



AGENDA

ASTORIA PLANNING COMMISSION

February 25, 2025

5:30 p.m.

Second Floor Council Chambers
1095 Duane Street • Astoria OR 97103

To participate remotely in public hearings, go to https://www.astoria.gov/LIVE_STREAM.aspx for connection options and instructions. You may also use a telephone to listen in and provide public testimony. At the start of the meeting, call (253) 215-8782 and when prompted enter meeting ID# 503 325 5821 (see page 2 of this Agenda for more details).

1. CALL TO ORDER
2. ROLL CALL
3. MINUTES
 - a) Review of the January 28, 2025 APC draft minutes.
4. PUBLIC HEARING
 - a) Amendment Request (A24-03) by Community Development Director, on behalf of City Council, to amend the Erosion Control and Stormwater Management sections of Article 3 in the Astoria Development Code.
5. REPORT OF OFFICERS
6. STAFF/STATUS REPORTS
 - a) Save the date: Next APC meeting - Tuesday, March 25, 2025 @ 5:30pm
7. PUBLIC COMMENT (Non-Agenda Items)
8. ADJOURNMENT

Connection options and instructions to participate remotely in the public hearing.

ONLINE MEETING 

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Step #1: Call this number: [253-215-8782](tel:253-215-8782)

Step #2: When prompted, enter the Meeting ID number: 503 325 5821

*Note: Your phone will automatically be muted when you enter the conference call. At the time of public testimony, when prompted, you may dial *9 to "raise your hand" and notify staff of your desire to testify. Your phone will then be un-muted by the Host and you will be called upon based on your phone number used to dial-in.*

Meeting Minutes

Astoria City Hall & Remote Video Conferencing

https://www.astoria.gov/Agenda_Minutes.aspx

CALL TO ORDER

Chair Henri called the meeting to order at 5:31 pm.

ROLL CALL

Present: David Kroening, Cindy Magie, Patrick Corcoran, Chris Womack, and Brookley Henri.

Excused: Kris Haefker and Mike Francis.

Staff Present: City Planner Tiffany Taylor, City Engineer Nathan Crater, and Police Sergeant Thomas Litwin. The meeting is recorded and will be transcribed by ABC Transcription Services, LLC.

Planner Taylor introduced new Planning Commissioner Mike Francis, noting his experience on the Historic Landmarks Commission.

ELECTION OF OFFICERS

3.a In accordance with Sections 1.110 and 1.115 of the Astoria Development Code, the Planning Commission needs to elect officers for 2025. The 2024 officers were: President Daryl Moore, Vice President Brookley Henri, and Secretary Tresa Abke.

Commissioner Womack nominated Patrick Corcoran for President for 2025. Commissioner Henri seconded the nomination.

Commissioner Corcoran nominated Brookley Henri for Vice President for 2025. Commissioner Magie seconded the nomination.

Commissioner Corcoran moved to nominate Tresa Abke as Secretary for 2025. Commissioner Henri seconded the motion.

Commissioners discussed nominations.

Commissioner Henri moved to nominate Patrick Corcoran as President for 2025. Commissioner Magie seconded the motion.

The motion was unanimously approved by a 5 to 0 vote. (Ayes: Kroening, Magie, Corcoran, Womack, Henri; Nays: None.)

Commissioner Kroening moved to nominate Brookley Henri for Vice President for 2025.

Commissioner Corcoran seconded the motion.

The motion was approved by a 5 to 0 vote. (Ayes: Kroening, Magie, Corcoran, Womack, Henri; Nays: None.)

Commissioner Corcoran moved to nominate Tresa Abke as Secretary for 2025. Commissioner Henri seconded the motion.

The motion was approved by a 5 to 0 vote. (Ayes: Kroening, Magie, Corcoran, Womack, Henri; Nays: None.)

The Planning Commission meeting recessed at 5:36 pm to convene the Traffic Safety Advisory Committee Meeting.

The Planning Commission meeting reconvened at 5:40 pm.

MINUTES

4.a Review of the December 19, 2024 APC draft minutes

The December 19, 2024 minutes were approved as presented by unanimous consent.

PUBLIC HEARING

President Corcoran read the rules of conduct for public hearings.

5.a Sign Variance (V24-11) by Opsis Architecture, on behalf of Columbia River Maritime Museum, to install a total of 21 signs at 852 square feet for the CRMM campus. Signs to be installed at 1792 Marine Drive, 1840 Marine Drive, and 2042 Marine Drive.

President Corcoran confirmed there were no objections to the jurisdiction of the Planning Commission to hear this matter at this time and called for declarations of ex parte contacts or conflicts of interest.

Vice President Henri declared that she had done some work with the Columbia River Maritime Museum in the past. However, she could remain impartial in this request.

Staff Report:

Planner Taylor presented the written Staff report via PowerPoint and recommended approval of the request with the Conditions listed in the Staff report. She answered clarifying questions from Commissioners about the square footage calculations and the approval criteria for variances.

President Corcoran opened the public hearing and called for the Applicant's testimony.

