

## ASTORIA PLANNING COMMISSION MEETING WORK SESSION

Astoria City Hall  
March 22, 2016

### CALL TO ORDER:

President Pearson called the work session to order at 5:30 pm.

### ROLL CALL:

Commissioners Present: President David Pearson, Vice President Kent Easom, McLaren Innes, Sean Fitzpatrick, Daryl Moore, Jan Mitchell and Frank Spence

Staff Present: Community Development Director Kevin Cronin and Planner Nancy Ferber. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

### OLD BUSINESS:

#### **Item 1 (a): Code Amendment Updates**

Director Cronin presented the Staff report, which included emails, articles, and proposed Code amendments. At the dais, Commissioners had copies of a case study on townhouses and row houses. He noted that Staff has begun using a zoning checklist during pre-application conferences to help applicants understand what is expected when they submit an application. The Commission and Staff discussed the proposed amendments to Articles 3 and 9, as follows:

- The Commission was concerned that the on-site signs would create additional work for staff. Director Cronin explained that no state law requires notices to be posted on site, but many jurisdictions do. Currently, only property owners are sent notices, so renters are unaware of public hearings unless they see the notices on the City's website. Posting notices on site increases the City's transparency. The on-site signs will be made of weather resistant materials and anchored so they will not be blown away. They will only be posted during the time the application is active. Various methods will be used to affix the signs, depending on what works best at each site.
- The Commission agreed that the language proposed for Section 3.020(2) (a) was a bit ambiguous. It seemed to state that a detached garage could not be converted to an accessory dwelling unit (ADU), but an ADU could be built above a detached garage.
- Single-family lots with tiny homes would still have to comply with lot coverage standards. If a lot were large enough to accommodate multiple tiny homes, another section of the Zoning Code would apply.
  - A tiny home could be manufactured on or off site, but must be less than 500 square feet and must be placed on a foundation. Tiny homes will not be allowed to sit on wheels, which will separate tiny houses from recreation vehicles.
- Row houses are built to look identical to each other, but townhouses have different architectural features and designs. Director Cronin showed photographs and described which features defined Columbia Landing as townhouses and Market View Townhomes as row houses. Higher lot coverage will be necessary for these types of housing units. The case study showed that both townhouses and row houses work well in Astoria because the form of the buildings can fit the site. Both urban and neighborhood settings can accommodate these units.

Director Cronin reviewed the proposed changes to residential zoning codes, which are intended to help fulfill the housing needs in Astoria. He asked the Commission to consider the housing study as they discussed the proposed amendments. He noted that residential zones have maximum density standards and most property owners have reached their density limits.

The Commissioners discussed the recommended lot coverages, which Commissioner Easom said he liked. The discussion continued, as follows:

- Astoria has a lot of 9,000 and 10,000 square foot lots and current Codes offer no incentive to partition those lots, which would require a variance. Staff has seen a significant demand for these variances. The recommended lot coverage would allow a 9,000 square foot lot to be divided. Townhouses and row houses have lot coverages that are different from multifamily dwellings because the townhouses and row houses will

be larger than apartments. Commissioner Moore noted that a duplex could be referred to as two row houses. However, the duplex could be 5,000 square feet, but two row houses could be 5,500 square feet. Director Cronin stated he would reconsider those lot coverage recommendations.

- Reducing the size of duplexes to 5,000 square feet could potentially allow single-family homes to be converted to duplexes. Staff has not seen a demand for this type of development, but this recommendation would provide an incentive to redevelop a vacant or underutilized home. He explained that parking has been a stumbling block for many projects because off-street parking is required.
- Commissioner Moore suggested the recommended lot coverage in the R-3, high-density zones be lowered to 2,500 square feet so that a 5,000 square foot unit could be divided. If two townhomes or row houses were allowed on 5,000 square foot lot, why would the City not allow two single-family units on a 5,000 square foot lot? Director Cronin explained that even though the recommendations are more flexible, there are still other standards that must be met. In order for Astoria to continue to provide new housing, the new housing will have to include multi-family dwellings.
- Director Cronin confirmed that Article 2 on Page 12 should state the minimum lot size for a multi-family development in the R-3 zone would be 5,000 for the first unit, plus 1,000 square feet for each additional unit.
- Lot coverages for multi-family units are different from row houses and townhouses because multi-family units are typically built on a single lot managed by a property manager, but townhouses and row houses are built on fee simple lots and each house is owned by separate individuals. Condominium owners own the unit, but not the land, and pay into the ownership of common areas. While townhouses and row houses have owners associations, the property owners own the land and the building. The recommended lot sizes allow Staff to calculate the number of units allowed on a lot and track density in each zone.

The Commissioners agreed that the recommended Code amendments were ready for a public hearing. Director Cronin asked the Commission to discuss the recommended standards for vacation rentals.

Commissioner Spence asked why vacation rentals were recommended in commercial zones only. The Commission recently reviewed an application for a bed and breakfast in a residential zone. Even though the Applicant had been cited, he continued to advertise his rental units.

Director Cronin explained that vacation rentals could be operated by someone other than the property owner. However, home stay lodgings must be managed by the property owner and the property owner must live on the property. Bed and breakfasts are required to provide a morning meal and the manager must live on the property, but the manager could be someone other than the property owner. Unfortunately, vacation rental is typically used to define all types of lodgings. The sharing economy has revolutionized this industry and third-party websites allow property owners to manage these properties with ease. He confirmed that the recent application was for a conditional use permit to allow a bed and breakfast, which the Commission denied.

- Staff is not recommending any changes for these lodgings, but Staff does not have the time to enforce the existing Codes. He suggested a safety inspection program be added to the City's Code. Anyone who operates a business from their home should have a fire extinguisher, smoke alarm, first aid kit, a tsunami map, and basic emergency information. The City could charge a small fee for Staff time to conduct a quick inspection.
- Astoria has about 45 postings on the third-party websites and Staff will confirm that each property complies with the laws. However, there are property owners who are not using those websites. He confirmed that home stay lodgings have to pay hotel taxes, but property owners who are renting out their entire home for three days are in violation. Unless Staff receives complaints, the City cannot enforce current Codes. Every jurisdiction is dealing with enforcement issues.
- When Staff receives evidence that a property owner is in violation, Staff sends a letter. If the property owner does not comply, a second notice is sent. If the property owner still does not comply, they must appear before a judge in municipal court, who can issue fines. If the owner does not pay the fines, the City can take other measures.

President Pearson confirmed Commissioners had no further comments for Staff.

#### PUBLIC COMMENT:

Unidentified Speaker said he was number 49 on the lodging list. He believed the property owners were being unjust by failing to pay for lodging permits. There are numerous lodgings that are illegal and do not pay taxes. The City of Eugene has spent a fortune on their track and field complex, which was funded by lodging taxes.

Cannon Beach and the surrounding areas are making a lot of money. But Astoria has strict regulations and very limited parking. He has a lodging permit; however, it is impossible to tell if he is hosting family or renting to a vacationer. He has had neighbors complain when his brother visits from out of town. It is more difficult for the City to keep track of the lodging permits than bed and breakfasts. But it would be great if the City could encourage home stay lodgings because the tax revenue would be great for the City.

ADJOURNMENT TO REGULAR MEETING:

There being no further business, the work session was adjourned at 6:19 pm to convene the regular Astoria Planning Commission meeting.

**APPROVED:**



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Community Development Director