

**CITY OF ASTORIA
ORDINANCE 22-06**

NOW THEREFORE, be it ordained by the Council of the City of Astoria, in the State of Oregon, as follows:

SECTION 1: **AMENDMENT** “1.400 DEFINITIONS” of the Astoria Development Code is hereby *amended* as follows:

AMENDMENT

1.400 DEFINITIONS

As used in this Code or in the interpretation of this Code, the following terms shall have the meanings indicated:

ABUTMENT: A substructure composed of stone, concrete, brick or timber supporting the end of a single span bridge or the ends of a multi-span superstructure and, in general, retaining or supporting the approach embankment placed in contact therewith.

ACCESS WAY: A walkway providing a through connection for pedestrians and bicyclists between two streets, between two lots, or between a development and a public right-of-way. It may be an access way for pedestrians and bicyclists (with no vehicle access), or a walkway on public or private property (i.e., with a public access easement); it may also be designed to accommodate emergency vehicles. See also, Walkway. (Added by Ordinance 14-03, 4-21-14)

ACCESSORY RENTAL UNIT: (Deleted by Ordinance 04-10, 11/1/04)

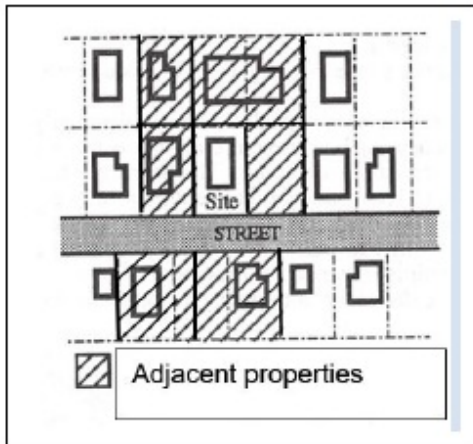
ACCESSORY DWELLING UNIT: See Residential Structure Types, Accessory Dwelling Unit. (Amended by Ordinance 21-02, 2-16-21; Added by Ordinance 04-10, 11/1/04; Amended by Ord 17-07, 4-17-17)

ACCESSORY STRUCTURE IN A COTTAGE CLUSTER DEVELOPMENT: Includes shared accessory structures such as parking or storage buildings; and individual accessory structures such as garages attached to cottages, which may not face the common open space. (Added by Ord 13-09, 10-6-14)

ACCESSORY STRUCTURE OR USE: A structure or use incidental and subordinate to the main use and located on the same lot as the main use.

ACCRETION: The build-up of land along a beach or shore by the deposition of waterborne or airborne sand, sediment, or other material.

ADJACENT: Contiguous to, including those properties which would share an edge or boundary if there were no intervening streets, alleys, or other rights-of-way. (Amended by Ord 19-06, 7-1-2019)



ALLEY: A street which affords only a secondary means of vehicular access to the property.

ALTERATION: A change, addition, or modification of a structure, appurtenance, object, sign, or site, which affects the exterior appearance of the structure, appurtenance, object, sign or site, excluding landscaping, routine maintenance, and exterior painting of buildings. Alteration to a sign, excluding content, shall include but not be limited to the size, shape, method of illumination, position, location, materials, construction or supporting structure of the sign.

AQUACULTURE: The raising, feeding, planting and harvesting of fish, shellfish, aquatic plants, or other aquatic organisms, including associated facilities necessary to engage in the use.

AQUATIC AREA: In the Columbia River Estuary, the tidal waters and wetlands, and the land underlying these waters. The upper limit of aquatic areas is the upper limit of aquatic vegetation or, where such a line cannot be accurately determined, Mean Higher High Water.

ARTS AND CRAFTS STUDIO: Facility used by artists and crafts persons and up to two assistants for the production of arts and crafts, and which are not open to the public for retail sales.

ATTACHED ACCESSORY BUILDING: Structures that share one or more common vertical walls. (Added by Ordinance 04-10; 11/1/04)

AUTOMOTIVE SALES OR SERVICE ESTABLISHMENTS: Businesses engaged in the storage, sales, or servicing of automobiles, trucks, recreation vehicles, or other vehicles. Gasoline service stations are not included in this category.

AUTOMOTIVE SERVICE STATION: Any premises used primarily for retail sales of oil, auto accessories, and as a secondary service, minor servicing, excluding body and fender repair. Gasoline service stations are not included in this category. Electrical vehicle charging station not accessory to the primary use on the property is included in this category. Electrical vehicle charging station without a freestanding sign, except directional and/or informational signs less than four square feet each, may be classified as an accessory use to the primary use in a parking lot (including commercial or public off-street parking lot use classification) are not included in this category. (Amended by Ord 19-05, 6-17-2019)

AUTOMOTIVE WRECKING YARD: Any property where two or more motor vehicles not in running condition, or the parts thereof, are wrecked, dismantled, disassembled, substantially altered or stored in the open and are not to be restored to operation.

AVULSION: A tearing away or separation by the force of water. Land which is separated from uplands or adjacent properties by the action of a stream or river cutting through the land to form a new stream bed.

AWNING: A temporary or movable shelter which may or may not contain signage, supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework. Backlit awnings are not included in this category.

BACKLIT AWNING: An awning that is specifically designed to illuminate the surface of an awning after dark, and made of a material that enhances or facilitates projection of light.

BANKLINE ALTERATION: Realignment of a stream bank or the entire stream, either within or outside of its normal high water boundaries.

BANNER: A piece of non-rigid material attached by one or more edges to a pole, staff, building or other device intended to draw attention to a building or site for commercial or non-commercial purposes.

BASEMENT: The lowest story of a structure, below the main floor and wholly or partly below the surface of the ground.

BEACH: Gently sloping areas of loose material (e.g. sand, gravel, and cobbles) that extend landward from the low-water line to a point where there is a definite change in the material type or land form, or to the line of vegetation.

BEACH NOURISHMENT: Placement of sand material on actively eroding beach sites identified in the Dredged Material Management Plan to maintain the historic beach profile. Beach nourishment does not include creation of new land area or beaches and must provide for the protection of estuarine resources (including habitat, nutrient, fish, wildlife, and aesthetic resources). Dredged material may be used for beach nourishment.

