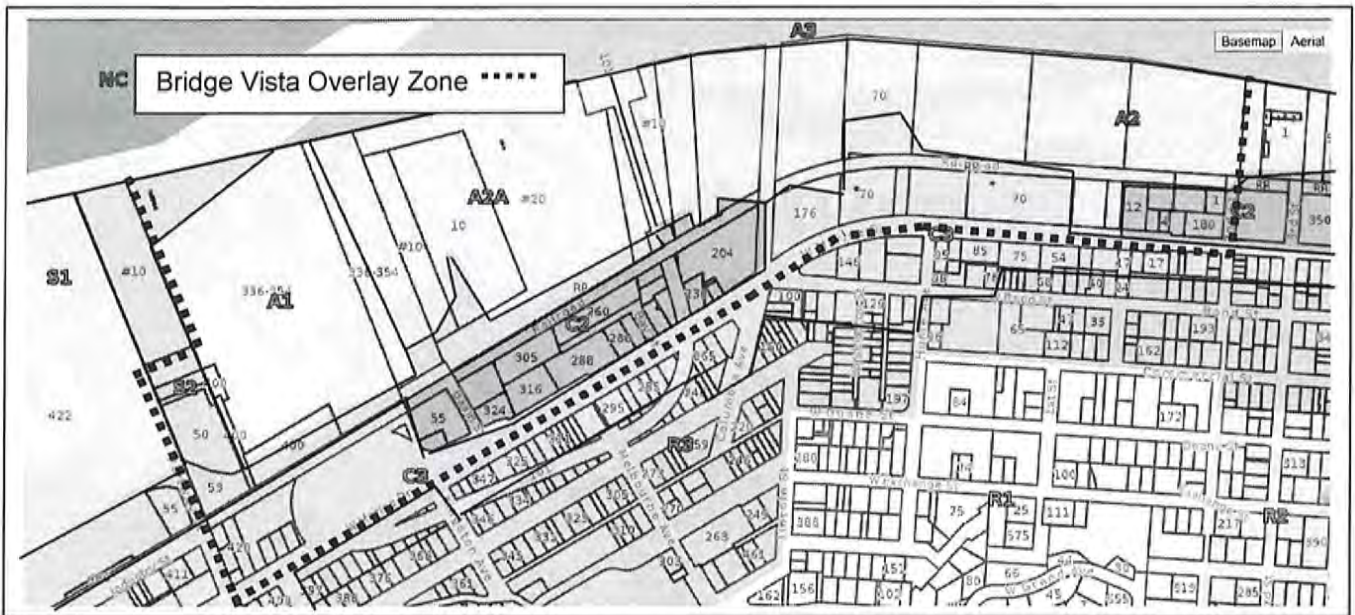
Finding: One of the reasons the Riverfront Vision Plan was developed was to enhance public access to the estuary and allow for preservation of public open space and park areas along the Columbia River. Public access includes both physical and visual access. The River Trail along the Columbia River is 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 stepbacks, and landscape view corridors are proposed to allow street end visual access to the River. The proposed amendments also address public amenities and the ability of a developer to provide specific public amenities in conjunction with their development and promote the general beautification of the waterfront area. The limitation of building size and height, and reduction in allowable uses along the waterfront would protect the waterfront park from incompatible intrusions. 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 hour¹) than other types of residential uses (e.g., single-family housing) already allowed in the District.

¹ Institute of Transportation Engineers Common Trip Generation Rates (PM Peak Hour), Trip Generation Manual, 9th 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 14.085 to 14.125 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

Code Section	Applicability
Section 14.095 Uses Prohibited for Overwater Development	<ul style="list-style-type: none">• Aquatic Zones• Shoreland Zones
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">• Pedestrian-Oriented District (Figure 14.105-2)• C-3 Zone
Section 14.110 Uses Prohibited for On-Land Development	<ul style="list-style-type: none">• Pedestrian-Oriented District (Figure 14.105-2)• C-3 Zone

Code Section	Applicability
<p>Section 14.113 Standards for On-Land Development</p>	<p>Minimum Setbacks</p> <ul style="list-style-type: none"> • North/south Rights-of-way between West Marine Drive / Marine Drive and Columbia River • Adjacent to River Trail • Adjacent to West Marine Drive / Marine Drive and Other Rights-of-Way Parallel to West Marine Drive / Marine Drive (except River Trail) <p>Maximum Setbacks</p> <ul style="list-style-type: none"> • Adjacent to West Marine Drive / Marine Drive and Parallel Rights-of-Way <p>Stepbacks</p> <ul style="list-style-type: none"> • All Overlay Zone Adjacent to Rights-of-Way <p>Size</p>
<p>Section 14.115 Design Guidelines and Standards</p>	<p>Building Style and Form</p> <ul style="list-style-type: none"> • Standards for Projecting Wall-Mounted Mechanical Units Visible from Public Right-of-Way or River Trail • Guidelines for All Uses, All Overlay Zone Adjacent to Rights-of-Way (except West Marine Drive / Marine Drive) <p>Roof Form and Materials</p> <ul style="list-style-type: none"> • Form Standards for All Uses • Materials Standards for All Uses • Form Standards for Non-Industrial Uses • Form Standards and Guidelines for Industrial Uses <p>Doors</p> <ul style="list-style-type: none"> • Standards for All Uses • Guidelines for All Uses • Standards for Non-Industrial Uses • Guidelines for Non-Industrial Uses <p>Windows</p> <ul style="list-style-type: none"> • Coverage Standards for All Uses • Design Standards for All Uses • Design Guidelines for All Uses • Coverage Standards for Non-Industrial Uses in Pedestrian-Oriented District • Coverage Standards for Non-Industrial Uses Outside Pedestrian-Oriented District • Coverage Standards for Industrial Uses <p>Siding and Wall Treatment</p> <ul style="list-style-type: none"> • Standards for All Uses • Guidelines for All Uses <p>Awnings</p> <ul style="list-style-type: none"> • Standards for Types of Awnings/Treatments for All Uses • Guidelines for Types of Awnings/Treatments for All Uses • Standards Along River Trail and North/South Rights-of-Way

Code Section	Applicability
	Lighting <ul style="list-style-type: none"> • Standards for All Uses • Guidelines for All Uses Signs <ul style="list-style-type: none"> • Standards for All Uses in Pedestrian-Oriented District
Section 14.120 Landscaping	River Side/Riparian Land Side/Upland Street Trees <ul style="list-style-type: none"> • All Street Trees • North-South Rights-of-Way Between West Marine Drive / Marine Drive and Columbia River
Section 14.125 Off-Street Parking	In Pedestrian-Oriented District <ul style="list-style-type: none"> • Small Floor Area • Buildings Covering Site • Small Building Expansions

