

ASTORIA  
DEVELOPMENT CODE

October 1992  
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## ARTICLE 2

### USE ZONES

#### R-1: LOW DENSITY RESIDENTIAL ZONE

##### 2.015. PURPOSE.

The purpose of the R-1 Zone is to provide an area of low density single-family dwellings, at an average density of eight (8) units per net acre, their accessory uses, and certain public uses. The policies of the Comprehensive Plan, applicable overlay zone standards, and the standards listed below, will be adhered to.

##### 2.020. USES PERMITTED OUTRIGHT.

The following uses and their accessory uses permitted in an R-1 Zone if the Community Development Director determines that the uses will not violate standards referred to in Section 2.030 through 2.050, additional Development Code provisions, Comprehensive Plan, and other City laws:

1. Single-family dwelling.
2. Accessory rental unit.
3. Family day care center.
4. Home occupation, which satisfies requirements in Section 3.095.
5. Home stay lodging.
6. Manufactured home. See Section 3.140.
7. Residential home.

2.025. CONDITIONAL USE PERMITTED.

The following uses and their accessory uses are permitted in an R-1 Zone if the Planning Commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in Sections 2.030 through 2.050, additional Development Code provisions, Comprehensive Plan, and other City laws:

1. Bed and breakfast, or inn.
2. Congregate care facility.
3. Day care center.
4. Nursing home.
5. Public or semi-public use.
6. Temporary use meeting the requirements of Section 3.240.

2.030. LOT SIZE.

Uses in an R-1 Zone which are part of a cluster development will comply with lot size requirements in Section 11.160. Other uses in an R-1 Zone will not violate the following requirements affecting lot size which are applicable to the particular use:

1. The minimum lot size for a single-family dwelling will be 5,000 square feet.
2. The minimum lot width for all uses will be 45 feet.
3. The minimum lot depth for all uses will be 90 feet.

2.035. YARDS.

The minimum yard requirements in an R-1 Zone will be as follows:

1. The minimum front yard will be 20 feet.
2. The minimum side yard will be five (5) feet, except on corner lots the side yard on the street side will be 15 feet.
3. The minimum rear yard will be 20 feet, except on corner lots the rear yard will be five (5) feet.

2.040. LOT COVERAGE.

Buildings will not cover more than 30 percent of the lot area.

2.045. HEIGHT OF STRUCTURES.

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

2.050. OTHER APPLICABLE USE STANDARDS.

1. All uses will comply with applicable access, parking, and loading standards in Article 7.
2. Conditional uses will meet the requirements in Article 11.
3. Signs will comply with requirements in Article 8.
4. All structures will have storm drainage facilities that are channeled into the public storm drainage system or a natural drainage system approved by the City Engineer. Developments affecting natural drainage shall be approved by the City Engineer.
5. Where new development is within 100 feet of a known landslide hazard, a site investigation report will be prepared by a registered geologist. Recommendations contained in the site report will be incorporated into the building plans.
6. All uses except those associated with single-family dwellings shall meet the landscaping requirements in Sections 3.105 through 3.120.
7. Density of congregate care facilities, which are designed for assisted living for the elderly or handicapped, shall conform to the density of multi-family developments in the R-2 Zone.
8. Outdoor lighting in residential areas shall be designed and placed so as not to cast glare into adjacent residential properties. The Community Development Director may require the shielding or removal of such lighting where it is determined that existing lighting is adversely affecting adjacent residences.

### R-3: HIGH DENSITY RESIDENTIAL ZONE

#### 2.150. PURPOSE.

The purpose of the R-3 Zone is to provide an area for high density residential development not exceeding an average density of 26 units per net acre, accessory uses, and certain public uses. The policies of the Comprehensive Plan, applicable overlay zone standards, and the standards listed below, will be adhered to.

#### 2.155. USES PERMITTED OUTRIGHT.

The following uses and their accessory uses permitted in the R-3 Zone if the Community Development Director determines that the uses will not violate standards referred to in Section 2.165 through 2.185, additional Development Code provisions, Comprehensive Plan policies, and other City laws:

1. Single-family dwelling.
2. Two-family dwelling.
3. Multi-family dwelling.
4. Accessory rental unit.
5. Family day care center.
6. Home occupation, which satisfies requirements in Section 3.095.
7. Home stay lodging.
8. Manufactured dwelling in an approved park.
9. Manufactured home. See Section 3.140.
10. Residential facility.
11. Residential home.

2.160. CONDITIONAL USE PERMITTED.

The following uses and their accessory uses are permitted in the R-3 Zone if the Planning Commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in Sections 2.165 through 2.185, additional Development Code provisions, Comprehensive Plan policies, and other City laws:

1. Bed and breakfast, or inn.
2. Boarding or rooming house, or other group housing, not mentioned above.
3. Congregate care facility.
4. Day care center.
5. Manufactured dwelling park.
6. Nursing home.
7. Public or semi-public use.
9. Restaurant as an accessory use to an Inn. See Section 3.230.
10. Temporary use meeting the requirements of Section 3.240.
11. *Cluster Development meeting the requirements of Section 11.160.*

2.165. LOT SIZE.

*Ord 95-05*

Uses in an R-3 Zone which are part of a cluster development will comply with lot size requirements in Section 11.160. Other uses in an R-3 Zone will not violate the following requirements affecting lot size which are applicable to the particular use:

1. The minimum lot size for a single-family dwelling will be 5,000 square feet. Manufactured dwellings in an approved park may meet the requirements set forth in 11.120.
2. The minimum lot size for a two-family dwelling will be 6,500 square feet.
3. The minimum lot size for a multi-family dwelling will be 5,000 square feet for the first unit plus 1,500 square feet for each unit in excess of one.
4. The minimum lot width will be 45 feet.
5. The minimum lot depth will be 90 feet.

"2.170. YARDS.

Uses in the R-3 Zone which are part of a cluster development will comply with the yard requirements in Section 11.160. Other uses in the R-3 Zone will comply with the following requirements:"

- A. The minimum yard requirements in an R-3 Zone will be as follows:
  - 1. The minimum front yard will be 20 feet.
  - 2. The minimum side yard will be five (5) feet, except on corner lots the side yard on the street side will be 15 feet.
  - 3. The minimum rear yard will be 15 feet, except on corner lots the rear yard will be five (5) feet.
- B. For minimum yard requirements in a manufactured dwelling park, refer to 11.120.

2.175. LOT COVERAGE.

Buildings will not cover more than 50 percent of the lot area.

2.180. HEIGHT OF STRUCTURES.

No structure will exceed a height of 35 feet above grade.

2.185. OTHER APPLICABLE USE STANDARDS.

- 1. All uses will comply with applicable access, parking, and loading standards in Article 7.
- 2. Conditional uses will meet the requirements in Article 11.
- 3. Signs will comply with requirements in Article 8.
- 4. All structures will have storm drainage facilities that are channeled into the public storm drainage system or a natural drainage system approved by the City Engineer. Developments affecting natural drainage shall be approved by the City Engineer.
- 5. Where new development is within 100 feet of a known landslide hazard, a site investigation report will be prepared by a registered geologist. Recommendations contained in the site report will be incorporated into the building plans.

6. All uses except those associated with single-family and two-family dwellings shall meet the landscaping requirements in Sections 3.105 through 3.120:
7. Density of congregate care facilities, which are designed for assisted living for the elderly or handicapped, shall conform to the density of multi-family developments in the zone in which such development is located.
8. Outdoor lighting in residential areas shall be designed and placed so as not to cast glare into adjacent residential properties. The Community Development Director may require the shielding or removal of such lighting where it is determined that existing lighting is adversely affecting adjacent residences.
9. For uses located within the Astor-East Urban Renewal District, refer to the Urban Renewal Plan for additional standards.
10. Group Housing.