BED AND BREAKFAST: Any transient lodging facility which contains between three (3) and seven (7) guest bedrooms, which is owner or manager occupied, and which may provide a morning meal. This includes any accommodation meeting these requirements including facilities known by their advertising and/or management platform names, or other such transient lodging identification. (Amended by Ord 19-07, 7-1-2019)

BILLBOARD VEHICLE: Any wheeled vehicle, whether motorized or not, used primarily for the display of general advertising or general advertising for hire, by means of traversing or parking upon any public street or public parking space in a manner that the advertising image(s) on the vehicle are visible from any portion of the public right-of-way. Also known as sign truck or billboard truck or mobile billboard. This definition does not apply to vehicles displaying images related to the same business or establishment of which the vehicle is an operating instrument for other purposes and does not apply to vehicles which are on the public road for the primary purpose of transportation, such as taxis and buses, even if such vehicles display general advertising. (Added by Ord 19-05, 6-17-2019)

BLOCK: A parcel of land bounded by three or more streets in a land division. (Added by Ordinance 14-03, 4-21-14)

BLOCK LENGTH: The distance measured along all that part of one side of a street which is between two intersection or intercepting streets, or between an intercepting street and a railroad right-of-way, water course, body of water or unsubdivided acreage. (Added by Ordinance 14-03, 4-21-14)

BOARDING OR ROOMING HOUSE: A building where lodging with or without meals is provided for compensation for not less than three nor more than fifteen persons in addition to members of the family occupying the buildings.

BOAT HOUSE: A floating or pile-supported structure used for the protection and storage of a boat or boats.

BOAT RAMP: An improved sloped surface extending from a shoreland area into an aquatic area suitable for removing a boat from the water and launching a boat into the water from a trailer.

BRIDGE CROSSING: The portion of a bridge spanning a waterway not including supporting structures or fill located in the waterway or adjacent wetlands.

BRIDGE CROSSING SUPPORT STRUCTURES: Piers, piling, abutments, and similar structures necessary to support a bridge span but not including fill for causeways or approaches.

BUILDING: A structure built for the support, shelter, or enclosure of persons, animals, chattels or property of any kind.

BUILDING ENVELOPE: The outer bounds, both vertically and horizontally, of an enclosed

structure. [Added by Ordinance 13-08, 8-19-2013]

BUILDING FRONTAGE: The lineal frontage of a building along a public street, waterway, or parking lot, excluding alleys. In cases of building frontage on a parking lot, the frontage must contain a public entry to a building. Where a business or other enterprise occupies a portion of a building, lineal frontage is based on the footage occupied by that business or activity. (See Section 8.120.D).

BUILDING, HISTORIC: Buildings which are designated as historic within Astoria are structures intended to shelter human activity. Examples include a house, barn, hotel, church, or similar construction. The term building, as in outbuilding, can be used to refer to historically and functionally related units, such as a courthouse and a jail, or a barn and a house. (Added by Ord 19-06, 7-1-2019)

BUILDING LINE: A line established by an ordinance to govern the placement of a building with respect to the front lot line through the setback requirements of a minimum front yard. A building line is ordinarily parallel to the front lot line and at a distance in accordance with the setback requirement. A building line indicates the limit beyond which buildings or structures may not be erected. For lots contained in an official subdivision plat recorded before December 7, 1961, the building line may be taken as shown therein. (Amended by Ordinance 14-03, 4-21-14)

BUILDING MASS: The height, width, and depth of a structure including non-enclosed features such as unenclosed stairs and unenclosed decks. The mass of a structure is determined by the volume of the building; variation in building shape and form; the relationship between a structure and the size of adjacent structures; and the building site and its relationship to the sidewalk and street, and importance to human scale. (Amended by Ord 19-06, 7-1-2019; Added by Ordinance 13-08, 8-19-2013)

BUILDING OFFICIAL: The officer or other designated authority charged with the administration and enforcement of the Building Code, or a regularly authorized deputy. (Amended by Ordinance 14-03, 4-21-14)

BUILDING SCALE: See Scale, Building. (Added by Ord 19-06, 7-1-2019)

BULK PLANT: An establishment where commodities, including both liquids and solids, are received by tank vessel, pipelines, tank cars, tank vehicle or other container, and are stored or blended in bulk for distribution by tank vessel, pipeline, tank car, tank vehicle or container.

BULKHEAD: A vertical wall of steel, timber or concrete used for erosion protection or as a retaining wall.

BUSINESS INCUBATOR: A business incubator is a place where newly created firms and/or individuals interested in starting their own businesses are concentrated in a limited space and are provided with an array of business support resources and services. Its aim is to improve the chance of growth and rate of survival of these firms and individuals by providing on-site management support individually focused on their marketing, general management, finance and accounting problems. Facilities provided by incubators generally are subsidized with increasing rental rates over time. These facilities generally have common areas for office space, technology support services and conference rooms. Generally new firms must apply to participate in the incubator program, and when accepted, are supported in developing their business plans, obtaining financing/working capital (loans/investments) and generating sales. The main goal is local economic development and job creation. (Added by Ordinance 02-03, 2-4-02)

BUSINESS SERVICE ESTABLISHMENTS: Businesses primarily engaged in rendering services - other than professional, educational, repair, or contract construction services - to other business establishments. These services include, but are not limited to: employment services, advertising services, consumer credit and reporting services, collection services, mailing services, and building maintenance services.

CANOPY: A removable roof-like structure attached to a building, including, but not limited to metal awnings and mansard roofs.

CARRIAGE HOUSE DWELLING UNIT: A dwelling unit on the second floor of a common parking structure. (Added by Ord 14-09, 10-6-14)

CITY: The City of Astoria, Oregon.

CITY ENGINEER: The certified official or other designated authority charged with the administration of the Engineering Division of the City's Public Works Department or his/her designee. (Added by Ordinance 14-03, 4-21-14)

CLINIC: A building or portion of a building containing offices and facilities for out-patients only, providing one or more of the following services: medical, dental, or psychiatric.