Figure 14.090-1: Limitation Area

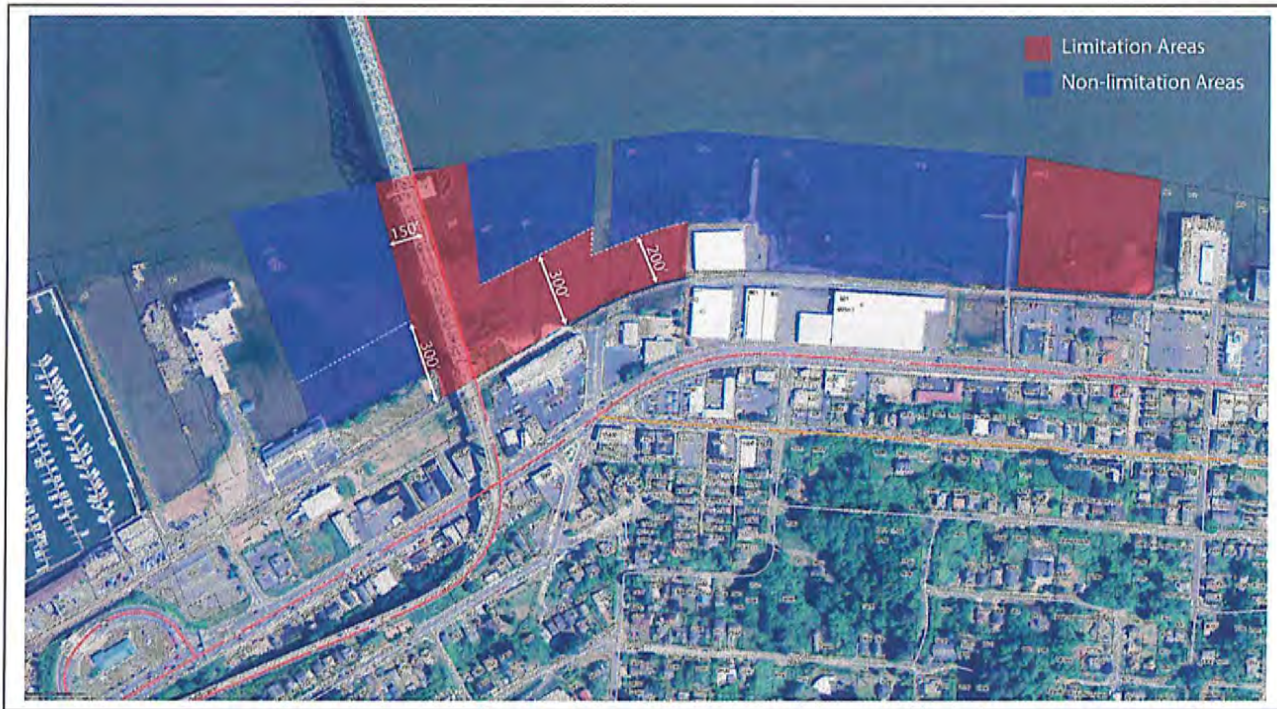
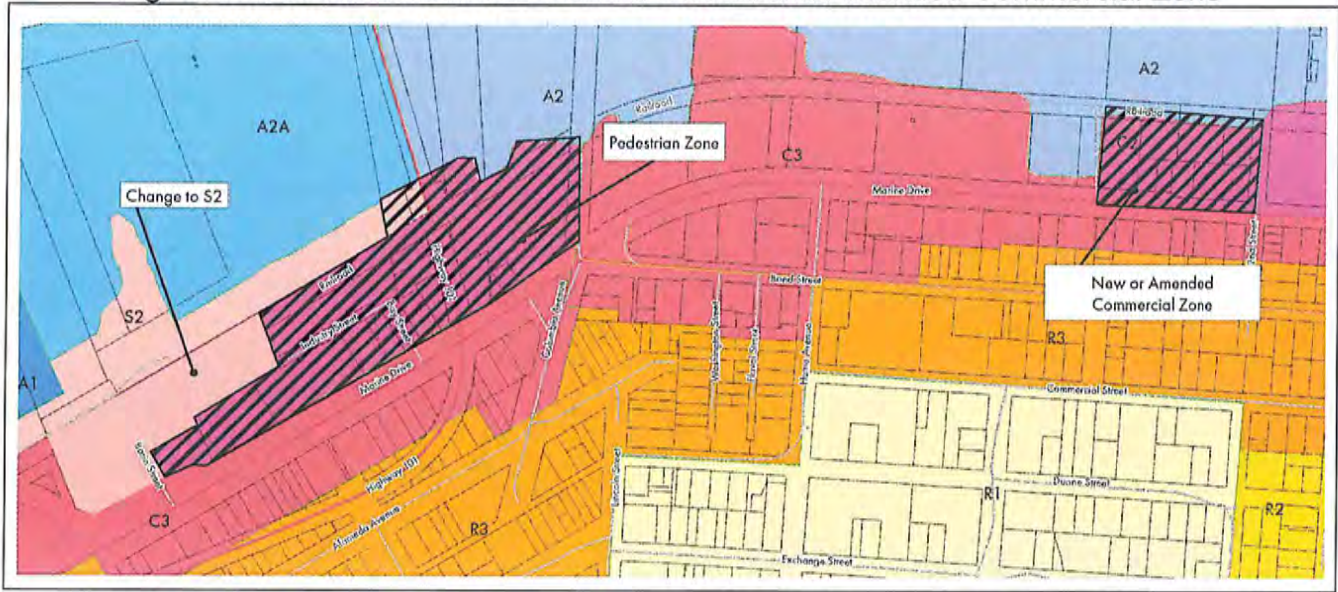


Figure 14.090-2: Pedestrian-Oriented District and Amended Commercial Zone



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 to 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

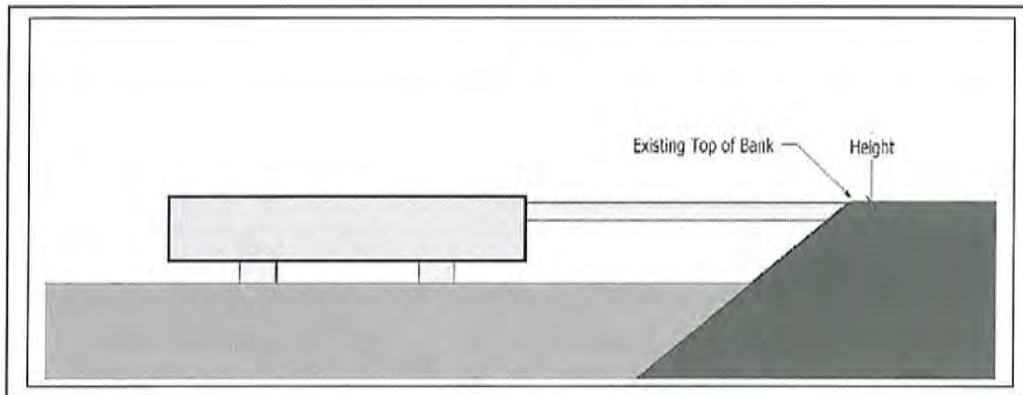
Maintenance, repair, or restoration of buildings existing prior to 2013 shall be exempt from the standards of this Section 14.100. Additions valued at 25% or more of the assessed value of the structure and/or new construction on these buildings shall be subject to these standards.

C. Distance from Shore and Height.

1. Structures within Designated Limitation Areas (Figure 14.090-1).

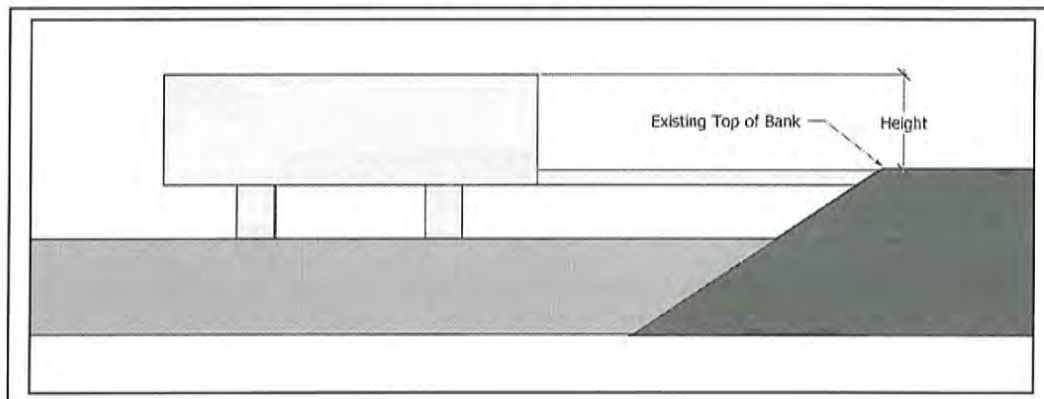
Maximum building height, except hand rails, shall be the top of the existing adjacent riverbank. No variance may be granted for an exception to this height limitation.

Figure 14.100-1: Maximum Building Height within Overwater Development Limitation Areas



2. Structures Outside Overwater Development Limitation Areas (Figure -14.090-1). 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.