Applicant Presentation:

Alec Holser, Opsis Architecture, 975 SE Main St, Portland, OR 97214 presented a PowerPoint. Mr. Holser explained how the wayfinding signage related to the overall renovation of the museum campus and highlighting the methods, processes, and considerations used to develop

the wayfinding plan and proposed signage. He noted the design of the signage would create a cohesive identity for the large museum campus, connecting areas such as the parking, the new building, the Barbey Center, the pond, and the Riverwalk. He answered clarifying questions from Commissioners about lighting on the signs and the pedestrian crossing at the railroad tracks.

President Corcoran called for public testimony.

Public Comment

None.

Planner Taylor confirmed that the Lighting Plan would be addressed as part of the sign application. She also noted the use of the site was not a criterion for approval.

President Corcoran closed the public hearing.

Commissioners briefly discussed the request and agreed with Staff's recommendations.

Vice President Henri moved to adopt the findings and conclusions contained in the Staff report and approve Sign Variance V24-11 by Opsis Architecture, on behalf of Columbia River Maritime Museum. Commissioner Magie seconded the motion, which was approved by a 5 to 0 vote. (Ayes: Kroening, Magie, Corcoran, Womack, Henri; Nays: None.)

President Corcoran read the rules of appeal into the record.

REPORT OF OFFICERS

None.

STAFF/STATUS REPORTS

Planner Taylor reported on the annual training by the Department of Land Conservation and Development (DLCD), which had been scheduled for February 13, 2025 at 6:00 pm, and noted the next Planning Commission meeting had been scheduled for February 25, 2025 at 5:30 pm. She also provided updates on recruiting for vacant Staff positions, plan reviews completed by the Building Department, the permitting process for the museum exhibit hall, and upcoming development projects throughout the city.

PUBLIC COMMENT (Non-Agenda Items)

ADJOURNMENT

The meeting adjourned 6:19pm



CITY OF ASTORIA

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COMMUNITY DEVELOPMENT

1095 Duane Street • Astoria, OR 97103 • Phone 503-338-5183 • www.astoria.gov • planning@astoria.gov

STAFF REPORT AND FINDINGS OF FACT

Report Date: February 18, 2025

Hearing Date: February 25, 2025

To: Astoria Planning Commission (“APC”)

From: Tiffany Taylor, Interim Community Development Director and City Planner

Subject: Amendment Request (A24-03) by Community Development Director, on behalf of City Council, to amend the Erosion Control and Stormwater Management sections of Article 3 in the Astoria Development Code (“ADC”).

I. SUMMARY

- A. Applicant: City of Astoria planning@astoria.gov
Community Development Director
1095 Duane Street
Astoria, OR 97103
- B. Location: City-wide
- C. Zones: All
- D. Request: To amend ADC Sections 3.300–3.330 to broaden the exceptions and clarify standards and requirements for Grading and Erosion Control permits.
- E. 120 Days: April 29, 2025 (application deemed complete on December 30, 2024).

II. BACKGROUND

Erosion Control and Stormwater Management Sections 3.300–3.330 were added to the Astoria Development Code on October 4, 2004. The Ordinance established a set of regulations to control erosion and manage the stormwater drainage on projects within the City and allowed for more administrative review.

In the Fall of 2024, the City’s Public Works, Building and Planning Divisions identified areas in the Erosion Control code sections needing updated language. The proposed changes include the following:

- A. Clarifying language to include objective standards to ensure a Type I process can be applied to this permit;
- B. Broaden the exception list of activities to reduce the volume of permits connected to work that have a very low risk of creating turbid runoff from a site or negatively impacting slope stability; and
- C. Improve the City’s ability to provide clear direction to applicants.

III. PUBLIC REVIEW AND COMMENT

- A. State Agency: The City provided a copy of the draft ordinance to the Oregon Department of Land Conservation and Development (DLCD) on December 31, 2024, meeting the submittal requirements of at least 35 days prior to first evidentiary hearing.
- B. Planning Commission: In accordance with ADC §9.020 and ADC §10.060, a public notice was mailed on February 3, 2025 to Neighborhood Associations and various agencies. Email and web publishing also occurred on February 3, 2025. A notice of public hearing was published in the *Astorian* on February 15, 2025. The proposed amendment is legislative (Type IV) as it applies City-wide. To date, no public comments have been received. The hearing remains open and any comments received will be made available at the Planning Commission’s February 25, 2025 meeting.
- C. City Council: If the Planning Commission recommends approval of the amendment, City Council is expected to hold a public hearing and 1st reading at their March 17, 2025 meeting.

IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

ADC Article 10 – Amendments.

- A. ADC §10.010, Amendments, Purpose.

“Periodically, as local goals and needs change and new information is obtained, Development Code and Comprehensive Plan amendments are warranted. The purpose of the Development Code amendment process is to provide a method for carefully evaluating potential changes to ensure that they are beneficial to the City.”

Finding: This Purpose statement is provided for information. No finding is required.

- B. ADC §10.020, Amendments, Authorization to Initiate Amendments.

“A. An amendment to the text of the Development Code or the Comprehensive Plan may be initiated by the City Council, Planning Commission, the Community Development Director, a person owning property in the City, or a City resident.”

Finding: The proposed amendment is to the text of the Development Code and has been initiated by the Community Development Director on behalf of the City Council. This criterion is satisfied.

C. ADC §10.040, Amendments, Investigation and Reports.

“The Community Development Director shall make, or cause to be made, an investigation to provide necessary information on the consistency of the proposal with the Comprehensive Plan. The report shall provide a recommendation to the Planning Commission on the proposed amendment.”