CLUSTER DEVELOPMENT: A development technique wherein house sites or structures are grouped closer together with the remainder of the tract left in its natural state or as open space. Refer to Section 11.160. (Amended by Ordinance 95-05, 2-6-95)

COASTAL SHORELANDS: Those areas immediately adjacent to the ocean, estuary, and its associated wetlands. Coastal Shorelands are limited in landward extent by the coastal shorelands boundary, described in Astoria Comprehensive Plan area plans.

COMMON OPEN SPACE: An area improved for recreational use or gardening that all owners in the development own and maintain in common through a homeowner's association, condominium association, or similar mechanism. (Added by Ord 14-09, 10-6-14)

COMMUNICATION FACILITIES: Power and communication lines and towers, antennas and microwave receivers.

COMMUNICATION SERVICE ESTABLISHMENTS: Businesses primarily engaged in communications activities, including: newspaper and printing services, television and radio services, and telephone and telegraphy services.

COMMUNITY DEVELOPMENT DIRECTOR: The person designated as having overall responsibility for the activities of the City's Community Development Department or his/her designee. (Added by Ordinance 14-03, 4-21-14)

COMPATIBLE NON-HISTORIC NON-CONTRIBUTING STRUCTURE: Structures in this classification were built after the end of the secondary development period, but are compatible architecturally, and in scale, use of materials and detailing with the context and historic character of Primary and Secondary buildings within a historic district.

COMPREHENSIVE PLAN: The comprehensive development plan for the City comprising plans, maps or reports, or any combination thereof, relating to the future economic and physical growth and development or redevelopment of the City.

CONDOMINIUM: A building, or group of buildings, in which dwelling units, offices, or floor area are owned individually, and the structure, common area, and facilities are owned by all the owners on a proportional, undivided basis. (Added by Ordinance 95-05, 2-6-95)

CONGREGATE CARE: A single or multiple structure, assisted living facility which provides semi-independent living for the elderly or handicapped persons, consisting of small apartments with common eating, recreational or therapy facility. Such facility may or may not be licensed by the State of Oregon. Such facilities are distinct from Residential Facilities in that they are intended to serve more than 15 persons.

CONSISTENT: For the purpose of Article 6, Historic Properties Ordinance, consistent shall mean to be similar to the original historic feature in design, size, and/or material, or would meet the commonly acceptable intent of an original feature. (Added by Ordinance 13-08, 8-19-2013)

CONSTRUCTION SERVICE ESTABLISHMENT: Business primarily engaged in construction such as plumbing, mechanical, roofing, building construction, etc., including shop storage buildings and yards, dispatch facility with on-site storage of vehicles. (Added by Ord 19-05, 6-17-2019)

COTTAGE: A detached, site-built, single-family or two-family dwelling unit that is part of a cottage cluster development. (Added by Ord 14-09, 10-6-14)

COTTAGE CLUSTER: A group of four (4) to 12 cottages, arranged around a common open space. (Added by Ord 14-09, 10-6-14)

COURT: An open, uncovered and unoccupied space contained within or completely

surrounded by buildings.

DAY CARE CENTER: A day care facility which provides day care in any setting for any number of persons, excluding family day care centers and residential homes.

DECLARANT: The person who files a declaration under ORS Chapter 92. (Added by Ordinance 14-03, 4-21-14)

DECLARATION: The instrument by which the subdivision or partition plat was created. (Added by Ordinance 14-03, 4-21-14)

DESIGN REVIEW: A process of review whereby the Historic Landmarks Commission, Design Review Commission, Planner, or their designee, evaluates new construction, or the alteration of buildings, structures, appurtenances, objects, signs, sites and districts for appropriateness. (Amended by Ord 19-06, 7-1-2019; Amended by Ordinance 14-03, 4-21-14)

DIKE: With regard to flood protection, a structure designed and built to prevent inundation of a parcel of land by water. With regard to dredged material disposal, a structure consisting of sediments, rock, or other material designed to contain the dredged material and allow for settling of solids in a specific area while it is being deposited and after deposition has occurred.

DOCK: A pier or secured float or floats for boat tie-up or other water use.

DRAINAGE LAND: Land required for drainage ditches, or required along a natural stream or water course for preserving the channel and providing for the flow of water therein, to safeguard the public against flood damage or the accumulation of surface water. (Added by Ordinance 14-03, 4-21-14)

DREDGED MATERIAL: Sediment, gravel and other solids removed from an aquatic area.

DREDGED MATERIAL DISPOSAL: The deposition of dredged materials in aquatic or land areas. Methods include land disposal (deposition in specific land areas or on the tops and landward sides of flood protection dikes) and in-water disposal (including beach nourishment, flowlane disposal, estuarine open water disposal, and ocean disposal).

ESTUARINE OPEN-WATER DREDGED MATERIAL DISPOSAL: All types of in-water dredged material disposal within the estuary which do not fall into the classifications of flowlane disposal, beach nourishment, sump disposal, and disposal to provide fill material for an approved aquatic area fill project.

FLOWLANE DREDGED MATERIAL DISPOSAL: Deposition of dredged material in or adjacent to a natural or maintained navigation channel in an area where the prevailing sediment transport will carry the material down-stream.

DREDGING: The removal of sediment or other material from an aquatic area for the purpose of deepening the area, obtaining fill material, or mining and mineral extraction.

DREDGING, MAINTENANCE: Dredging of a channel, basin, or other water-dependent facility, or for tidegate maintenance, which has been dredged before and is currently in use or

operation or has been in use or operation sometime during the past five years, provided that the dredging does not deepen the facility beyond its previously authorized or approved depth plus customary overdredging.

DREDGING, NEW: Dredging a channel, basin, or other water-dependent facility that has not been dredged before; deepening an existing dredged channel, basin, or other water-dependent facility beyond its previously authorized or approved depth; dredging a channel, basin, or other water-dependent facility that has not been in use or operation in the past five years.

DRIFT RIGHT: A specific area or section of river that has been cleared of snags and sunken debris and is shared and actively maintained by a group of fishermen as their fishing grounds.