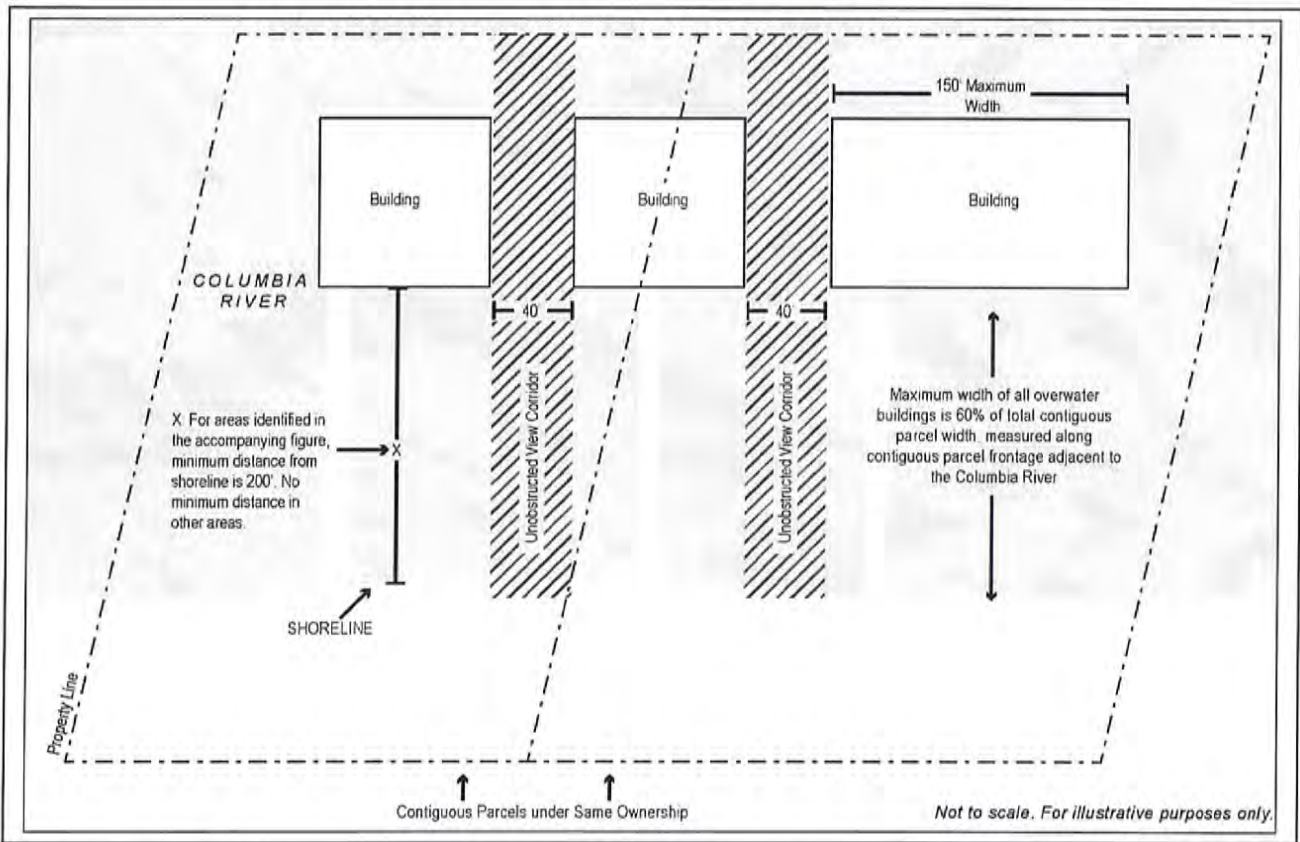
1. Structures within overwater development Limitation Area (Figure 14.090-1). The maximum gross floor area of enclosed structures is 4,000 square feet.
2. Structures outside of overwater development Limitation Areas (Figure 14.090-1). There shall be no maximum gross floor area for buildings located in 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.

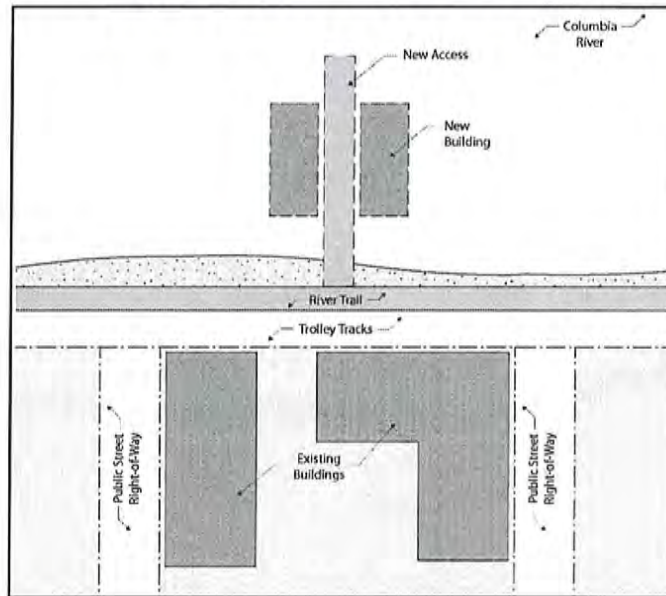
Access to the River shall be provided using piers and/or walkways as part of new construction and major renovations to structures constructed after the year 2013, where major renovation is defined as construction and alterations only to building exteriors valued at 75% or more of the assessed value of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

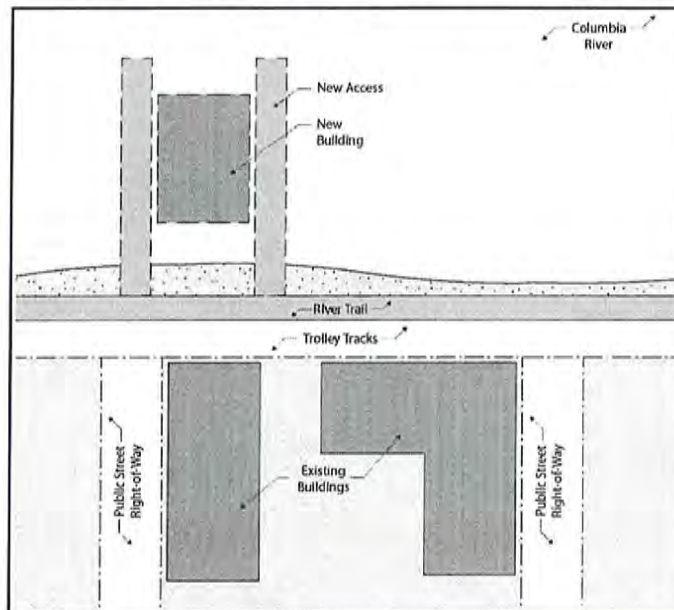
Figure 14.100-4: Access Design A



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

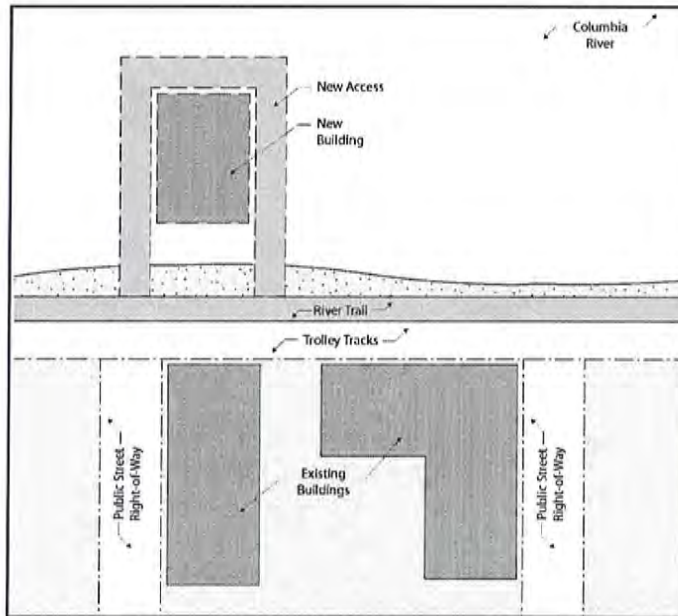
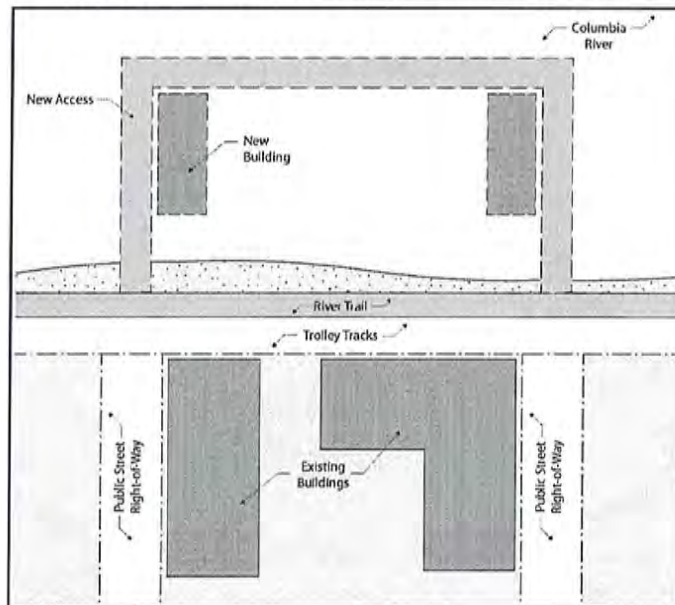


Figure 14.100-7: Access Design C.2



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.

