

ORDINANCE NO. 23-05

AN ORDINANCE AMENDING THE ASTORIA DEVELOPMENT CODE CONCERNING THE PORT OF ASTORIA WATERFRONT MASTER PLAN FOR THE PORT OF ASTORIA WEST MOORING BASIN PLAN DISTRICT IN THE BRIDGE VISTA OVERLAY ZONE

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1: Section 14.124 Port of Astoria West Mooring Basin Plan District, is deleted in its entirety:

~~“14.124 PORT OF ASTORIA WEST MOORING BASIN PLAN DISTRICT~~

~~The property situated approximately between Portway Avenue to the west, Bay Street to the east, the top of bank to the north, and West Marine Drive to the south, shall constitute a subarea within the Bridge Vista Overlay Zone. The purpose of this subarea is to permit adoption of development standards, known as a Plan District, not applicable to other properties in the Bridge Vista Overlay Zone. If approved under the criteria of Section 14.124.A, the Plan District shall be known as the Port of Astoria West Mooring Basin Plan District.~~

- ~~A. Plan District Adoption Criteria. A Plan District may be established if all the following adoption criteria are met:~~
- ~~1. The area proposed for the Plan District has special characteristics or problems of a natural, economic, historic, public facility, or transitional land use or development nature which are not common to other areas of the Bridge Vista Area. Economic viability of a project alone shall not be deemed as justification for the proposed modifications;~~
 - ~~2. Existing base and overlay zone provisions limited to those identified in Section 14.124.D are inadequate to achieve a desired public benefit as identified by the City Council, and/or to address identified needs or problems in the area;~~
 - ~~3. The proposed Plan District and regulations result from a Plan documenting the special characteristics or problems of the area and explain how a Plan District will best address relevant issues; and~~
 - ~~4. The regulations of the Plan District conform with the Comprehensive Plan and do not prohibit, or limit uses or development allowed by the base zone without clear justification.~~
- ~~B. Review.~~
- ~~1. Sunset Clause. Application to establish the Port of Astoria West Mooring Basin Plan District shall occur no later than January 1, 2025. If an application is not received by that date, the Planning Commission shall re-evaluate the appropriateness and/or need for a Plan District as noted in Section 14.124. Any changes and/or the elimination of this section shall be processed as a legislative text amendment in accordance with Development Code Articles 9 and 10.~~
 - ~~2. After Adoption of District. After adoption of Port of Astoria West Mooring Basin Plan District regulations, the Planning Commission shall review the Port of Astoria West Mooring Basin Plan District and its regulations every five years to determine the impacts on development, the usefulness and usability of the regulations, and the public need for any amendments to the regulations.~~

C. Mapping. The boundaries of the Port of Astoria West Mooring Basin Plan District are illustrated on a map referenced below and generally are described as the land area north of West Marine Drive between Portway Avenue and Bay Street. The over-water area within the Plan District shall not be subject to changes from the approved Bridge Vista Overlay uses, standards, and/or requirements. The boundaries may be refined as part of the Plan District adoption or amendment.