DUCK SHACK: A structure having no permanent water or sewage treatment connection which is used to store recreational equipment meant for hunting waterfowl and not exceeding 500 square feet on a float or pier not exceeding 750 square feet. Occupancy by a single individual of a duck shack shall be strictly limited to 15 days of any consecutive 30-day period.

DWELLING: One or more rooms designed for permanent occupancy by one family.

SINGLE-FAMILY: A free-standing building containing one dwelling unit.

TWO-FAMILY: A free-standing building containing two dwelling units. May include two-unit rowhouses or duplexes, either renter-occupied or owner-occupied. (Amended by Ordinance 95-05, 2-6-95)

MULTI-FAMILY: A building containing three or more dwelling units. May include rowhouses, apartment buildings, or residential condominiums, either renter-occupied or owner-occupied. (Amended by Ordinance 95-05, 2-6-95)

DWELLING, ATTACHED HOUSING: A dwelling which is designed or used exclusively for the occupancy of one family which is attached to one or more separately owned dwellings by common vertical walls. This definition includes but is not limited to zero lot line dwellings, town houses, condominiums, and row houses. (Added by Ordinance 98-04, 5-4-98)

EASEMENT: A grant of the right to use a portion of land for specific purposes. (Added by Ordinance 14-03, 4-21-14)

EDUCATIONAL SERVICE ESTABLISHMENTS: Businesses primarily engaged in education, including: vocational and trade schools, business and stenographic schools, art and music schools, dancing schools, and correspondence schools.

EFFLUENT: With regard to water quality, treated or untreated liquid entering the estuary from a point source. With regard to dredging, water, including dissolved and suspended materials, which flows from a dredged material disposal site.

ELECTRONIC MESSAGE CENTER: A sign whose message or display consists of patterns of lights changing at intermittent intervals, such as time and temperature signs.

EMERGENCY: With respect to the Columbia River Estuary, emergency conditions are limited to:

- A. Severe shoreline, bankline or dike erosion during a storm event or a high tide that threatens property or public safety; or
- B. Oil or hazardous waste spills subject to US Coast Guard Captain of the Port (COTP) authority; or
- C. A 100 year (or less frequent) flood event; or
- D. Flooding caused by a tsunami, or extreme sedimentation, such as that caused by the eruption of Mt. St. Helens.

ESTUARINE ENHANCEMENT: An action which results in a long-term improvement of existing estuarine functional characteristics and processes that is not the result of a creation or restoration action.

ESTUARY: A body of water semi-enclosed by land, connected with the open ocean, and within which salt water is usually diluted by freshwater derived from the land. The estuary includes: estuarine water; inter-tidal areas; and submerged lands. For regulatory purposes, the Columbia River Estuary extends to the western edge of Puget Island on the Oregon side, to the Wahkiakum-Cowlitz County line on the Washington side, and to the head of tide for all tributaries.

FAIR MARKET VALUE, CLATSOP ASSESSOR RECORDS: Fair Market Value shall be as indicated on the records of the Clatsop County Assessor of the existing structure, not the value of the proposed alteration and/or new construction. When a fair market value is not available, the current assessed value as indicated on the records of the Clatsop County Assessor of the existing structure may be used. (Added by Ord 19-05, 6-17-2019)

FAMILY: An individual, or two or more persons related by blood, marriage, legal adoption, or guardianship, living together in a dwelling unit and no more than four additional persons, who need not be so related, who live together as a single household unit.

FAMILY DAY CARE CENTER: A day care center which provides day care in the provider's home in the family living quarters to no more than 12 persons, regardless of age, or full-time or part-time status, including family members of the provider. This includes family day care providers as specified in ORS Chapter 418.

FENCE: An accessory structure, including landscape planting other than trees, designed and intended to serve as a barrier or as a means of enclosing a yard or other area, or other structure; or to serve as a boundary feature separating two or more properties. (Amended by Ord 19-05, 6-17-2019)

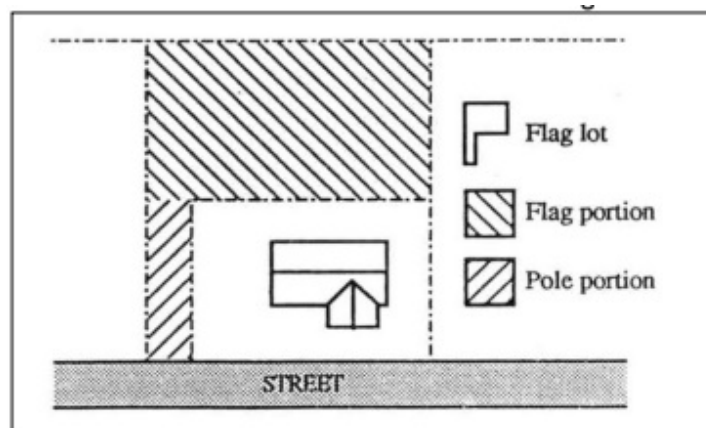
FENCE, SIGHT-OBSCURING: A fence or evergreen planting arranged to obstruct vision.

FILL: the placement by man of sand, sediment, or other material, to create new land or to raise the elevation of land.

FINAL DECISION: The date upon which a decision has been rendered and the Order is signed, or the final resolution of all City, State, and Federal appeals, whichever is later. (Added by Ordinance 10-06, 4-19-10)

FITNESS CLUB OR GYM: A facility for instruction, training, or assistance in a program of physical exercise or weight reduction, which may include the use of a sauna, whirlpool bath, weight lifting room, massage, steam room, or other exercising or weight reduction machine or device. The facility may be classified as “Medical”, and/or “Indoor Entertainment or Recreation” depending on the programs provided. (Added by Ordinance 20-02, 1-21-2020)

FLAG LOT: A lot located behind another lot that has normal street frontage. A flag lot includes a strip of land that goes out to the street for an access drive. There are two distinct parts to a flag lot; the flag which comprises the actual building site located behind another lot, and the pole which provides access from the street to the flag. A flag lot generally results from the division of a large lot that does not have sufficient width for division into two lots that would both have normal frontage onto the street.



FLOATING RESIDENCE: A dwelling unit which floats on a water body and is designed such that it does not come into contact with land except by ramp. Floating residences may also be referred to as floating homes or houseboats. A floating residence is not equivalent to a duck shack or other similar recreational structure designed for temporary use. It is not equivalent to a boat house, designed for storage of boats.