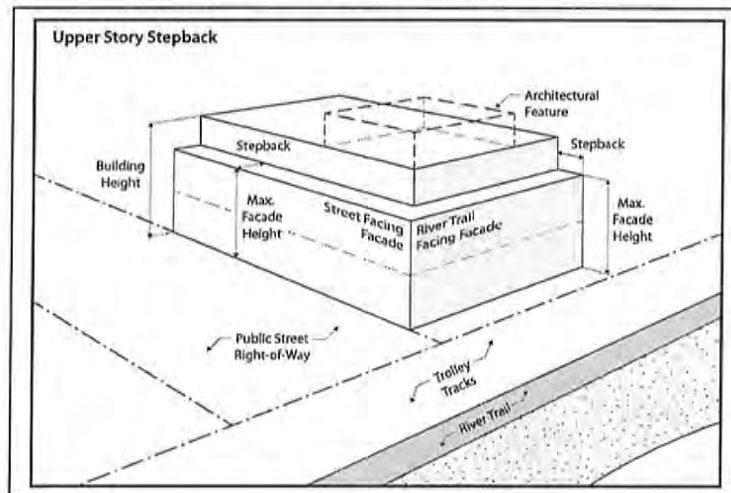
1. Purpose.

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



Examples of recommended solid waste disposal area and mechanical equipment enclosures.

- 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:

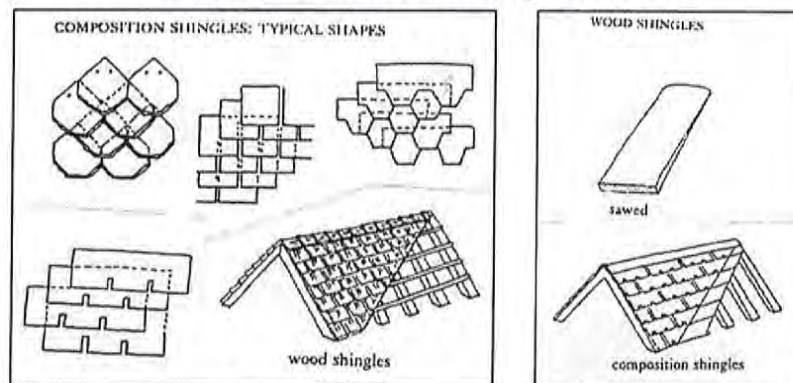
- a. False mansard or other applied forms; and
- b. Dome skylights.

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.

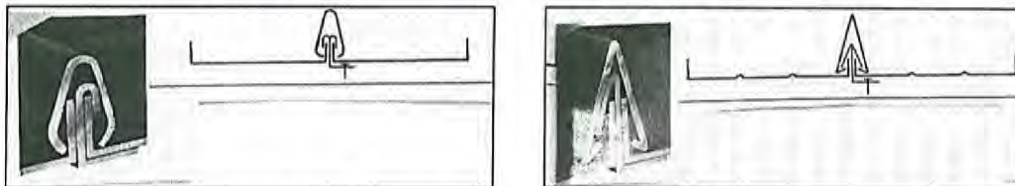
Figure 14.115-3: Roofing Materials



- 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

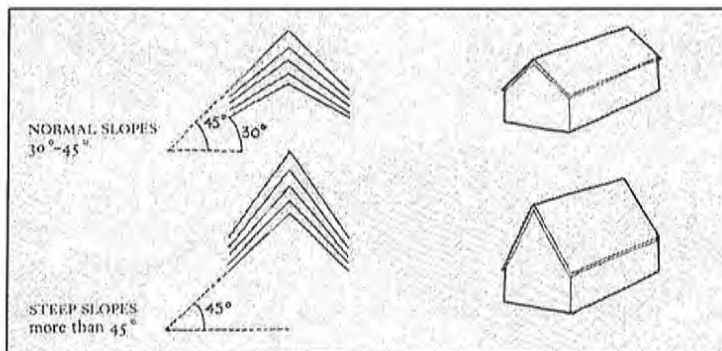
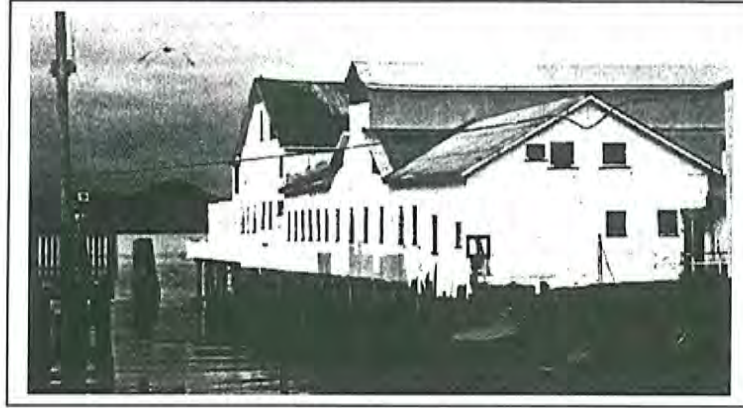


Figure 14.115-7: Industrial Building, Multiple Gables, Monitor Roof, and Shallow Eaves



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



Examples of doors recommended: roll up doors to create open space into the buildings, recessed door

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.

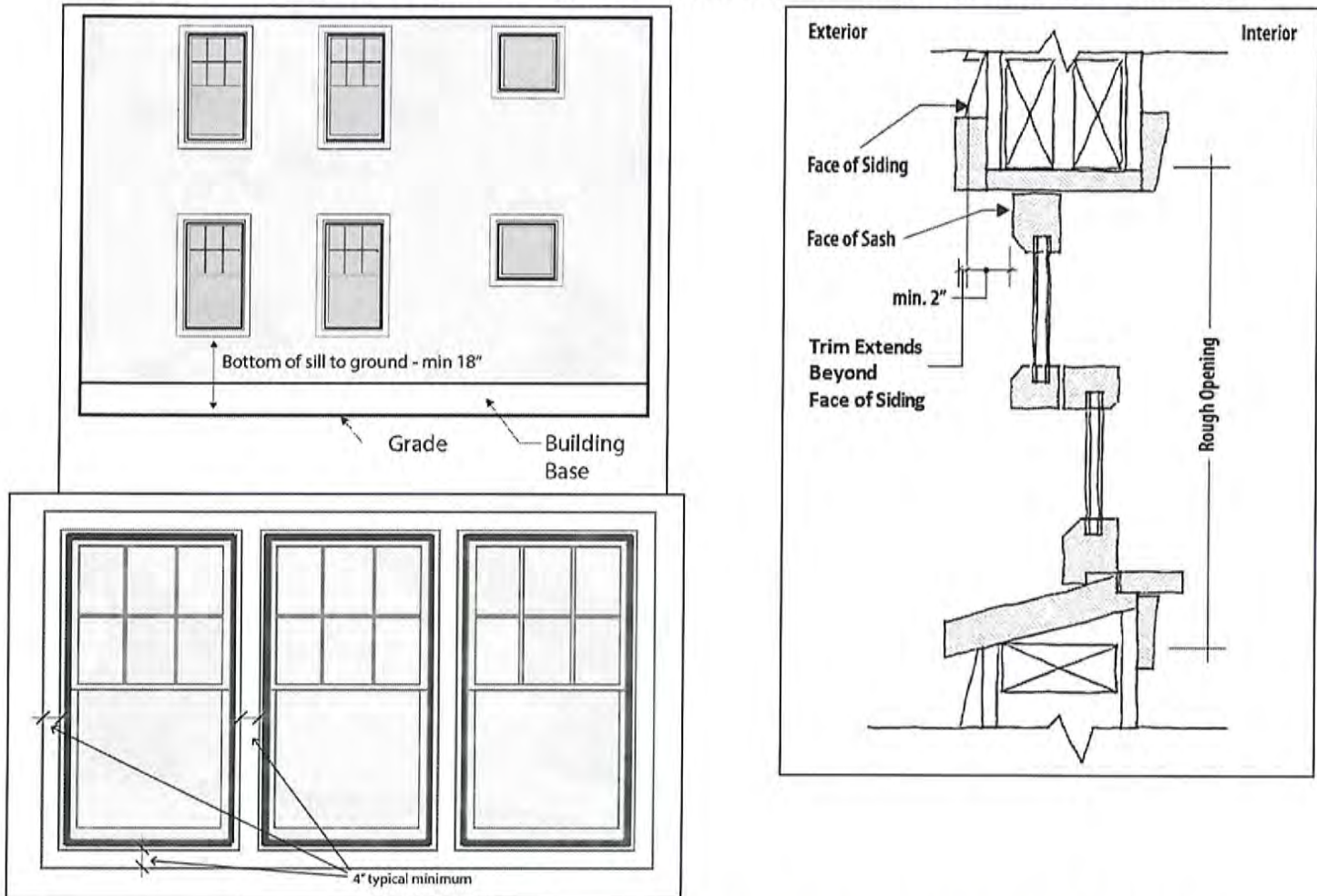
All building facades visible from a public right-of-way and/or the River Trail shall have windows or other openings in the facade. Blank walls on any facades visible from the right-of-way and/or River Trail for any type of use are prohibited.