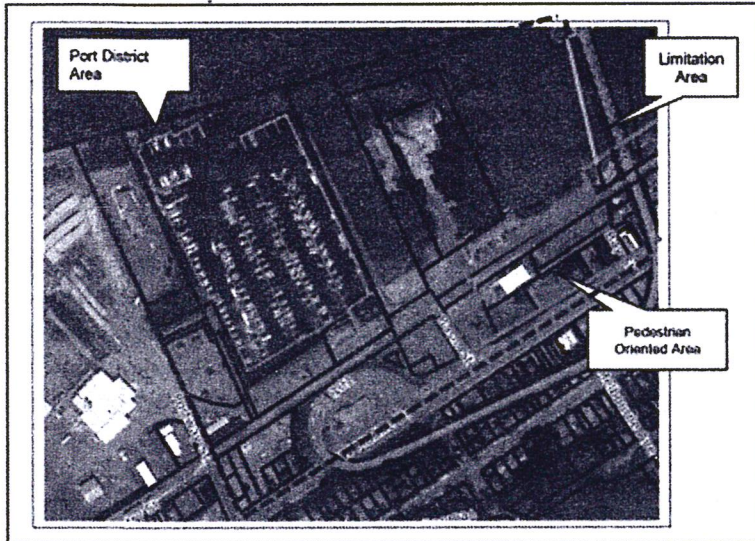


Figure 14.090-2, Pedestrian-Oriented District
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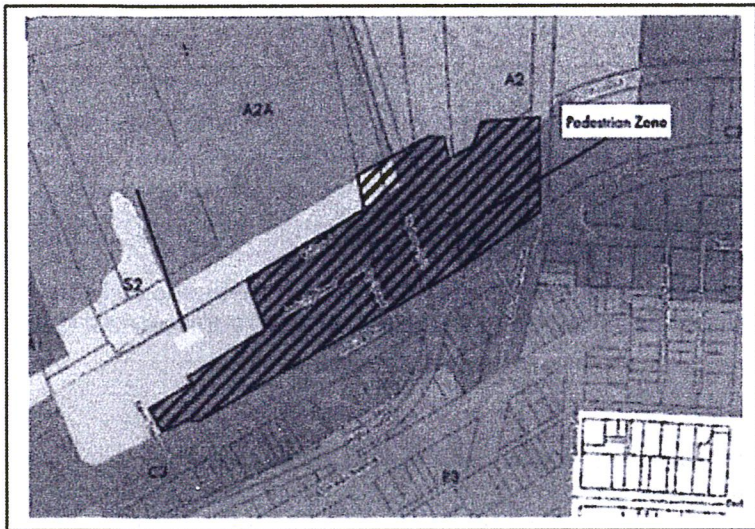
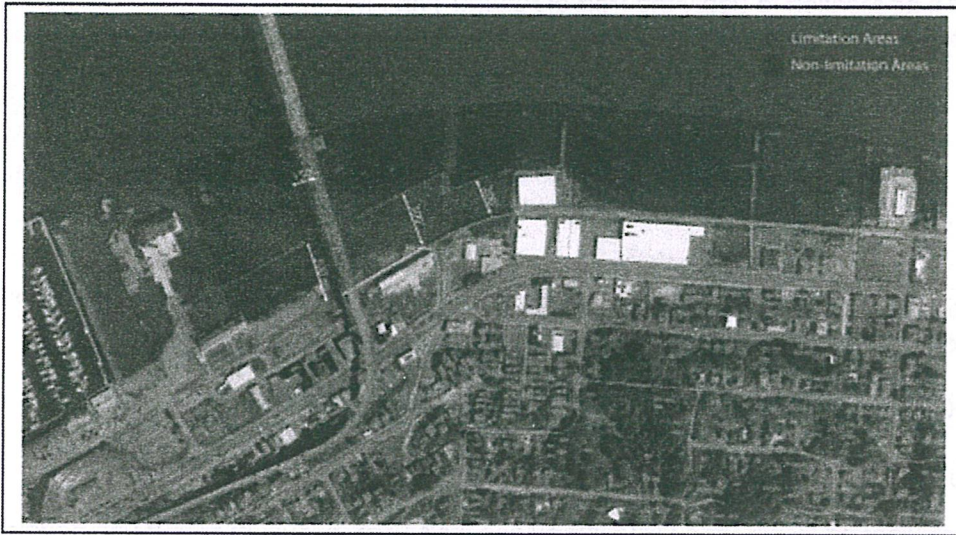


Figure 14.090-1: Limitation Area
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~~[DELETE IMAGE ABOVE]~~

~~D. Standards. The standards for the on-land area within the Port of Astoria West Mooring Basin Plan District may expressly change and vary from those applicable under the Bridge Vista Overlay Zone and those of the base zone. The over water area within the Plan District shall not be subject to changes from the approved Bridge Vista Overlay uses, standards, and/or requirements. Such on-land changes may include:~~