FLOOR AREA, GROSS: The sum of gross horizontal areas of the several floors of a building, measured from the exterior face of the exterior walls or from the center line of walls separating two buildings, and structures on all abutting tax lots associated with a development. It does not include the following, unless otherwise noted in specific code Sections:

- A. Attic space providing headroom of less than seven feet.
- B. Basement providing headroom of less than seven feet.
- C. Unenclosed steps or fire escapes.
- D. Garages, carports; unenclosed porches; unenclosed decks greater than 12 high; or

unenclosed balconies less than 100 square feet combined for all balconies on the same facade.

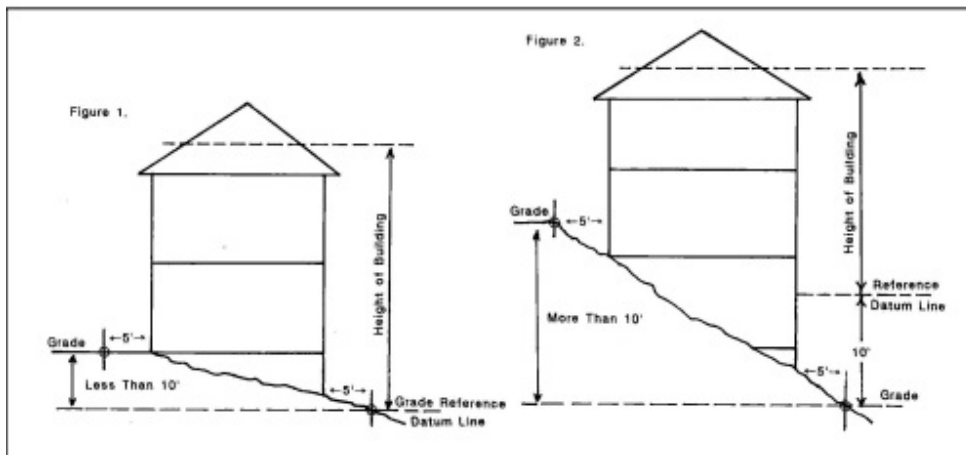
- E. Accessory uncovered off-street parking or loading spaces.
- F. Covered porticos and pedestrian entrances less than 50 square feet.
- G. Outdoor storage area enclosures less than 120 square feet. The square footage of multiple enclosures within 10' of each other shall be considered as one structure for the combined total square footage. (Amended by Ord 19-06, 7-1-2019)

FOOTPRINT: The outer bounds, horizontally, of all features of a structure including decks, stairs, and other non-enclosed features that are attached to the structure and are constructed 12” or more above grade. [Added by Ordinance 13-08, 8-19-2013]

FOSSIL FUEL AND PETROLEUM PRODUCT TERMINAL: Facility engaged in freight movement or wholesaling of bulk fossil fuels at facilities that are characterized by having marine, pipeline, or railroad transport access, transloading facilities for transferring a shipment between transport modes (such as from rail to ship), or bulk storage facilities of fossil fuels. Examples include petroleum terminals, liquid natural gas terminals, and coal terminals. Facilities that are not classified as “Fossil Fuel or Petroleum Terminals” include retail sales of fossil fuels, such as gasoline or propane filling stations, and end-user facilities that store fossil fuels for primary use at or near the site, such as manufacturing. (Added by Ord 20-02, 1-21-2020)

GASOLINE SERVICE STATION: A place or station selling motor fuel and oil for motor vehicles; selling, servicing and installing tires, batteries and accessories, and other related products.

GRADE: The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.



GRANTING AUTHORITY: The Community Development Director, Astoria Planning Commission, Historic Landmarks Commission, and/or the Design Review Commission who

review and approve land use requests. (Amended by Ord 19-06, 7-1-2019; Added by Ordinance 10-06, 4-19-10)

GROSS AREA: The total usable area, including accessory space dedicated to such things as streets, easements, and uses out of character with the principal use, but within a unit of area being measured.

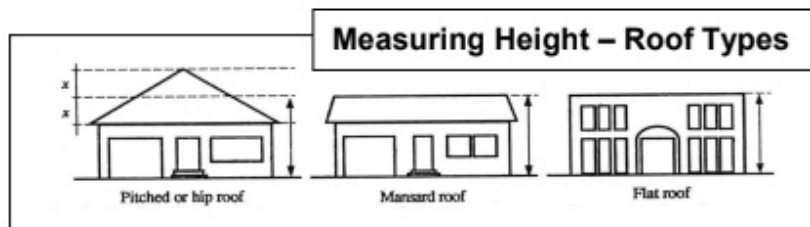
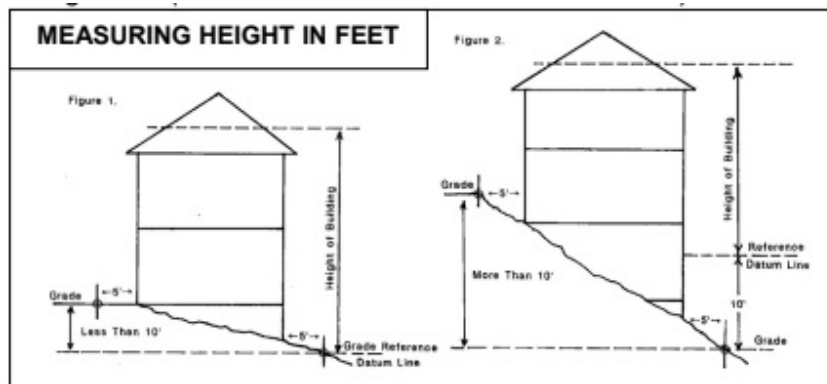
GROSS FLOOR AREA: See Floor Area, Gross. (Added by Ord 19-06, 7-1-2019)

GROUPHOUSING: Dwelling in which no more than 15 individuals reside who do not require treatment, excluding Residential Facility and Residential Home.