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.

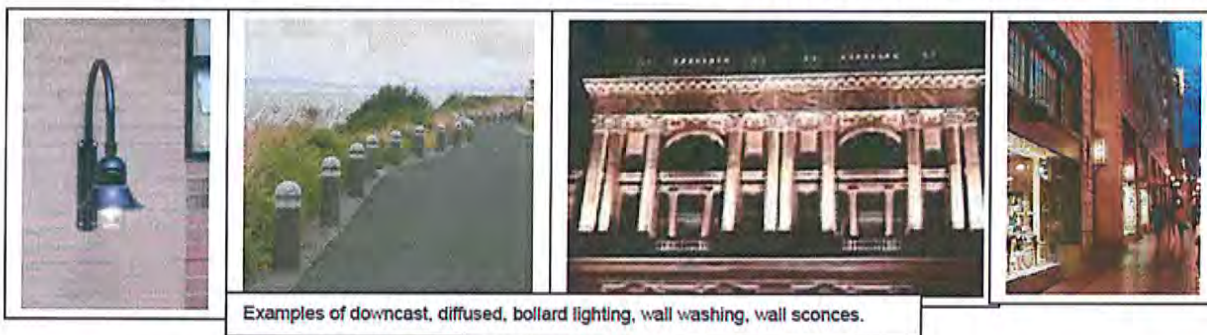
2. Standards Regarding Glare for All Uses.

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



Examples of downcast, diffused, bollard lighting, wall washing, wall sconces.

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.

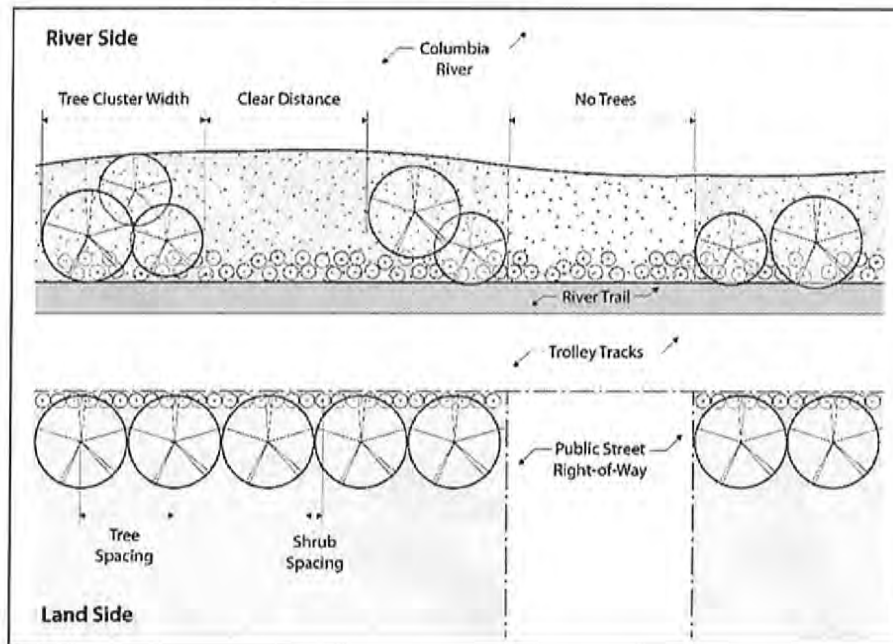
Landscaping is required in the Bridge Vista Overlay Zone in accordance with the provisions in this Section and those in Section 3.120 to 3.125. The provisions in this Section apply to new construction or exterior renovations with a value of at least 20% of the assessed value of the structure, or in the 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.

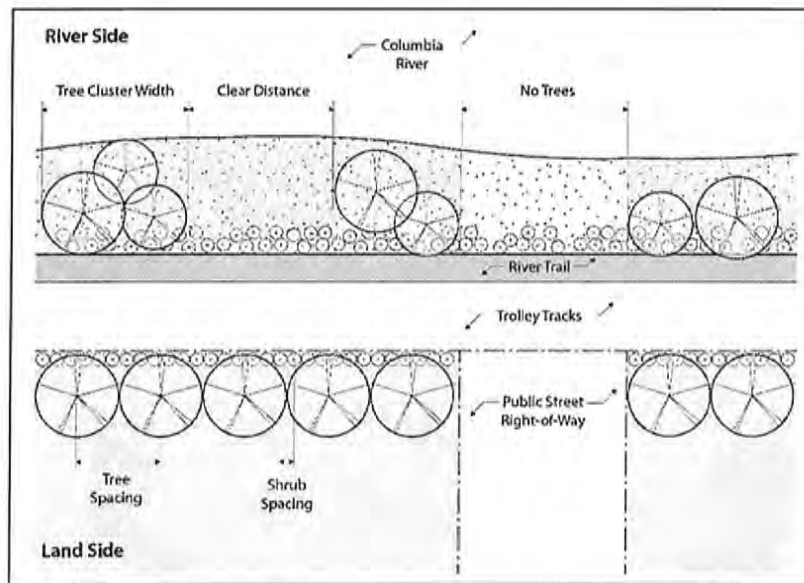
- a. The Community Development Director may approve non-vegetative features to account for up to 40% of required landscaping when the features consist of hardscaped pedestrian-oriented areas (e.g., courtyards, plazas). Permeable paving and other stormwater management techniques are encouraged in the 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 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.

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
Comus sericea ssp. sericea - Red-osier Dogwood
Gaultheria shallon - salal

Oemleria cerasiformis - Indian Plum
Malus fusca - Western Crabapple
Myrica pacifica – Wax myrtle
Physocarpus capitatus - Pacific Ninebark
Prunus virginiana - Common Chokecherry
Ribes lobbii - Pioneer Gooseberry
Ribes sanguineum - Red Currant
Rosa gymnocarpa - Baldhip Rose
Rosa nutkana - Nootka Rose
Salix fluviatilis - Columbia River Willow
Salix hookeriana – Hookers Willow
Salix sessilifolia - Soft-leafed Willow
Salix sitchensis - Sitka Willow
Sambucus cerulea - Blue Elderberry
Sambucus racemosa - Red Elderberry
Spiraea douglasii - Douglas' Spirea
Symphoricarpos albus - Common Snowberry

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

Barberry
Ceanothus
Cistus
Chaenomeles (Flowering quince)
Escallonia
Euonymus
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
Amica amplexicaulis var. *piperi* - Claspig Amica
Aruncus sylvester - Goatsbeard
Aster Aruncus subspicatus - Douglas' Aster
Athyrium filix-femina - Lady Fern
Blechnum spicant - Deer Fern