- a. Density.

Group housing resident density is limited to two (2) residents per 1,000 square feet of total gross floor area. Residents include all people living at the site, including those who provide support services, building maintenance, care, supervision, etc. People who only work at the site under a valid Home Occupation Permit (see Section 3.095) are not considered residents. Maximum number of residents per site is limited to 15. Usable outdoor area shall be provided at a ratio of 50 square feet per resident.

- b. Parking.

Where the Community Development Director determines that a group housing facility may require parking in excess of that provided for staff persons, a parking area of sufficient size to provide for anticipated needs shall be provided.



## C-2: TOURIST COMMERCIAL ZONE

### 2.345. PURPOSE.

The intent of this zone is primarily to provide suitable locations for tourist commercial facilities and certain tourist related establishments. In part, this means that areas in the zone should be in close proximity to an arterial street or highway. It also means that the uses allowed should be more limited than those permitted in a C-3 or C-4 Zone. Regulations for the zone are designed to enhance the attractiveness and convenience of the facilities for tourist use and achieve compatibility with adjacent residential areas and overall community design objectives.

### 2.350. USES PERMITTED OUTRIGHT.

The following uses and their accessory uses are permitted in a C-2 Zone if the Community Development Director determines that the uses will not violate standards referred to in Sections 2.360 to 2.375, additional Development Code provisions, the Comprehensive Plan, and other City laws:

1. Eating or drinking establishment.
2. Home occupation in existing dwelling.
3. Motel, hotel, bed and breakfast, inn or other tourist lodging facility and associated uses.
4. Tourist-oriented retail sales or service establishment.

5. *Conference Center. Ord 94-06*

### 2.355. CONDITIONAL USES PERMITTED.

The following uses and their accessory uses are permitted in a C-2 Zone if the Planning Commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in Sections 2.360 to 2.375, additional Development Code provisions, the Comprehensive Plan, and other City laws:

1. Dwelling as an accessory use to a Use Permitted Outright or a Conditional Use.
2. Family day care center in existing dwelling.

3. Indoor family entertainment or recreation establishment.
4. Non-tourist-oriented retail sales or service establishment, professional, financial, business and medical office where they are part of a mixed-use development that also includes some of the uses that are permitted outright. The conditional use shall not be located on the ground floor of the building, and shall not occupy more than 50% of the total project's gross floor area.
5. Public or semi-public use.
6. Temporary use meeting the requirements in Section 3.240.

2.360. LOT COVERAGE.

Buildings will not cover more than 90 percent of the lot area.

2.365. LANDSCAPED OPEN AREA.

A minimum of 10 percent of the total lot area will be maintained as a landscaped open area.

2.370. HEIGHT OF STRUCTURES.

No structures will exceed a height of 45 feet above grade.

2.375. OTHER APPLICABLE USE STANDARDS.

1. Landscaping shall meet the requirements of Sections 3.105 through 3.120.
2. When a commercial use in a C-2 Zone abuts a lot in a residential zone there will be an attractively designed and maintained buffer of at least five (5) feet in width, which can be in the form of hedges, fencing or walls.
3. Outdoor storage areas will be enclosed by appropriate site obscuring hedges, fencing or walls and will not be over 100 square feet in size.

4. Where feasible, joint access points and parking facilities for more than one use should be provided.
5. All uses will comply with access, parking, and loading standards in Article 7.
6. Conditional Uses will meet the requirements in Article 11.
7. Signs will comply with requirements in Article 8.
8. All structures will have storm drainage facilities that are channeled into the public storm drainage system or a natural drainage system approved by the City Engineer. Developments affecting natural drainage shall be approved by the City Engineer.
9. Where new development is within 100 feet of a known landslide hazard, a site investigation report will be prepared by a registered geologist. Recommendations contained in the site report will be incorporated into the building plans.
10. Design Review Standards. All commercial and recreational facilities shall be reviewed by the Community Development Director based on the following criteria. The Community Development Director may request technical assistance from an independent architect or other design expert in evaluating proposed developments in relation to these standards.
  - a. Facility design shall take maximum advantage of river views.
  - b. The height, mass, and scale of buildings shall be compatible with the site and adjoining buildings. Use of materials should promote harmony with surrounding structures and the character of the waterfront. The relationship between a building site and the historic buildings within the surrounding area shall be considered an integral part of planning for new construction.

- c. The use of stylistic features characteristic of the historic Astoria area and the Pacific Northwest are preferred. This includes the use of natural wood siding such as clapboard, shingles or board and batten siding, pitched roofs, large overhangs, double hung windows, and similar features. Buildings shall be in earthtones, with bright or brilliant colors used only for accent. Buildings shall not create a false historical appearance of a previous period or era.
- d. If the proposed project is large or situated so as to become an entrance or major focus of the City, the design will acknowledge the impact it would have on the entire community.
- e. Monotony of design shall be avoided. Variety of detail, form and siting should be used to provide visual interest. Large expanses of blank walls shall only be located in areas which are not visible to the public.
- f. Buildings should minimize the impact on views and vistas from surrounding or adjacent properties through orientation or location on the site.
- g. On-site parking shall be designed to be as unobtrusive as possible, through site location and landscaping.

### C-3: GENERAL COMMERCIAL ZONE

#### 2.385. PURPOSE.

This zone is primarily for a wide range of commercial businesses, including most of those allowed in other commercial zones. Compared to the C-4 Zone, the C-3 Zone is more appropriate for uses requiring a high degree of accessibility to vehicular traffic, low intensity uses on large tracts of land, most repair services, and small warehousing and wholesaling operations. Unlike the C-4 Zone, there are maximum lot coverage, landscaping, and off-street parking requirements for all uses.

#### 2.390. USES PERMITTED OUTRIGHT.

The following uses and their accessory uses are permitted in a C-3 Zone if the Community Development Director determines that the uses will not violate standards referred to in Sections 2.400 through 2.415, additional Development Code provisions, the Comprehensive Plan, and other City laws:

1. Business service establishment.
2. Commercial laundry or dry cleaning establishment.
3. Commercial or public off-street parking lot.
4. Communication service establishment.
5. Construction service establishment.
6. Eating and drinking establishment.
7. Educational service establishment.
8. Family day care center in single-family, two-family, or multi-family dwelling.
9. Home occupation in existing dwelling.
10. Motel, hotel, bed and breakfast, inn, or other tourist lodging facility and associated uses.
11. Multi-family dwelling.



21. *Indoor family entertainment or recreation establishment.*

*Ord 98-01*

12. Personal service establishment.

13. Professional service establishment.

14. Public or semi-public use.

15. Repair service establishment, not including automotive, heavy equipment, or other major repair services.

16. Residential facility.

17. Retail sales establishment.

*(allow)*

18. Single-family and two-family dwelling, located above or below the first floor of new or existing structures, with commercial facilities on the first floor of the structure.

Ord. 00-08 9-6-00

19. Transportation service establishment.

20. *Conference Center.* *Ord 94-06*

2.395. CONDITIONAL USES PERMITTED.

The following uses and their accessory uses are permitted in a C-3 Zone if the Planning Commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in Sections 2.400 through 2.415, additional Development Code provisions, the Comprehensive Plan, and other City laws:

1. Animal hospital or kennel.

2. Automotive sales or service establishment.

3. Day care center.

4. Gasoline service station.

5. Hospital.

~~6. *Indoor family entertainment or recreation establishment*~~

*Ord 98-01*

7. Light Manufacturing.

8. Recycling establishment.

9. Repair service establishment not allowed as an Outright Use.

10. Temporary use meeting the requirements of Sections 3.240.

11. Wholesale trade or warehouse establishment.

2.400. LOT COVERAGE.

Buildings will not cover more than 90 percent of the lot area.