Finding: This Staff Report fulfills this criterion. A recommendation is provided at the end of the report.

D. ADC §10.050, Amendments, Classification of Amendment Actions.

“A. Legislative Amendments. The following amendment actions are considered legislative under this Code:

- 1. An amendment to the text of the Development Code or Comprehensive Plan.*
- 2. A zone change action that the Community Development Director has designated as legislative after finding the matter at issue involves such a substantial area and number of property owners or such broad public policy changes that processing the request as a quasi-judicial action would be inappropriate.*

B. Quasi-judicial Amendments. The following amendment actions are considered quasi-judicial under this Code:

- 1. A zone change that affects a limited area or a limited number of property owners.”*

Finding: This application is for a Development Code text amendment to the Erosion Control and Stormwater Management sections of Article 3, which is applicable to all properties city-wide located in all zones; therefore, this application is a Legislative Amendment.

E. ADC §10.070.A.1, Amendment Criteria, Text Amendment states, *“Before an amendment to the text of the Code is approved, findings will be made that the following criteria are satisfied:*

- 1. The amendment is consistent with the Comprehensive Plan.”*
 - a. Comprehensive Plan Section CP .010-CP .028 General Development states that “The physical capabilities and limitation of the land will be the basis for the type of development that is permitted.” (CP .010.1) and that “The City will cooperate to foster a high quality of development through the use of flexible development standards, cluster or open space subdivisions, the sale or use of public lands, and other techniques. Site design which conforms*

with the natural topography and protects natural vegetation will be encouraged. Protection of scenic views and vistas will be encouraged.”
(CP .010.2)

Finding: The proposed amendment will support the intention of the Comprehensive Plan to foster development that conforms to the natural features, causes minimal disturbance, protects scenic views, and reduces impacts on other properties.

- b. Comprehensive Plan Section CP .385.3, Air, Water, and Land Quality, states that *“The City will work to control soil erosion and sedimentation of its surrounding waters by the use of controls including Development Code standards to minimize erosion and sedimentation during all phases of construction and land alteration, and to manage stormwater after construction.”*

Finding: The intent of the proposed amendment is to remove the subjective language in the erosion control and stormwater management regulations, which has inadvertently caused delays and confusion to applicants. The new language will also broaden exempted activities to help facilitate emergency repairs and streamline the review process for projects that may not necessarily trigger a building permit, such as with the construction of a fence. The proposed amendment will be consistent with the Comprehensive Plan by continuing to follow the standards and permit requirements for construction activities while protecting areas from negative impacts as a result of erosion or improper drainage created by developments.

- c. Comprehensive Plan Section CP .390-CP .400, Geologic and Flood Hazards, states in part that *“The area on which the City of Astoria is located has experienced many earth slides throughout its history. (CP .390) ... The City of Astoria has a variety of means of dealing with geologic hazards: the Engineering Department has detailed information on recent landslides (during the last 50 years); the City has acquired, though the years, much of the active landslide areas on the north slope; the City Engineer, land agent and Building official all have access to geologic data. It is used in public works, for land sales, and for the issuance of building permits. (CP .395.2) ... Where it appears a landslide, or other earth movement hazard may be present, the approval of the City Engineer will be obtained before a building or development permit is issued. The City Engineer and/or Planning Commission may require a site investigation and report by a City approved licensed engineering geologist or soils engineer in such cases. (CP .400.2) ... Guidelines for site investigation reports will be provided by the City Engineer's office. The individual site reports will generally indicate where construction may take place without enhancing earth movement hazard, the location of feasible building sites, the location of evidence of potential*

or past earth movement, the recommended method of construction. Where necessary, the City Engineer may require certification by a professional engineer or architect accompany building plans. (CP .400.8)”

Finding: The proposed ordinance will address specific regulations concerning storm drainage systems, land evaluation, and use of the natural land contours for proposed developments. By regulating the method and extent of clearing, grading, excavation, filling, or stripping of land, the City will be able to protect the natural features of the City that are needed to keep Astoria a desirable place to live and work. The ordinance will assure equal implementation of erosion control and stormwater management standards on developments of similar sizes. The proposed ordinance will establish erosion control and stormwater management regulations that will be applied to shoreland areas as well as other zones within the City. The regulations will include specific standards and reviews that will protect shoreland areas from negative impacts as a result of erosion or improper drainage created by developments.

- F. ADC §10.070.A.2, Text Amendment states that *“Before an amendment to the text of the Code is approved, findings will be made that the following criteria are satisfied:*
2. *The amendment will not adversely affect the ability of the City to satisfy land and water use needs.”*

Finding: The proposed amendment will satisfy land use needs in that it will create objective standards, broaden permit exceptions and clarify erosion control and stormwater management regulations. The City finds that adoption of the code amendments would not adversely affect the ability of the City to provide sufficient land and water needs for the City.

V. CONCLUSION AND RECOMMENDATION

The proposed text amendments are consistent with the Comprehensive Plan and Development Code.

Staff recommends the Planning Commission forward a recommendation to the City Council to adopt the proposed amendments as presented.