Boykinia occidentalis - Slender Boykinia
Cardamine oligosperma - Little Western Bittergrass
Carex deweyana ssp. *leptopoda* - Dewey's Sedge
Carex unilateralis - One-sided Sedge
Chrysosplenium glechomaefolium - Pacific Water-carpet
Claytonia perfoliata or *Montia perfoliata* - Miner's Lettuce
Corydalis scouleri - Western Corydalis
Cyperus aristatus - Awned flatsedge
Cyperus erythrorhizos - Red-Rooted flatsedge
Cyperus strigosus - Straw-colored flatsedge
Dicentra formosa - Pacific Bleedingheart
Dicentra formosa ssp. *oregana* - Oregon Bleeding Heart
Epilobium ciliatum spp. *glandulosum* - Common Willow-reed
Epilobium ciliatum spp. *watsonii* - Watson's Willow-reed
Festuca occidentalis - Western Fescue-grass
Festuca subuliflora - Coast Range Fescue-grass
Festuca subulata - Bearded Fescue-grass
Fragaria vesca var. *bracteata* - Wood Strawberry
Fragaria vesca var. *crinita* - Wood Strawberry
Galium trifidum - Small Bedstraw
Gentianella amerella spp. *acuta* - Northern Gentian
Geum macrophyllum - Oregon Avens
Heracleum lanatum - Cow-par snip
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 - Clasping-leaved Twisted-stalk
Tellima grandiflora - Fringecup
Thalictrum occidentale - Western Meadowrue
Tiarella trifoliata - Laceflower Trillium
Vancouveria hexandra - White Inside-out Flower
Viola glabella - Stream Violet

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):

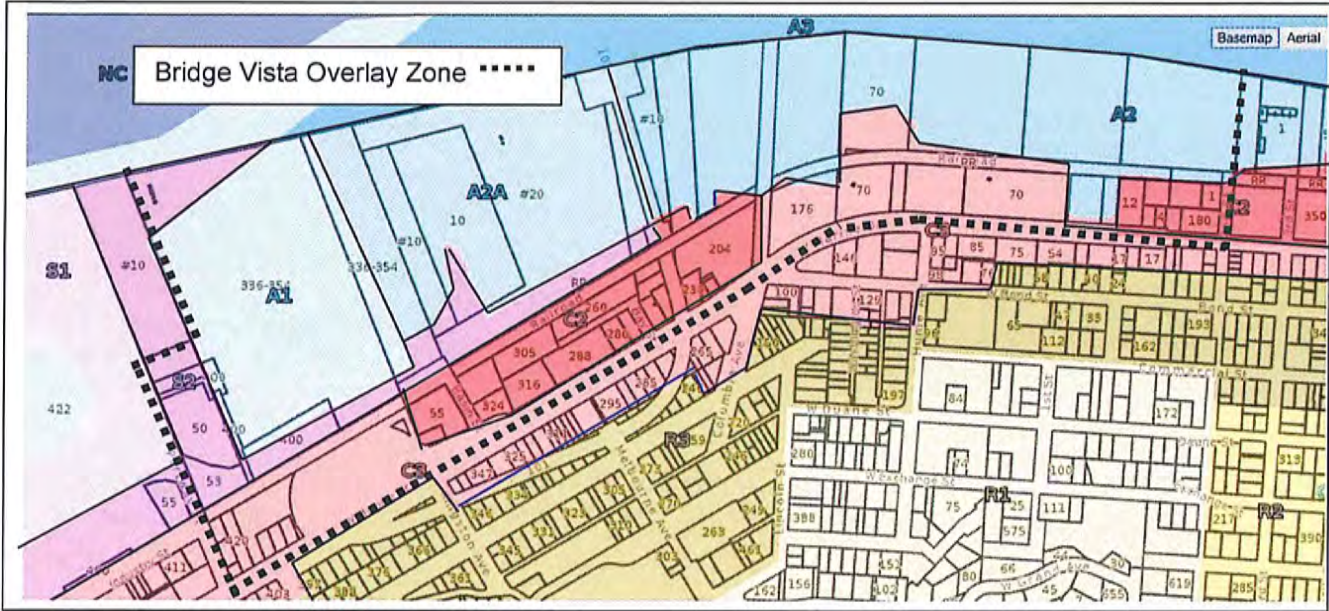
The area is generally described as parcels on the east and west side of Basin Street north of West Marine Drive within the C-2 Zone and includes: Map T8N-R9W Section 7CA, Tax Lots 600, 601, 700, 701, 704, west portion of 5400.

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.

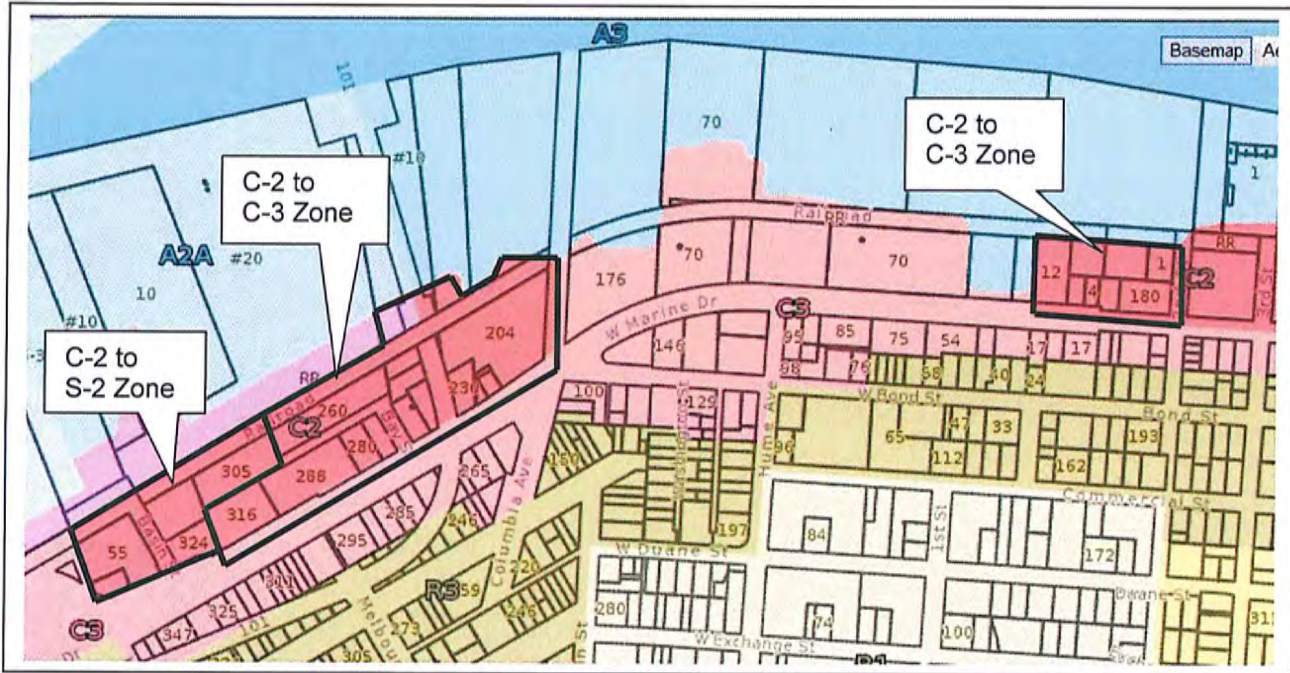
Ordinance 15-____ - Attachment A

BRIDGE VISTA OVERLAY ZONE



Ordinance 15-____ - Attachment B

LAND USE AND ZONING MAP AMENDMENT



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.