2.405. LANDSCAPED OPEN AREA.

A minimum of 10 percent of the total lot area will be maintained as a landscaped open area.

2.410. HEIGHT OF STRUCTURES.

No structure will exceed a height of 45 feet above grade.

2.415. OTHER APPLICABLE USE STANDARDS.

1. Landscaping shall meet the requirements of Sections 3.105 through 3.120.
2. When a commercial use in a C-3 Zone abuts a lot in a residential zone, there will be an attractively designed and maintained buffer of at least five (5) feet in width, which can be in the form of hedges, fencing, or walls.
3. Outdoor storage areas will be enclosed by appropriate vegetation, fencing, or walls. This requirement does not apply to outdoor retail sales areas.
4. Where feasible, joint access points and parking facilities for more than one use should be established. This standard does not apply to multi-family residential developments.
5. All uses will comply with access, parking, and loading standards in Article 7.
6. Conditional uses will meet the requirements in Article 11.
7. Signs will comply with requirements in Article 8.

8. All structures will have storm drainage facilities that are channeled into the public storm drainage system or a natural drainage system approved by the City Engineer. Developments affecting natural drainage shall be approved by the City Engineer.
9. Where new development is within 100 feet of a known landslide hazard, a site investigation report will be prepared by a registered geologist. Recommendations contained in the site report will be incorporated into the building plans.
10. For uses located within the Astor-East Urban Renewal District, refer to the Urban Renewal Plan for additional standards.

## A-1: AQUATIC ONE DEVELOPMENT ZONE

### 2.500. PURPOSE AND AREAS INCLUDED.

The purpose of the Aquatic One Development Zone (A-1) is to provide for the maintenance, enhancement and expansion of areas, activities and structures needed for navigation and for water-dependent industrial, commercial and recreational uses. Water-related industrial, commercial and recreational uses are also provided for where such uses are consistent with the purpose of this Zone. The Aquatic One Development Zone includes: navigation channels, access channels, turning basins and deep water areas adjacent or in proximity to the shoreline; subtidal areas for in-water disposal of dredged material; areas of minimum biological significance needed for uses requiring alteration of the estuary; and areas for which an exception to the requirements of the Estuarine Resources Goal has been adopted as an amendment to the Astoria Comprehensive Plan.

### 2.505. PERMITTED USES.

The following uses and activities and their accessory uses and activities are permitted in the Aquatic One Development Zone, subject to the appropriate provisions of Section 2.515, Development Standards and Procedural Requirements:

1. Water-dependent commercial or industrial use.
2. Navigational structure.
- \* 3. Water-dependent public recreational facility, including boat ramp, dock, moorage and marina for commercial and recreational marine craft.
4. Shoreline stabilization.
- \* 5. Flowlane disposal of dredged material.
6. Pipeline, cable, and utility crossing.
- \* 7. Storm water and treated wastewater outfall.
8. Communication facility.
9. Temporary dike for emergency flood protection limited to 60 days subject to State and Federal requirements.
- \* 10. New dike construction.
11. Maintenance and repair of existing structure or facility.

12. Dredging and filling, pursuant to the applicable standards in Section 4.050 and 4.070, for any of the permitted uses 1 through 11 listed above.
13. The following water-related commercial and industrial uses:
  - a. Boat and/or marine equipment sales;
  - b. Fish or shellfish retail or wholesale outlet;
  - \* c. Charter fishing office;
  - d. Sports fish cleaning, smoking, or canning establishment;
  - \* e. Retail trade facility for the sale of products such as ice, bait, tackle, gasoline or other products incidental to or used in conjunction with a water-dependent use;
  - f. Eating and drinking establishment which provides a view of the waterfront, and which is in conjunction with a water-dependent use such as a marina or seafood processing plant;
  - \* g. Cold storage and/or ice-processing facility independent of seafood processing facility.
14. Navigation aid.
15. Piling and pile supported structure as necessary for any of the permitted uses 1 through 14 listed above, or as necessary for any use permitted in the adjacent shoreland.
16. Bridge crossing.
- \* Not permitted at South Tongue Point.



2.510. CONDITIONAL USES.

The following uses and activities and their accessory uses and activities may be permitted in the Aquatic One Development Zone as Conditional Uses when authorized in accordance with Article 11, Conditional Uses. These uses and activities are also subject to the appropriate provisions of Section 2.515, Development Standards and Procedural Requirements. It must also be shown that these uses and activities are consistent with the purpose of the Aquatic One Development Zone.

1. Mining and mineral extraction.
2. Active restoration.
3. Bridge crossing support structure.
4. Aquaculture and water-dependent portions of aquaculture facility.
5. In-water log dump, sorting operation.
6. A use for which an exception to the Estuarine Resources Goal has been adopted as an amendment to the Astoria Comprehensive Plan.
7. Dredged material disposal at sites designated for dredged material disposal in the Comprehensive Plan.
8. Dredging and filling, pursuant to the applicable standards in Section 4.050 and 4.070, for any of the conditional uses 1 through 7 listed above.
9. Water-related recreational use.
10. Water-related commercial or industrial use other than those listed under Section 2.505(13) of this zone.
11. Piling as necessary for any of the conditional uses 1 through 10 listed above.
12. Temporary use meeting the requirements of Section 3.240.
- "13. Non-water dependent and non-water related uses may be located in existing, under-utilized buildings provided the use does not preclude future water-dependent or water-related uses."

*Ord 94-05*

2.515. DEVELOPMENT STANDARDS AND PROCEDURAL REQUIREMENTS.

1. All uses shall satisfy applicable Columbia River Estuary Shoreland and Aquatic Area Use and Activity Standards in Article 4. Where a proposal involves several uses, the standards applicable to each use shall be satisfied (e.g., dredge, fill, shoreline stabilization, piling installation, or other activities in conjunction with an industrial facility shall be subject to the respective standards for these uses).
2. When a proposal includes several uses, the uses shall be reviewed in aggregate under the more stringent procedure.
3. Uses that are not water-dependent shall be located either on a floating structure or pilings, and shall not increase the need for fill if in association with a water-dependent use located on fill.
4. Uses that are not water-dependent shall not preclude or conflict with existing or probable future water-dependent use on the site or in the vicinity.
5. There shall be no height limit for structures in the Aquatic One Development Zone.
6. Uses and activities that would potentially alter the estuarine ecosystem shall be preceded by a clear presentation of the impacts of the proposed alteration subject to the requirements of Section 5.010, Impact Assessment.
7. Uses in the Aquatic One Development Zone which are water-dependent or water-related must meet the criteria for water-dependent uses (Section 4.220(A)) or for water-related uses (Section 4.220(B)).
8. Projects in the Tongue Point Mediated Panel Agreement area must comply with the applicable policies in the Comprehensive Plan, Section CP.180(G).
9. Projects at the Port of Astoria Docks Mediated Panel Agreement area must comply with the applicable policies in the Comprehensive Plan, Section CP.165(G).
10. Accessory structures in the Aquatic One Development Zone are limited in size to a maximum of 10% of the primary structure.

