



AGENDA

TRAFFIC SAFETY ADVISORY COMMITTEE

October 24th, 2017
6:30 p.m.
2nd Floor Council Chamber
1095 Duane Street, Astoria OR 97103

1. CALL TO ORDER
2. ROLL CALL
3. MINUTES
 - a. July 25, 2017
4. PROJECT UPDATES
 - a. Public Works Updates
 - b. Police Department Updates
5. NEW BUSINESS
6. REPORT OF OFFICERS
7. PUBLIC COMMENTS
8. ADJOURNMENT

**THIS MEETING IS ACCESSIBLE TO THE DISABLED. AN
INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED
UNDER THE TERMS OF ORS 192.630 BY CONTACTING
COMMUNITY DEVELOPMENT DEPARTMENT, 503-338-5183.**

ASTORIA TRAFFIC SAFETY ADVISORY COMMITTEE

Astoria City Hall

July 25, 2016

CALL TO ORDER:

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

ROLL CALL:

Commissioners Present: President David Pearson, Vice President Kent Easom, Jennifer Cameron-Lattek, Sean Fitzpatrick, Daryl Moore, Jan Mitchell, and Brookley Henri.

Staff Present: City Engineer Jeff Harrington. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

President Pearson asked if there were any corrections to the minutes of April 25, 2017. Commissioner Mitchell noted the following:

- Page 2 – Reports of Officers, second sentence: “She also asked how many people have almost been hit ~~four times in the last week~~, and many people raised their hands.”

Vice President Easom moved that the Traffic Safety Committee approve the minutes of April 25, 2017 as corrected, seconded by Commissioner Fitzpatrick. Motion passed unanimously.

PROJECT UPDATES:

City Engineer Harrington made handouts available and presented the following updates:

Item 4(a): Log Bronc access restriction signage

Access restriction signage was installed at the request of the Mill Pond Homeowner’s Association to prevent drivers from using Log Bronc as a shortcut when traffic is heavy on the highway.

Item 4(b): Bond Street/3rd and Bond Street/2nd intersections

Many people have requested improvements on Bond Street. Parking will be removed and restricted to increase sight distances at both intersections. Staff worked with adjacent property owners to plan the project.

NEW BUSINESS:

REPORTS OF OFFICERS/COMMISSIONERS:

No reports.

PUBLIC COMMENT:

There was none.

ADJOURNMENT:

There being no further business, the meeting was adjourned to convene the Planning Commission Meeting at 6:36 pm.

ATTEST:

APPROVED:

Secretary

City Manager



AGENDA

ASTORIA PLANNING COMMISSION

October 24, 2017
6:30 p.m.
2nd Floor Council Chambers
1095 Duane Street • Astoria OR 97103

1. CALL TO ORDER
2. ELECTION OF OFFICERS
 - a. In accordance with Sections 1.110 and 1.115 of the Astoria Development Code, the APC needs to elect officers. The officers were: President Dave Pearson, Vice President Kent Easom, and Secretary Anna Stamper.
3. ROLL CALL
4. MINUTES
 - a. August 22, 2017
 - b. Pending Receipt of September 6, 2017 Minutes
 - c. Pending Receipt of September 26, 2017 Minutes
5. PUBLIC HEARINGS
 - a. Conditional Use CU17-12 and Accessory Dwelling Unit ADU17-04 by Michael Angiletta to locate an ADU in an existing single family dwelling at 1320 Madison Ave in the R-1, Low Density Residential zone.
6. REPORT OF OFFICERS
7. STAFF UPDATES
8. MISC
 - a. Thank you and farewell to Dave Pearson for his service as Chairman of the Astoria Planning Commission
9. PUBLIC COMMENTS – NON AGENDA ITEMS
10. ADJOURNMENT

THIS MEETING IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630 BY CONTACTING COMMUNITY DEVELOPMENT DEPARTMENT, 503-338-5183.

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall
August 22, 2017

CALL TO ORDER:

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

ROLL CALL:

Commissioners Present: President David Pearson, Vice President Kent Easom, Jennifer Cameron-Lattek, Sean Fitzpatrick, Daryl Moore, Jan Mitchell and Brookley Henri.

Staff Present: City Planner Nancy Ferber. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

APPROVAL OF MINUTES:

The minutes of July 25, 2017 and August 1, 2017 were not available.

PUBLIC HEARINGS:

President Pearson explained the procedures governing the conduct of public hearings to the audience and advised that handouts of the substantive review criteria were available from Staff.

ITEM 4(a):

CU17-09 Conditional Use CU17-09 (Permit Extension PE17-01) by Elisabeth Nelson to operate a school of music in an existing commercial building, and to extend this permit to August 23, 2018, at 1103 Grand Ave in the R-3, High Density Residential zone.

President Pearson asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. He asked if any member of the Planning Commission had any conflicts of interest or ex parte contacts to declare.

Commissioner Fitzpatrick declared that he was a neighbor and member of the First Presbyterian Church. However, he believed he could be impartial in his vote.

Commissioner Moore declared that his son was currently taking classes at the Astoria Conservatory of Music, but that would not affect his objectivity.

President Pearson asked Staff to present the Staff report.

Planner Ferber reviewed the written Staff report. She noted the Staff report erroneously stated the permit would be extended to August 26, 2018, which is a Sunday. The Commission could chose to extend the permit to the next business day, or to August 23, 2018, as stated on the Application and Public Notice. No correspondence had been received and Staff recommended approval of the request with the conditions listed in the Staff report.

President Pearson opened the public hearing and called for a presentation by the Applicant.

Elisabeth Nelson, 596 17th Street, Astoria, said she was the owner and director of the Astoria Conservatory of Music, which has been in operation at its current location since 2003. The conservatory has a wonderful relationship with the church and neighbors. Several neighbors have used her facilities for music lessons and she was happy with the location.

President Pearson called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, he closed the public hearing and called for Commission discussion and deliberation.

Commissioner Fitzpatrick believed the use was appropriate for the location. The church and the conservatory have been great neighbors. There have not been concerns with the conservatory and they have been in operation for 14 years. He was in favor of the request.