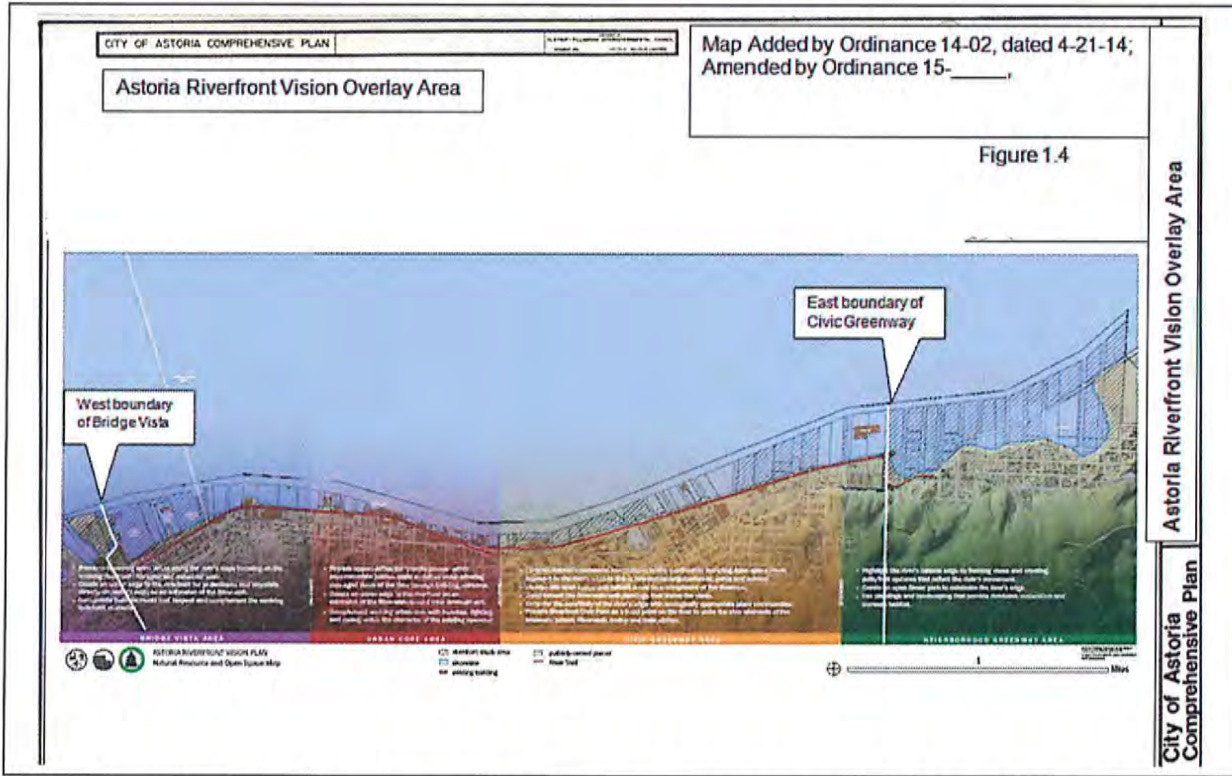
Development Shoreland areas are designated to provide for water-related and water-dependent development along the estuary’s shoreline. These areas may present opportunities to develop uses that complement uses in Downtown Astoria, consistent with the City’s Riverfront Vision Plan. Development Shoreland 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 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.”

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




CITY OF ASTORIA

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COMMUNITY DEVELOPMENT

MEMORANDUM

DATE: June 8, 2015
TO: CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: AMENDMENT A15-01 GATEWAY OVERLAY ZONE EXTENSION –
SECOND READING AND ADOPTION

DISCUSSION / ANALYSIS

At the June 1, 2015 City Council meeting, the public hearing and first reading of Amendment 15-01, the Gateway Overlay Zone Extension, was held. As a reminder, the amendment to the Comprehensive Plan extends the Gateway Overlay Area from 29th to 41st 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. Also, 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 unanimously to recommend them to the City Council.

RECOMMENDATION

If the Council is in agreement, it would be in order for Council to hold a second reading and adopt the Ordinance.

By: 
Mike Morgan, Interim Planner

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 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 City of Astoria Aquatics Center, Columbia Memorial Hospital, the Oregon State University Seafood Lab, 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 riverfront area east of 20th Street. The former Astoria Plywood Corporation Mill Site was acquired by the City of Astoria in early 1998 and redeveloped as a mixed use residential / commercial area.

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. "

Section. Comprehensive Plan Section CP.058.1.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;

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:

Brett Estes, City Manager

ROLL CALL ON ADOPTION:

YEA

NAY

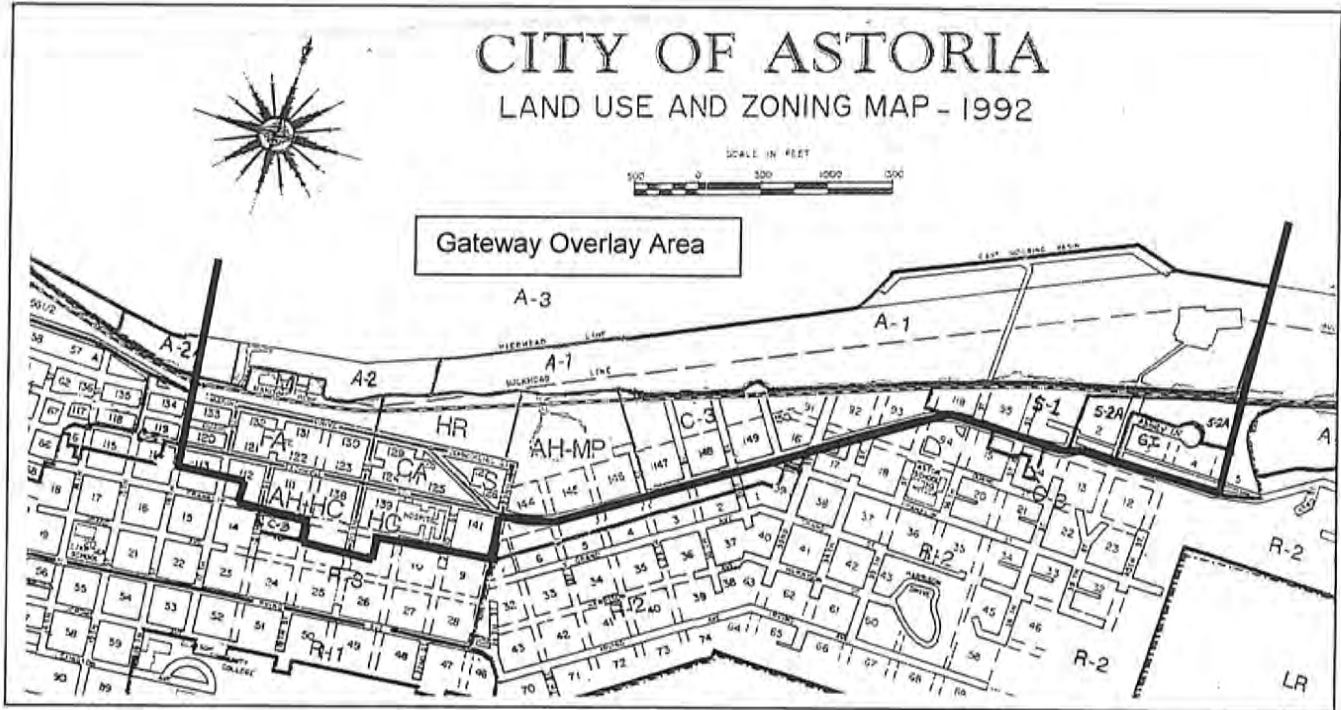
ABSENT

Commissioner Nemlowill
Herzig
Price
Warr

Mayor LaMear

Ordinance 15-____ - Attachment A


GATEWAY OVERLAY AREA





June 6, 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 occurring during a fiscal year. The process is to advertise a supplemental budget not less than 5 days before a Council meeting. There is a requirement to hold a hearing for budget adjustments which exceed 10% the total expenditures. After the hearing, Council may consider a resolution that would adopt the supplemental budget as advertised.

Capital Improvement Fund (CIF)

This supplemental budget increases resources and the related requirements by a total of \$261,550. A supplemental budget, approved on June 1, 2015, recognized additional requirements for the Converge contract and are included in this cumulative presentation of the fund changes.

Increased resources are:

- Increase of beginning cash in the amount of \$75,000
- Grants totaling \$ 111,550
 - \$ 7,500 – City Hall security camera system
 - \$ 104,050 – EPA grants supporting cleanup of Heritage Square
- Transfer for the initial payment of the fire pumper purchase, as authorized November 5, 2014, Resolution 14-31, in the amount of \$75,000.

Increased requirements are:

- Increase to Materials and Services in the amount of \$153,500
 - \$ 111,300 - Heritage Square cleanup
 - \$ 26,500 – City forestry management and plan related activities including carbon credit research inclusive of vendors Mike Barnes, L&C Carbon LLC and State Forester
 - \$ 15,700 – Hazardous Tree removal services provided throughout the year by the following professionals: Arbor Care, Bigby's Columbia Tree Svc, Joe Balden, Trail's End Recovery and Quality Tree Removal

- Increase to Capital Outlay in the amount of \$185,000
 - \$ 75,000 - Fire pumper truck, previously approved by Council November 5, 2014
 - \$ 15,000 - Roof repairs for Shively Hall and Library
 - \$ 4,000 - Emergency pump repair at the Aquatic Facility
 - \$ 11,000 - City's phone system service
 - \$ 80,000 for Converge contract and reimbursement to Friends of the Column as approved, with supplemental budget, June 1, 2015.
- Reduction in the contingency of \$ 80,000 for Converge contract and Friends of the Column requirements as approved, with supplemental budget, June 1, 2015.
- Increase ending fund balance in the amount of \$3,050.