- ~~1. Adding or deleting uses;~~
- ~~2. Changes to building height limits / stepbacks up to a maximum of 35' high;~~
- ~~3. Setback modifications. No reduction in view corridors shall be allowed.~~
- ~~4. Building size and permissible footprint.~~
- ~~5. "Limitation Areas" shall remain as "Limitation Areas" with the existing standards.~~
- ~~6. "Pedestrian Oriented Area" shall remain as "Pedestrian Oriented Area" with the existing standards. Amendment to the boundaries of the Pedestrian Oriented Area may be allowed.~~

~~E. Application Procedure.~~

- ~~1. An application to establish the Port of Astoria West Mooring Basin Plan District shall be processed through the following procedures:
 - ~~a. The City or Port of Astoria may apply to establish development regulations that affect one or more properties within the Port of Astoria West Mooring Basin Plan District.~~
 - ~~b. An application to establish regulations that would govern development within the Port of Astoria West Mooring Basin Plan District is a legislative text amendment processed in accordance with the procedures established in Section 14.124 and in Development Code Articles 9 and 10.~~
 - ~~c. An application to establish the boundaries of the Port of Astoria West Mooring Basin Plan District Overlay area is a legislative map amendment processed in accordance with the procedures established in Section 14.124 and in Development Code Articles 9 and 10 and may be processed concurrently with applications under subsection E.1.a.~~
 - ~~d. The application shall include a master plan for the site along with written justification for the need to establish the Plan District and the specific~~~~

~~proposed code modifications. Economic viability of a project alone shall not be deemed as justification for the proposed modifications.~~

~~2. An application to apply the Port of Astoria West Mooring Basin Plan District regulations to a specific project shall be processed through the following procedures:~~

~~a. The Port of Astoria shall be the applicant or co-applicant on all applications.~~

~~b. An application shall be processed as a quasi-judicial permit in accordance with the procedures established with the Plan District adoption and in accordance with the Development Code as applicable."~~

Section 2: Astoria Development Code Section 14.125, Port of Astoria West Mooring Basin Plan District Regulations, in the Bridge Vista Overlay Zone is amended to read as follows:

"14.125. PORT OF ASTORIA WEST MOORING BASIN PLAN DISTRICT

A. Purpose.

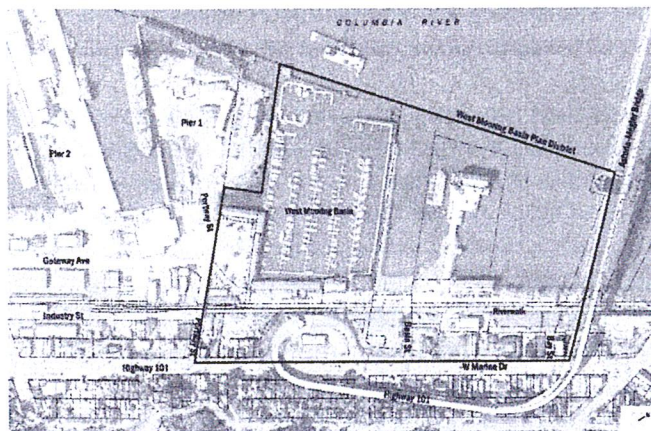
The West Mooring Basin Plan District provides for a unique level of mixed-use development including commercial, employment, institutional, and recreational uses. The purpose of the Plan District is to implement the principles and enable the framework shown in the "Port of Astoria Waterfront Master Plan" (2022). Objectives of the Plan District include encouraging on-land development appropriate for the riverfront setting and preserving unique resources. Where base zone or Bridge Vista Overlay zone regulations conflict with those of the Plan District, the allowances and limitations of the Plan District will control.

B. Plan District Boundary.

The property situated approximately between Portway Avenue to the west, Bay Street to the east, pierhead line to north, and West Marine Drive to the south, shall constitute a subarea within the Bridge Vista Overlay Zone. This area is known as the Port of Astoria West Mooring Basin Plan District.

The over-water area within the Plan District shall not be subject to changes from the approved Bridge Vista Overlay uses, standards, and/or requirements. The boundaries of the Port of Astoria West Mooring Basin Plan District are illustrated on a map referenced below.

