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ORDINANCE NO. 86 - 26

AN ORDINANCE AMENDING CODE SECTION 6.005,
"APPLICABILITY OF STATE TRAFFIC LAWS", AND DECLARING AN
EMERGENCY.

The City of Astoria does ordain as follows:

Section 1. Section 6.005 is amended to read as
follows:

"6.005 Applicability of State Traffic Laws.
Violation of provisions in ORS Chapters 801, 803, 805,
806, 807, 809, 810, 811, 813, 814, 815, 816, 818, 819,
820, 821, 822, 823, is an offense against this city."

Section 2. Emergency. For the peace, health and
safety of the community, it is hereby found that an
emergency exists and it is necessary that the ordinance take
effect immediately upon its passage.

ADOPTED BY THE CITY COUNCIL THIS 15th DAY OF December, 1986.

APPROVED BY THE MAYOR THIS 15th day of December, 1986.

Edith Henningsgaard
Mayor

ATTEST:

J. G. [Signature]
Finance Director

Roll Call on Adoption	Yea	Nay	Absent
Commissioners: Hauer	x		
Van Dusen	x		
Hauke	x		
Mathews	x		
Mayor Henningsgaard	x		

Ordinance No. 86- 25

AN ORDINANCE REPEALING CODE SECTION 1.090.

The City Council of the City of Astoria does ordain as follows:

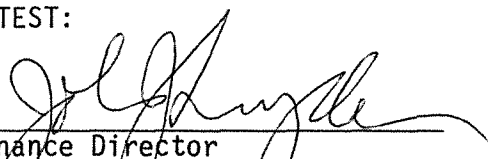
Section 1. City of Astoria Code Section 1.090 (Ord. 80-08), and all amendments thereto, is repealed.

ADOPTED BY THE CITY COUNCIL THIS 15th DAY OF December, 1986.

APPROVED BY THE MAYOR THIS 15th DAY OF December, 1986.

Edwin Henningsgaard
Mayor

ATTEST:


Finance Director

ROLL CALL ON ADOPTION	YEA	NAY	ABSENT
Commissioner Hauer		x	
Van Dusen		x	
Hauke		x	
Mathews		x	
Mayor Henningsgaard		x	

An Ordinance Amending Certain Sections of the A-1, A-2, S-1 and S-2 zones and adding zones A-2A and S-2A, all relating to the waterfront.

The City of Astoria does ordain as follows:

Section 1. Sections 10:ZO:345 through 10:ZO:348 of the Astoria Code are amended to read as follows:

A-1 AQUATIC ONE DEVELOPMENT ZONE

Z.O.345 Purposes and Areas Included

The purpose of the Aquatic One Development Zone (A-1) is to provide for the maintenance, enhancement and expansion of areas, activities and structures needed for navigation and for water-dependent industrial, commercial and recreational uses. Water-related industrial, commercial and recreational uses are also provided for where such uses are consistent with the resource capabilities and purposes of the management unit.

The Aquatic One Development Zone includes: navigation channels, access channels, turning basins and deep-water areas adjacent or in proximity to the shoreline; subtidal areas for in-water disposal of dredge material; areas of minimum biological significance needed for uses requiring alteration of the estuary; and areas for which an exception to the requirements of the Estuarine Resources Goal have been taken to provide for development permitted in the Aquatic One Development Zone.

Z.O.346 Uses Permitted with Standards

The following uses and activities are permitted in the Aquatic One Development Zone, subject to the appropriate provisions of Section ZO.351, Additional Development Standards and Procedural requirements:

1. Water-dependent Industrial uses, including, but not limited to:
 - a. Port facilities and/or shipping activities;
 - b. Marine fuel dock;
 - c. Ship and boat building, repair and marine railway facilities;

- d. Wharves, piers, and other terminal and transfer facilities for passenger or water-borne commerce;
 - e. Seafood receiving and processing;
 - f. Single-purpose industrial dock;
 - g. Water access structures or facilities which require access to a water body as part of a manufacturing, assembly or fabrication or repair process;
 - h. Water storage areas where needed for products used in or resulting from industry;
 - i. Other water-dependent industrial uses meeting the standards of Section ZO.349.
2. Navigational structures (for example, breakwater, groin or pile dike) necessary to uses listed in subsection 1 above.
 3. Water-dependent commercial uses, including:
 - a. docks, moorages and marinas for commercial and recreational marine craft;
 - b. Other water dependent commercial uses meeting the standards of Section ZO.349.
 4. Water dependent public recreational facilities, including boat ramps, docks, moorages and marinas for commercial and recreational marine craft.
 5. Vegetative shoreline stabilization.
 6. Structural shoreline stabilization.
 7. Pipelines, cables, and utility crossings.
 8. Storm water and treated wastewater outfalls.
 9. Communication facilities.
 10. Temporary dike for emergency flood protection limited to 60 days subject to state and federal requirements.
 11. New dike construction.
 12. Navigation aids such as beacons and buoys.
 13. Maintenance and repair of existing structures or facilities including those existing prior to October 7, 1977, which are no longer consistent with the purpose of the A-1 zone.

Z.O.347 Conditional Uses Permitted

The following uses and activities are allowed as conditional uses when authorized in accordance with Section Z.O.980 Conditional Uses. The uses and activities are also subject to the provisions of Section Z.O.351, Additional Development Standards and Procedural Requirements.

It must also be determined if the uses meet the resource capability of the Aquatic One Development area in which they occur and if the uses are consistent with the purpose of the Aquatic One Development Zone. The procedures set forth in Section Z.O.907, Resource Capability Determination, will be used to make this determination.

1. Water-related commercial uses, including:
 - a. Boat and/or marine equipment sales;
 - b. Fish or shellfish retail or wholesale outlet;
 - c. Charter fishing offices;
 - d. Sports fish cleaning, smoking, or canning establishment;
 - e. Retail trade facilities for the sale of products such as ice, bait, tackle, gasoline or other products incidental to or used in conjunction with a water-dependent use;
 - f. Restaurants which provide a view of the waterfront, and which are in conjunction with a water-dependent use such as a marina or seafood processing plant;
 - g. Other water-related commercial uses meeting the criteria of Section Z.O.350.
2. Water-related industrial uses, including:
 - a. Cold storage and/or ice-processing facilities independent of seafood processing facilities;
 - b. Other water-related industrial uses meeting the criteria of Section Z.O.350.
3. Water-related recreational uses.
4. Mining and mineral extraction.
5. Active restoration.

6. Bridge crossing support structures.
7. Aquaculture and water-dependent portions of aquaculture facilities.
8. In-water log dump, sorting operation.
9. A temporary use utilizing existing structures and facilities which requires minimal capital investment. A temporary use permit shall be valid for one year with annual renewals permitted, subject to a conditional use procedure.
10. Accessory uses or accessory structures in conjunction with a water-dependent or water-related use, limited in size to a maximum of 10 percent of the lot or parcel size e.g. security guard quarters.
11. A use for which an exception to the Estuarine Resources Goal has been adopted as an amendment to the Astoria Comprehensive Plan.

Z.O.348 Review Activities Permitted

The following activities are allowed as review uses when authorized in accordance with Section ZO.930, Review use. The U.S. Army Corps of Engineer/Oregon Division of State Lands Notice/Permit Application shall serve as the application required by Section ZO.950.1.

1. Dredging for:
 - a. Navigation structure or improvements
 - b. Maintenance of existing facilities
 - c. Water-dependent uses
 - d. Water-dependent portions of aquaculture facilities
 - e. Mining and mineral extraction
 - f. Bridge crossing support structure installation
 - g. Water, sewer, gas or communication line installation
 - h. Outfall installation
 - i. Installation of a communication facility
 - j. Active restoration
 - k. Dike maintenance

2. Fill for:
 - a. Water-dependent use
 - b. Water-dependent portions of aquaculture facilities
 - c. Navigation structures or navigational improvements
 - d. Structural shoreline stabilization
 - e. Bridge crossing support structure
 - f. New dike construction
 - g. A use for which an exception to the Estuarine Resources Goal has been adopted as an amendment to the Astoria Comprehensive Plan.
 - h. Active Restoration
 - i. Outfall installation
 - j. Installation of a communication facility
3. Piling and dolphin installation in conjunction with a permitted with standards or conditional use.
4. Dredge material disposal at sites designated for dredge material disposal in the Comprehensive Plan.
5. Dredge material disposal at sites not designated for dredge material disposal in the Comprehensive Plan, provided the dredged material is utilized as a source of fill material for an approved fill project.
6. Flow lane disposal of dredged material.

Section 2. Section 10:ZO:351(7) of the Astoria Code is amended to read as follows:

"There shall be no height limitation for structures within the Marine Industrial Shorelands Zone."

Section 3. Sections 10:ZO:355 through 10:ZO:358 of the Astoria Code are amended to read as follows:

A-2 AQUATIC TWO DEVELOPMENT ZONE

Z.O.355 Purpose and Areas Included

The purpose of the Aquatic Two Development Zone is to enhance the unique character of the Downtown Waterfront and Maritime Museum sub areas by providing for their redevelopment as mixed-use areas; the redevelopment to occur in a manner that is compatible with the retention and expansion of existing water-dependent uses in the area. Water-dependent uses shall have the highest priority. Non-water dependent uses are permitted where they are consistent with the provision for water-dependent uses. The mix of water-dependent and non-water-dependent uses shall provide for public access where feasible.

The Aquatic Two Development Zone includes: deep-water areas adjacent or in proximity to the shoreline; areas of minimum biological significance vacant overwater pile supported structures suitable for redevelopment and areas for which an exception to the requirement of the Estuarine Resources Goal have been taken.

Z.O.356 Uses Permitted with Standards

The following uses and activities are permitted in the Aquatic Two Development Zone, subject to the appropriate provisions of Section Z.O.361 Additional Development Standards and Procedural Requirements:

1. Seafood receiving and processing;
2. Small boat building and repair;
3. Docks, moorages and marinas for commercial and recreational marine craft;
4. Dock, pier, and terminal facilities for passenger commerce;
5. Public pier;
6. Navigational structures (for example, breakwater groin or pile dike) necessary for uses 1 - 5 listed above.
7. Vegetative shoreline stabilization;
8. Structural shoreline stabilization;
9. Pipelines, cables, and utility crossings;
10. Storm water and treated waste water outfalls;

11. Communication facilities;
12. New dike construction;
13. Navigation aids, such as beacons and buoys;
14. Maintenance and repair of existing structures or facilities including those existing prior to October 7, 1977, which are no longer consistent with the purpose of the A-2 Zone.
15. Public Uses in Conjunction with the Columbia River Maritime Museum.