Commissioner Moore said the conservatory had a long history of working well in the neighborhood. He was strongly in favor of the request.

Commissioner Fitzpatrick moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU17-09 (Permit Extension PE17-01) by Elisabeth Nelson to extend the permit to August 23, 2018; seconded by Commissioner Moore. Motion passed unanimously.

President Pearson read the rules of appeal into the record.

ITEM 4(b):

CU17-10 Conditional Use CU17-10 by Md7, on behalf of Verizon Wireless, to install conduits for public/private use on Tax Lot 809090000100 in the LR, Land Reserves Zone and R-2 Medium Density Residential zone.

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

Planner Ferber reviewed the written Staff report. No correspondence had been received and Staff recommended approval of the request with the condition that the Applicant submit final easement and ownership language to access the conduit since most of the conduit passes through City owned property.

President Pearson opened the public hearing and called for a presentation by the Applicant.

Aaron Ruddick, Marylhurst, OR, said he needed to make a few corrections and modifications to what was presented. This actually captured two sections of a conditional use permit to get fiber optics up to the existing communications tower. The conduit is not for Verizon. The conduit will provide fiber optic support for the City's Fire and Police Departments, County Sherriff's Department, and all communications for emergency services out of Seaside. Seaside has a microwave link to this facility for dispatch. Verizon operates solely on microwaves and at this time they are not planning on installing conduit for future fiber optic use at this facility. The section along Irving Avenue will become easement access through the three residential properties at the east end of 38th Street. That section will have overhead lines installed by CoastCom, who was recently acquired by Wave Wireless. The lines will be installed on an existing power pole at the bottom of the driveway to two of the residences. At the driveway, the lines will go underground along the driveway, up the hill, and across the City owned property. His company has taken care to make sure no County property would be crossed. The City will retain ownership of the conduit, but CoastCom will be allowed to occupy the conduit, as will future co-locators. Therefore, no easement will be necessary at this time. Questions about ownership of the conduit were resolved by the City Attorney on August 10th and papers were signed last week. He did not have copies of the ownership agreement, but offered to provide them later. He spoke with the three property owners and City Engineer, who have some significant concerns about the integrity of the easement road for heavy equipment. The excavating and trenching will begin at the top of the hill and come down, so the heavy equipment will be returning back up the hill to get in and out of the area. No heavy equipment will need to be brought over the private road. The property owner, who has been the primary caretaker of the road, confirmed with consultants that even delivery trucks should not be on the road, so she has them stop at the end of the road where she meets them. Trenching was originally planned to go alongside the driveway and access road from Irving Avenue. However, because of some of the mature trees in the area, the trenching will likely go through the road to avoid the trees root systems. Backfilling will be done as they go. Any open holes will be filled so the residents will have unobstructed access to their homes. He will stay in close contact with the residents to let them know when crews will be in the area and make every effort to reasonably accommodate their work schedules, which changes week to week. Crews will return the road to current conditions or better. The residents have requested the road be made into

more of a logging style road with larger stone so they will not have issues when it freezes. The road is not maintained by the City, so the residents want to make sure run off is controlled and access is maintained. He believed they could meet the residents' requirements.

Commissioner Henri asked if the trench would be backfilled with native material or imported gravel.

Mr. Ruddick said the conduit would be installed in accordance with Oregon Department of Transportation's (ODOT) standards, which he could provide. A bed of sand would be placed below and above the conduit and compacted gravel would be on top of the sand. The trench will be topped off with road bed material. ODOT's standards were available online.

Commissioner Henri asked if the erosion control permit required reseeding after the work was complete.

Mr. Ruddick said no, but he would be happy to throw seed down. On the steeper pitches, the conduit will have check dams in accordance with ODOT standards.

Commissioner Henri stated she prepared erosion control plans, so she knew the requirements would need to be met in order for the Applicant to get the permit. She was happy to hear the crews would be boring under the tree roots.

Mr. Ruddick clarified that the trench would go into the existing roadway instead of through the trees. He had no desire to destabilize anything on the hillside. The contractor has indicated the subsurface material in the area contains a lot of cobble and large stone that makes boring unfeasible.

Commissioner Mitchell asked if the contractor would use smaller equipment because of the size of the road.

Mr. Ruddick said he did not know what the contractor planned to use. Equipment used to do the majority of the trenching is quite large to deal with the pitch of the hill, but the road will not need to be widened. He did not know what size bucket would be used. He has inspected a couple of other sites the contractor had done in the coast range and found them to be amazingly fast. They fill as they go and the equipment is massive. He believed they used one of the largest track hoes currently in production. The clearing on the access road is 18 to 20 feet. The contractor may use smaller equipment below the access road, but he anticipated they would use the large equipment on the hillside because it will not roll over.

President Pearson called for any testimony in favor of, impartial to, or opposed to the application. Hearing none, he closed the public hearing and called for Commission discussion and deliberation.

Commissioner Fitzpatrick asked if Staff agreed that the Planning Commission had been presented with details that were different from what the Applicant believed was accurate.

Planner Ferber said yes, Staff and the Applicant had gone back and forth quite a bit on a few contractors and projects. She was not surprised to learn of the last minute changes. However, she still recommended that all legal documentation be lined up administratively since there have been changes. If there is no easement, documentation should clearly indicate who has ownership. She had not received the ownership agreement from the City Attorney, but would like to add the agreement to the public record prior to construction. The condition of approval should capture who the owner is and how they are accessing the property. She applauded the Applicants for reaching out to the private property owners ahead of time. The Community Development Department signs off on grading and erosion control permits, so this project will come across her desk again.

Vice President Easom moved that the Astoria Planning Commission adopt the Findings and Conclusions contained in the Staff report and approve Conditional Use CU17-10 by Md7, on behalf of Verizon Wireless, with the following additional condition of approval:

- All easements or ownership of the properties involved are specified and submitted to the Community Development Department prior to construction.

Motion seconded by Commissioner Moore. Motion passed unanimously.

President Pearson read the rules of appeal into the record.