GUIDELINES: For the purpose of the Riverfront Vision Plan Overlay Zones, the term guidelines shall mean code provisions that encourage or allow for design features or approaches and that provide flexibility and discretion for the appropriate review body to interpret and apply the guideline. (Added by Ord.15-03, 6-15-15)

HEIGHT, BUILDING: The vertical distance above a reference datum measured to the highest point of the coping of a flat roof, to the deckline of a mansard roof, or to the average height of the highest gable of a pitched or hipped roof. The height of a stepped or terraced building is the maximum height of any segment of that building. The reference datum shall be whichever of the following two measurements results in the greater building height (see Figure 1):

- A. The reference datum is the lowest grade when the highest ground surface within a five (5) foot horizontal distance of the exterior wall of the building is not more than ten (10) feet above that lowest grade. (Note: Also see definition of "Grade".)
- B. The reference datum is ten (10) feet higher than the lowest grade when the ground surface described in Item A above is ten (10) feet or more above that lowest grade. (Note: Also see definition of "Grade".)



HISTORIC DISTRICT: A relatively compact, definable geographic area possessing an obvious concentration, linkage or continuity of buildings and sites united by past events, architectural styles, or other physical features illustrative of the community's historic development, consistent with and conforming to the standards of the National Register of Historic Places.

HISTORIC LANDMARK: An individual building, site, or object worthy of official recognition due to its age, its physical features, architectural merit, or association with persons which helped to shape the history of Astoria; buildings should be at least 50 years old.

HISTORIC MARKER: A sign erected or maintained by public authority or by a recognized historical society or organization identifying sites, buildings, districts or structures of recognized historical or architectural value.

HISTORIC NON-CONTRIBUTING STRUCTURE: Structures in this classification were built during either the Primary or Secondary periods, but have been so altered that their historic and/or architectural character has been lost to view. Alterations of buildings in this classification are not deemed irreversible, and if restored, these buildings may qualify for reclassification as Primary or Secondary.

HISTORIC PRESERVATION: The process of sustaining the form and extent of a structure or site essentially as it now exists. It aims at halting further deterioration and providing structural stability but does not contemplate significant rebuilding.

HISTORIC PRESERVATION OFFICER: The City Staff person appointed by the City Manager to provide Staff support to the Historic Landmarks Commission.

HISTORIC PRIMARY SIGNIFICANT CONTRIBUTING STRUCTURE: Structures in this classification represent the primary period of construction and economic development within a neighborhood or other defined geographic area and reflect the building styles at that time.

HISTORIC REHABILITATION: The process of returning property to a state of utility through repair or alteration, which makes possible an efficient contemporary use. Those portions of the property which are important in illustrating historic and cultural values are preserved or restored.

HISTORIC RESTORATION: The process of accurately recovering the form and details of a property as it appeared at a particular period of time by means of removal of later work and the replacement of missing original work.

HISTORIC SECONDARY SIGNIFICANT CONTRIBUTING STRUCTURE: Structures in this classification represent the second significant period of construction and economic development within a neighborhood or other defined geographic area and reflect the building styles of that time.

HOME OCCUPATION: An occupation carried on by a resident of a dwelling as an accessory use within the same dwelling or in an adjacent structure.

HOME STAY LODGING: A transient lodging facility with no more than two (2) bedrooms available for transient rental, and which is owner occupied. This includes any accommodation meeting these requirements including facilities known by their advertising and/or management platform names, or other such transient lodging identification. Such facilities may or may not provide a morning meal. Rooms used by transient guests shall not include a kitchen. (Astoria City Code Section 8.755) (Amended by Ord 19-07, 7-1-2019)

HOSPITAL: An establishment which provides sleeping and eating facilities to persons receiving medical, obstetrical or surgical care and nursing service on a continuous basis.

HOTEL: A building in which lodging is provided for guests for compensation, which may also provide incidental services such as restaurants, meeting rooms, or recreational facilities subject to Development Code standards. (Amended by Ord 19-07, 7-1-2019)

INCIDENTAL USE: A use that is in conjunction with, and smaller than the main part of the operation.

INDOOR ENTERTAINMENT: A facility which provides entertainment for persons of all ages but may also be limited to persons over the age of 21 years, and which may be passive or active. Examples include bowling alleys, movie theaters, swimming pools, racquet ball courts, adult movie theaters, adult dance halls, fitness club, gym, and similar facilities. (Added by Ord 19-05, 6-17-2019; amended by Ord 20-02, 1-21-2020)

INDOOR FAMILY ENTERTAINMENT OR RECREATION ESTABLISHMENT: A facility which provides entertainment or recreation for persons of all ages, and which may be passive or active. Examples include bowling alleys, movie theaters, swimming pools, racquet ball courts, light manufacturing production viewing areas, fitness club, gym, and similar facilities. (Amended by Ord 19-05, 6-17-2019; amended by Ord 20-02, 1-21-2020)

INDUSTRIAL: A structure or use that involves a large-scale business, manufacturing business, seafood industry, warehousing, or other large-scale operation that is not general commercial in nature and/or residential. (Added by Ord 19-05, 6-17-2019)

INITIAL PLAN: A sketch or schematic plan presented by a subdivider or applicant to the Planning Commission or Community Development Director, as applicable, for their comments. The plan may be to any size, scale, and include information deemed necessary by the applicant. Review of the initial plans places no obligation on the commission or the applicant as to the future of such plan. (Added by Ordinance 14-03, 4-21-14)

IN-KIND: With respect to mitigation, a term used to describe an action that is designed to duplicate, to the degree practicable, habitat characteristics that are lost or impaired by a development action.

INN: A transient lodging facility with up to 11 guest bedrooms, which is owner or manager occupied, and which may provide a morning meal. Inns may conduct associated business

activities on an occasional basis, such as wedding receptions, club meetings and luncheons, conferences, and reunions. (Amended by Ord 19-07, 7-1-2019)

INTERTIDAL: Between extreme low tide and the landward limit of aquatic vegetation.

IN-WATER DREDGED MATERIAL DISPOSAL: Deposition of dredged materials in an aquatic area. Methods include beach nourishment, flowlane disposal, estuarine open-water disposal, in-water sump disposal, agitation dredging and ocean disposal.