Z.O.357 Conditional Uses Permitted

The following uses and activities are allowed as conditional uses when authorized in accordance with Section Z.O.980 Conditional uses. The uses and activities are also subject to the provisions of Section Z.O.361 Additional Development Standards and Procedural Requirements. It must also be determined if the uses meet the resource capability of the Aquatic Two Development area in which they occur and if the uses are consistent with the purpose of the Aquatic Two Development Zone. The procedures set forth in Section Z.O.907, Resource Capability Determination, will be used to make this determination.

1. Water-related commercial uses, including:
 - a. Boat and/or marine equipment sales;
 - b. Fish or shell fish retail or wholesale outlet;
 - c. Charter fishing offices;
 - d. Sports fish cleaning, smoking or canning establishment;
 - e. Retail trade facilities for the sale of products such as ice, bait, tackle, gasoline or other products incidental to or used in conjunction with a water-dependent use.
2. Other water-related commercial use meeting the criteria in Section Z.O.360.
3. Water-related industrial uses including:
 - a. Cold storage and/or ice processing facilities;
 - b. Other water-related industrial uses meeting the criteria of Section Z.O.360.

4. Restaurant/or bar open to the general public which provides significant visual access to the waterfront.
5. Hotel/motel/bed and breakfast which provides significant visual access to the waterfront.
6. Tourist oriented retail sales establishments which provides significant visual access to the waterfront.
7. Indoor amusement, entertainment, and/or recreation establishment which provides significant visual access to the waterfront.
8. Professional, financial, business and medical offices where they are part of a mixed-use development that also includes some of the uses 1 - 7 above and the office use is no more than 25% of the total project's gross floor area if the development occupies a single story structure and no more than 50% of the total project's gross floor area if the development occupies a multi-story structure.
9. Residential uses where they are part of a mixed-use development that also includes some of the uses 1 - 7 above, and the residential use is no more than 25% of the total project's gross floor area if the development occupies a single story structure and no more than 50% of the total project's gross floor area if the development occupies a multi-story structure.
10. Mining and mineral extraction.
11. Aquaculture and water-dependent portions of aquaculture facilities.
12. A temporary use utilizing existing structures and facilities which requires minimal capital investment. A temporary use permit shall be valid for one year, with annual renewals permitted, subject to a conditional use procedure.
13. Accessory uses or accessory structures in conjunction with a water-dependent or water-related use limited in size to a maximum of 10 percent of the lot or parcel size.
14. Active restoration.
15. Bridge crossing support structures.
16. A use for which an exception to the Estuarine Resources Goal has been adopted as an amendment to the Astoria Comprehensive Plan.

Z.O.358 Review Activities Permitted

The following activities are allowed as review uses when authorized in accordance with Section Z.O.930, Review Uses. The U.S. Army Corps of Engineers/Oregon Division of State Lands Notice/Permit Application shall serve as the application required by Section Z.O.950.1.

1. The review uses and activities permitted in the A-1 Aquatic One Development Zone.

Section 4. Section 10:ZO:361(7) of the Astoria Code is amended to read as follows:

"No structure will exceed a height of 28 feet above grade."

Section 5. The Astoria Code is amended by the addition of the following sections comprising the A-2A Aquatic Two zone:

A-2A AQUATIC TWO - A DEVELOPMENT ZONE

Z.O.385 Purpose and Areas Included

The purpose of the Aquatic Two-A Development Zone is to provide for its redevelopment as a mixed-use area while permitting exclusive office use on piling supported structures. The mix of uses shall provide for public access where feasible.

The Aquatic Two-A Development Zone includes: deep water areas adjacent or in proximity to the shoreline; areas of minimum biological significance and piles and pile supported structures.

Z.O.386 Uses Permitted with Standards

The following uses and activities are permitted in the Aquatic Two-A Development zone, subject to the appropriate provisions of Section Z.O. Additional Development Standards and Procedural Requirements:

1. Uses and activities permitted with standards in the Aquatic Two Development Zone.

Z.O.389 Conditional Uses Permitted

The following uses and activities are allowed as conditional uses when authorized in accordance with Section Z.O.930, Conditional Uses. The uses and activities are also subject to the provisions of Section ZO. Additional Development Standards and Procedural

Requirements. It must also be determined if the uses and activities meet the resource capability of the Aquatic Two-A Development area in which the uses occur and if the uses are consistent with the purpose of the Aquatic Two-A Development Zone. The procedures set forth in Section Z.O.907, Resource Capability Determination, will be used to make this determination.

1. Uses and activities permitted as conditional uses in the Aquatic Two Development Zone, except that professional, financial, business and medical offices are permitted without being part of a mixed use development.

Z.O.390 Review Activities Permitted

The following activities are allowed as review uses when authorized in accordance with Section Z.O.930, Review Uses. The U.S. Army Corps of Engineers/Oregon Division of State Lands Notice of Permit Application shall serve as the application required by Z.O.950.1.

1. Review uses permitted in the Aquatic Two Development Zone.

Z.O.391 Water-Dependent Use Criteria

The same as in the Aquatic Two Development Zone.

Z.O.392 Criteria for Determining Whether a Use is Water-related

The same as in the Aquatic Two Development Zone.

Z.O.393 Additional Development Standards and Procedural Requirements

The same as in the Aquatic Two Development Zone.

Section 6. Sections 10:20:445 through 10:20:465 of the Astoria Code are amended to read as follows:

S-1 MARINE INDUSTRIAL SHORELANDS ZONE

ZO.445. Purpose and Areas Included

The purpose of the Marine Industrial Shorelands Zone is to manage shorelands in urban and urbanizable areas especially suited for water-dependent uses and to protect these shorelands for water-dependent industrial, commercial and recreational use.

The Marine Industrial Shorelands Zone includes areas with special suitability for water-dependent development. Primary attributes for Marine Industrial Shorelands areas are access to well scoured deepwater and maintained navigation channels, presence of land transportation and public facilities, existing developed land uses, potential for aquaculture, feasibility for marina development, and potential for recreational utilization.

Uses of Marine Industrial Shorelands shall maintain the integrity of the estuary and coastal waters. Water-dependent uses receive highest priority, followed by water-related uses. Uses which are not water-dependent or water-related are provided for, but only when they do not foreclose options for future higher priority uses and do not limit the potential for more intensive uses of the area.

ZO.450. Uses Permitted with Standards

The following uses and their accessory uses are permitted in the Marine Industrial Shorelands Zone subject to the provisions of Section 10:ZO.465, Additional Development Standards and Procedural Requirements.

1. Water-dependent industrial uses including, but not limited to:
 - a. Port facilities and/or shipping activities;
 - b. Marine fuel station;
 - c. Ship and boat building, repair and marine railway;
 - d. Marine terminals and transfer facilities for passenger or water-borne commerce;
 - e. Seafood receiving and processing;
 - f. Other water-dependent industrial uses meeting the criteria of Section ZO.349, Water Dependent Use Criteria.
2. Water-dependent commercial uses, including docks, moorages and marinas for commercial and recreational marine craft.
3. Water-dependent public recreational facilities, including boat ramps, docks, moorages and marinas for commercial and recreational marine craft.
4. Other water-dependent commercial and recreational uses meeting the standards of Section ZO.349.
5. Vegetative shoreline stabilization.

6. Structural shoreline stabilization.
7. Navigational aides such as beacons.
8. Temporary dike for emergency flood protection limited to 60 days, subject to state and federal regulations.

ZO.455. Conditional Uses Permitted

The following uses and their accessory uses are allowed as conditional uses when authorized in accordance with Section 10:ZO.980, Conditional Uses. Conditional uses of the Marine Industrial Shorelands Zone must be determined to be consistent with purposes of the zone, as stated in Section 10:ZO.445. These uses area also subject to the provisions of Section 10:ZO.465, Additional Development Standards and Procedural Requirements.

1. Water-related commercial and industrial uses including:
 - a. Boat and/or marine equipment sales;
 - b. Charter fishing offices;
 - c. Cold storage and/or ice processing facilities;
 - d. Retail trade facilities for the sale of products such as ice, bait, tackle, charts, gasoline or other products incidental to, or used in conjunction with a water-dependent use;
 - e. Sports fish cleaning establishments;
 - f. Seafood market.
 - g. Restaurants which provide a view of the waterfront, and which are in conjunction with a water-dependent use such as a marina or seafood processing plant.
 - h. Other water-related commercial and industrial uses meeting the criteria in Section 10:ZO.350.
2. Water-related recreational uses.
3. Aquaculture facilities.
4. Accessory uses or accessory structures in conjunction with a water-dependent or water-related use limited in size to a maximum of 10 percent of the lot or parcel size (e.g., security guard quarters).

5. A temporary use utilizing existing structures or facilities which require minimal capital investment. A temporary use permit shall be valid for one year with annual renewal permitted subject to a conditional use procedure.

ZO.460. Review Uses and Activities Permitted

The following uses and their accessory uses are allowed as review uses when authorized in accordance with Section 10:ZO.930, Review Uses. These uses are also subject to the provisions of Section 10:ZO.465, Additional Development Standards and Procedural Requirements.

1. Dredge material disposal at sites designated in the Comprehensive Plan.
2. Dredge material disposal at sites not designated in the Comprehensive Plan provided that the disposal does not pre-empt the use of the site for allowable water-dependent development activities.

ZO.465. Additional Development Standards and Procedural Requirements

1. All uses shall satisfy applicable aquatic and shoreland standards in Section 10:ZO.665. Where a proposal involves several uses the standards applicable to each use shall be satisfied (e.g., dredge, fill, shoreline stabilization, piling installation or other activities in conjunction with an aquaculture facility shall be subject to the respective standards of these uses).
2. When a proposal includes several uses, the uses shall be reviewed in aggregate under the more stringent procedure.
3. Uses that are not water-dependent shall not preclude or conflict with existing or probable future water-dependent use on the site or in the vicinity.
4. Water-dependent recreation and water dependent commercial uses shall be located so as not to interfere with water-dependent marine industrial uses of areas.
5. There shall be no height limitation for structures sited within the Marine Industrial Shorelands Zone.