VI. ATTACHMENTS:

- A. Amendment A24-03 Application
- B. Draft Ordinance
- C. Public Notice



CITY OF ASTORIA
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A 24-03

Fee Paid Date n/a Method _____
Fee: **\$750.00**

AMENDMENT

Property Address: city-wide

Lot _____ Block _____ Subdivision _____

Map _____ Tax Lot _____ Zone _____

Code or Map to be Amended: ADC 3.300 - 3.330

Applicant's Name: Community Development Director

Mailing Address: 1095 Duane St., Astoria, OR 97103

Phone: _____ Business Phone: (503) 338-5183 Email: planning@astoria.gov

Signature of Applicant: [Signature], Interim CDD Date: 12/30/2024

Property Owner's Name: _____

Mailing Address: _____

Phone: _____ Business Phone: _____ Email: _____

Signature of Property Owner: _____ Date: _____

Business Name (if applicable): _____

Describe the proposed Amendment:

Amend the Development Code pertaining to ADC 3.300 - 3.330 Erosion Control and Stormwater Management, regarding permit requirements, exceptions and standards.

For office use only:			
Application Complete:		Accela ePermitting #:	
120 Days:		Tentative APC Meeting Date:	<u>2/25/2025</u>
Planner:	<u>tk</u>	Tentative CC Meeting Date:	<u>3/17/2025</u>

FILING INFORMATION: A pre-application meeting with a planner may be required prior to the acceptance of the application. The Astoria Planning Commission ("APC") typically meets at 5:30 pm on the fourth Tuesday of each month. Complete applications must be received by the 13th of the month to be considered for the following month's APC agenda (allowing for the required public noticing period). Once the APC has recommended that the proposed Amendment be approved, the application will be scheduled and public noticed for the next available City Council meeting. Draft Ordinances will require a public hearing and 1st and 2nd readings.

Did you have a Pre-App meeting for this project? No Yes (provide date) _____

Please address each of the Amendment Criteria as outlined in the Astoria Development Code ("ADC") Article 10. Provide as much detail as possible to support why the request should be approved.

A. TEXT AMENDMENT (ADC §10.070.A)

Before an amendment to the text of the Code is approved, findings will be made that the following criteria are satisfied. Attach responses.

1. Describe how the proposed amendment is consistent with the Comprehensive Plan.
2. Describe how the proposed amendment is not adversely affect the ability of the City to satisfy land and water use needs.
3. Attach draft language of the proposed text amendment. *see attached draft*

B. MAP AMENDMENT (ADC §10.070.B)

Before an amendment to a zone boundary is approved, findings will be made that the following criteria are satisfied. Attach responses.

1. Describe how the proposed amendment is consistent with the Comprehensive Plan.
2. Describe how the proposed amendment will satisfy land and water use needs, or meet transportation demands, and provide community facilities and services.
3. Describe how the land is physically suitable for the uses to be allowed, in terms of slope, geologic stability, flood hazard and other relevant considerations.
4. Describe how resource lands, such as wetlands, are protected.
5. Describe how the proposed amendment is compatible with the land use development pattern in the vicinity of the request.
6. Attach map showing the area to be amended.

PROVIDE THE FOLLOWING AS ATTACHMENTS:

- Responses to all of the above applicable sections.
- Draft language of the proposed text amendment.
- Map indicating the area to be amended.

NOTE: Application submittal gives permission to City Staff to access the property for necessary site visits, i.e., posting of public hearing notices; photos; etc. A public hearing notice will be posted on site at least two weeks prior to a scheduled Commission meeting date (ADC Article 9). The notice must remain in place until a final decision is reached or an application is formally withdrawn.

ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING ARTICLE 3 OF THE ASTORIA DEVELOPMENT CODE SECTIONS PERTAINING TO EROSION CONTROL AND STORMWATER MANAGEMENT.

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

[Section 1: Astoria Development Code Section 3.300, Regulation of Erosion Control and Stormwater Management is amended to read as follows:](#)

3.300 REGULATION OF EROSION CONTROL AND STORMWATER MANAGEMENT

A. Purpose. The purpose of this ordinance is to:

- ~~1. Minimize impacts associated with excavation and grading,~~
2. Minimize the erosion of land during clearing, excavation, grading, construction and post-construction activities,
3. Prevent the transport of sediment and other soil borne pollutants into the Columbia River estuary and its tributaries, wetlands and riparian areas,
4. Prevent the transport of sediment onto adjacent property and into City rights of way and storm systems,
5. Prevent the unnecessary clearing, excavation, and stripping of land; and
6. To ~~minimize~~ *reduce* the amount of soil exposure during construction.

B. Definitions. The following definitions shall apply for this ordinance:

CLEARING: Any activity that removes vegetative cover while leaving the root system intact.

EROSION: Movement of soil by water or wind.

EXCAVATION Removal of topsoil, gravel, sand, rock or any other type of soil material.

FILL: Placement of topsoil, gravel, sand, rock or any other type of soil material.

FILL, STRUCTURAL Fill that is intended to *provide a stable foundation*, support structures *and create level surfaces*.

GRADING: Any combination of excavation and/or fill activities.

PERMIT: A Grading and Erosion Control Permit.

REGULATED ACTIVITIES: The clearing, grading, excavation, filling, or stripping of land, ~~and post-construction activities~~.

SEDIMENTATION: Deposition of soil moved by water or wind from its site of origin.

STRIPPING: Removal of vegetation and roots.