REPORTS OF OFFICERS/COMMISSIONERS:

Commissioner Mitchell requested that the Commission sponsor a workshop on local earthquake tsunami preparedness and direct Staff to ask Pat Corcoran to give a presentation. She hoped the Commission would also sponsor activities like downtown employee drills, neighborhood kits, increasing daily awareness, and searches for higher ground because she believed preparedness was a policy issue that would eventually be considered by City Council. She shared her experience with tsunami that occurred in California, explaining why she believed the tsunami experience would be similar in Astoria. The City should provide a forum for discussing this as a policy issue.

President Pearson appreciated Commissioner Mitchell's concern, but was not sure how tsunami preparedness fit in to the Commission's role.

Commissioner Mitchell said the workshop would be educational and the City should make changes to its ordinances so that developers look for higher places to build housing. The County just approved a housing development in the Clatsop Plains, which is in the inundation zone. Ordinances would be reviewed by the Planning Commission. She believed the Commission should stretch its boundaries to get educated and focus on the issue.

Commissioner Henri asked what Commissioner Mitchell meant when she suggested the Commission sponsor this effort.

Commissioner Mitchell stated she did not have any firm idea but believed the Commission could have a workshop with a specialist from any field they would like education in. She confirmed she would like the Commission to host a workshop that was open to the public.

Commissioner Henri said she took this topic seriously and if the Commission did not believe hosting a workshop was part of their role, she suggested starting a club that could come before the Commission in the future.

President Pearson believed there were better vehicles in the community. Typically, the Planning Commission's direction came from City Council.

Planner Ferber said she appreciated it when Commissioners came up with ideas for education, training, or events. She did not believe it would be a problem to schedule a presentation during a meeting, but believed a work session, possibly with City Council, might be better. She would share Commissioner Mitchell's concerns and allow City Manager Estes and Community Development Director Cronin to make a decision.

Commissioner Mitchell said she had already notified Mayor LaMear and City Manager Estes.

Commissioner Moore stated the City charter says any citizen or Planning Commission member can recommend ordinances to City Council. A recommendation by the Commission should be specific, not an open ended statement. Commissioner Mitchell believed a recommendation by the Commission would occur down the road and she did not know of any other body that would be in the position to take on the community's preparedness. Commissioner Moore encouraged Commissioner Mitchell to come up with some specific ideas before presenting them at a Planning Commission work session.

Vice President Easom said there have already been several community meetings about emergency preparedness. Commissioner Mitchell said City Council and Staff were very busy and her idea was a way to educate and increase awareness. She did not care if the presentation was called a workshop or a work session, but it needs to happen. It is not the Astoria Downtown Historic District Association (ADHDA) or Chamber of Commerce's job and City Council's goals are for the good of the community.

STAFF UPDATES:

Planner Ferber updated the Commission on the following:

- Neighborhood Meeting for the Warming Center – August 30, 2017 at 7:00 pm at City Hall
- Planning Commission Meeting - September 6, 2017 at 7:00 pm at City Hall
- Appeal Hearing for Shooting Stars Daycare – September 5, 2017 at 7:00 pm at City Hall
- Planning Commission Meeting – September 26, 2017 at 6:30 pm at City Hall

MISCELLANEOUS:

PUBLIC COMMENTS:

ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:12 pm.

APPROVED:

Community Development Director

DRAFT

October 13, 2017

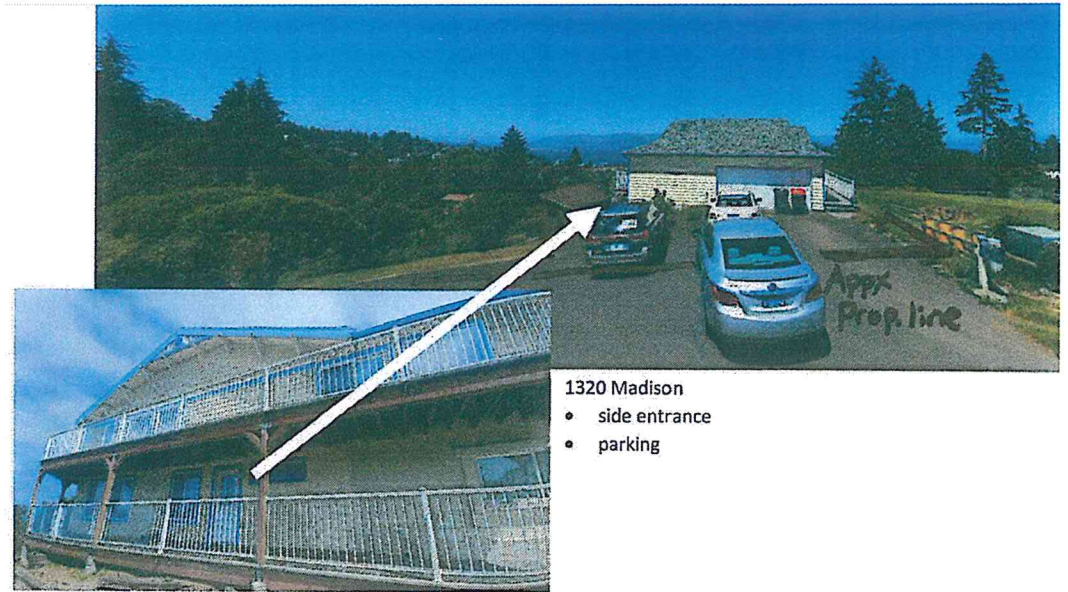
TO: ASTORIA PLANNING COMMISSION

FROM: HANNAH DANKBAR, CREST COASTAL PLANNER

SUBJECT: CONDITIONAL USE REQUEST (CU17-12) BY MICHAEL ANGILETTA TO LOCATE AN ACCESSORY DWELLING UNIT (ADU) FOR LONG TERM RENTAL IN AN EXISTING BASEMENT IN AN R-1 ZONE.

I. Background

- A. Applicant: Michael Angiletta
1320 Madison Avenue
Astoria, OR 97103
- B. Owner: Michael Thomas Angiletta
1320 Madison Avenue
Astoria, OR 97103
- C. Location: 1320 Madison Avenue; Map T8N-R9W Section 17BA, Tax Lot 12700+12701; Lot P1+P2; Block 91, P.P1997-.33.
- D. Zone: R-1 Low density residential
- E. Lot Size: 6,556 ft² (.15 acre); ADU: 750 ft²
- F. Request: To create an Accessory Dwelling Unit for long term rental in an existing basement. The pre-application meeting was held September 6, 2017.