Section 7. Sections 10:ZO:475 through 10:ZO:495 of the Astoria Code are amended to read as follows:

S-2 GENERAL DEVELOPMENT SHORELANDS ZONE

ZO.475. Purpose and Areas Included

The purpose of the S-2 Zone is to provide an area where a mixture of industrial, commercial, residential, public and recreational uses can locate. Uses which are water-dependent or water-related and other uses which would benefit from a waterfront location are preferred. The S-2 Zone includes areas less suitable for marine-oriented uses than the S-1 Zone, such as shoreland areas with limited backup land.

ZO.480. Uses and Activities Permitted with Standards

The following uses and accessory uses are permitted in the General Development Shorelands Zone, subject to the provisions of 10:ZO.495, Additional Development Standards and Procedural Requirements.

1. Charter fishing offices;
2. Cold storage and/or ice processing facilities;
3. Marinas and high intensity water-dependent recreation;
4. Marine equipment sales establishments;
5. Petroleum receiving, dispensing and storage for marine use;
6. Seafood receiving and processing;
7. Ship and boat building and repair;
8. Vegetative shoreline stabilization;
9. Navigational aids such as beacons;
10. Temporary dike for emergency flood protection subject to state and federal regulations;
11. Structural shoreline stabilization;
12. Public park or recreation area;

ZO.485. Conditional Uses and Activities Permitted

The following uses and their accessory uses are allowed as conditional uses when authorized in accordance with Section 10:ZO.980, Conditional Uses. Conditional uses of the General Development Shorelands Zone must be determined to be consistent

with the purposes of the management area as stated in Section 10:ZO.475, and to meet the provisions of 10:ZO.495, Additional Development Standards and Procedural Requirements.

1. Active restoration/resource enhancement;
2. Automobile sales and service establishment;
3. Contract construction service establishments;
4. Educational establishments;
5. Gasoline service stations;
6. Housing which is secondary to another permitted use, such as security guard's or proprietor's quarters;
7. Log storage/sorting yard;
8. Mobile home park which satisfies requirements in Section 10:ZO1.040;
9. Single family residence where such use occupies no more than 25% of a structure's gross floor area.
10. Multi-family housing
11. Public or semi-public uses;
12. Utilities
13. Business service establishments;
14. Communication service establishments;
15. Personal service establishments;
16. Professional service establishments;
17. Repair service establishments;
18. Research and development laboratories;
19. Shipping and port activity;
20. Wholesale trade, warehouse, and/or distribution establishments (including trucking terminals);
21. Restaurant and/or bar;
22. Retail sales establishments;
23. Hotel, motel, bed & breakfast;

24. Indoor amusement, entertainment and/or recreation establishment.
25. Wood processing;
26. Light manufacturing;
27. A temporary use utilizing existing structures and facilities which requires minimal capital investment. A temporary use permit shall be valid for one year with annual renewals permitted, subject to a conditional use procedure.

ZO.490. Review Uses and Activities Permitted

The following uses and accessory uses are permitted as review uses when authorized in accordance with Section 10:ZO.930, Review Uses, and 10:ZO.495, Additional Development Standards and Procedural Requirements.

1. Dredge material disposal at sites identified in the Comprehensive Plan.
2. Dredge material disposal at sites not designated in the Comprehensive Plan provided that the disposal does not pre-empt the use of the site for allowable water-dependent development activities.

ZO.495. Additional Development Standards and Procedural Requirements

1. All uses will satisfy applicable shoreland standards in Section 10:ZO.665 to 10:ZO.735.
2. Outdoor storage areas will be enclosed by appropriate vegetation, fencing or walls.
3. All uses will comply with access, parking, and loading standards in Sections 10:ZO.885 to 10:ZO.905.
4. Review uses will meet the requirements in Sections 10:ZO.930 to 10:ZO.975.
5. Conditional uses will meet the requirements in Sections 10:ZO.980 to 10:ZO1.070.
6. Signs will comply with requirements in Section 10:ZO.855.
7. All other applicable ordinance requirements will also be satisfied.

8. No structure will exceed a height of 28 feet above grade.
9. Commercial and recreational facilities having a tourist orientation shall be designed to take maximum advantage of river views.
10. Uses which are non water-dependent, non water-related or which otherwise derive no benefit from a waterfront location and which have frontage on the water shall provide a landscaped buffer along the waterfront.
11. Whenever possible all structures shall be designed and orientated to maintain views of the river from public rights-of-way.

Section 8. The Astoria Code is amended by adding Section 10:ZO:500 through 10:ZO:506, comprising the S-2A Tourist Oriented Shoreland Zone:

S-2A TOURIST ORIENTED SHORELAND ZONE

ZO.500. Purpose

This district is intended to provide for mixed-use tourist oriented development that retains and takes advantage of the working waterfront character of the area. The uses permitted are intended to be compatible with pedestrian orientation. The emphasis is on the rehabilitation and reuse of existing structures.

ZO.502. Uses and Activities Permitted with Standards

The following uses and accessory uses are permitted in the tourist oriented shoreland zone, subject to the provisions of ZO. ., Additional Development Standards and Procedural Requirements.

1. Tourist oriented retail sales establishment;
2. Eating, drinking and entertainment establishment;
3. Specialized food stores, such as bakery, delicatessen and seafood market;
4. Motel/hotel;
5. Service facilities which provide personal services in conjunction with and incidental to a motel/hotel;

6. Indoor amusement, entertainment and/or recreation establishment;
7. Theatre;
8. Professional, financial, business and medical offices where they are part of a mixed-use development that also includes some of the uses 1-7 above, and the office use is no more than 25% of the total project's gross floor area if the development occupies a single story structure and no more than 50% of the total project's gross floor area if the development occupies a multi-story structure.
9. Residential uses where they are part of a mixed use development that also includes some of the uses 1-7 above, and the multi-family use is no more than 25% of the total project's gross floor area if the development occupies a single story structure and no more than 50% of the total project's gross floor area if the development occupies a multi-story structure.
10. Seafood receiving and processing;
11. Small boat building and repair;
12. Boat and/or marine equipment sales;
13. Parks and museums;
14. Vegetative shoreline stabilization;
15. Structural shoreline stabilization;
16. Navigational aid such as a beacon.

ZO.504. Conditional Uses and Activities Permitted

The following uses and their accessory uses are allowed as conditional uses when authorized in accordance with Section ZO.980. Conditional Uses and must meet the provisions of ZO. , Additional Development Standards and Procedural Requirements.

1. Commercial or public parking lot;
2. A temporary use utilizing existing structures and facilities which require minimal capital investment. A temporary use permit shall be valid for one year with annual renewals permitted, subject to a conditional use procedure.

3. Public and Quasi-public utility and service buildings structures, and uses appropriate to and compatible with the district.

20.506. Additional Development Standards and Procedural Requirements

1. All uses will satisfy applicable shoreland standards in Sections 20.665 to 20.735.
2. Outdoor storage areas will be enclosed by appropriate vegetation, fencing or walls.
3. Uses located between 8th and 14th Street are not required to provide off-street parking or loading. Uses located in other portions of the S-2A zone shall comply with access, parking, and loading standards in Section 20.885 to 20.905.
4. Conditional uses will meet the requirements of Sections 20.980 - 1.070.
5. Signs will comply with requirements in Section 20.855.
6. All other applicable ordinance requirements will also be satisfied.
7. No structure shall exceed a height of 28 feet above grade.
8. Commercial and recreational facilities having a tourist orientation shall be designed to take maximum advantage of river views.

ADOPTED BY THE CITY COUNCIL THIS 15th DAY OF December, 1986

APPROVED BY THE MAYOR THIS 15th DAY OF December, 1986

Edwin Henningsgaard
Mayor

ATTEST:

[Signature]
Finance Director

ROLL CALL ON ADOPTION:	YEA	NAY	ABSENT
Commissioner: Hauer	X		
Van Dusen	X		
Hauke	X		
Mathews	X		
Mayor Henningsgaard	X		

THE CITY OF ASTORIA
SPECIAL ORDINANCE NO. 86-23

667-01

AN ORDINANCE GRANTING PETITION FOR THE VACATION OF A PORTION OF 4TH STREET.

SECTION 1. Vacation Allowed. The petition for vacation of that portion of a street described as the west one-half (25 feet) of the first 45 feet of 4th Street south of Commercial Street.

SECTION 2. Reservations. Nothing in this ordinance or in the action to vacate that portion of a street described in Section 1 shall cause or require the removal or abandonment of any sewer, water main, gas main, conduit of any kind, wire, pole, or object used or intended to be used for any public service and the right hereby is reserved for the owner of any such utility or object to maintain, continue, repair, reconstruct, renew, replace, rebuild or enlarge all utilities and objects.

SECTION 3. Other Provisions. The vacation of that portion of a street described in Section 1 of this ordinance is ordered and allowed subject to the provisions and restrictions contained in Sections 2.250 and 2.310 of the Astoria Code adopted June 15, 1964.

PASSED BY THE COMMON COUNCIL THIS 1st DAY OF December, 1986.

APPROVED BY THE MAYOR THIS 1st DAY OF December, 1986.

Edwin Henningsgaard
Mayor

ATTEST:

[Signature]
Finance Director

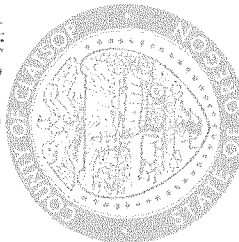
ROLL CALL ON ADOPTION:	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>
Commissioners: Hauer	x		
Hauke	x		
Mathews	x		
Van Dusen	x		
Mayor Henningsgaard	x		

Return to:
City of Astoria
1095 Duane Street
Astoria OR 97103

I hereby certify that the within instrument was received for record and recorded in the County of Clatsop, State of Oregon

867718

DEC 11 9 33 AM '86
DEC 11 9 33 AM '86



Book 667 Page 1
NORMA HUNSINGER, County Clerk
[Signature]
Form 103 Fees \$ 9.50

ORDINANCE NO. 86- 22

AN ORDINANCE AMENDING ORDINANCE 10:ZO.330 AND ADDING SECTION 10:ZO1.073 TO THE CITY CODE.