11. In the unincorporated UGB, uses and activities permitted under Sections 2.505 and 2.510 of this zone are subject to the public notice provisions of Section 9.020 if an impact assessment is required pursuant to Section 5.010, or if a determination of consistency with the purpose of the A-1 Zone is required pursuant to Section 5.020(5), or if the Community Development Director determines that the permit decision will require interpretation or the exercise of factual, policy or legal judgement.
  
- "12. Any lease of property for non-water dependent or non-water related uses shall contain a provision that the property owner shall terminate the lease if the property owner determines that the property is required for a water dependent or water related use."

*Ord 94-05*

## A-2: AQUATIC TWO DEVELOPMENT ZONE

### 2.525. PURPOSE AND AREAS INCLUDED.

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

The Aquatic Two Development Zone includes: deep-water areas adjacent or in proximity to the shoreline; areas of minimum biological significance, vacant over-water pile supported structures suitable for redevelopment, and areas for which an exception to the requirements of the Estuarine Resources Goal has been adopted as an amendment to the Astoria Comprehensive Plan.

### 2.530. PERMITTED USES.

The following uses and activities and their accessory uses and activities are permitted in the Aquatic Two Development Zone, subject to the appropriate provisions of Section 2.540 Development Standards and Procedural Requirements:

1. Water-dependent commercial and industrial use.
2. Small boat building and repair.
3. Water-dependent facilities including dock, moorage, pier, terminal, transfer facility and marina for commercial and recreational marine craft, for passengers, or for waterborne commerce.
4. Public pier.
5. Navigational structure.
6. Shoreline stabilization.
7. Pipeline, cable, and utility crossing.

8. Storm water and treated wastewater outfall.
9. Communication facility.
10. New dike construction.
11. Maintenance and repair of existing structure or facility.
12. Public use in conjunction with the Columbia River Maritime Museum.
13. Flowlane disposal of dredged material.
14. Dredging or filling, pursuant to the applicable standards in Section 4.050 and 4.070, for any of the permitted uses 1 through 13 listed above.
15. The following water-related commercial uses:
  - a. Boat and/or marine equipment sales;
  - b. Fish or shellfish retail or wholesale outlet;
  - c. Charter fishing office;
  - d. Sports fish cleaning, smoking or canning establishment;
  - e. Retail trade facility for the sale of products such as ice, bait, tackle, gasoline or other products incidental to or used in conjunction with a water-dependent use.
16. Navigation aid.
17. Piling as necessary for any of the permitted uses 1 through 16 listed above.



2.535. CONDITIONAL USES.

The following uses and activities and their accessory uses and activities may be permitted in the Aquatic Two Development Zone as Conditional Uses when authorized in accordance with Article 11 Conditional Uses. These uses and activities are also subject to the provisions of Section 2.540 Development Standards and Procedural Requirements. These uses and activities must be consistent with the purpose of the Aquatic Two Development Zone.

1. Dredged material disposal at sites designated for dredged material disposal in the Comprehensive Plan.
2. Dredged material disposal at sites not designated for dredged material disposal in the Comprehensive Plan, provided the dredged material is utilized as a source of fill material for an approved fill project.
3. Aquaculture and water-dependent portions of aquaculture facility.
4. Water-dependent or water-related recreational use not listed elsewhere in this zone.
5. Active restoration.
6. Bridge crossing and bridge crossing support structure.
7. A use for which an exception to the Estuarine Resources Goal has been adopted as an amendment to the City's Comprehensive Plan.
8. Fill in conjunction with any of the conditional uses 1 through 7 listed above pursuant to the applicable standards in Section 4.050.
9. Mining and mineral extraction.
10. Dredging in conjunction with any of the conditional uses 1 through 9 listed above, pursuant to the applicable standards in Section 4.050.
11. Water-related commercial or industrial use not listed under Section 2.530.

12. Eating and drinking establishment open to the general public which provides significant visual access to the waterfront.
13. Hotel, motel, inn, bed and breakfast which provides significant visual access to the waterfront.
14. Tourist-oriented retail sales establishment which provides significant visual access to the waterfront.
15. Indoor amusement, entertainment, and/or recreation establishment which provides significant visual access to the waterfront.
16. Professional and business office, residence, and arts and crafts studio meeting the requirements of Section 2.540(10). *personal service establishment limited to beauty and barber services and garment alterations.*
17. Conference Center which provides significant visual access to the waterfront. *Old 94-01*
18. Piling in conjunction with any of the above conditional uses.
19. Temporary use meeting the requirements of Section 3.240.

2.540. DEVELOPMENT STANDARDS AND PROCEDURAL REQUIREMENTS.

1. All uses shall satisfy applicable Columbia River Estuary Shoreland and Aquatic Areas Use and Activity Standards in Article 4. Where a proposal involves several uses the standards applicable to each use shall be satisfied (e.g., dredge, fill, shoreline stabilization, piling installation or other activities in conjunction with an aquaculture facility shall be subject to the respective standards for these uses).
2. When a proposal includes several uses, the uses shall be reviewed in aggregate under the more stringent provision.
3. Uses that are not water-dependent shall be located either on a floating structure or pilings, and shall not increase the need for fill if in association with a water-dependent use located on fill.

4. Uses that are not water-dependent shall not preclude or conflict with existing or probable future water-dependent use on the site or in the vicinity.
5. No structure will exceed a height of 28 feet above the grade of adjacent shoreland, except for those areas between the extended 15th and 21st Street right-of-ways, and between the extended ~~6~~8th Street right-of-way and the Astoria-Megler Bridge. In these two areas no structure shall exceed a height of 45 feet above the grade of adjacent shoreland. Add 9-06  
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6. Uses and activities that would potentially alter the estuarine ecosystem shall be preceded by a clear presentation of the impacts of the proposed alteration, subject to the requirements of Section 5.010, Impact Assessment.
7. Uses located between the extended right-of-ways of 8th Street and 14th Street are not required to provide off-street parking or loading. Uses located in other portions of the A-2 Zone shall comply with the access, parking and loading standards specified in Article 7.
8. Special siting standards. All buildings shall meet the following special siting standards:
  - a. Buildings shall be located no closer than 25 feet to a line extending from a point of intersection of a City right-of-way and the shoreline of the Columbia River Estuary, to the pierhead line. The required setback areas shall include open space, publicly accessible walkways, plazas or landscaped areas, where feasible but not parking or storage.
  - b. Buildings shall be located as close to the bankline as practical, except where necessary to provide loading and unloading, or parking in accordance with 4.050, or to provide an aesthetic feature such as an open water area adjacent to the shore. This standard shall not be applicable to water dependent uses such as fish receiving stations which have a need to locate near deep water.

- c. Buildings should minimize the impact of views on surrounding or adjacent properties through orientation or location on the site. .
  - d. Buildings should be designed to relate to or connect with the street ends or public access points which they adjoin, unless there is a public safety or security issue which overrides this consideration. This connection can consist of the provision of decks, entrance ways, windows, retail sales facilities, eating or drinking establishments or similar facilities which enhance the waterfront setting.
  - e. Water oriented uses that provide the opportunity for the public to enjoy the waterfront for leisure and recreation shall occupy at least 75% of the ground level building facade facing the waterfront as measured in linear feet horizontally across the building wall. Water-oriented uses qualifying under this definition include parks, plazas, public seating, museums and other displays, resorts open to the public, aquariums, retail stores, and eating and drinking establishments open to the public.
9. Uses in this zone which are water-dependent or water-related must meet the criteria for water-dependent uses (Section 4.220(A)) or for water-related uses (Section 4.220(B)).
10. Professional and business offices, residences, and arts and crafts studios are permitted where they are part of a mixed-use development that also includes some of the tourist-oriented uses listed in Section 2.535 (12 through 15), under the following conditions:
- a. Single-Story Structure: The office, residence, or arts and crafts studio uses shall constitute no more than 25% of the total project's gross floor area.