II. BACKGROUND

A. Subject Property

The applicant has a single-family house along Madison Avenue built in 1997. The house is located on the North side of the street east of where the street dead ends. The lot is 6,556 square feet and is neighbored by vacant lots on the east and west sides, as shown below. The neighborhood consists of similarly styled single family residences and open space, and the street does not meet the City's Engineering Design Standards of 34 feet wide. The proposed ADU will be built in an existing, attached portion of the building.

B. Adjacent Neighborhood



The surrounding neighborhood is all low density residential.

III. PUBLIC REVIEW AND COMMENT

A public notice was mailed to all property owners within 200 feet pursuant to Section 9.020 on September 29, 2017. A notice of public hearing was published in the *Daily Astorian* on October 17, 2017. An onsite notice was furnished and installed by the applicant on October 10, 2017. Comments received will be made available at the Planning Commission meeting.

IV. APPLICABLE REVIEW CRITERIA AND FINDINGS OF FACT

- A. Section 2.025 (7) concerning Conditional Uses in R-1 Zoning lists ADUs as a permitted conditional use.

Finding: The residence would exist in an R-1 zone and is permitted under a Conditional Use Permit.

- B. Section 3.020(B) concerning Accessory Dwelling Units lists the following requirements:

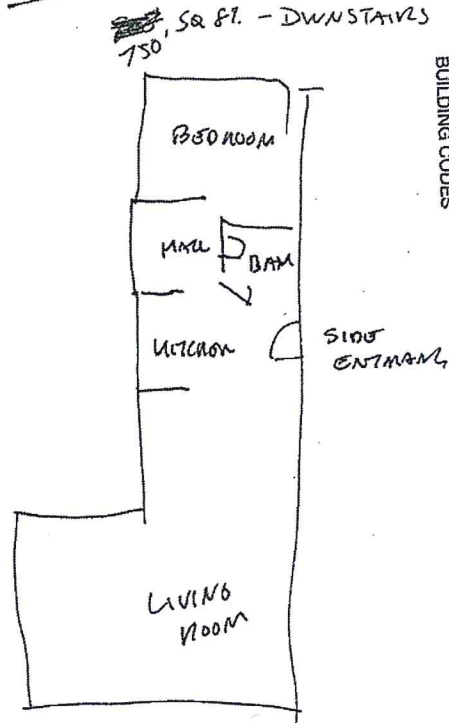
- a. *A home with an Accessory Dwelling Unit in the R-1 Zone (Low Density Residential) shall be located on a minimum lot size of 5,000 square feet. There is no minimum lot size for other zones.*

Finding: The lot size is 6,556 square feet in an R-1 Zone. This criterion is satisfied.

- b. *An Accessory Dwelling Unit shall not exceed 40% of the primary structure or 800 square feet in size, whichever is smaller.*

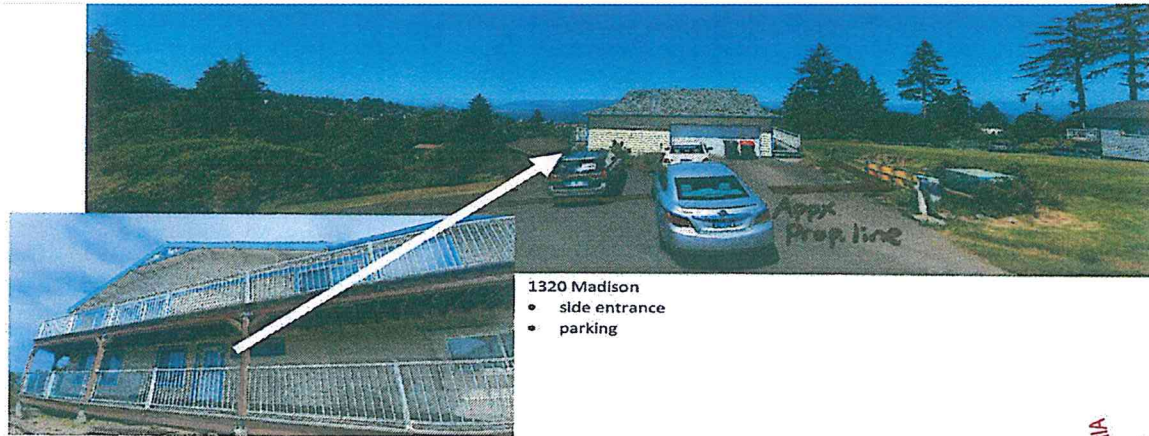
Finding: The square footage of the structure is 3,000 square feet, the primary dwelling unit will be 2,250 square feet, and the proposed ADU will have a square footage of 750. This is less than 800 square feet and makes up 25% of the total area. This criterion is satisfied.

Layout of proposed ADU.
MADISON AVE



- c. *The Accessory Dwelling Unit may be created through an internal conversion of an existing living area, basement, attic, other existing attached accessory buildings, areas over attached garages, and detached from the primary residence, including but not limited to guest cottages, detached garages, or workshops.*

Finding: The proposed ADU will be on the lower level of the existing structure, accessible from the lower west side of the building. The photo below shows the side entrance to the attached ADU. This criterion is satisfied.



Access to the ADU is available on the lower West side of the structure.

- d. *To differentiate an Accessory Dwelling Unit from a two-family dwelling, all utilities such as water, electric, or gas, shall remain as single service utilities. The Accessory Dwelling Unit shall not have its own utility services, except if the separate services existed prior to January 1, 2004. This does not apply to utilities providing service to communication devices such as telephone, television, and other communication devices.*

Finding: The ADU will not have separate utilities. This criterion is satisfied.

- e. *An Accessory Dwelling Unit shall be subordinate to the existing single-family dwelling and may not be subdivided or otherwise segregated in ownership from the primary residence structure.*

Finding: The ADU is proposed for the lower story of the structure. Therefore, it will not be able to be divided from the primary residence. This criterion is satisfied.