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Ordinance 10:ZO330 is amended by adding the following use to the list of uses in this section:

7. Wholesale trade, warehouse, mini-storage, and/or distribution establishments.

Section 2. The Astoria Zoning Ordinance is amended by adding Section 10:ZO1.073 as follows:

Section 1.073. Wholesale trade, warehouse, mini-storage, and/or distribution establishments in the Central Commercial Zone.

1. Such establishments shall be located in the basements of buildings within the C-4 Zone.
2. Such establishments shall provide off-street loading and unloading space capable of accommodating protected traffic.

Section 3. Effective Date. This ordinance and its amendment will be in full force and effect 30 days following its passage and enactment by the City Council.

ADOPTED BY THE COMMON COUNCIL THIS 1st DAY OF December, 1986.

ADOPTED BY THE MAYOR THIS 1st DAY OF December, 1986.

Edith Henningsgaard
Mayor

APPROVED AS TO FORM:

City Attorney

ATTEST:

J. G. Snyder
Finance Director

ROLL CALL ON ADOPTION:	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>
Commissioners:			
Hauer	x		
Hauke	x		
Mathews	x		
Van Dusen	x		
Mayor Henningsgaard	x		

AN ORDINANCE AMENDING SECTION 6.085 OF THE ASTORIA CODE

The City of Astoria does ordain as follows:

Section 1. Section 6.085 of the Astoria Code is amended by deleting the existing language and replacing it with the following language:

"6.085 Restricted Use of Bus and Taxicab Stands.

(1) Except as provided in subsection (3), no person may stop stand or park a vehicle other than a bus in a bus stand or other than a taxicab in a taxicab stand; except that the driver of a vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading persons or property, in places that are also designated as loading zones during the times the loading zones are in effect. If no loading zone times are posted, the stop must not interfere with a bus or taxicab about to enter or using the zone.

(2) Except as provided in subsection (3), use of the bus zones shall not exceed 15 minutes.

(3) A driver of a vehicle may stop, stand or park in a bus stand between the hours of 8:00 PM and 6:00 AM when the buses are not scheduled to run and are not using the bus stands.

(4) The City Manager, by written rules and regulations, may allow other uses of bus stands at times when they are not required for bus use."

ADOPTED BY THE CITY COUNCIL THIS 17th DAY OF November, 1986.

APPROVED BY THE MAYOR THIS 17th DAY OF November, 1986.

Edith Henningsgaard
Mayor

ATTEST:

[Signature]
Finance Director

ROLL CALL ON ADOPTION: YEA NAY ABSENT

Commissioner:	Hauer	x
	Van Dusen	x
	Hauke	x
	Mathews	x
Mayor	Henningsgaard	x

AN ORDINANCE AMENDING SECTION 6.075 OF THE ASTORIA CODE

The City of Astoria does ordain as follows:

Section 1. Section 6.075 of the Astoria Code is amended by deleting the existing language and replacing it with the following language:

"6.075 Use of Loading Zones.

(1) No person may stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of persons or property in any place designated as a loading zone during the hours when the provisions applicable to loading zones are in effect. The use of the loading zone shall not exceed 15 minutes.

(2) No person may stop, stand or park a vehicle for any purpose or length of time other than for the expeditious loading or unloading of passengers in any place designated as a passenger loading zone during the hours when the provisions applicable to passenger loading zones are in effect. The use of the zone shall not exceed five minutes."

ADOPTED BY THE CITY COUNCIL THIS 17th DAY OF November, 1986.

APROVED BY THE MAYOR THIS 17th DAY OF November, 1986.

Edith Henningsgaard
Mayor

ATTEST:

J. J. [Signature]
Finance Director

ROLL CALL ON ADOPTION:	YEA	NAY	ABSENT
Commissioner: Hauer	✕		
Van Dusen	x		
Hauke	x		
Mathews	x		
Mayor Henningsgaard	x		

AN ORDINANCE AMENDING CODE SECTION 1.010 OF THE ASTORIA CODE

The City of Astoria does ordain as follows:

Section 1. Section 1.010 of the Astoria Code is hereby amended by deleting the existing language and replacing it with the following language:

"1.010 Penalties.

(1) Except as otherwise provided in this section, a violation of a provision of this code may be punishable by imprisonment not to exceed one year, or by a fine not to exceed \$1,000, or by both fine and imprisonment. However, if there is a violation of a provision substantially similar to a state statute with a lesser penalty attached, punishment shall be limited to the lesser penalty prescribed in the state law.

(2) Each violation of a separate provision of this code constitutes a separate offense, and each day that a violation of this code is committed or permitted to continue constitutes a separate offense.

(3) The abatement of a nuisance under Sections 5.705 to 5.735 is an additional remedy and not a penalty for violation of this code. The imposition of a penalty does not relieve a person of the duty to abate a nuisance.

(4) Violations of the Astoria Traffic Code are as follows:

(a) Violation of Section 6.050 subsection (1) is punishable by a minimum fine of \$1.50, and not to exceed \$50.00, to be paid within 168 hours of issuance of a parking ticket.

(b) Violation of Section 6.055 and 6.130 is punishable by a minimum fine of \$10.00, and not to exceed \$50.00, to be paid within 168 hours of issuance of a parking ticket. If the original fine is not paid within the 168-hour period, the fine shall increase to \$20.00 for each violation, at which time a Courtesy Notice will be sent to the violator or registered owner of the vehicle. If said \$20.00 fine is not paid within ten days of the date of the Courtesy Notice, the fine shall increase to \$40.00 and a warrant for arrest may be issued by the Municipal Court.

(c) Violation of Sections 6.060 to 6.065, 6.110 to 6.125, 6.150 to 6.185, and 6.250 to 6.270 is punishable by a fine not to exceed \$50.00.

(d) Violation of Section 6.070 is punishable by a minimum fine of \$3.00, and not to exceed \$100.00, to be paid within 168 hours of issuance of a parking ticket.

(e) Violation of Section 6.075, 6.080 and 6.085 is punishable by a minimum fine of \$5.00, and not to exceed \$50.00, to be paid within 168 hours of issuance of a parking ticket. If the original fine is not paid within the 168-hour period, the fine shall increase to \$10.00 for each violation, at which time a Courtesy Notice will be sent to the violator or registered owner of the vehicle. If said \$10.00 fine is not paid within ten days of the date of the Courtesy Notice, the fine shall

increase to \$20.00 and a warrant for arrest may be issued by the Municipal Court.

(f) Violation of Section 6.100 is punishable by a minimum fine of \$3.00, and not to exceed \$50.00, to be paid within 168 hours of issuance of a parking ticket.

(g) Violation of Section 6.105 is punishable by a minimum fine of \$1.00, and not to exceed \$50.00, to be paid within 168 hours of issuance of a parking ticket.

(h) Violation of Sections 6.205 to 6.230 is punishable by a fine not to exceed \$100.00.

(i) Except as provided in subsections (b), (c), (e) and (h) of subsection (4) of this code, if the original fine is not paid within the 168-hour period, the fine shall increase to \$5.00 for each violation, at which time a Courtesy Notice will be sent to the violator or registered owner of the vehicle. If said \$5.00 fine is not paid within ten days of the date of the Courtesy Notice, the fine shall increase to \$10.00 and a warrant for arrest may be issued by the Municipal Court."

ADOPTED BY THE CITY COUNCIL THIS 17th DAY OF November, 1986.

APPROVED BY THE MAYOR THIS 17th DAY OF November, 1986.

Edwin Henningsgaard
Mayor

ATTEST:

[Signature]
Finance Director

ROLL CALL ON ADOPTION: YEA NAY ABSENT

Commissioner: Hauer	X		
Van Dusen	X		
Hauke	X		
Mathews	X		
Mayor Henningsgaard	X		

A SPECIAL ORDINANCE EXTENDING THE OCCUPATIONAL TAX SURCHARGE TO SUPPORT THE ACTIVITIES OF THE ASTORIA DOWNTOWN DEVELOPMENT ASSOCIATION.

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

SECTION 1. Special Ordinance No. 84-14 established an occupational tax surcharge, to support the activities of the Astoria Downtown Development Association, as follows:

<u>NUMBER OF EMPLOYEES</u>	<u>AMOUNT OF SURCHARGE</u>
1 - 4	\$ 50.00
5 or more	\$140.00

SECTION 2. The occupational tax surcharge shall apply to all retail, wholesale, service and professional businesses included in the downtown area.

SECTION 3. As described in Special Ordinance No. 84-14, the downtown area is that area bounded by Exchange Street on the South, the pierhead line on the North, 8th Street on the West and 16th Street on the East.

SECTION 4. All property which abuts or is included within the boundaries shall pay the occupational tax surcharge.

SECTION 5. The revenue from this surcharge shall be paid to the Astoria Downtown Development Association for use by the Association.

SECTION 6. By this ordinance, such surcharge is extended from December 31, 1986 to December 31, 1988, at which time it will be reviewed to determine if it should be continued.

ADOPTED BY THE COMMON COUNCIL THIS 20th DAY OF October, 1986.

APPROVED BY THE MAYOR THIS 20th DAY OF October, 1986.

Eirik Henningsgaard

 Mayor

ATTEST:

[Signature]

 Finance Director

ROLL CALL ON ADOPTION: YEA NAY ABSENT

Commissioners:	Hauer	x
	Hauke	x
	Mathews	x
	Van Dusen	x
Mayor	Henningsgaard	x

ORDINANCE NO. 86- 17

AN ORDINANCE AMENDING ORDINANCES 10:Z01.215 THROUGH 10:Z01.240 AND 10:Z01.185, ALL RELATING TO THE HISTORIC DISTRICTS.

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Ordinance 10:Z01.215(2) is amended to read as follows:

2. HISTORIC PRESERVATION DISTRICT is a relatively compact, definable geographic area possessing an obvious concentration, linkage or continuity of sites, buildings or structures united by past events, architectural styles, construction features or other physical features illustrative of the community's historic development, consistent with and conforming to the standard of the National Register of Historic Places.

Section 2. Ordinance 10:Z01.220 is amended to read as follows:

Z01.220. Procedures.