Figure 14.125-1: West Mooring Basin Plan District Boundaries



C. Applicability.

The following development standards 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. The Bridge Vista Overlay standards and requirements shall be applicable unless otherwise noted in the Plan District standards.

D. Procedures.

An application for a specific project within the Plan District is processed as a Type III review as described in Section 9.010 and in accordance with the Development Code.

E. Uses.

The following uses and activities and their accessory uses and activities are permitted or conditional for on-land development in any zone within the West Mooring Basin Plan District unless noted. These uses are in addition to those permitted uses in the base zone, as identified in Article 2, and subject to the other appropriate development provisions of this Section. Prohibitions described in Sections 14.095.B and 14.110 apply.

1. Uses Permitted Outright
 - a. Retail Sales Establishment
 - b. Eating and Drinking Establishment (without drive through)
 - c. Business Service Establishment
 - d. Professional Service Establishment
 - e. Personal Service Establishment
 - f. Manufacturing or light industrial, except within the Pedestrian-Oriented District
 - g. Replacement hotel referenced in Sections 14.095.B.6 and 14.110.C.6

F. Development Standards.

The following development standards apply to on-land development in the West Mooring Basin Plan District. Unless otherwise noted, all other standards and guidelines of the base zone and/or Bridge Vista Overlay Zone are applicable.

1. Building Height

- a. Maximum 40 feet allowed for all development within the Plan District.
- b. Maximum 28 feet in the “Fishing Village” subarea of the Plan District. See Section 14.125.F.6.
- c. Maximum 60 feet for replacement of a hotel. A replacement hotel is a hotel facility that existed prior to 2013, as allowed by Sections 14.095.B.6 and 14.110.C.6.

2. Building Size

Notwithstanding the provisions of Section 14.113.D there is no limit on the square footage of a proposed building so long as it meets dimensional standards for height and setbacks, except within the Fishing Village subarea,

3. Building Orientation

Notwithstanding the provisions of Section 14.113.E there are no restrictions on the orientation of buildings.

4. Building Separation

Notwithstanding the provisions of Section 14.113.B.3 buildings on the same lot shall have no minimum required setbacks between buildings, except within the Fishing Village subarea. River Trail setbacks still apply.

5. Lot Coverage

Notwithstanding the provisions of Section 14.113.F, there is no restriction on lot coverage.

6. View Corridors

a. Fishing Village View Corridors

Additional development restrictions apply to the “Fishing Village” area of the Plan District, as described in Section 14.125. This subarea is situated along the south end of the West Mooring Basin approximately between Port of Astoria “E” Dock to the west, Port of Astoria “A” Dock to east, the southern edge of the West Mooring Basin Boat Docks to the north, and Industry Street to the south, shown in Figure 14.125-2. This property shall constitute a subarea within the West Mooring Basin Plan District, called the Fishing Village. The east-west width of the Fishing Village is approximately 530 feet.

Figure 14.125-2: Fishing Village Boundaries



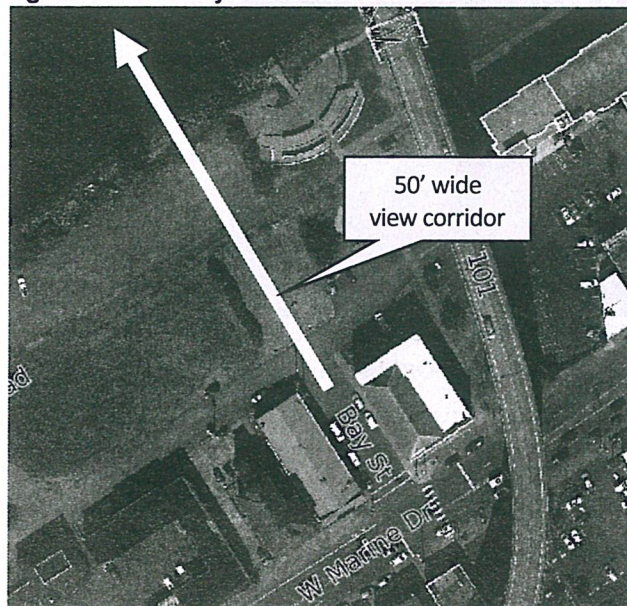
Additional restrictions in the “Fishing Village” are intended to create view corridors from the River Trail toward the marina and Columbia River, and allow smaller-scale development consistent with the Port of Astoria Waterfront Master Plan. Within this sub-area, the following standards apply.