- f. *In addition to the main entrance, one entrance to the house may be located on the side or rear of the house. An additional entrance shall not alter the appearance in such a way that the structure appears to be a two-family dwelling, unless the house contained additional front doors prior to the conversion. The location of the entrance to a detached unit can be anywhere if it is placed behind the main dwelling. In cases where the new ADU is placed in front of the main dwelling, the entrance shall not face the street. In cases where new units are placed on a corner lot, they shall be located on a side yard or rear of the lot.*

Finding: A new entrance is not proposed. There is an existing door on the west side of the residence, this entrance faces away from the street and is separate from the entrance of the primary residence. This door existed

prior to this application; no exterior alteration is proposed at this time. The existing door can be seen in the above photo. This criterion is satisfied.

- g. Accessory Dwelling Units are allowed as an accessory use to any existing single-family dwelling in all zones.*

Finding: The residence exists in the R-1 zone, which is low density residential. This criterion is satisfied.

- h. The property owner shall occupy either the principal unit or the Accessory Dwelling Unit as their permanent primary residence, and at no time receive rent for the owner-occupied unit.*

Finding: The owner intends to stay in the primary residence with no intention to gather rent for the owner occupied space. This criterion is satisfied.

- i. The property owner shall provide a covenant or deed restriction in a form acceptable to the City and suitable for recording with the County, providing notice to future owners of the subject lot that the existence of the Accessory Dwelling Unit is predicated upon the occupancy of either the Accessory Dwelling Unit or the principal dwelling unit by the property owner.*

Finding: A deed restriction has not yet been submitted. Recorded deed language shall be before the unit is occupied. This criterion shall be satisfied after the permit is obtained.

- j. In addition to the two spaces required for the primary unit, the Accessory Dwelling Unit shall have one additional off-street parking space. If on street parking is available on a city street built to a city standard identified in the Transportation System Plan and has parking on both sides of the street, one space may be credited to the requirement of three total spaces.*

Finding: The required, one additional off-street parking spot is available in the driveway. The existing attached garage provides the two parking spaces, required for the single family dwelling. One additional space is required for the ADU. An additional two cars can fit in the driveway in front of the garage. On-street parking is not permitted due to the narrow residential street, this does not meet the City's Engineering Design Standards and on-street parking should not be allowed. This criterion is satisfied.

Parking Plan



2 off-street parking spaces are available in the driveway. Measurements were verified.

- k. *Homestay lodging is prohibited in accessory dwelling units created after May 17, 2017. (Ordinance 17-07, Adopted April 17, 2017)*

Finding: No homestay lodging is proposed and shall not be permitted. This criterion is satisfied.

C. Section 11.020(B.)(1) states that “the Planning Commission shall base their decision on whether the use complies with the applicable policies of the Comprehensive Plan.”

CP .218 Housing Goals, states the following:

- 1. *Provide opportunities for development of a wide variety of housing types and price ranges within the Urban Growth Boundary.*

CP.220. Housing Policies, states the following guiding policies:

5. *Encourage low and moderate income housing throughout the City, not concentrated in one area.*

15. *Ensure that multi-family developments in primarily single-family neighborhoods are designed to be compatible with the surrounding neighborhood, in terms of scale, bulk, use of materials, and landscaping.*

Finding: The ADU provides an affordable housing option that would otherwise be unavailable in the area. This criterion is satisfied.

CP .206 Economic Goal and Policies

Goal: *Encourage successful home-based businesses.*

Policy: 1. *Encourage home occupations, cottage industries and activities which have little impact on the surrounding neighborhoods through the City's Development Code.*

Finding: ADUs provide a stream of sustainable income for property owners. If designed according to City Code, ADUs provide a stream of sustainable income that has little impact on the surrounding neighborhood. The request is in compliance with the Comprehensive Plan. This criterion is satisfied.

D. Section 11.030(A) requires that *"before a conditional use is approved, findings will be made that the use will comply with the following standards:"*

1. Section 11.030(A)(1) requires that *"the use is appropriate at the proposed location. Several factors which should be considered in determining whether or not the use is appropriate include: accessibility for users (such as customers and employees); availability of similar existing uses; availability of other appropriately zoned sites; and the desirability of other suitably zoned sites for the use."*

Finding: The proposed use is an appropriate use of an existing building. The ADU is accessible for the renter and is accessible separately from other residential structures in the area. The ADU creates additional available long term housing in Astoria. The residential use of the proposed space matches the existing residential use. ADUs are permitted outright in R-2 and R-3 zones, which are higher density residential zones. ADUs require a Conditional Use Permit in R-1 zones, which is low-density residential. The criterion is met.

2. Section 11.030(A)(2) requires that *"an adequate site layout will be used for transportation activities. Consideration should be given to the suitability of any access points, on-site drives, parking, loading and unloading areas, refuse collection and disposal points, sidewalks, bike paths, or other transportation facilities. Suitability, in part, should be determined by the potential impact of these facilities on safety, traffic flow and control, and emergency vehicle movements."*

Finding: The parking area in the driveway measures approximately 20 feet wide by 18 feet deep; providing two off-street parking spaces. The two required spots for the primary residence are provided by an attached garage. No other transportation facilities are present or required on the site at this time. There is no anticipated impact on safety, traffic flow and control, and emergency vehicle movements; at most there would be one additional vehicle that will be parked off-street. The criterion is met.

3. Section 11.030(A)(3) requires that the use will not overburden water and sewer facilities, storm drainage, fire and police protection, or other utilities.

Finding: All utilities are at the site and are capable of serving the use, no new construction for the ADU is proposed. As with all new or increased development, there would be incremental impacts to police and fire protection, but it would not overburden these services. The criterion is met.

4. Section 11.030(A)(4) requires that *“the topography, soils and other physical characteristics of the site are adequate for the use. Where determined by the City Engineer, an engineering or geologic study by a qualified individual may be required prior to construction.”*

Finding: No new external construction is proposed. This criterion is satisfied.