TRACKING: Movement of soil from a disturbed area onto streets, sidewalks, or adjacent property by vehicle tracks or tires.

UNDEVELOPED SITE: A lot or parcel of land with no permanent structure such as a dwelling or commercial building or other permanent man made structure.

[Section 2: Astoria Development Code Section 3.305, Permits](#) is amended to read as follows:

3.305 PERMITS

A. Permit Required. *Persons Anyone* proposing to ~~clear, grade, excavate, strip, or fill land (regulated activities) shall obtain a permit before~~ commencing any of the following activities *must obtain a Permit* unless exempted elsewhere by this ordinance:

1. Any ~~proposed clearing, grading, filling, stripping, or excavating~~ (regulated activity) within 100 feet of a river, bay, stream, watercourse or wetland; or
2. Any ~~proposed~~ regulated activity located more than one hundred feet from a river, bay, stream, watercourse or wetland that exceeds *a volume of 10 cubic yards for a single permit or cumulatively within a 12 month period an area of 2,000 square feet*; or
3. Any ~~proposed clearing, grading, filling, stripping, or excavating~~ (regulated activity) within 100 feet of a known geologic hazard as indicated *by the Astoria Landslides (Observed) on the most current version of the City of Astoria Geologic Hazard Map City's "Areas of High Water and Past Slides" map*; or
4. Any ~~proposed clearing, grading, filling, stripping, or excavating~~ (regulated activity) if any portion of the site has a slope of 35% or greater. ~~;~~*or*
- ~~5. The proposed cumulative volume of excavation and fill exceeds ten cubic yards in a 12 month period; or~~
- ~~6. Excavation or fill in excess of one (1) foot deep.~~

- B. Permits in Conjunction with Building Permits. A *grading-p Permit* for regulated activities in conjunction with a structure requiring a building permit shall be reviewed and issued as part of the City's building permit process using the standards herein.
- C. Permits in Conjunction with a Partition or Subdivision. A *grading-p Permit* for regulated activities in conjunction with a partition or subdivision shall be reviewed and issued in conjunction with the partition or subdivision process using the standards herein. New subdivisions or housing developments should cause minimal earth disturbance and removal of trees.
- D. Exceptions. The following activities are exempted from the *Permit* requirements of this ordinance:
1. Residential landscaping and gardening activities up to 1,000 square feet;
 2. Forest management activities in an area zoned Land Reserve (LR) for forest management.
 3. Utility construction by public or private utility agencies, involving less than 20 cubic yards of excavation or fill.
 4. Emergency repair work by a utility agency. After the emergency repairs are completed, the site shall be subject to the requirements of this ordinance.
 5. *Fences and walls in accordance with Development Code Section 3.035.*
 6. *Excavation for the purpose of installing a post, in general, or posts as part of a structure less than 200 square feet.*
 7. *Decks less than 30 inches above ground.*
 8. *Replacement or the repair of existing driveways provided the impervious area is not expanded.*
 9. *Boring, potholing, and other excavations for site investigations less than 4 cubic yards total for the site.*
 10. *Emergency repairs to water, sewer, or stormwater laterals provided that a plumbing permit and/or right-of-way permit is acquired within 48 hours of the start of repairs and does not exceed 10 cubic yards.*
 11. *Ground-mounted mechanical equipment serving single-family, two-family, accessory dwelling units, or accessory structures on a residential lot.*

- E. Permit Review and Approval. Permits shall be obtained from the Engineering *Division epartment*. All *pP*Permits shall be reviewed and approved by both the Engineering *Division epartment* and Community Development Department for compliance with this Ordinance and other City codes and building codes.
- F. Permit Fees. Permit fees shall be established by City Resolution.

[Section 3: Astoria Development Code Section 3.310, Information Required is amended to read as follows:](#)

3.310 INFORMATION REQUIRED

The following information is required for *pP*Permits:

- A. Site Plan. A site plan, drawn to an appropriate scale with sufficient dimensions, showing the property line locations, roads, areas where clearing, grading, excavating, stripping, or filling is to occur, the area where existing vegetative cover will be retained, the location of any springs, streams or wetland areas on or immediately adjacent to the property, the general direction of slopes with slope arrows showing direction of water flow on existing slopes and graded slopes, construction access, the location of the proposed development, and the location of soil stock piles, if any.
- B. Erosion Control Methods. The type and location of proposed erosion and sedimentation control measures, both short term and post construction.
- C. Stormwater Management Methods. The type and location of proposed stormwater management from roofs, parking and other impervious surfaces. Stormwater calculations prepared by a Registered Professional Engineer may be required by the City Engineer as part of the *pP*Permit application.
- D. Grading Plan in Steep Areas. The City shall require a grading plan prepared by a Registered Professional Engineer and/or Registered Engineering Geologist where the disturbed area has an average slope of 35% or greater, the disturbed area is located in known geologic hazard area, or is part of a partition or subdivision. Such grading plan shall, at a minimum, include the following additional information:

1. Existing and proposed contours of the property at two foot contour intervals;
 2. Location of existing structures and buildings, including those within 25 feet of the development site on adjacent property;
 3. Design details for proposed retaining walls;
 4. The direction of drainage flow and detailed plans and locations of all surface and subsurface drainage devices to be constructed.
- E. Sedimentation and Erosion Control Plan. The City shall require that the sedimentation and erosion control plan be prepared by a Registered Professional Engineer where the disturbed area is greater than 20,000 square feet, or the disturbed area has an average slope of 35% or greater.
- F. Development Plan. The City shall require a development plan for the site where the disturbed area is greater than 2,000 square feet to assure the least amount of earth disturbance as necessary, and to assure that the development is consistent with zoning and other City regulations. Such development plan shall, at a minimum, include the following additional information:
1. Site plan as described above;
 2. Location of existing and proposed structures;
 3. Location of existing and proposed parking, access and egress;
 4. Location and square footage of proposed landscaped areas.
- G. Ground and Surface Water Diversion Plan. If ~~property~~ construction will result in alterations of ~~natural existing~~ hydrology ~~such that damage to neighboring properties will occur~~, the City shall require that any known ground or surface water be diverted to an alternate natural path or to a ~~man-made dedicated~~ system to prevent any damage to other properties that may be affected by the water.

[Section 4: Astoria Development Code Section 3.315, Grading Standards is amended to read as follows:](#)

3.315 GRADING STANDARDS

- A. Cuts. The following Grading Standards shall be required for cuts:

- ~~1. The design shall minimize the need for cuts. The proposed grading plan shall be designed to blend with the existing topography as much as possible without the use of retaining walls.~~
- ~~2. Long, steep cut and fill slopes shall be avoided.~~
3. The slope of cut surfaces shall not be steeper than two horizontal to one vertical (2:1) unless an engineering geology report determines that a cut at a steeper slope will be stable and not create a hazard to public or private property.
- ~~4. Cuts shall not remove the toe of any slope where a known potential or historic land slide exists as determined by the City Engineer. Cuts shall not remove the toe of any slope where a known potential or historic land slide exists as determined by the City Engineer, unless an engineering geology report prepared in accordance with the current version of the Oregon State Board of Geologic Examiners, Guidelines for Preparing Engineering Geology Reports determines that a cut at the toe of any slope will be stable and not create a hazard to public or private property.~~
5. Cuts shall be set back a minimum of five (5) feet from property lines so as to minimize danger and disturbance to adjoining property.
6. Retaining walls shall be constructed in accordance with the Structural Specialty Codes as adopted by the City.

B. Fills. The following Grading Standards shall be required for fills:

- ~~1. The design shall minimize the need for fills.~~
2. The slope of fill surfaces shall not be steeper than two horizontal to one vertical (2:1) unless an engineering geology report determines that a steeper slope will be reasonably stable and not create a hazard to public or private property. Fill slopes shall not be constructed on natural slopes steeper than two horizontal to one vertical.
3. Fills shall be set back from property lines a minimum of five (5) feet so as to minimize impact on adjoining property. Retaining walls shall be required *when height of wall exceeds 4 feet or when required by engineering report. by the City where the City Engineer deems it necessary.*

4. The ground surface shall be prepared to receive fill by removing vegetation, inappropriate fill, topsoil, and other unsuitable materials, and shall be scarified to provide a bond with the new fill.
 5. Any structural fill shall be designed by a Registered Professional Engineer, in accordance with standard engineering practices.
 6. Fill material shall be broken into pieces no larger than 12 inches to assure proper compaction.
 7. The following items are unsuitable materials and shall not be used for fill:
 - a. Roofing material, fiberglass, metals, asphalt, or large slabs of concrete, and other man-made construction debris inappropriate for fill
 - b. Stumps, organic materials, and other natural debris inappropriate for fill
 8. A compaction report shall be required for any area with fill prior to any construction on the site.
- C. Drainage. The following Grading Standards shall be required for drainage:
1. Proposed grading, cuts or fills shall not alter drainage patterns so that additional stormwater is directed onto adjoining property.
 2. All cut and fill slopes shall be provided with subsurface drainage as necessary for stability.
- D. Streets. Refer to the *current* Astoria “*Street Engineering* Design Standards” on file in the *Engineering Division Office and on the City’s website-office-of-the-City Engineer*.

[Section 5: Astoria Development Code Section 3.320, Erosion and Sedimentation Control Standards](#) is amended to read as follows:

3.320 EROSION AND SEDIMENTATION CONTROL STANDARDS

- A. Authority. Review and approval of *grading-pP* permits for regulated activities shall be based on the conformance of the development plans with the standards of this section. Conditions of approval may be imposed to assure that the development plan meets the standards. The City Engineer shall require

modifications to the erosion and sedimentation control plan at any time if the plan is ineffective in preventing the discharge of sediment to City streets and storm drains, surface waters, wetlands, or adjacent property.

B. Department of Environmental Quality (DEQ) Standards. The current DEQ

“Construction Stormwater Best Management Practices Manual” “Best Management Practices for Stormwater Discharges Associated with Construction Activities” document are incorporated as part of this ~~document~~ ordinance by reference.