JUNK YARD: Any property used for breaking up, dismantling, sorting storing, distributing, buying, or selling scrap, waste material, or other junk.

KENNEL: A lot or building in which four but not more than 50 dogs or cats at least four months of age are kept commercially for board, propagation, training or sale.

KITCHEN: Room for preparation of food and includes a cooking stove or ability to heat food other than with a microwave oven. (Added by Ord 19-07, 7-1-2019)

LAND DISPOSAL: Deposition of dredged material on uplands or shorelands, including on the to and landward sides of flood control dikes.

LAND TRANSPORTATION FACILITIES: Highways, railroads, bridges and associated structures and signs which provide for land transportation of motorized and/or non-motorized vehicles (excluding logging roads).

LAND USE APPROVAL: [The discretionary approval of a proposed development of land including Land Use Decisions as defined by ORS 197.015\(10\) and Limited Land Use Decisions defined by ORS 197.015\(12\).](#)

LANDSCAPING: Preservation, planting and maintenance of trees, shrubs, groundcovers, and lawns, and associated walkways, benches, decks, fences, fountains, sculptures, courts or plazas in the proportions specified by the landscaping Code.

LIGHT MANUFACTURING: An enterprise involved in the manufacturing of goods or products which require minimal primary processing and which have minimal off-site impacts in terms of noise, glare, odor, air and water pollution. Processing, fabricating, assembly or disassembly of items takes place wholly within an enclosed building, and requires only a small amount of raw materials, land area, power, are easy to transport, and does not require large automated production lines. Facilities typically have less environmental impact than those associated with heavy industry. Examples include food products, brewery, distillery, clothing, electronics, wood working, etc. (Amended by Ordinance 14-03, 4-21-14)

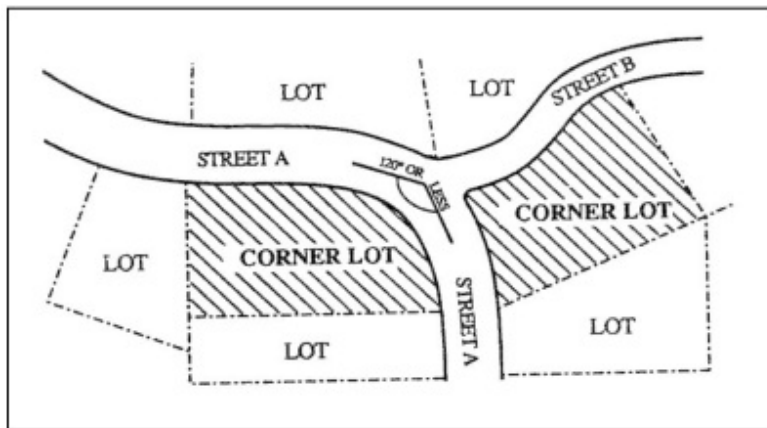
LOG DUMP/SORT AREA (in-water): The use of an area to transfer logs to or from the land to water, normally associated with log storage/sort yards, log booming or processing/shipping facilities where rafts are built or dismantled.

LOG STORAGE (in-water): The use of water surface area to store commercial logs in rafts until ready for market.

LOG STORAGE/SORTING AREA (dry land): An area where logs are gathered from surrounding harvest areas, weighed, sorted for species, size and quality, and stored until ready for transfer to water storage areas or to market.

LOT: A parcel or tract of land as shown on a legally recorded plat of a subdivision, or a parcel or tract of land under one ownership.

CORNER: A lot that has frontage on more than one intersecting street. A street that curves with angles that are 120 degrees or less is considered two intersecting streets for the purpose of evaluating whether a lot is a corner lot.



INTERIOR: A lot other than a corner lot.

REVERSED CORNER LOT: A corner lot the side street line of which is substantially a continuation of the front lot line of the first lot to its rear. (Added by Ordinance 14-03, 4-21-14)

THROUGH: An interior lot having frontage on two streets.

LOT AREA: The total area of a lot measured in a horizontal plane within the lot boundary lines.

LOT COVERAGE: The portion of a lot expressed as a percentage of the total lot area that is occupied by the principal and accessory buildings, including all decks, and other projections extending 12 above ground level of the lot upwards at any point on the structure including handrails, except eaves. (Amended by Ord 19-05, 6-17-2019)

LOT DEPTH: The average horizontal distance between the front lot line and the rear lot line.

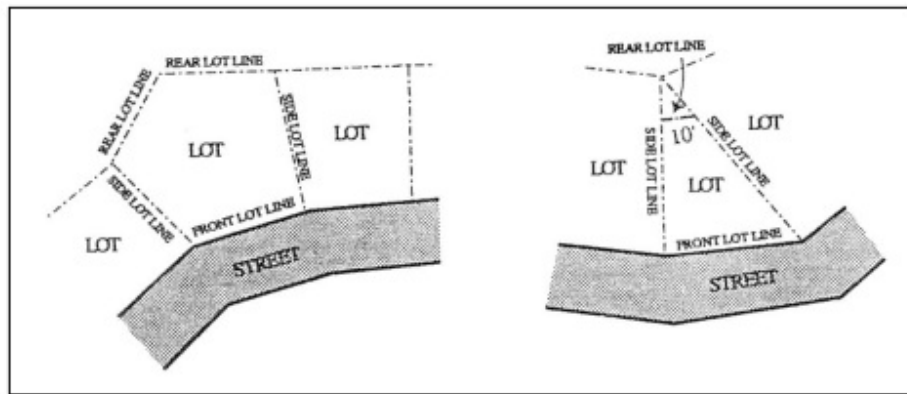
LOT LINE: The property line bounding a lot.

FRONT: The property line separating the lot from the street, other than an alley. On corner lots, the front lot line shall be determined by the main entrance to the existing or proposed structure. The City shall determine the front lot line of a corner lot. On a flag lot, the front line is considered to be the lot line that is most parallel to and closest to the street, excluding the pole portion of the flag.

REAR: The property line which is opposite and most distant from the front lot line. In the case of an irregular or triangular shaped lot, a line ten feet in length within the lot parallel to and at a maximum distance from the front lot line.

SIDE: Any property line not a front or rear lot line.