5. Section 11.030(A)(5) requires that *“the use contain an appropriate amount of landscaping, buffers, setbacks, berms or other separation from adjacent uses.”*

Finding: No exterior changes are proposed to the structure. This criterion is satisfied.

V. CONCLUSIONS AND RECOMMENDATIONS

The request meets all applicable review criteria. Staff recommends approval of the request based on the findings of fact above with the following conditions:

1. Significant changes or modifications to the proposed plans as described in this Staff Report shall be reviewed by the Astoria Planning Commission.
2. The City suggests this language, or similar language, shall be included in the deed:

“The dwelling located on the above described property is approved as a single-family dwelling only. In accordance with the Astoria Development Code Section 3.020(5.b), the existence of an Accessory Dwelling Unit in addition to the single-family dwelling is predicated upon the occupancy of either the Accessory Dwelling Unit or the principal

dwelling unit by the property owner. Use of the Accessory Dwelling Unit at this location is subject to the regulations of the Astoria Development Code.”

3. The applicant shall submit recorded deed language to the Community Development department prior to ADU occupancy.

The applicant should be aware of the following requirements:

The applicant shall obtain all necessary City and building permits prior to the start of operation.



CITY OF ASTORIA
 Founded 1811 • Incorporated 1856
COMMUNITY DEVELOPMENT

CITY OF ASTORIA
 AUG 29 2017
 BUILDING CODES

Fee Paid Date 9/6/17 ^{VISA} By MF
Fee: \$100.00

ADU 17-04 see cup 17-12

ACCESSORY DWELLING UNIT APPLICATION

Property Address: 1320 MADISON AVE

Lot P1+P2 Block 91 Subdivision P.P 1997-033

Map 17BA Tax Lot 12700+12701 Zone R-1

Applicant Name: Michael Angiletta

Mailing Address: 1320 Madison Ave, Astoria OR 97103

Phone: 503-908-4708 Business Phone: _____ Email: mangiletta@gmail.com

Property Owner's Name: Michael Angiletta

Mailing Address: 1320 Madison Ave, Astoria OR 97103

Business Name (if applicable): _____

Signature of Applicant: [Signature] Date: 8/15/17

Signature of Property Owner: [Signature] Date: 8/15/17

Existing Use: vacant (- ADU is vacant in an existing SFD)

Proposed Use: long term rental

Square Footage of Building/Site: 3000 sq ft house

Proposed Off-Street Parking Spaces: 1

SITE PLAN: A site plan depicting property lines and the location of all existing and proposed structures, parking, and door locations is required. The plan must include distances to all property lines and dimensions of all structures and parking areas. Scaled free-hand drawings are acceptable.

For office use only:			
Application Complete:	<u>9/6/17</u>	Permit Info Into D-Base:	
Labels Prepared:		Tentative APC Meeting Date:	<u>10-24-17</u>
120 Days:	<u>1-4-18</u>		

FILING INFORMATION: The Community Development Director will review only complete applications. Completed applications can be processed as a Type 1, Type 2, or Type 3 depending on the zoning and non-conforming uses. A Pre-Application conference is required for Type 2 and Type 3 requests prior to acceptance of the application as complete.

Briefly address each of the following criteria: Use additional sheets if necessary.

3.020.B. Standards.

1. Size.

a. Primary Structure.

A house with an Accessory Dwelling Unit must have at least 1,400 square feet of floor area prior to creation of the Accessory Dwelling Unit. The floor area of the garage or other non-living space, such as an unfinished basement, may not be used in the calculation of the total square footage.

Square footage of finished area of existing structure: 3000 sq ft

b. Accessory Dwelling Unit.

An Accessory Dwelling Unit shall not exceed 40% of the primary structure or 800 square feet in size, whichever is smaller.

Square footage of primary dwelling unit: 2250 sq ft

Square footage of smaller ADU: 750 sq ft

2. Creation of the Unit.

a. *The Accessory Dwelling Unit may be created through an internal conversion of an existing living area, basement, attic, other existing attached accessory buildings, areas over attached garages, and detached from the primary residence, including but not limited to guest cottages, detached garages, or workshops.*

Is the ADU in an existing, attached portion of the building: yes

Is the ADU detached from the main dwelling: no

Is the ADU new construction: no

b. *To differentiate an Accessory Dwelling Unit from a two-family dwelling, all utilities such as water, electric, or gas, shall remain as single service utilities. The Accessory Dwelling Unit shall not have its own utility services, except if the separate services existed prior to January 1, 2004. This does not apply to utilities providing service to communication devices such as telephone, television, and other communication devices.*

If there are separate utilities, when were they installed: _____

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- c. *An Accessory Dwelling Unit shall be subordinate to the existing single-family dwelling and may not be subdivided or otherwise segregated in ownership from the primary residence structure.*

Is the dwelling in an undivided ownership: yes

3. Location of Entrances.

In addition to the main entrance, one entrance to the house may be located on the side or rear of the house. An additional entrance shall not alter the appearance in such a way that the structure appears to be a two-family dwelling, unless the house contained additional front doors prior to the conversion. The location of the entrance to a detached unit can be anywhere if it is placed behind the main dwelling. In cases where the new ADU is placed in front of the main dwelling, the entrance shall not face the street. In cases where new units are placed on a corner lot, they shall be located on a side yard or rear of the lot.

Location of existing doors: 1 side door entrance for ADU, not visible from street

Location of additional proposed doors: _____

4. Zones in Which Permitted.

Accessory Dwelling Units are allowed as an accessory use to any existing single-family dwelling in all zones.

5. Owner Occupancy.

- a. *The property owner shall occupy either the principal unit or the Accessory Dwelling Unit as their permanent primary residence, and at no time receive rent for the owner-occupied unit.*

Will the owner reside in the primary unit or ADU: yes

- b. *The property owner shall provide a covenant or deed restriction in a form acceptable to the City and suitable for recording with the County, providing notice to future owners of the subject lot that the existence of the Accessory Dwelling Unit is predicated upon the occupancy of either the Accessory Dwelling Unit or the principal dwelling unit by the property owner.*

The City suggests the following for inclusion in the deed:

“The dwelling located on the above described property is approved as a single-family dwelling only. In accordance with the Astoria Development Code Section 3.020(5.b), the existence of an Accessory Dwelling Unit in addition to the single-family dwelling is predicated upon the occupancy of either the Accessory Dwelling Unit or the principal dwelling unit by the property owner. Use of the Accessory Dwelling Unit at this location is subject to the regulations of the Astoria Development Code.”