C. General Erosion and Sedimentation Control Standards.

1. Natural vegetation shall be retained and protected wherever possible.
2. Stream and wetland areas shall only be disturbed in accordance with US Army Corps of Engineers and Oregon Division of State Lands permits, as well as riparian preservation requirements in Astoria Development Code Article 4, “Columbia River Estuary and Shoreland Regional Standards”.
3. Sedimentation barriers, as described in the DEQ *“Construction Stormwater Best Management Practices Manual” “Best Management Practices for Stormwater Discharges Associated with Construction Activities”* document shall be placed to control sedimentation from entering the river, bay, streams, wetlands, adjacent property or City streets and storm sewers. The barriers shall be installed prior to site clearance or grading activities.
4. The City Engineer or Building Official may require areas to be temporarily stabilized with straw mulch, sod, mat or blanket in combination with seeding, or other acceptable sediment control method. Prior to the completion of construction, such areas shall be permanently stabilized by seeding or other vegetative ground cover.
5. Stormwater catch basins, inlets or culverts shall be protected by sediment traps or filter barriers such as “bio bags”.
6. Soil storage piles or fill shall be located so as to minimize the potential for sedimentation of streams, wetlands, adjacent property, ~~or~~ City streets or storm sewers. The City Engineer or Building Official may require temporary stabilization of soil storage piles or fill.

7. Temporary sedimentation control, not in conjunction with a structure, shall be required in any situation where the City Engineer or Building Official determine that sedimentation or erosion may affect streams, wetlands, adjacent property, City streets or storm sewers.
8. Erosion and sedimentation control measures shall be continually maintained during the period of land disturbance and site development in a manner that ensures adequate performance. Soil that has been transported by any means to a street or any area where stormwater flows to a storm drain or surface water, shall be cleaned up to prevent transport to the drain or surface water. All temporary erosion and sedimentation control measures shall remain in place until the disturbed area is stabilized with permanent vegetation.
9. The City shall require a ~~graveled~~ rock construction road or access of sufficient length, depth, width, and rock size to prevent sedimentation from being tracked onto City streets.
10. Sediment trapped by sediment control methods shall be redistributed on-site, removed, or permanently stabilized to prevent further erosion and sedimentation.
11. The City Engineer shall require the cleanup of any streets, catch basins or storm sewers affected by regulated activities on a site at the expense of the person responsible for those regulated activities. Measurable amounts of sediment that leave the site shall be cleaned up and placed back on the site or disposed of in an approved manner.
12. Under no conditions shall soil on sidewalks, streets, or equipment be washed or hosed into storm sewers, drainage ways, streams or other water bodies.
13. The City shall make periodic inspections to ascertain that erosion and sediment control measures as proposed have been implemented and are being effectively maintained. The City Engineer or the Building Official are authorized to place an immediate “stop work” order on any project that does not meet the standards imposed in this ordinance.

[Section 6: Astoria Development Code Section 3.325, Stormwater Management Standards](#) is amended to read as follows:

3.325 STORMWATER MANAGEMENT STANDARDS

Projects that are 40,000 square feet (land area) or larger shall install a stormwater management system as part of the landscaping requirements. Such a system shall be designed by a Registered Professional Engineer and/or Registered Landscape Architect and shall be capable of meeting the standards in the ~~DEQ “Best Management Practices for Stormwater Discharges Associated with Construction Activities”~~ *current version of the Oregon Department of Transportation Hydraulic Design Manual*, or other guidelines acceptable to the City Engineer.

[Section 7: Astoria Development Code Section 3.330, Enforcement](#) is amended to read as follows:

3.330 ENFORCEMENT

- A. Final Inspection. The City shall review all regulated activities one year after completion and/or installation of permanent vegetation to assure that any erosion control or regulated activity measures installed continue to meet the standard imposed in this ordinance. The applicant shall be responsible for continued maintenance until the City Engineer and Building Official ~~has~~ approved a final inspection on the project.
- B. Responsible Party and/or Change of Ownership. The applicant shall be responsible for the work to be performed in accordance with the approved plans and specifications in conformance with the provisions of this code. In the event of a change of ownership prior to the Final Inspection, the applicant shall enter into a Performance Agreement with the City and proposed new property owner. The Performance Agreement shall, at minimum, identify the party responsible for completion of the project until a Final Inspection has been approved by the City.
- C. Continued Maintenance. If an erosion control or regulated activity measure system fails due to lack of maintenance or breakage, and there are impacts to adjacent property owners, or downstream water quality or quantity as a result of the failure, the City shall perform the maintenance or repair and charge the current property owner for the required repairs.

- D. Penalties. In addition to any other method of enforcement available to the City, including City Code Section 1.010, the provisions of this ordinance may be enforced by the issuance of citations by duly appointed officers of the City pursuant to Astoria City Code Section 6.135.
- E. Additional Costs. Where the City Engineer, Community Development Director, or Building Official deem it necessary, in the interest of public health, safety, or welfare, to incur additional costs such as, but not limited to, the hiring of independent geotechnical experts or other technical expertise, or costs to complete or correct work not completed by the applicant during the course of the project, such costs shall be borne by the applicant. Such costs shall not exceed actual costs.
- F. Performance Bond. The City Engineer or Community Development Director may require that the applicant furnish to the City a performance bond up to, and not to exceed, the value of the cost of the required improvements in order to assure that the conditions imposed are completed in accordance with the plan and specifications as approved by the City Engineer or Community Development Director and that the standards established in granting the ~~p~~P Permit are observed.
- G. Time Limit on Permit. Authorization of a permit shall be void after 180 days unless substantial construction or use pursuant thereto has taken place. However, the City Engineer or Building Official may, at their discretion, extend authorization for an additional 180 day period upon written request by the applicant and a determination that the conditions of the project or permit application have not changed sufficient to warrant review of a new permit application.