1. Building or demolition requests.

- a. Responsibility of city administrative officials. At the time of first inquiry concerning a building or demolition proposal, the building official or zoning administrator will inform the property owner or the agent of the property owner of the applicability of this ordinance to sites, buildings or structure in an established historic preservation or historic conservation district or to a separate-designated historic site, building or structure. If under Section Z01.230 of this ordinance amendment an Historic Landmarks Commission review will be required for all exterior alterations, new construction or demolition, the building official or zoning administrator will ask the property owner to file a review request and will route the request to the Historic Landmarks Commission for action in accordance with Section Z01.220(1)(b).
- b. Form of petitions, applications and appeals. The review request will be accompanied by plans or drawings as per Z01.175, furnished by the property owner or agent, showing dimensions, arrangements and character of the proposal and including any sketches, elevations, sections, perspectives, models, photographs, topographic surveys, materials, etc., that are essential to the understanding of the proposal and its relationship to the district or site in which located. In the case of a demolition request, this should include pertinent information as

to the proposed new use of the property, if any. No building permit application will be accepted or building or demolition permit issued until completion of the Historic Landmarks Commission review as provided in this ordinance.

- c. Responsibility of the Historic Landmarks Commission, building requests. At its next regular meeting following the receipt of a property owner request from the building official or zoning administrator, the Historic Landmarks Commission will review the request. The property owner will be notified five days before the time of the meeting and will be invited to attend. The Historic Landmarks Commission will evaluate the request for its consistency with the criteria for the district in which it is located as described in Section Z01.230 of this ordinance amendment. The Historic Landmarks Commission will approve or deny the request or recommend changes in the proposal which would enable it to be approved. The property owner will be notified of the Historic Landmarks Commission's decision within 10 working days of the date of action. The applicant may resubmit proposals for which changes have been recommended by the Historic Commission. If the proposal is denied, the applicant may appeal to the planning commission in accordance with Section Z01.170 through Z01.190 of this ordinance.
- d. Responsibility of the Historic Landmarks Commission, demolition requests. The procedure for Historic Landmarks Commission review of a demolition request will be the same as for a building request except as follows: The Historic Landmarks Commission shall consider the state of repair of the building, the feasibility of restoration or moving, the costs to the city of maintenance or restoration, the interest of private or public individuals or groups in the structure, or other relevant factors. The Historic Landmarks Commission may approve the issuance of the demolition permit, or it may reject the application with adequate findings of fact that demolition would be detrimental to the historic character of the city and in conflict with the city comprehensive plan. In order to obtain additional information, the Historic Landmarks Commission may suspend the application for a period not to exceed 120 days. During this period the Historic Landmarks Commission shall attempt to determine if public or private acquisition and restoration is feasible, or other alternatives are possible which could be carried out to prevent demolition of the structure. If during this period feasible restoration is found to be possible, the Historic Landmarks Commission may extend the

suspension, during which time no demolition permit shall be issued. If no significant activities are undertaken during the one-year period toward the acquisition and/or restoration of the structure, the suspension shall expire at the end of the one-year period and the demolition permit shall be issued by the building official, subject to other city ordinances.

2. Establishment of historic preservation or historic conservation districts or designation of historic sites.

- a. Districts. Upon receipt of a proper application signed by a majority of property owners within a contiguous area requesting that the area be designated as an historic preservation or historic conservation district, the request will be referred to the Historic Landmarks Commission for their recommendation. The request will be considered by the Historic Landmarks Commission at its next regular meeting following its receipt. The Historic Landmarks Commission will transmit its recommendation of the area as an historic preservation or as an historic conservation district to the planning commission no later than 60 days after receipt of the request. The Historic Landmarks Commission may also initiate consideration of a district upon its own recommendation. Upon receipt of the Historic Landmarks Commission's recommendation, the zoning administrator will establish a date for a public hearing before the planning commission to consider the request. The property owners within the boundaries of the proposed district will be notified of the hearing by first class mail at least 10 days prior to the hearing in accordance with the procedure contained in Section Z01.185, Item 3(c). If after the public hearing the planning commission determines that the requested area is suitable for designation as an historic preservation or historic conservation district, the planning commission shall recommend such designation to the city council. Upon receipt of the planning commission's recommendation, the city council may authorize the nomination of the area to the National Register of Historic Places as an historic preservation district or the council may designate the area as an historic conservation district by amending the city zoning ordinance and zoning map in accordance with the regular procedures in Section Z01.190, Item 4.
- b. Buildings and sites. Upon receipt of a proper application from the property owner, or upon the recommendation of the Historic Landmarks Commission, or upon the planning commission's own motion that a

building or site be designated historic, the zoning administrator will establish a date for a public hearing before the planning commission to consider such a request, recommendation or motion. In the case of a request or motion, it shall be referred to the Historic Landmarks Commission for consideration at its next regular meeting and the Historic Landmarks Commission shall submit its recommendation to the planning commission prior to the public hearing. The owner of the building or site and owners of all property abutting on the site will be notified of the hearing by first class mail at least 10 days prior to the hearing in accordance with procedure contained in Section Z01.185, Item 3(c). If after the public hearing the planning commission determines that the site is suitable for designation as historic, the planning commission will recommend such designation to the city council. Upon receipt of the planning commission's recommendation, the city council may designate the site as historic by amending the city zoning ordinance and zoning map in accordance with the regular procedures, Section Z01.190, Item 4.

3. Disestablishment of historic preservation or historic conservation districts or buildings and sites. Disestablishment of historic preservation or historic conservation districts or buildings and sites can be accomplished by the same method as for their establishment.

Section 3. Ordinance 10:Z01.230(1) (a) and (b) is amended to read as follows:

Z01.230. Criteria and Regulations.

1. Historic preservation districts.
 - a. General characteristics of a National Register historic district. Significant history, architecture, archeology and culture is present in sites, buildings, structures and objects, both qualitatively and quantitatively, that possess integrity of location, design, setting, materials, workmanship, and association. Evidence of such significance is provided through association with events that have made a contribution to the history of the community, through association with the lives of persons important to the history of the community, through embodiment of distinctive characteristics of a type, period or method of construction, the work of a master or artistic values, or as a source of information important to the community's history or pre-history.

- b. All new construction, additions to buildings, exterior alterations or existing buildings or construction of auxiliary buildings or structures, fences or retaining walls will be reviewed by the Historic Landmarks Commission in accordance with the procedures in Section Z01.220. The commission will consider, but not be limited to, the following criteria in conducting its review: (1) compatibility with the district's historic character; (2) compatibility with historic buildings and sites within the district; (3) maintenance of consistent height, setbacks and lot coverages; (4) use of appropriate exterior building materials such as lap siding, shingles or stone; (5) maintenance of predominant architectural features in the district such as pitched roofs, porches, window trim or other exterior ornamentation.

Section 4. Ordinance 10:Z01.240(1), (4) and (5) are amended to read as follows:

1. Historic materials. To the extent that funds are available, or where donations may be obtained, the Historic Landmarks Commission may obtain artifacts from historic buildings to be demolished, which it deems worthy of preservation, such as ornamentation, building materials or other historic objects.
4. Exemptions. Prior to the initial adoption of any historic conservation district or site designation by the city council, any property owner wishing to be exempted from the conditions of a historic conservation district or site may make application and shall receive approval from the Historic Landmarks Commission for that exemption upon forms provided by the planning department of the City of Astoria. This mandatory exemption shall be allowed only once by the Historic Landmarks Commission during the initial formation of any historic conservation district or site designation and before the adoption of an implementing ordinance for said district or site by the city council. Such forms shall list the name of the current owner and the legal description. All persons notified of a public hearing on consideration of formation of a historic conservation district or site, as provided for in Section Z01.220(2)(a) and (b), shall be advised of their exemption rights. Applicants shall have 90 days to file their application for exemption after notification by the Historic Landmarks Commission of any proposed district or site. Exemption from historic preservation districts shall follow National Register of Historic Places procedures.

5. Removal. No historic building shall be removed from its original site without approval of the Historic Landmarks Commission as per the same procedures as a demolition request, Section Z01.220(1) (b).

Section 5. Ordinance 10:Z01.185(3) is amended by adding a new Section (c) to read as follows:

- c. In establishing historic preservation or conservation districts or designating historic buildings or sites, notices shall be sent by mail not less than 10 days prior to the date of the hearing to the owners of property abutting the involved lot or parcel of land. For this purpose the names and addresses of the property owners as shown on the records of the County Assessor may be used.

ADOPTED BY THE COMMON COUNCIL THIS 20th DAY OF October, 1986.

APPROVED BY THE MAYOR THIS 20th DAY OF October, 1986.

Edwin Henningsgaard
Mayor

ATTEST:

[Signature]
Finance Director

ROLL CALL ON ADOPTION:	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>
Commissioners: Hauer	x		
Hauke	x		
Mathews	x		
Van Dusen	x		
Mayor Henningsgaard	x		

ORDINANCE NO. 86 - 16

AN ORDINANCE AMENDING CODE SECTION 6.065.

The City of Astoria does ordain as follows:

Section 1. Section 6.065 is amended to read as follows:

No operator may park and no owner may allow a vehicle to be parked on the street or other public property for the principal purpose of:

1. Displaying the vehicle for sale;
2. Repairing or servicing the vehicle, except repairs necessitated by an emergency;
3. Displaying advertising or selling merchandise from the vehicle, except when authorized.

Section 2. This ordinance will take effect 30 days after its adoption.

ADOPTED BY THE CITY COUNCIL THIS 20th DAY OF OCTOBER, 1986.

APPROVED BY THE MAYOR THIS 20th DAY OF OCTOBER, 1986.

Edith Henningsgaard

 Mayor

ATTEST:

J. J. [Signature]

 Finance Director

Roll Call on Adoption	Yea	Nay	Absent
Commissioners: Hauer	x		
Van Dusen	x		
Hauke	x		
Mathews	x		
Mayor Henningsgaard	x		

ORDINANCE NO. 86 -15

AN ORDINANCE AMENDING CODE SECTION 10:20:840.