*Ord 00-03  
3/20/00*

b. ~~Multi-Story Structure, shall conform to one of the following options:~~

- ~~1) The office, residence, or arts and crafts studio uses shall constitute no more than 50% of the total project's gross floor area.~~
- ~~2) A multi-story structure which maintains at least 75% of the ground floor or street level space for tourist-oriented uses as listed above, may devote 100% of the upper floors to non-tourist oriented uses, consisting of professional and business offices, residences, and arts and crafts studios.~~

11. Accessory structures in the Aquatic Two Development Zone are limited in size to a maximum of 10% of the primary structure.

"10. Professional and business office, personal service establishment limited to beauty and barber services and garment alterations, residence, and arts and crafts studio are permitted where they are part of a mixed-use development that also includes some of the tourist-oriented uses listed in Section 2.535 (12 through 15), under the following conditions:

- a. Single-Story Structure: The office, personal service establishment, residence, or arts and crafts studio uses shall constitute no more than 25% of the total project's gross floor area.
- b. Multi-Story Structure, shall conform to one of the following options:
  - 1) The office, personal service establishment, residence, or arts and crafts studio uses shall constitute no more than 50% of the total project's gross floor area.
  - 2) A multi-story structure which maintains at least 75% of the ground floor or street level space for tourist-oriented uses as listed above, may devote 100% of the upper floors to non-tourist oriented uses, consisting of professional and business offices, personal service establishment limited to beauty and barber services and garment alterations, residences, and arts and crafts studios."

## A-2A: AQUATIC TWO-A DEVELOPMENT ZONE

### 2.550. PURPOSE AND AREAS INCLUDED.

The purpose of the Aquatic Two-A Development Zone is to provide for its redevelopment as a mixed-use area while permitting exclusive office use on piling supported structures. The mix of uses shall provide for public access where feasible. The Aquatic Two-A Development Zone includes: deep water areas adjacent or in proximity to the shoreline; areas of minimum biological significance; and piles and pile supported structures. Also included are areas for which an exception to the requirements of the Estuarine Resources Goal has been adopted as an amendment to the City's Comprehensive Plan.

### 2.555. PERMITTED USES.

The following uses and activities and their accessory uses and activities are permitted in the Aquatic Two-A Development Zone, subject to the appropriate provisions of Section 2.565, Development Standards and Procedural Requirements:

1. Water-dependant commercial and industrial use.
2. Small boat building and repair.
3. Dock, moorage, pier, terminal, transfer facility and marina for commercial and recreational marine craft, for passengers, or for waterborne commerce.
4. Public pier.
5. Navigational structure.
6. Shoreline stabilization.
7. Pipeline, cable, and utility crossing.
8. Storm water and treated wastewater outfall.
9. Communication facility.
10. New dike construction.

11. Maintenance and repair of existing structure and facility.
12. Flowlane disposal of dredged material.
13. Dredging or filling as necessary for any of the permitted uses 1 through 12 listed above, pursuant to the applicable standards in Section 4.050 and 4.070.
14. The following water-related commercial uses:
  - a. Boat and/or marine equipment sales;
  - b. Fish or shellfish retail or wholesale outlet;
  - c. Charter fishing office;
  - d. Sports fish cleaning, smoking or canning establishment;
  - e. Retail trade facility for the sale of products such as ice, bait, tackle, gasoline or other products incidental to or used in conjunction with a water-dependent use.
15. Navigation aide.
16. Piling as necessary for any of the permitted uses 1 through 15 listed above.

2.560. CONDITIONAL USES.

The following uses and activities and their accessory uses and activities may be permitted in the Aquatic Two-A Development Zone as Conditional Uses when authorized in accordance with Article 11, Conditional Uses. These uses and activities are also subject to the appropriate provisions of Section 2.565, Development Standards and Procedural Requirements. It must also be shown that these uses and activities are consistent with the purpose of the Aquatic Two-A Development Zone.

1. Aquaculture and water-dependent portions of aquaculture facility.



2. Water-dependent or water-related recreational use not listed elsewhere in this zone.
3. Active restoration.
4. Bridge crossing and bridge crossing support structure.
5. A use for which an exception to the Estuarine Resources Goal has been adopted as an amendment to the Astoria Comprehensive Plan.
6. Fill in conjunction with any of the conditional uses 1 through 5 listed above, pursuant to the applicable standards in Section 4.070.
7. Mining and mineral extraction.
8. Dredging in conjunction with any of the conditional uses 1 through 7 listed above, pursuant to the applicable standards in Section 4.050.
9. Water-related commercial or industrial use.
10. Eating and drinking establishment open to the general public which provides significant visual access to the waterfront.
11. Hotel, motel, inn, bed and breakfast which provides significant visual access to the waterfront.
12. Tourist-oriented retail sales establishment which provides significant visual access to the waterfront.
13. Indoor amusement, entertainment, and/or recreation establishment which provides significant visual access to the waterfront.
14. Professional, business and medical office.
15. Residential use meeting the requirements of 2.565(8).
16. Temporary use meeting the requirements of Section 3.240.
18. ~~17.~~ Piling in conjunction with any of the conditional uses 1 through 16 listed above.
17. Conference Center which provides significant visual access to the waterfront. Ord 94-06

2.565. DEVELOPMENT STANDARDS AND PROCEDURAL REQUIREMENTS.

1. All uses shall satisfy applicable Columbia River Estuary Shoreland and Aquatic Use and Activity Standards in Article 4. Where a proposal involves several uses the standards applicable to each use shall be satisfied (e.g., dredge, fill, shoreline stabilization, piling installation or other activities in conjunction with an aquaculture facility shall be subject to the respective standards for these uses).
2. When a proposal includes several uses, the uses shall be reviewed in aggregate under the more stringent provision.
3. Uses that are not water-dependent shall be located either on a floating structure or pilings, and shall not increase the need for fill if in association with a water-dependent use located on fill.
4. Uses that are not water-dependent shall not preclude or conflict with existing or probable future water-dependent use on the site or in the vicinity. Particular attention shall be given to the possible impacts of traffic generation and parking on the operation of existing or probable water-dependent uses.
5. No structure will exceed a height of 28 feet above the grade of adjacent shorelands.
6. Uses and activities that would potentially alter the estuarine ecosystem shall be preceded by a clear presentation of the impacts of the proposed alteration, subject to the requirements of Section 5.010, Impact Assessment.
7. Uses in this zone which are water-dependent or water-related must meet the criteria for water-dependent uses (Section 4.220(A)) or for water-related uses (Section 4.220(B)).
8. Residences are permitted where they are part of a mixed-use development that also includes some of the tourist-oriented uses listed in Section 2.560 (10 through 14), under the following conditions:

- a. Single-Story Structure: The residence shall constitute no more than 25% of the total project's gross floor area.
  - b. Multi-Story Structure, shall conform to one of the following options:
    - 1) The residence shall constitute no more than 50% of the total project's gross floor area.
    - 2) A multi-story structure which maintains at least 75% of the ground floor or street level space for tourist-oriented uses as listed above, may devote 100% of the upper floors to residences.
9. Accessory structures in the Aquatic Two-A Development Zone are limited in size to a maximum of 10% of the primary structure.