[Section 8. Effective Date.](#) This ordinance and its amendment will be effective 30 days following its adoption and enactment by the City Council.

ADOPTED BY THE COMMON COUNCIL THIS _____ DAY OF _____, 2025.

APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2025.

Sean Fitzpatrick, Mayor

ATTEST:

Scott Spence, City Manager

ROLL CALL ON ADOPTION:	YEA	NAY	ABSENT
City Councilor			
Adams			
Davis			
Lump			
Mazzarella			
Mayor Fitzpatrick			



CITY OF ASTORIA

Founded 1811 • Incorporated 1856

Community Development Department

1095 Duane Street • Astoria, OR 97103 • Phone 503-338-5183 • www.astoria.gov • planning@astoria.gov

NOTICE OF PUBLIC HEARING

YOU ARE RECEIVING THIS NOTICE BECAUSE THERE IS A
PROPOSED LAND USE APPLICATION NEAR YOUR PROPERTY IN ASTORIA

To participate remotely in public hearings, go to https://www.astoria.gov/LIVE_STREAM.aspx for connection options and instructions (refer to page 2 of this notice). You may also use a telephone to listen in and provide public testimony. At the start of the meeting, call (253) 215-8782 and when prompted enter meeting ID# 503 325 5821.

The City of Astoria **Planning Commission** will hold a public hearing on **Tuesday, February 25, 2025** at 5:30 p.m. in the Astoria City Hall, Council Chambers, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following request:

Amendment Request (A24-03) by Community Development Director on behalf of City Council, to amend the Astoria Development Code Sections 3.300-3.330 to broaden the exceptions and clarify permit standards. Development Code Sections 1 (Basic Provisions), 3 (Additional Use and Development Standards), 9 (Administrative Procedures), 10 (Amendments) and Comprehensive Plan Sections CP.010-CP.028 (General Development), CP.385 (Air, Water, and Land Quality), CP.390-CP.400 (Geologic and Flood Hazards) are applicable to the request.

The location of the hearing is ADA accessible. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting the Community Development Department 48 hours prior to the meeting at (503) 338-5183.

All interested persons are invited to express their opinion for or against the request at the hearing, or by letter addressed to the Astoria Planning Commission via email at planning@astoria.gov or via mail at 1095 Duane St., Astoria OR 97103. Testimony and evidence must be directed toward the applicable criteria identified above or other criteria of the Comprehensive Plan or land use regulation, which you believe, apply to the decision. Failure to raise an issue with sufficient specificity to afford the Astoria Planning Commission and the parties an opportunity to respond to the issue precludes an appeal based on that issue.

The public hearing, as conducted by the Astoria Planning Commission, will include a review of the application and presentation of the staff report, opportunity for presentations by the applicant and those in favor of the request, those in opposition to the request, deliberation, and decision by the Astoria Planning Commission. The Astoria Planning Commission reserves the right to modify the proposal or to continue the hearing to another date and time. If the hearing is continued, no further public notice will be provided.

The Astoria Planning Commission's ruling may be appealed to the City Council by the applicant, a party to the hearing, or by a party who responded in writing, by filing a Notice of Appeal within 15 days after the Astoria Planning Commission's decision is mailed. Appellants should contact the Community Development Department concerning specific procedures for filing an appeal with the City. If an appeal is not filed with the City within the 15-day period, the decision of the Astoria Planning Commission shall be final.

THE CITY OF ASTORIA

MAILED: February 3, 2025

Tresa Abke
Administrative Assistant

Public Hearings / Meetings are held in the City Council Chambers at City Hall, 1095 Duane Street, Astoria.

Check dates, times and location at: www.astoria.gov

You may also view/listen and fully participate remotely by using the following connection options:

ONLINE MEETING

At start of our Public Meetings you will be able to join our online ZOOM meeting using your **mobile or desktop device** and watch the live video presentation and provide public testimony.

Step #1: Use this link: <https://www.astoria.gov/zoom/>

Step #2: Install the Zoom software on your mobile device, or join in a web browser

Step #3: If prompted, enter the Meeting ID number: 503 325 5821

Note: Your device will automatically be muted when you enter the online meeting. At the time of public testimony, when prompted you may choose to select the option within the ZOOM software to "raise your hand" and notify staff of your desire to testify. Your device will then be un-muted by the Host and you will be called upon, based on the name you entered within the screen when you logged in.

TELECONFERENCE

At start of our Public Meetings you will be able to **dial-in using your telephone** to listen and provide public testimony.

Step #1: Call this number: [253-215-8782](tel:253-215-8782)

Step #2: When prompted, enter the Meeting ID number: 503 325 5821

*Note: Your phone will automatically be muted when you enter the conference call. At the time of public testimony, when prompted, you may dial *9 to "raise your hand" and notify staff of your desire to testify. Your phone will then be un-muted by the Host and you will be called upon based on your phone number used to dial-in.*

101 Legal Notices

101 Legal Notices

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CITY OF ASTORIA
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THE CITY OF ASTORIA
Tresa Abke, Administrative Assistant
PUBLISHED: February 15, 2025