The City of Astoria does ordain as follows:

Section 1. Section 10:20:840 is amended to read as follows:

20.840 Tourist Commercial Zone:

1. Moving, rotating or flashing signs are prohibited, except for time and temperature signs.
2. The total surface area of all signs will not exceed sixty square feet except that both sides of a double sided sign will be counted as one surface.
3. Signs will not exceed a height of 35 feet, and will not obstruct scenic views or vistas. Wherever possible, signs will be attached or affixed to the structure with which it is associated.
4. Signs will not cast glare on property in an adjacent residential zone or create a hazard on a public right-of-way.

Section 2. This ordinance will take effect 30 days after its adoption.

ADOPTED BY THE CITY COUNCIL THIS 15th DAY OF September, 1986.

APPROVED BY THE MAYOR THIS 15th day of September, 1986.

Edith Henningsgaard
Mayor

ATTEST:

[Signature]
Finance Director

Roll Call on Adoption	Yea	Nay	Absent
Commissioners: Hauer	x		
Van Dusen	x		
Hauke	x		
Mathews	x		
Mayor Henningsgaard	x		

Ordinance No. 86-14

AN ORDINANCE AMENDING CODE SECTION 6.135.

The City of Astoria does ordain as follows:

Section 1. Astoria Code Section 6.135 is amended to read as follows:

"6.135 Special Police Officers. Persons appointed by the City Manager as Parking Control Officers shall be special police officers of the City, and shall so serve under the direction of the Finance Director. As special police officers, the Parking Control Officers shall have authority to issue citations for violations of parking and non-moving traffic violations, as defined in Chapter 6 of the Astoria Code, or pertinent sections of the Oregon Revised Statutes, incorporated by reference therein, and to this extent they shall exercise full police authority. The City Council, from time to time, may ordain that other ordinances may be enforced by the Parking Control Officers."

ADOPTED BY THE CITY COUNCIL THIS 7th DAY OF July, 1986.

APPROVED BY THE MAYOR THIS 7th DAY OF July, 1986.

Edwin Henningsgaard
Mayor

ATTEST:

[Signature]
Finance Director

ROLL CALL ON ADOPTION	YEA	NAY	ABSENT
Commissioner Hauer	x		
Van Dusen	x		
Hauke	x		
Mathews	x		
Mayor Henningsgaard	x		

Ordinance No. 86-13

AN ORDINANCE AMENDING SECTION 5.060 OF THE ASTORIA CODE.

The City of Astoria does ordain as follows:

Section 1. Section 5.060 (3) is amended to read as follows:

(3) Merchandise may be displayed in the downtown on sidewalks only as part of a promotion which has been sponsored by the Astoria Downtown Development Association (ADDA) and which has been approved by the City Council.

Section 2. Section 5.060 (7) is amended to read as follows:

(7) Before use of a sidewalk area, an application must be submitted with evidence of insurance and accompanied by a permit fee of \$5.00. The permit shall be renewed annually for a fee of \$1.00, accompanied by proof of insurance.

Section 3. Section 5.060 is amended by adding thereto the following Section 12:

(12) Enforcement. In addition to any other method of enforcement available to the City, the provisions of this ordinance may be enforced by the issuance of citations by Parking Control Officers duly appointed pursuant to Ordinance 6.135.

ADOPTED BY THE CITY COUNCIL THIS 7th DAY OF July, 1986.

APPROVED BY THE MAYOR THIS 7th DAY OF July, 1986.

Edwin Henningsgaard
Mayor

ATTEST:

[Signature]
Finance Director

ROLL CALL ON ADOPTION	YEA	NAY	ABSENT
Commissioner Hauer	x		
Van Dusen	x		
Hauke	x		
Mathews	x		
Mayor Henningsgaard	x		

CITY OF ASTORIA
ORDINANCE 86-12

AN ORDINANCE AMENDING THE CITY OF ASTORIA ZONING ORDINANCE SECTION 10:ZO.155.

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. The Astoria Zoning Ordinance Section 10:ZO.155 is amended by adding the following use to the list of uses in this section:

Beauty and Barber Services

Section 2. Effective Date. This ordinance and its amendment will be in full force and effect 30 days following its passage and enactment by the city council.

ADOPTED BY THE COMMON COUNCIL THIS 16th DAY OF June, 1986.

ADOPTED BY THE MAYOR THIS 16th DAY OF June, 1986.

Edith Henningsgaard
Mayor

APPROVED AS TO FORM:

City Attorney

ATTEST:

J. L. Snyder
Finance Director

ROLL CALL ON ADOPTION:	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>
Commissioners: Hauer	x		
Hauke			x
Mathews	x		
Van Dusen	x		
Mayor Henningsgaard	x		

ORDINANCE NO. 86-11

AN ORDINANCE REPEALING ORDINANCE NO. 83-02.

The City of Astoria does ordain as follows:

Section 1. Ordinance No. 83-02 is hereby repealed in its entirety.

ADOPTED BY THE CITY COUNCIL THIS 16th DAY OF MAY, 1986.

APPROVED BY THE MAYOR THIS 16th DAY OF MAY, 1986.

Edwin Henningsgaard
Mayor

ATTEST:

J. L. Angler
Finance Director

ROLL CALL ON ADOPTION:	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>
COMMISSIONER: Hauer	x		
Hauke			x
Mathews	x		
Van Dusen	x		
Mayor Henningsgaard	x		

ORDINANCE NO. 86 - 10

AN ORDINANCE AMENDING SECTION 3.115 OF THE ASTORIA CODE.

The City of Astoria does ordain as follows:

Section 1. Section 3.115 of the Astoria Code is amended by adding the following:

The deposit shall not bear interest and shall be refunded to the customer within 60 days after the service is terminated, less any unpaid utility charges.

Section 2. Effective Date: This ordinance shall become effective thirty days after adoption by the City Council.

ADOPTED BY THE CITY COUNCIL THIS 2nd DAY OF June, 1986.

APPROVED BY THE MAYOR THIS 2nd day of June, 1986.

Edith Henningsgaard
Mayor

ATTEST,
[Signature]
Finance Director

Roll Call on Adoption	Yea	Nay	Absent
Commissioners: Hauer	x		
Van Dusen	x		
Hauke	x		
Mathews	x		
Mayor Henningsgaard	x		

ORDINANCE NO. 86- 09

AN ORDINANCE REPEALING CODE SECTIONS 1.400 THROUGH 1.450 AND DECLARING AN EMERGENCY.

The City of Astoria does ordain as follows:

Section 1. City of Astoria Code Sections 1.400, 1.405, 1.410, 1.415, 1.420, 1.425, 1.430, 1.435, 1.440, 1.445 and 1.450 and all amendments thereto, are repealed.

Section 2. Because ORS Ch. 250 provides an initiative and referendum procedure for cities and conflicting local ordinances create confusion and legal uncertainty which impede the citizens' exercise of their rights of initiative and referendum, an emergency is declared to exist and this ordinance will be in full force and effect upon its passage.

ADOPTED BY THE CITY COUNCIL THIS 19th DAY OF MAY, 1986.

APPROVED BY THE MAYOR THIS 19th DAY OF MAY, 1986.

Edith Henningsgaard
Mayor

ATTEST:

[Signature]
Finance Director

ROLL CALL ON ADOPTION:	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>
COMMISSIONER: Hauer	x		
Hauke	x		
Mathews	x		
Van Dusen	x		
Mayor Henningsgaard	x		

Ordinance No. 86-08

AN ORDINANCE AMENDING CODE SECTION NUMBERED 1.165 AND DECLARING AN EMERGENCY. The City Council of the City of Astoria Code is hereby amended as follows:

"1.165. Residence and/or Domicile.

(1) The following employees of the City of Astoria must reside within the city Limits: City Manager, Department heads for Police, Fire, Public Works, Library, Parks and Recreation, Community Development and City Attorney.

(2) All sworn employees of the Police Department and all employees of the Fire Department, with the exception of the Fire Department secretary, and the following members of the Public Works Department, to-wit: Operations Manager, Assistant Operations Manager, Maintenance Repairer II, Maintainer III, Maintainer I and Sewer Plant Operator, due to the public safety nature of their work must live within fifteen (15) automobile lawful driving minutes of the city limits of the City of Astoria and must have a customary telephone service in their residence and/or domicile.

Employees who are required by the City Council to live in City-owned housing outside the city limits shall be exempt from the requirements of this ordinance while they occupy City-owned housing.

(3) Failure to comply with the residential requirements set forth in Sections (1) and (2) above, shall result in an automatic termination of city employment."

Section 2. Emergency Clause. Because it has been determined that it would be in the best interest of the City of Astoria that the position of Municipal Judge be eliminated from the residency requirement, an emergency is declared to exist and this ordinance will be in full force and effect immediately upon passage by the City Council.

ADOPTED BY THE CITY COUNCIL THIS 19th DAY OF May, 1986.

APPROVED BY THE MAYOR THIS 19th DAY OF May, 1986.

Edwin Henningsgaard
Mayor

ATTEST:

[Signature]
Finance Director

ROLL CALL ON ADOPTION	YEA	NAY	ABSENT
Commissioner Hauer	x		
Van Dusen	x		
Hauke	x		
Mathews	x		
Mayor Henningsgaard	x		

THE CITY OF ASTORIA

SPECIAL ORDINANCE NO. 86-07

AN ORDINANCE AMENDING THE CITY OF ASTORIA LAND USE AND ZONING MAP BY DESIGNATING CERTAIN BUILDINGS AND SITES AS HISTORIC.

SECTION 1: The Astoria Land Use and Zoning Map is amended to designate the following as historic:

Parcel 1: Astoria Masonic Temple, Lots 10, 11 and 12, Block 114, Shively's Astoria.

Parcel 2: Pacific Power & Light Co., Tidal Rock, north 70 feet of Lot 1, Block 135, Shively's Astoria.

SECTION 2: These historic designations are granted based on the findings of fact and information gained at a public hearing before the Astoria Planning Commission and upon the recommendation of the Astoria Historic Buildings and Sites Commission.

SECTION 3: PROVISIONS

(a) Amendment. This amendment will amend the City of Astoria's Land Use and Zoning Map as adopted June 18, 1979, by designating the following sites and buildings thereon as described in Section 1 of this ordinance:

1. Masonic Temple, 1572 Franklin Avenue
2. PP&L Tidal Rock, 1485 Commercial Street

(b) Adoption. This amendment will become effective 30 days following the passage of this ordinance.