### A-3: AQUATIC CONSERVATION ZONE

#### 2.575. PURPOSE AND AREAS INCLUDED.

The purpose of the Aquatic Conservation Zone (A-3) is to assure the conservation of: fish and wildlife habitats; essential properties of the estuarine resource (e.g., dynamic geological processes, continued biological productivity, unique or endemic communities of organisms, maintenance of species diversity); and the long-term use and conservation of renewable estuarine resources. This designation provides for development of low to moderate intensity that does not require major alterations of the estuary, with emphasis on maintaining estuarine natural resources and benefits. The Aquatic Conservation Zone includes small areas of tidal marsh and intertidal mud-sand flats, small fringing tidal marshes, and open water portions of the estuary and areas needed for recreational use. Partially altered estuarine areas adjacent to existing development of moderate intensity are also included in this designation, unless otherwise needed for preservation or development consistent with the need to minimize damage to the estuarine ecosystem.

Low to moderate intensity development is appropriate in Aquatic Conservation area designation (e.g., active restoration measure, communication facilities, and aquaculture). When consistent with the resource capabilities of the area and the purposes of the Aquatic Conservation Zone designation, conditional uses providing for development of moderate intensity are appropriate.

#### 2.580. PERMITTED USES.

The following uses and activities and their accessory uses and activities are permitted in the Aquatic Conservation Zone subject to the appropriate provisions of Section 2.590, Development Standards and Procedural Requirements:

1. Estuarine enhancement.
2. Riprap for protection of use existing as of October 7, 1977, unique natural resources, historical or archeological resources, or public facility.
3. Maintenance and repair of existing structure or facility.
4. Active restoration of fish habitat, wildlife habitat, or water quality.

5. Filling in conjunction with any of the permitted uses 1 through 4, above, pursuant to the applicable standards in Section 4.070.
6. Tidegate installation and maintenance in existing functional dike.
7. Dredging to obtain fill material for dike maintenance pursuant to the dike maintenance dredging standards.
8. Pipeline, cable, and utility crossing.
9. Water-dependent parts of an aquaculture facility which do not involve dredge or fill or other estuarine alterations other than incidental dredging for harvest of benthic species or removable in-water structures such as stakes or racks.
10. Dredging in conjunction with any of the permitted uses 1 through 9, above, pursuant to the applicable standards in Section 4.050.
11. Navigation aid.
12. Communication facility.
13. Bridge crossing support structure.
14. Boat ramp for public use where no dredge or fill is needed for navigational access.
15. Undeveloped low intensity water-dependent recreation.
16. Project for the protection of habitat, nutrient, fish, wildlife and aesthetic resources.
17. Research and educational observation.
18. Piling and pile supported structure in conjunction with any of the permitted uses 1 through 17 above.
19. Passive restoration.
20. Bridge crossing.

## 2.585. CONDITIONAL USES.

The following uses and activities and their accessory uses and activities may be allowed in the Aquatic Conservation Zone as Conditional Uses when authorized in accordance with Article 11, Conditional Uses. These uses and activities are also subject to the appropriate provisions of Section 2.590, Development Standards and Procedural Requirements. It must also be determined if these uses and activities meet the resource capability of the Aquatic Conservation area in which they occur, and if they are consistent with the Aquatic Conservation Zone's purpose. The procedures in Section 5.020, Resource Capability Determination, will be used to make this determination.

1. Aquaculture and water-dependent portions of aquaculture facility.
2. Active restoration for purposes other than protection of habitat, nutrient, fish, wildlife and aesthetic resources.
3. Temporary alteration.
4. Beach nourishment at sites designated in the Comprehensive Plan.
5. Filling in conjunction with conditional uses 1 through 4, above, pursuant to the applicable standards in Section 4.070.
6. High-intensity water-dependent recreation including boat ramp, marina, and individual dock.
7. Minor navigational improvement.
8. Mining and mineral extraction.
9. Dredging in conjunction with any of the conditional uses 1 through 8, above, pursuant to the applicable standards in Section 4.050.
10. Low-intensity water-dependent commercial or industrial use requiring occupation of water-surface area by means other than fill.
11. In-water log storage.
12. Piling in conjunction with any of the conditional uses 1 through 11, above.
13. Temporary use meeting the requirements of Section 3.240.

2.590. DEVELOPMENT STANDARDS AND PROCEDURAL REQUIREMENTS.

1. All uses shall satisfy applicable Columbia River Estuary Shoreland and Aquatic Area and Activity Standards in Article 4. Where a proposal involves several uses, the standards applicable to each use shall be satisfied (e.g., dredge, fill, shoreline stabilization, piling installation or other activities in conjunction with an aquaculture facility shall be subject to the respective standards for these uses).
2. When a proposal includes several uses, the uses shall be reviewed in aggregate under the more stringent procedure. In addition, a proposal with several uses shall be reviewed in aggregate for consistency with the resource capability and purposes of the Aquatic Conservation Zone, Section 2.575, when a Resource Capability Determination is required.
3. Uses and activities that would potentially alter the estuarine ecosystem shall be preceded by a clear presentation of the impacts of the proposed alteration, subject to the requirements of Section 5.010, Impact Assessment.
4. No use shall be allowed in an Aquatic Conservation Zone (A-3) which would cause a major alteration of the estuary.
5. The maximum height of structures in the Aquatic Conservation Zone shall be 20 feet above the grade of adjacent shorelands.
6. Uses that are not water-dependent shall be located either on a floating structure or pilings, and shall not increase the need for fill if in association with a water-dependent use located on fill.
7. Uses that are not water-dependent shall not preclude or conflict with existing or probable future water-dependent use on the site or in the vicinity.
8. Uses in this zone which are water-dependent or water-related must meet the criteria for water-dependent uses (Section 4.220(A)), or for water-related uses (Section (4.220(B))).
9. Accessory structures in the Aquatic Conservation Zone are limited in size to a maximum of 10% of the primary structure.

## A-4: AQUATIC NATURAL ZONE

### 2.600. PURPOSE AND AREAS INCLUDED.

The purpose of the Aquatic Natural Zone (A-4) is to assure the preservation and protection of: 1) significant fish and wildlife habitats, 2) essential properties of the estuarine resource (e.g., dynamic geological processes, continued biological productivity, unique or endemic communities of organisms, species diversity), and 3) research and educational opportunities. The Aquatic Natural Zone includes major tracts of tidal marshes and intertidal mud-sand flats, which because of a combination of factors such as size, habitat value and productivity, play a vital role in the function of the estuarine ecosystem. Aquatic Natural Zones may also include ecologically important subtidal areas. Low intensity uses consistent with the preservation and protection of natural resource values are appropriate in Aquatic Natural Zones.

### 2.605. PERMITTED USES.

The following uses and activities and their accessory uses and activities are permitted in the Aquatic Natural Zone subject to the appropriate provisions of Section 2.615, Development Standards and Procedural Requirements:

1. Low-intensity water-dependent recreation.
2. Passive restoration.
3. Navigational aide, such as beacon and buoy.
4. Vegetative shoreline stabilization.
5. Emergency repair to existing dike.
6. Marine research and education.
7. Piling installation as necessary for permitted uses 1 through 6, above.
8. Bridge crossing.



## 2.610. CONDITIONAL USES.

The following uses and activities and their accessory uses and activities may be allowed in the Aquatic Natural Zone as Conditional Uses when authorized in accordance with Article 11, Conditional Uses. These uses and activities are also subject to the appropriate provisions of Section 2.615, Development Standards and Procedural Requirements. It must also be determined if these uses and activities meet the resource capability of the Aquatic Natural area in which they occur, and if they are consistent with the purpose of the Aquatic Natural Zone. The procedures in Section 5.020, Resource Capability Determination, will be used to make this determination.