A minimum of 200 feet of unobstructed view corridor shall be preserved along the east-west dimension of the Fishing Village area. The cumulative width of structures along the east-west dimension in the Fishing Village area shall not exceed 330 feet. The precise location of view corridors between buildings may vary, as long as a cumulative minimum of 200 feet of open views is maintained toward the marina and River.

b. Bay Street View Corridor

A minimum view corridor width of 50 feet shall be established, centered on the Bay Street right of way, between West Marine Drive and the Columbia River pierhead. This corridor shall be free of structural encroachments, per the definition in Section 14.001.

Figure 14.125-3: Bay Street View Corridor



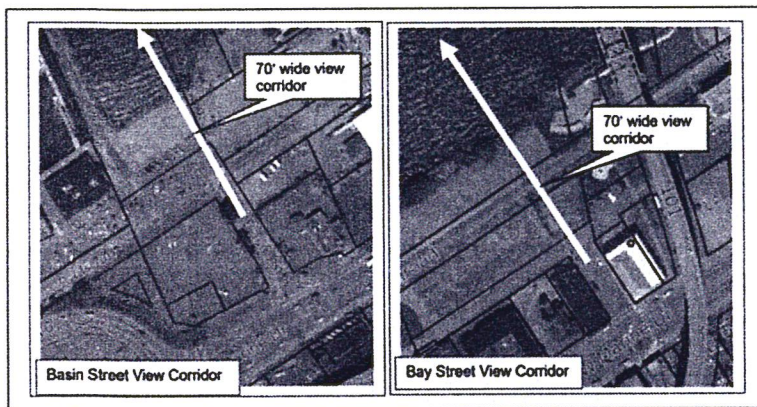
Section 3. Astoria Development Code Section 2.690.F, Development Standards and Procedural Requirements, in the S-2 Zone (General Development Shorelands), is amended to read as follows:

F. No structure will shall exceed a height of 28 feet above grade, except for those areas between the 15th and 21st Street right-of-ways, and between the 5th Street right-of-way and the Astoria-Megler Bridge, and for a public viewing tower on Pier 1. In these ~~two~~ areas no structure shall exceed a height of 45 feet above grade. For the purposes of this Code Section, Pier 1 is described as the S-2 zoned pier area south to the narrow neck of the pier.”

Section 4. Astoria Development Code Section 14.113.B.d, Standards for On-land Development, Bridge Vista Overlay, Setbacks, is deleted:

d. ~~Basin and Bay Street View Corridors. A minimum view corridor width of 70 feet, centered on the right-of-way centerlines of Basin and Bay Streets and extending through property from West Marine Drive and the north end of the rights-of-way north to the Columbia River pierhead line, shall be provided on these north-south rights-of-way and property between West Marine Drive and the Columbia River pierhead line (Figure 14.113-2). Buildings shall be set back in order to achieve the 70-foot view corridor. If existing development on one side of the right-of-way and/or property does not meet the setback, the new development on the other side of the right-of-way and/or property is only required to provide its half of the view corridor width (Figure 14.113.1). (Section 14.113.B.1.d added by Ord 19-14, 10-21-2019)~~

Figure 14.113.2: Basin and Bay Street View Corridors
[DELETE IMAGE OF VIEW CORRIDORS BELOW]




(Section 14.113.B.1.d, Figure 14.113-2 added by Ord 19-14, 10-21-2019)

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 2ND DAY OF OCTOBER, 2023.

APPROVED BY THE MAYOR THIS 2ND DAY OF OCTOBER, 2023.


Sean Fitzpatrick, Mayor

ATTEST:



Scott Spence, City Manager

ROLL CALL ON ADOPTION:	YEA	NAY	ABSENT
City Councilor			
Adams		X	
Brownson	X		
Hilton	X		
Davis	X		
Mayor Fitzpatrick	X		