ADOPTED BY THE COMMON COUNCIL THIS 5th DAY OF May, 1986.

APPROVED BY THE MAYOR THIS 5th DAY OF May, 1986.

APPROVED AS TO FORM:

Edwin Henningsgaard
Mayor

City Attorney

ATTEST:



Finance Director

ROLL CALL ON ADOPTION:	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>
Commissioners: Hauer	x		
Hauke	x		
Mathews	x		
Van Dusen	x		
Mayor Henningsgaard	x		

THE CITY OF ASTORIA

ORDINANCE NO. 86-06

AN ORDINANCE AMENDING THE CITY OF ASTORIA CODE SECTIONS 10.054 THROUGH 10.058.

Section 1. The section of the zoning ordinance entitled "Historic Buildings and Sites Commission" is changed to "Historic Landmarks Commission".

Section 2. The following sections of the code are changed as follows:

- A. Section 10.054. Purpose. Sections 10.053 to 10.058 are enacted for the purpose of promoting the historic, educational, cultural, economic and general welfare of the public through the preservation, restoration and protection of historic landmarks.
- B. Section 10.055. Definitions. For the purpose of carrying out the intent and purpose of this ordinance, words, phrases and terms as used herein, shall have the meaning ascribed to them in this section.
- (a) "City" shall mean Astoria, Oregon.
- (b) "Commission" shall mean the Historic Landmarks Commission.
- (c) "Historic Landmarks" shall mean buildings, structures and appurtenances, sites, districts and elements of historic interest which shall be delineated on a map placed on file by the City of Astoria.
- C. Section 10.056. Historic Landmarks Commission.
- (a) A Historic Landmarks Commission consisting of seven regular members and such additional ex officio members as the council may from time to time determine by resolution shall be appointed by the city's mayor, subject to confirmation by a majority of the council. The majority regular members so appointed shall be registered voters within the City of Astoria, Oregon, or taxpayers upon real property situated within the City of Astoria, Oregon. Ex officio members shall be persons who have a special interest or expertise in the matter which are within the jurisdiction of the commission. The regular members of the commission shall have the sole voting power on any action taken by the commission.
- (b) Terms of commissioners shall be staggered so that not more than two positions will expire in any one year. Members may be reappointed. Terms shall be for a period of four years, except when realignment is necessary. Ex

officio members shall hold their office at the pleasure of the city council.

(c) A chairman and vice-chairman shall be elected from the commission membership and shall serve for a period of one year subject to reelection. Elections shall be held in the month of January of each year.

(d) A secretary shall be elected in January each year and need not be a member of the commission, and shall serve for a period of one year subject to reelection.

D. Section 10.057. Historic Landmarks Commission Duties. Study and determine those landmark areas of the City of Astoria, Oregon, which are worthy of consideration of receiving the designation of historic landmark or district, to recommend to the city council the area and boundaries of any historic landmark or historic district; to promulgate and recommend the adoption of rules and regulations for adopting and maintaining historic landmark, or historic districts; to serve as an advisory board concerning historic buildings and sites to the city council, planning commission, and other public or private agencies on matters relating to preservation of such buildings and sites.

E. Section 10.058. Other Responsibilities and Duties of the Commission.

(e) The commission should conduct one meeting each month. Meeting shall be held on a day convenient to the commission members, however, they should be held on the same day each month at 7:30 p.m.

Section 3. Effective Date. This ordinance and its amendments in Sections 1 and 2 will be in full force and effect 30 days following its passage and enactment by the city council.

ADOPTED BY THE COMMON COUNCIL THIS 21ST DAY OF APRIL, 1986.

APPROVED BY THE MAYOR THIS 21ST DAY OF APRIL, 1986.

Edith Henningsgaard
Mayor

APPROVED AS TO FORM:

City Attorney

ATTEST:

Finance Director



ROLL CALL ON ADOPTION:	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>
Commissioners: Hauer	x		
Hauke	x		
Mathews	x		
Van Dusen	x		
Mayor Henningsgaard	x		

ORDINANCE NO. 86-05

AN ORDINANCE AMENDING CODE SECTION 6.005 OF THE ASTORIA MUNICIPAL CODE CONCERNING TRAFFIC LAWS.

The City of Astoria does ordain as follows:

Section 1. Section 6.005 of the Astoria Code is amended to read as follows:

6.005. Applicability of State Traffic Laws.

Violation of any provision in ORS Chapter 801 through 823, as now constituted, is an offense against this city.

ADOPTED BY THE COMMON COUNCIL THIS 3rd DAY OF March, 1986.

APPROVED BY THE MAYOR THIS 3rd DAY OF March, 1986.

Edvin Henningsgaard
Mayor

ATTEST:

J. H. Snyder
Finance Director

ROLL CALL ON ADOPTION: YEA NAY ABSENT

COMMISSIONER:	Hauer	X
	Van Dusen	X
	Hauke	X
	Mathews	X
Mayor	Henningsgaard	X

ORDINANCE NO. 86- 04

AN ORDINANCE AMENDING CODE SECTION NUMBERED 2.205.

The City Council of the City of Astoria does ordain as follows:

Section 1. Section 2.205 of the Astoria Code is hereby amended to read as follows:

"CESSATION OF ASSESSMENT IMPROVEMENT DISTRICT- RESIDUAL EQUITY TRANSFER.

The City Council shall authorize the cessation of an improvement district when the following two conditions exist:

1. All district liabilities have been paid and there are not any contingent liabilities.

2. All assessments are either fully-collected or are deemed by the City Council to be uncollectable or collectable only upon the sale of the property to which the lien is attached.

Upon cessation, the City Council shall authorize the transfer of any residual equity of the district to the General Fund. Any outstanding assessments (liens) will become assets of the General Fund."

ADOPTED BY THE CITY COUNCIL THIS 3rd DAY OF March, 1986.

APPROVED BY THE MAYOR THIS 3rd DAY OF March, 1986.

Edwin Henningsgaard
Mayor

ATTEST:

J. H. Hauer
Finance Director

ROLL CALL ON ADOPTION	YEA	NAY	ABSENT
Commissioner Hauer	X		
Van Dusen	X		
Hauke	X		
Mathews	X		
Mayor Henningsgaard	X		

CITY OF ASTORIA

ORDINANCE NO. 86-03

AN ORDINANCE AMENDING CHAPTER 10 AND ADDING SECTION 10.064 TO THE CITY OF ASTORIA CODE.

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. The Astoria Code Chapter 10 is amended by adding the following section to adopt the '1985 Waterfront Revitalization Plan' by reference:

10.064 1985 Astoria Waterfront Revitalization Plan Adoption.
There is hereby adopted by this reference the 1985 Astoria Waterfront Revitalization Plan for the north side of Astoria from Smith Point at the west end, to the city limits on the east end, in the City of Astoria, Clatsop County, Oregon, the original document which is on file with the office of the Finance Director of the City of Astoria, and which shall prevail over the existing language of the present Comprehensive Plan and zoning ordinance until those documents are amended to include the 1985 Waterfront Revitalization Plan.

Section 2. Effective Date. This ordinance and its action will be in full force and effective 30 days following its passage and enactment by the City Council.

ADOPTED BY THE CITY COUNCIL THIS 20th DAY OF January, 1986.

APPROVED BY THE MAYOR THIS 20th DAY OF January, 1986.

Edwin Henningsgaard
Mayor

ATTEST:

J. P. Snyder
Finance Director

ROLL CALL ON ADOPTION: YEA NAY ABSENT

Commissioners:	Hauer	X
	Hauke	X
	Van Dusen	X
	Mathews	X
Mayor	Henningsgaard	X

Ordinance No. 86-02

AN ORDINANCE AMENDING CODE SECTIONS 7.000 THROUGH 7.120.

The City Council of the City of Astoria does ordain as follows:

Section 1. Sections 7.000 through 7.120 of the Astoria Code are amended to read as follows:

"Section 7.000 Adoption of Uniform Fire Code. There is hereby adopted by the City of Astoria for the purpose of perscribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code and standards known as the Uniform Fire Code published by the Western Fire Chiefs Association and the International Conference of Building Officials, being particularly the current edition thereof and he whole thereof, save and except such portions as are hereinafter deleted, modified or amended.

Section 7.005 Definitions.

(a) Wherever the word "jurisdiction" is used in the Uniform Fire Code, it shall be held to mean "City of Astoria."

(b) Whenever the words "chief of the bureau of fire prevention" are used in the Uniform Fire Code, they shall be held to mean "fire marshal."

Section 7.010 Establishment of Duties of Bureau of Fire Prevention.

The Uniform Fire Code shall be enforced by the Fire Marshal in the fire prevention division in the fire department of the City of Astoria which is hereby established and which shall be operated under the general supervision of the chief of the fire department.

The chief of the fire department may detail such members of the fire department as shall from time to time be necessary. The chief of the fire department may recommend to the City Manager the employment of technical inspectors, if needed.

Section 7.015 Amendments Made in the Uniform Fire Code. The Uniform Fire Code is amended and changed in the following respects: The Uniform Fire Code as promulated by the International Conference of Building Officials and the Western Fire Chief's Association is hereby subject to the exclusion therefrom and amendments thereto as hereafter set forth in these regulations.

The following chapter, sections, subsections, sentences, words, numbers, and references are excluded from the provision of the 1982 edition of the Code:

(1) Appendices I ,IIA, C,D, IIIA, B, C, IVA, VA, B and D.

(2) Sections, subsections, sentences, words 10.306, 10.309
exception: "patients' sleeping rooms," 11.201 first sentence, words "vacant lot or open spaces," 11.111, 11.112(B) Item (2), 11.203, 11.208, 24,102,

25.101, 25.117 (a) 26.102. 27.102, 28.102, 30.101, 31.102, 32.101, 32.104 (e) exception, 33.102, 34.102, 35.102 (b) and (g), 36.102, 45.102, 46.102, 47.102, 48.102, 49.101 (c), 49.102 through 106, 49.107 through 113, 50.103, 62.102 (a) and (b), 63.103, 63.108, 74.103, 75.103, 76.102, 78.103 through 106, 79.1002, 79.1003, 79.1803, 81.103, 82.103, 83.101.