1. Maintenance and repair of existing structure or facility.
2. Fill as necessary for conditional use number 1, above, pursuant to the applicable standards in Section 4.070.
3. Active restoration.
4. Pipeline, cable and utility crossing.
5. Dredging as necessary for conditional uses 1 through 4, above, pursuant to the applicable standards in Section 4.050.
6. Aquaculture facility limited to temporary removable structures which require no dredge or fill.
7. Boat ramp for public use where no dredging or fill for navigational access is needed.
8. Bridge crossing support structure.
9. Piling as necessary for conditional uses 1 through 9, above.
10. Temporary alteration.
11. Communication facility.

2.615. DEVELOPMENT STANDARDS AND PROCEDURAL REQUIREMENTS.

1. All uses shall satisfy applicable Columbia River Estuary Shoreland and Aquatic Area Use and Activity Standards in Article 4. Where a proposal involves several uses, the standards applicable to each use shall be satisfied (e.g., dredge, fill, shoreline stabilization, piling installation or other activities in conjunction with an aquaculture facility shall be subject to the respective standards for these uses).
2. When a proposal includes several uses, the uses shall be reviewed in aggregate under the more stringent procedure. In addition, a proposal with several uses shall be reviewed in aggregate for consistency with the resource capability and purposes of the Aquatic Natural Zone, Section 2.600, when a Resource Capability Determination is required.
3. Uses and activities that would potentially alter the estuarine ecosystem shall be preceded by a clear presentation of the impacts of the proposed alteration, subject to the requirements of Section 5.010, Impact Assessment.
4. The maximum height of structures in the Aquatic Natural Zone shall be 20 feet above the grade of adjacent shorelands.
5. Uses that are not water-dependent shall be located either on a floating structure or pilings, and shall not increase the need for fill if in association with a water-dependent use located on fill.
6. Uses that are not water-dependent shall not preclude or conflict with existing or probable future water-dependent use on the site or in the vicinity.
7. Uses in this zone which are water-dependent or water-related must meet the criteria for water-dependent uses (Section 4.220(A)) or for water-related uses (Section 4.220(B)).
8. Accessory structures in the Aquatic Natural Zone are limited in size to a maximum of ten percent of the primary structure.

## S-1: MARINE INDUSTRIAL SHORELANDS

### 2.650. PURPOSE AND AREA INCLUDED.

The purpose of the Marine Industrial Shorelands Zone is to manage shorelands in urban and urbanizable areas especially suited for water-dependent uses and to protect these shorelands for water-dependent industrial, commercial and recreational use. The Marine Industrial Shorelands Zone includes areas with special suitability for water-dependent development. Primary attributes for Marine Industrial Shorelands areas are access to well scoured deep water and maintained navigation channels, existing developed land uses, potential for aquaculture, feasibility for marina development, and potential for recreational utilization. Uses of Marine Industrial Shorelands shall maintain the integrity of the estuary and coastal waters. Water-dependent uses receive highest priority, followed by water-related uses. Uses which are not water-dependent or water-related are provided for, but only when they do not foreclose options for future higher priority uses and do not limit the potential for more intensive uses of the area.

### 2.655. PERMITTED USES.

The following uses and activities and their accessory uses and activities are permitted in the Marine Industrial Shorelands Zone subject to the applicable provisions of Section 2.665, Development Standards and Procedural Requirements:

1. Water-dependent industrial use.
2. Water-dependent commercial use.
- \* 3. Water-dependent recreational facility, including boat ramp, dock, moorage and marina for commercial and recreational marine craft.
- \* 4. Other water-dependent commercial and recreational uses.
5. Shoreline stabilization.
6. Navigational aide.
7. Temporary dike for emergency flood protection limited to 60 days, subject to State and Federal regulations.
8. Water-related commercial and industrial use.
- \* Not permitted at South Tongue Point.

2.660. CONDITIONAL USES.

The following uses and activities and their accessory uses and activities may be permitted in the Marine Industrial Shorelands Zone as Conditional Uses when authorized in accordance with Article 11, Conditional Uses. These uses and activities are also subject to the appropriate provisions of Section 2.665, Development Standards and Procedural Requirements:

1. Retail trade facility for the sale of products such as ice, bait, tackle, charts, gasoline or other products incidental to, or used in conjunction with a water-dependent use.
2. Eating and drinking establishment which provides a view of the waterfront, and which is in conjunction with a water-dependent use such as a marina or seafood processing plant.
3. Water-related recreational use.
4. Aquaculture facility.
5. Temporary use meeting the requirements of Section 3.240.
6. Non-water-dependent and non-water-related use which is accessory to and in conjunction with permitted water-dependent and water-related use.

2.665. DEVELOPMENT STANDARDS AND PROCEDURAL REQUIREMENTS.

1. All uses shall satisfy applicable Columbia River Estuary Shoreland and Aquatic Area Use and Activity Standards in Article 4. Where a proposal involves several uses the standards applicable to each use shall be satisfied (e.g., dredge, fill, shoreline stabilization, piling installation or other activities in conjunction with an aquaculture facility shall be subject to the respective standards of these uses).
2. When a proposal includes several uses, the uses shall be reviewed in aggregate under the more stringent procedure.
3. Uses that are not water-dependent shall not preclude or conflict with existing or probable future water-dependent use on the site or in the vicinity.
- "7. Non-water dependent and non-water related uses may be located in existing, under-utilized buildings provided the use does not preclude future water-dependent or water-related uses."

Ord 94-05

4. Water-dependent recreation and water-dependent commercial uses shall be located so as not to interfere with water-dependent marine industrial uses of areas.
5. There shall be no height limitation for structures sited within the Marine Industrial Shorelands Zone.
6. Uses in this zone which are water-dependent or water-related must meet the criteria for water-dependent use (Section 4.220(A)), or for water-related uses (Section 4.220(B)).
7. Uses in the South Tongue Point Area, the North Tongue Point Mediated Agreement Area, or in the Port of Astoria Mediated Agreement Area, must comply with the relevant policies in the Comprehensive Plan, Sections CP.165(G) or CP.180(H).
8. Accessory structures in the Marine Industrial Shorelands Zone are limited in size to a maximum of ten percent of the lot or parcel size.
9. In the unincorporated UGB, uses and activities permitted under Sections 2.655 and 2.660 of this zone are subject to the public notice provisions of Section 9.020 if an impact assessment is required pursuant to Section 5.010, or if the Community Development Director determines that the permit decision will require interpretation or the exercise of factual, policy or legal judgement.
- "10. Any lease of property for non-water dependent or non-water related uses shall contain a provision that the property owner shall terminate the lease if the property owner determines that the property is required for a water dependent or water related use."

Ord 94-05

## S-2: GENERAL DEVELOPMENT SHORELANDS ZONE

### 2.675. PURPOSE AND AREAS INCLUDED.

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

### 2.680. PERMITTED USES.

The following uses and activities and their accessory uses and activities are permitted in the General Development Shorelands Zone, subject to the provisions of 2.690, Development Standards and Procedural Requirements.

- \* 1. Charter fishing office.
- 2. Cold storage and/or ice processing facility.
- \* 3. Marina and high intensity water-dependent recreation.
- 4. Marine equipment sales establishment.
- \* 5. Petroleum receiving, dispensing and storage for marine use.
- 6. Seafood receiving and processing.
- 7. Ship and boat building and repair.
- 8. Maintenance and repair of existing structure or facility.
- 9. Navigation aide.
- 10. Temporary dike for emergency flood protection subject to State and Federal regulations.
- 11. Shoreline stabilization.
- 12. Public park or recreation area.
- 13. Water-dependent industrial, commercial and recreational use.
- \* 14. Manufactured Dwelling in an approved park.
- \* Not permitted at South Tongue Point.