Submit a draft deed with this or similar deed restriction for approval.

6. Lot Size.

A home with an Accessory Dwelling Unit in the R-1 Zone (Low Density Residential) shall be located on a minimum lot size of 5,000 square feet. There is no minimum lot size for other zones.

Lot dimensions and square footage: 6,534 sq ft

7. Off-Street Parking Requirements.

In addition to the two spaces required for the primary unit, the Accessory Dwelling Unit shall have one additional off-street parking space. If on street parking is available on a city street built to a city standard identified in the Transportation System Plan and has parking on both sides of the street, one space may be credited to the requirement of three total spaces.

Location and number of off-street and on street parking spaces on site plan:

4 (2 in garage, 2 in driveway)

8. Height.

The height of new detached units shall not exceed 20 feet or 80% of the height of the main dwelling, whichever is less.

What is the height of the existing or new detached ADU: 7' -8'

9. Homestay Lodging.

Homestay lodging is prohibited in accessory dwelling units created after May 17, 2017. (Ordinance 17-07, Adopted April 17, 2017)

C. Permits.

1. Permit Required.

A permit is required for the establishment of an Accessory Dwelling Unit. The property owner shall submit an application to the Community Development Department on a form provided by the City.

2. Expiration of Permit.

An Accessory Dwelling Unit permit shall automatically expire if any of the following occurs:

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- a. *The Accessory Dwelling Unit is substantially altered and is no longer in conformance with the plans as approved by the Astoria Planning Commission, Community Development Director, and/or the Building Official; or*
- b. *The subject lot ceases to provide the approved number of parking spaces; or*
- c. *The property owner ceases to reside in either the principal or the Accessory Dwelling Unit.*

D. Non-conforming Accessory Dwelling Units.

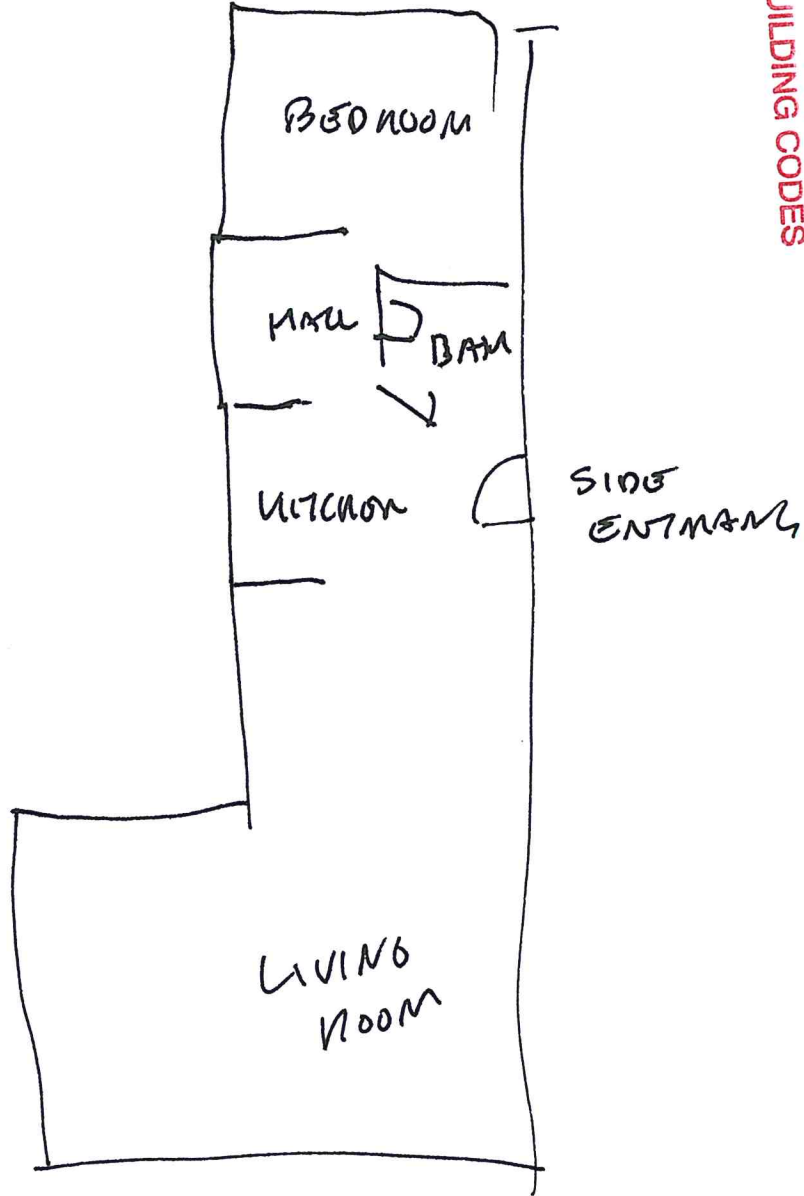
- 1. *The portion of a single-family dwelling which meets the definition of Accessory Dwelling Unit which was in existence prior to January 1, 2004, may continue in existence provided the following requirements are met:*
 - a. *An application for an Accessory Dwelling Unit is submitted to the Community Development Department for review.*
 - b. *The Accessory Dwelling Unit complies with the minimum requirements of the Building Codes as adopted by the City of Astoria.*
 - c. *The Accessory Dwelling Unit complies with the requirements of this Section 3.020 concerning "Accessory Dwelling Units".*