Parks Operation Fund (POF)

The supplemental budget for Parks Operation Fund increases resources and the related requirements in an amount not to exceed \$197,980.

Review of transactions through May along with projections for June indicate projected revenues will be approximately 12% above 2013-14 levels and 6% above 2014-15 budgeted levels. Projected expenses are approximately 10% above 2013-14 levels and 12% above 2014-15 budgeted levels. Expenses reflect an increase in minimum wage, increases to pay rates providing the ability to offer competitive part-time wages to skilled employees and additional efforts required for parks maintenance. Deferred parks maintenance, greater emphasis for immediate cemetery and parks remediation and unseasonably warm weather throughout much of the year contributed to increased costs.

Finance staff prepared a comparison table of POF revenue and expenditures, along with the General Fund support. Revenue continues to increase in support of POF programs and objectives. While the current level of support is an increase from last year, it is in alignment with prior transfer amounts with the average transfer between 2011-12 and 2013-14 being \$ 910,105 per year.

Revenue Expense Summary	2011 – 12	2012-13	2013-14	Projected 2014-15
Total Revenues	834,932	828,160	862,987	968,897
Total Expenses	(1,810,140)	(1,729,864)	(1,711,184)	(1,872,500)
Support for Park/Aquatic Activities	975,208	888,003	867,105	910,000

Generally Accepted Accounting Principles (GAAP) state a given fund should not have a negative fund balance at year end. Finance staff is recommending a not to exceed transfer in the amount of \$ 197,980 to provide for the projected shortfall to budget and to provide for a positive ending fund balance. The additional transfer represents \$82,980 for personnel expenses and \$ 115,000 for materials and services, as shown in the

resolution. The total transfer to the POF from the General Fund will not exceed \$ 910,000 and could be less if the net expenses are less than the projection shown for 2014-15 in the table.

The Parks Operation Fund Budget was developed with altruist goals in 2014-15. The adopted budget for 2015-16 is better aligned with realistic expectations.

General Fund

This supplemental budget increases the transfer to the Parks Operation Fund in an amount not to exceed \$197,980 by reducing the General Fund contingency by an amount not to exceed \$197,980 from \$1,412,190 to \$1,214,210.

Building Inspection Fund

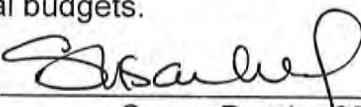
This supplemental budget increases the Beginning Fund Balance by \$19,500 to reflect a higher beginning cash amount than was budgeted. Revenues associated with charges for services are increased by \$3,000 to reflect increased revenues. Resources are increased in total, \$22,500.

Personnel Services are increased by \$22,500 in anticipation of additional costs associated with final pay for the Building Official, following his resignation as well as recognition of costs associated with additional time required by the Building Permit Technician in support of building code activities. The original budget anticipated half of Building Permit Technician time would support finance activities however, increase in permit activity has required full time support for building code activities.

The appropriate attached notice was advertised on June 10, 2015.

RECOMMENDATION

If Council approves these transactions, it is recommended that Council consider adopting the attached resolution for these supplemental budgets.

By: 

Susan Brooks CPA
Finance Director

**FUNDS NOT REQUIRING
A PROPERTY TAX TO BE LEVIED**

A public meeting of the Astoria City Council will be held on June 15, 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
Contact: Susan Brooks, Finance Director Telephone: 503-298-2433 Email: sbrooks@astoria.or.us

Publish ONLY completed portion of this page. Total Anticipated Requirements must equal Total Res Republication

NAME OF FUND		Adopted Budget	Proposed Supplemental
Capital Improvement Fund		This Year 2014-15	This Year 2014-15
1.	Total Personal Services	0	0
2.	Total Materials and Services	1,199,200	1,352,700
3.	Total Capital Outlay	210,310	395,310
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	181,500
9.	Total Requirements	1,778,440	2,039,990
10.	Total Resources Except Property Taxes	1,778,440	2,039,990

NAME OF FUND		Adopted Budget	Proposed Supplemental
Parks Operation Fund		This Year 2014-15	This Year 2014-15
1.	Total Personal Services	1,171,060	1,254,040
2.	Total Materials and Services	503,460	618,460
3.	Total Capital Outlay	0	0
4.	Total Debt Service	0	0
5.	Total Transfers	0	0
6.	Total Contingencies	0	0
7.	Total All Other Expenditures and Requirements	0	0
8.	Total Unappropriated or Ending Fund Balance	0	0
9.	Total Requirements	1,674,520	1,872,500
10.	Total Resources Except Property Taxes	1,674,520	1,872,500

NAME OF FUND		Adopted Budget	Proposed Supplemental
General Fund		This Year 2014-15	This Year 2014-15
1.	Total Personal Services	5,013,360	5,013,360
2.	Total Materials and Services	1,593,390	1,593,390
3.	Total Capital Outlay	33,600	33,600
4.	Total Debt Service	0	0
5.	Total Transfers	1,156,140	1,354,120
6.	Total Contingencies	1,412,190	1,214,210
7.	Total All Other Expenditures and Requirements	0	0
8.	Total Unappropriated or Ending Fund Balance	0	0
9.	Total Requirements	9,208,680	9,208,680
10.	Total Resources Except Property Taxes	9,208,680	9,208,680

NAME OF FUND		Adopted Budget	Proposed Supplemental
Building Inspection Fund		This Year 2014-15	This Year 2014-15
1.	Total Personal Services	130,630	153,130
2.	Total Materials and Services	34,410	34,410
3.	Total Capital Outlay	0	0
4.	Total Debt Service	0	0
5.	Total Transfers	15,210	15,210
6.	Total Contingencies	2,500	2,500
7.	Total All Other Expenditures and Requirements	0	0
8.	Total Unappropriated or Ending Fund Balance	91,490	91,490
9.	Total Requirements	274,240	296,740
10.	Total Resources Except Property Taxes	274,240	296,740

Resolution No. 15-

A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR THE
CITY OF ASTORIA.

WHEREAS, supplemental budgets are required for the Capital Improvement, Parks Operation and General Funds to appropriate adjustments after the FY 2014-15 budget was adopted.

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	\$ 375,000
Interest Earnings	1,440
Grants	1,211,550
State Shared Revenue	217,000
Timber and Land Sales	160,000
Transfer	<u>75,000</u>
Total Resources	<u>\$ 2,039,990</u>

<u>Requirements</u>	<u>Amount</u>
Materials & Services	1,352,700
Capital Outlay	395,310
Debt Service	40,480
Contingency	70,000
Ending fund Balance	<u>181,500</u>
Total Requirements	<u>\$2,039,990</u>

Parks Operation Fund

<u>Resources</u>	<u>Amount</u>
Beginning Fund Balance	\$ 0
Aquatic Fees	377,000
Recreation Fees	435,000
Maintenance Fess	150,500
Transfer	<u>910,000</u>
Total Resources	<u>\$ 1,872,500</u>

<u>Requirements</u>	<u>Amount</u>
Personnel Services	1,254,040
Materials and Services	<u>618,460</u>
Total Requirements	<u>\$1,872,500</u>

General Fund

<u>Requirements</u>	<u>Amount</u>
Transfer to Parks Operation Fund	\$197,980
Total Requirements	<u>\$197,980</u>

Building Inspection Fund

<u>Resources</u>	<u>Amount</u>
Beginning Fund Balance	\$118,240
Charges for Services	178,000
Interest Income	<u>500</u>
Total Resources	<u>\$ 296,740</u>

<u>Requirements</u>	<u>Amount</u>
Personnel Services	153,130
Materials and Services	34,410
Transfers	15,210
Contingency	2,500
Ending Fund Balance	91,490
Total Requirements	<u>\$296,740</u>

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

Commissioner Nemlowill
Herzig
Price
Warr

Mayor LaMear