2.685. CONDITIONAL USES.

The following uses and activities and their accessory uses and activities may be allowed as Conditional Uses when authorized in accordance with Article 11, Conditional Uses, and when they meet the provisions of 2.690, Development Standards and Procedural Requirements.

1. Active restoration/resource enhancement.
- \* 2. Automobile sales and service establishment.
3. Contract construction service establishment.
4. Educational establishment.
- \* 5. Gasoline service station.
6. Housing which is secondary to another permitted use, such as security guard's or proprietor's quarters.
7. Log storage/sorting yard.
- \* 8. Manufactured Dwelling Park which satisfies requirements in Section 11.120.
- \* 9. Single-family residence where such use occupies no more than 25% of a structures gross floor area.
- \* 10. Multi-family dwelling.
11. Public or semi-public use.
12. Utility.
13. Business service establishment.
14. Communication service establishment.
15. Personal service establishment.
16. Professional service establishment.
17. Repair service establishment.
18. Research and development laboratory.
19. Shipping and port activity.

- 20. Wholesale trade, warehouse, and/or distribution establishment (including trucking terminal).
- 21. Eating and drinking establishment.
- 22. Retail sales establishment.
- \* 23. Hotel, motel, inn, bed and breakfast.
- \* 24. Indoor amusement, entertainment and/or recreation establishment.
- 25. Wood processing.
- 26. Light manufacturing.
- 27. Temporary use meeting the requirements of Section 3.240.
- 28. Water-related industrial, commercial and recreational uses.
- \* 29. *Conference Center. Ord 94-06*
- \* Not permitted at South Tongue Point.

2.690. DEVELOPMENT STANDARDS AND PROCEDURAL REQUIREMENTS.

- 1. All uses will satisfy applicable Columbia River Estuary Shoreland and Aquatic Area Use and Activity Standards in Article 4. Where a proposal involves several uses the standards applicable to each use shall be satisfied.
- 2. Outdoor storage areas will be enclosed by appropriate vegetation, fencing or walls.
- 3. All uses will comply with access, parking, and loading standards in Article 7.
- 4. When a proposal includes several uses, the uses shall be reviewed in aggregate under the more stringent procedure.
- 5. Signs will comply with requirements in Article 8.
- 6. No structure will exceed a height of 28 feet above grade, except for those areas between the 15th and 21st Street right-of-ways, and between the 5th Street right-of-way and the Astoria-Megler Bridge. In these two areas no structure shall exceed a height of 45 feet above grade.



7. Commercial and recreational facilities having a tourist orientation shall be designed to take maximum advantage of river views.
8. Uses which are non-water-dependent, non-water-related or which otherwise derive no benefit from a waterfront location and which have frontage on the water shall provide a landscaped buffer along the waterfront.
9. Whenever possible all structures shall be designed and orientated to maintain views of the river from public rights-of-way.
10. Uses in this zone which are water-dependent or water-related must meet the criteria for water-dependent uses (Section 4.220(A)), or for water-related uses (Section 4.220(B)).
11. Accessory structures in the General Development Shorelands Zone are limited in size to a maximum of 10% of the lot or parcel size.

IN: INSTITUTIONAL ZONE

2.835. PURPOSE.

This zone is intended to facilitate uses such as parks, public works, schools, museums, open space, and similar activities on property which is presently committed to such uses.

2.840. USES PERMITTED OUTRIGHT.

The following uses and their accessory uses are permitted in an IN Zone if the Community Development Director determines that the uses will not violate standards referred to in Sections 2.835 through 2.860, additional Development Code provisions, the Comprehensive Plan, and other City laws:

1. Caretaker dwelling.
2. Community building.
3. ~~Park~~ Low-intensity recreation. Ord 96-01
4. Public parking lot or structure.
5. Public restroom.
6. Public utility shop and yard.
7. Recycling or solid waste transfer facility.
8. Reservoir.
9. School or college.
10. Single-family dwelling on lot where such use existed as of January 1, 1990.
11. Utilities.

2.842. Conditional Uses Permitted.

1. High Intensity recreation

Ord 96-01  
(see attached)

AN ORDINANCE AMENDING THE ASTORIA DEVELOPMENT CODE CONCERNING USES ALLOWED IN THE INSTITUTIONAL ZONE (IN) AND LAND RESERVE ZONE (LR).

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. The Astoria Development Code Section 2.840(3) "Uses Permitted Outright" in the IN Zone is deleted in its entirety and amended to read as follows:

"3. Low-intensity recreation."

Section 2: The Astoria Development Code is amended by the addition of Section 2.842 to read as follows:

"2.842. CONDITIONAL USES PERMITTED.

The following uses and their accessory uses are permitted in an Institutional Zone (IN) if the Planning Commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in Sections 2.845 through 2.860, additional Development Code provisions, the Comprehensive Plan, and other City laws:

1. High-intensity recreation."

Section 3. The Astoria Development Code Section 2.875(3) "Uses Permitted Outright" in the LR Zone is deleted in its entirety and replaced to read as follows:

"3. Low-intensity recreation."

Section 4. Effective Date. This ordinance and its amendment will be effective 30 days following its passage and enactment by the City Council.

ADOPTED BY THE COMMON COUNCIL THIS 16 DAY OF JANUARY, 1996.

APPROVED BY THE MAYOR THIS 16 DAY OF JANUARY, 1996.

ATTEST:  
  
Finance Director

  
Mayor

ROLL CALL ON ADOPTION:

	YEA	NAY	ABSENT
Commissioner Wilkins	X		
Morden	X		
Thompson	X		
Borgardt	X		
Mayor Van Dusen			X

2.845. YARDS.

The minimum yard requirements in an IN Zone will be as follows:

1. The minimum front yard will be 20 feet.
2. The minimum side yard will be five (5) feet, except on corner lots, the side yard on the street side will be 15 feet.
3. The minimum rear yard will be 20 feet, except on corner lots, the rear yard will be five (5) feet.

2.850. LANDSCAPED OPEN AREA.

A minimum of 10 percent of the total lot area will be maintained as a landscaped open area.

2.855. HEIGHT OF STRUCTURES.

No structure will exceed a height of 45 feet above grade.

2.860. OTHER APPLICABLE USE STANDARDS.

1. Landscaping shall meet the requirements of Sections 3.105 through 3.120.
2. When an institutional use in an IN Zone abuts a lot in a residential zone, there will be an attractively designed and maintained buffer of at least five (5) feet in width, which can be in the form of hedges, fencing, or walls.
3. Outdoor storage areas will be enclosed or screened from view by appropriate vegetation, fencing, or walls.
4. Where feasible, joint access points and parking facilities for more than one use should be established.
5. All uses will comply with access, parking, and loading standards in Article 7.

6. Signs will comply with requirements in Article 8.
7. All structures will have storm drainage facilities that are channeled into the public storm drainage system or a natural drainage system approved by the City Engineer. Developments affecting natural drainage shall be approved by the City Engineer.
8. Where new development is within 100 feet of a known landslide hazard, a site investigation report will be prepared by a registered geologist. Recommendations contained in the site report will be incorporated into the building plans.
9. Single-family dwellings existing as of January 1, 1990 may be moved, enlarged or reconstructed provided such work is confined to those privately owned lots associated with the dwelling.