- 2. *The Community Development Director may approve a permit submitted for a non-conforming unit that does not meet all of the above requirements, except those relative to building code requirements, as follows:*
 - a. *The permit review shall be in accordance with Article 9 concerning administrative decisions. The Community Development Department shall notify property owners of record in accordance with 9.010 to 9.020 at least twenty (20) days prior to the issuance of a permit for a Non-conforming Accessory Dwelling Unit. The notice shall set forth the standards required and the nature of the non-conformity.*
 - b. *Permits for a Non-conforming Accessory Dwelling Unit may be issued after the notice period by the Community Development Director where the Director has made written findings as follows:*
 - 1) *That full compliance would be impractical; and*
 - 2) *That neither present nor anticipated future use of the unit reasonably require strict or literal interpretation and enforcement of the requirements of this code; and*
 - 3) *That the granting of the permit will not create a safety hazard.*

- 3. *A decision of the Community Development Director may be appealed to the Planning Commission in accordance with 9.040."*

MADISON AVE

~~200~~ SQ FT. - DOWNSTAIRS
750



CITY OF ASTORIA
AUG 23 2017
BUILDING CODES

Fee Paid Date 9/16/17 By Visa Fee: \$500.00

No. CU 17-12 see ADU 1704

CONDITIONAL USE APPLICATION

Property Address: 1320 MADISON AVE
Lot P2 + P1 Block 91 Subdivision P.P1997-033
Map 17BA Tax Lot 12700, 12701 Zone R-1

Applicant Name: MICHAEL MANGILETTA
Mailing Address: 1320 MADISON AVE
Phone: 503-908-4708 Business Phone: _____ Email: MANGILETTA@gmail.com
Property Owner's Name: MICHAEL MANGILETTA
Mailing Address: 1320 MADISON AVE
Business Name (if applicable): _____
Signature of Applicant: [Signature] Date: 8/15/17
Signature of Property Owner: [Signature] Date: 8/15/17

Existing Use: RESIDENCE
Proposed Use: RENTAL (ADU LONG TERM)
Square Footage of Building/Site: 3,000 SQ FT
Proposed Off-Street Parking Spaces: _____

SITE PLAN: A Site Plan depicting property lines and the location of all existing and proposed structures, parking, landscaping, and/or signs is required. The Plan must include distances to all property lines and dimensions of all structures, parking areas, and/or signs. Scaled free-hand drawings are acceptable.

<i>For office use only:</i>			
Application Complete:		Permit Info Into D-Base:	
Labels Prepared:		Tentative APC Meeting Date:	<u>10-24-17</u>
120 Days:			

FILING INFORMATION: Planning Commission meets on the fourth Tuesday of each month. Completed applications must be received by the 20th of the month to be on the next month's agenda. A Pre-Application meeting with the Planner is required prior to acceptance of the application as complete. Only complete applications will be scheduled on the agenda. Your attendance at the Planning Commission meeting is recommended.

Briefly address each of the following criteria: Use additional sheets if necessary.

11.030(A)(1) The use is appropriate at the proposed location. Several factors which should be considered in determining whether or not the use is appropriate include: accessibility for users (such as customers and employees); availability of similar existing uses; availability of other appropriately zoned sites; and the desirability of other suitably zoned sites for the use.

11.030(A)(2) An adequate site layout will be used for transportation activities. Consideration should be given to the suitability of any access points, on-site drives, parking, loading and unloading areas, refuse collection and disposal points, sidewalks, bike paths, or other transportation facilities. Suitability, in part, should be determined by the potential impact of these facilities on safety, traffic flow and control, and emergency vehicle movements.

OFF STREET PARKING
SEPARATE ENTRANCE

11.030(A)(3) The use will not overburden water and sewer facilities, storm drainage, fire and police protection, or other utilities.

11.030(A)(4) The topography, soils, and other physical characteristics of the site are appropriate for the use. Where determined by the City Engineer, an engineering or geologic study by a qualified individual may be required prior to construction.

11.030(A)(5) The use contains an appropriate amount of landscaping, buffers, setbacks, berms or other separation from adjacent uses.

11.030(B) Housing developments will comply only with standards 2, 3, and 4 above.

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

CITY OF ASTORIA
NOTICE OF PUBLIC HEARING

Mail	9/29/17
Email	9/29/17
Web	9/29/17

The City of Astoria Planning Commission will hold a public hearing on Tuesday, October 24 at 6:30 p.m., at the Astoria City Hall, Council Chambers, 1095 Duane Street, Astoria. The purpose of the hearing is to consider the following request(s):

1. Conditional Use CU17-12 and Accessory Dwelling Unit ADU17-04 by Michael Angiletta to locate an ADU in an existing single family dwelling at 1320 Madison Ave (Map T8N-R9W Section 17BA, Tax Lot(s) 12700 and 12701; Lot(s) P₁ and P₂; Block 91; Sub: P.P1997-033) in the R-1, Low Density Residential zone. Development Code Standards Section 3.020 (Accessory Dwelling Units), Articles 7 (Parking), 9 (Administrative Procedures), and 11 (Conditional Uses), and Comprehensive Plan Sections CP.005-CP.025 (General Development), CP.040-CP.045 (Central Residential Area), and CP.215-CP.230 (Housing Element) are applicable to the request.

A copy of the application, all documents and evidence relied upon by the applicant, the staff report, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. A copy of the staff report will be available at least seven days prior to the hearing and are available for inspection at no cost and will be provided at reasonable cost. All such documents and information are available at the Community Development Department at 1095 Duane Street, Astoria. If additional documents or evidence are provided in support of the application, any party shall be entitled to a continuance of the hearing. Contact the Planner at 503-338-5183 for additional information.

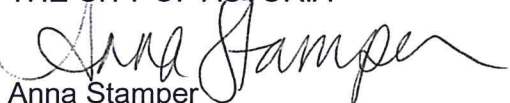
The location of the hearing is accessible to the handicapped. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting the Community Development Department at 503-338-5183 48 hours prior to the meeting.

All interested persons are invited to express their opinion for or against the request(s) at the hearing or by letter addressed to the Planning Commission, 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 Planning Commission and the parties an opportunity to respond to the issue precludes an appeal based on that issue.

The 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 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 Planning Commission shall be final.

The public hearing, as conducted by the 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 impartial to the request, and those in opposition to the request, and deliberation and decision by the Planning Commission. The 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 CITY OF ASTORIA


Anna Stamper
Administrative Assistant

MAIL: September 29, 2017