(3) Section 4.101 of Article 4 of the Uniform Fire Code is hereby amended to read as follows:

Permit for Hazardous Materials

Section 4.101. (22) Permit for Hazardous Materials

(a) A license shall be the authority issued by the City on approval of the fire prevention division, independently or jointly in connection with any other municipal authority, for the conducting of a business, trade, occupation or calling.

(c) Before a permit may be issued, the Fire Marshal shall inspect and approve the receptacles, vehicles, building or storage places to be used. In cases where law or regulations enforceable by departments other than the fire prevention division are applicable, joint approval shall be obtained from all departments concerned.

(d) All applications for a permit required by the Code shall be made to the bureau of fire prevention in such form and detail as it shall prescribe. Applications for permits shall be accompanied by such plans as (are) required by the fire prevention division.

(e) Permits shall at all times be kept on the premises designated therein, and shall at all times be subject to inspection by any officer of the Fire or Police Departments.

(f) One permit only shall be required by establishments dealing in or using two or more flammable, combustible or explosive materials to be kept in the establishment at any one time, but each of the materials shall be listed in the permit.

Section 7.020 Investigations. The fire prevention division shall investigate the cause, origin and circumstances of every fire occurring in the City which involves loss of life or injury to persons or by which property has been destroyed or damaged and, so far as possible, shall determine whether the fire is the result of carelessness or design. Such investigation shall be begun immediately upon the occurrence of such a fire; and if it appears to the officer making such an investigation that such fire is of suspicious origin, the chief of the Fire Department shall be immediately notified of the facts; he shall notify the proper authorities designated by law to pursue the investigation of such matters, and such matters, and shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case.

The city police, upon request of the fire marshal, shall assist in the investigation of any fire which is of suspicious origin.

Section 7.025. Establishment of Limits of District in Which Storage of Flammable or Combustible Liquids in Outside Above Ground Tanks is

Prohibited.

The storage of flammable or combustible liquids in outside above ground tanks is prohibited within the following limits:

The limits referred to in Section 79.501 of the Uniform Fire Code, in which new bulk plants for flammable liquids are prohibited, are established as follows: provisions of this code and the zoning maps of the City.

Section 7.030 Establishment of Limits in Which Storage of Liquefied Petroleum Gases is to be Restricted.

The limits referred to in Section 82.105 (a) of the Uniform Fire Code, in which storage of liquid petroleum gas is restricted, are hereby established as follows: all those areas of the City which are zoned R1, R2, R3, C1, C2, C3, C4, LR, S3, S4 and S5 by the zoning provisions of this code and the zoning maps of the City.

Section 7.035 Establishment of Limits of Districts in Which Storage of Explosives and Blasting Agents is to be Prohibited.

The limits referred to in Section 77.106 (b) of the Uniform Fire Code, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: the entire area within the city limits, except that the City Council and Fire Chief may provide for the temporary storage of explosives and blasting agents.

Section 7.040 Permit.

- (1) A permit is the written authority from the Fire Chief to install, alter, or replace liquefied petroleum gas equipment over 120 gallons water capacity. Over 1,200 gallons water capacity, the installer shall submit plans for such permits.
- (2) No person may install, alter, replace liquefied petroleum gas equipment unless under supervision of a person holding a license or permit issued by the state fire marshal under ORS 480.410 to 480.460.
- (3) No person may install, alter or replace liquefied petroleum gas equipment of 120 to 1,200 gallons, and flammable storage facilities handling from 125 to 1,000 gallons or combustible liquid storage facilities handling from 500 to 1,000 gallons without first securing a permit from the Fire Chief and paying a permit fee to the Finance Director.
- (4) The Fire Chief shall not issue a permit if the proposed work is likely to result in an unsafe condition. The Fire Chief may require the applicant to furnish complete data and information concerning the proposed work.

Section 7.045 Regulations.

- (1) No person may use portable cutting or welding equipment utilizing liquefied petroleum gas as a fuel in any portion of a building used as a place of public habitation, assembly or refuge.
- (2) No person may sell, offer for sale, install, or use any liquefied petroleum gas system, device or appliances unless such equipment is approved

and complies with approved safety standards adopted by this code.

(3) No person may transport liquefied petroleum gas by means of a tank truck, tank trailer or tank semitrailer without first securing from the Fire Chief a certificate of approval for the tank truck, tank trailer or tank semitrailer and complying with all the requirements of the approved safety standards adopted by this code.

(4) No person may construct or operate a bulk storage plant for liquefied petroleum gas or operate a liquefied petroleum filling plant or store liquefied petroleum gas tank trucks without first making application in writing for a permit from the City Council. If the Fire Chief finds the proposed site does not endanger the public, the City Council may issue a permit. An initial permit fee and an annual fee thereafter shall be paid to the Finance Director by the applicant for the permit.

Section 7.050. Inspection and Records.

(1) A person installing liquefied petroleum gas equipment, other than gas burning appliances and replacing portable cylinders, shall keep a record of each installation, showing the name and address of the customer where the liquefied petroleum gas equipment is installed and the date of the installation. Each month, the record of installations shall be reported to the Fire Chief.

(2) Upon demand of the Fire Chief, the person who installs liquefied gas equipment shall dismantle or disconnect any liquefied petroleum gas equipment when it is not fully-inspected or fails to function properly.

Section 7.055. Bond. Before any person may obtain a permit to transport liquefied petroleum gas, such person shall give bond or provide satisfactory evidence of liability insurance in a sum to be approved by the City Manager, conditioned to observe all terms of the permit and sections of this code relating to liquefied petroleum gas and to save harmless the City and all persons suffering damage by reason of such transporting or distributing such gas. In the event liability insurance is approved, a certified copy of such insurance policy shall be filed with the Finance Director. The policy shall contain a cancellation clause of no less than thirty (30) days notice.

Section 7.060. Permits and Certificates. Section 4.101 (26) of Article 4 of the Uniform Fire Code is amended to read as follows:

Section 4.101 (26) Liquefied Petroleum Gases.

Except for portable or permanent containers or less than 120 gallons water capacity to install or maintain any LP gas container or operate any tank vehicle which is used for the transportation of LP gas. Where a single container or the aggregate capacity of interconnected containers is over 1,200 gallons water capacity, the installer shall submit plans for such permits.

Section 7.065. Service of Orders and Notices.

The service of orders for the correction of violation of the Code shall be made upon the owner, occupant or other person responsible for the conditions, either by delivering a copy of the same to such or by delivering

the same to and leaving it with any person in charge of the premises, or in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises; such order may be served either by delivering to and leaving with the said person a copy of said order, or if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy to the owner's last known post office address.

If building or other premises are owned by one person and occupied by another under lease or otherwise, the orders issued in connection with the enforcing of the Code shall apply to the occupant thereof, except there the rules or orders required the making or additions to or changes in the premises themselves, such as would immediately become real estate and be the property of the owner of the premises; in such cases, the rules or orders shall affect the owner and not the occupant unless it is otherwise agreed between the owner and the occupant.

Any order issued for the correction of violation of the Code shall forthwith be complied with by the owner or the occupant of such premises or building. If such order is made by the fire marshal, such owner or occupant may, within 48 hours, appeal to the chief of the Fire Department, who shall, within five (5) days, review such order and file in writing his decision thereon; and unless by his authority the order is revoked or modified, it shall remain in full force and be complied within the time fixed in said order."

Section 2. Effective Date. This ordinance shall become effective thirty days after adoption by the City Council.

Section 3. Repeal. Sections 7.000 through 7.120 of the Astoria Code, as previously written and amended, are hereby repealed by this ordinance.

ADOPTED BY THE CITY COUNCIL THIS 20th DAY OF January, 1986.

APPROVED BY THE MAYOR THIS _____ DAY OF _____, 1986.

Edwin Henningsgaard
Mayor

ATTEST:

John H. Hauer
Finance Director

ROLL CALL ON ADOPTION	YEA	NAY	ABSENT
Commissioner Hauer	X		
Van Dusen	X		
Hauke	X		
Mathews	X		
Mayor Henningsgaard	X		

THE CITY OF ASTORIA

SPECIAL ORDINANCE NO. 86-01

AN ORDINANCE AMENDING THE CITY OF ASTORIA LAND USE AND ZONING MAP BY DESIGNATING CERTAIN BUILDINGS AND SITES AS HISTORIC.

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

SECTION 1: The Astoria Land Use and Zoning Map is amended to designate the following properties as historic:

Parcel 1: Svenson Blacksmith Shop; Lot 1, Block 121, Shively's Astoria.

Parcel 2: Gerttula Property; North 67.5 feet, Lot 5, Block 2, Shively's Astoria.

Parcel 3: Bumble Bee Main Office; Tax Lot 900, Clatsop County Assessor's Map 8-9-8BC.

Parcel 4: Astoria Packing Co.; Tax Lot 600, Clatsop County Assessor's Map 8-9-7DA.

SECTION 2: These historic designations are granted based on the findings of fact and information gained at a public hearing before the Astoria Planning Commission and upon the recommendation of the Astoria Historic Buildings and Sites Commission.

SECTION 3: PROVISIONS

(a) Amendment. This amendment will amend the City of Astoria's Land Use and Zoning Map as adopted on June 18, 1979, by designating as historic the following buildings and sites as described in Section 1 of this ordinance:

1. Svenson Blacksmith Shop, 1796 Exchange Street
2. Gerttula Property, 3025 Marine Drive
3. Bumble Bee Main Office, #10 - 6th Street
4. Astoria Packing Co., #1 - 6th Street

(b) Adoption. These amendments will become effective 30 days following the passage of this ordinance.

ADOPTED BY THE COMMON COUNCIL THIS 6th DAY OF January, 1986.

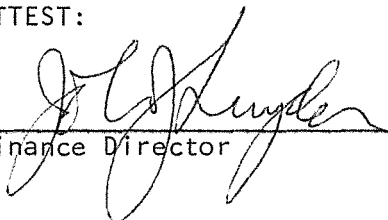
APPROVED BY THE MAYOR THIS 6th DAY OF January, 1986.

APPROVED AS TO FORM:

Edwin Henningsgaard
Mayor

City Attorney

ATTEST:



Finance Director

ROLL CALL ON ADOPTION:	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>
Commissioners: Hauer	x		
Van Dusen	x		
Hauke	x		
Mathews	x		
Mayor Henningsgaard	x		