Lot Lines on Irregular Lots



LOT WIDTH: The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.

MAINTENANCE AND REPAIR: Routine upkeep of an existing structure or remedial restoration of a damaged structure. Maintenance and repair may involve changes in the structure's location, size, configuration, orientation, or alignment if those changes are limited to the minimum amount necessary to retain or restore its operation or function or to meet current building or engineering standards.

MANUFACTURED DWELLING: A manufactured dwelling is a building or structure not subject to the Uniform Building Code Structural Specialty Code adopted pursuant to ORS 455.100 to ORS 455.450, and is one of the following:

MANUFACTURED HOME: A structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed in accordance with Federal manufactured housing construction and safety standards regulations in effect after June 16, 1976, and not conforming to the Uniform Building Code.

MOBILE HOUSE: A structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed between January 1, 1962, and June 16, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.

PARK UNITS: A park unit is a small, single-wide, manufactured dwelling designed for permanent occupancy and does not include recreation vehicles.

RESIDENTIAL TRAILER: A structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed before January 1, 1962.

MANUFACTURED DWELLING PARK: Any place where four (4) or more manufactured dwellings are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person. "Manufactured Dwelling Park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one mobile home per lot if the subdivision was approved by the City.

MARINA: A facility which provides moorage, launching, storage, supplies and a variety of services for recreational, commercial, and fishing vessels. They are differentiated from individual docks and moorages by their larger scale, the provision of significant landside services or the use of a solid breakwater (rock, bulkhead, etc.).

MARQUEE: A permanent roof-like structure projecting horizontally from and attached to a building.

MARSH: Lands transitional between terrestrial and aquatic systems where saturation with water is the dominant factor determining plant and animal communities and soil development. For the purpose of this definition, these areas must have one or more of the following attributes:

- A. At least periodically, the land supports predominantly hydrophytes; and/or
- B. The substrate is predominantly undrained hydric soil.

MASS, BUILDING: See Building Mass. (Added by Ord 19-06, 7-1-2019)

MICROWAVE RECEIVING DISH/DEVICE: Any conical or dish shaped device or similar structure used for receiving television or other telecommunication signals transmitted from satellites or earth-based transmitters. Microwave receiving dishes/devices may also be known as Television Receive Only (TVRO) dishes, Satellite Direct Service (SDS) dishes, Multi-Distance Service (MDS) dishes and Earth Stations. Microwave receiving dish/device is for receiving only and shall not transmit, repeat, or reflect signals. (Amended by Ord 19-05, 6-17-2019)

MINI STORAGE: A building or group of buildings in a controlled access compound that contains various sizes of individual, compartmentalized, and controlled-access stalls or lockers for the storage of a customer's goods or wares. No sales, service, or repair activities other than the rental of storage units are permitted on the premises.

MINING AND MINERAL EXTRACTION: The removal for economic use of minerals, petroleum resources, sand gravel or other naturally occurring materials from shorelands or submerged lands.

MITIGATION: The reduction of adverse affects of a proposed development project in wetlands or aquatic areas by considering, in the following order:

- A. Avoiding the impact altogether by not taking a certain action or parts of an action;
- B. Minimizing impacts by limiting the degree or magnitude of an action and its implementation;
- C. Rectifying the impact by repairing, rehabilitation, or restoring the affected environment;
- D. Reducing or eliminating the impact over time by preservation and maintenance operation; and
- E. Compensating for the impact by creation, restoration, or enhancement of wetlands to maintain their functional processes, such as natural biological productivity, habitats, and species diversity, unique features and water quality. Any mitigation action or combination of actions involves monitoring with remedial follow up if necessary.

MODULAR HOME: A dwelling unit manufactured off-site, built to be used for permanent residential occupancy, to be set on a permanent foundation and conforming to the Uniform Building Code.

MOORAGE: Piling or a dock or both used to secure a boat or barge.

MOTEL: A building in which lodging is provided for guests for compensation and where the majority of rooms have direct access to the outside without the necessity of passing through the main lobby of the building. (Amended by Ord 19-07, 7-1-2019)

NAME PLATE: A sign identifying the name, occupation or both of an occupant of the property.

NAVIGATION AIDE: Beacon, buoy, range marker and other objects providing directional assistance.

NAVIGATION IMPROVEMENTS, MINOR: Alterations necessary to provide water access to existing or permitted uses including dredging for access channels and for maintaining existing navigation but excluding fill and in-water navigational structures other than floating breakwaters or similar permeable wave barriers.

NAVIGATIONAL STRUCTURE: Jetty, groin, pile dike, breakwater, and other in-water structures designed to change or moderate hydraulic characteristics.

NON-COMPATIBLE NON-CONTRIBUTING STRUCTURE: Buildings in this classification were built after the end of the secondary development period and are not compatible architecturally with the context and historic character of the district.

NONCONFORMING USE: A nonconforming use is a use that legally conformed with applicable Development Code regulations when it first occurred but, due to amendments to those regulations, no longer complies with regulations which apply to it.

NON-TOURIST ORIENTED: A use or business which devotes at least 50% or more of its gross floor area to uses or activities which are not open or physically accessible to the public, or are not reasonably expected to be of interest to visitors.

NURSING HOME: A home, place or institution which operates and maintains facilities providing convalescent or chronic care, or both for a period exceeding 24 hours or two or more ill or infirm patients not related to the nursing home administrator or owner by blood or marriage. Convalescent and chronic care may include, but need not be limited to, the procedures commonly employed in nursing and care for the sick.

OBJECT, HISTORIC: Objects which are designated as historic within Astoria are usually artistic in nature, or small in scale when compared to structures and buildings. Though objects may be movable, they are generally associated with a specific setting or environment. Examples of objects include monuments, sculptures, and fountains. (Added by Ord 19-06, 7-1-2019)

OCEAN FLOODING: The flooding of lowland areas by salt water owing to tidal action, storm surge, or tsunamis (seismic sea waves). Land forms subject to ocean flooding include beaches, marshes, coastal lowlands, and low lying interdune areas. Areas of ocean flooding are mapped by the Federal Emergency Management Agency (FEMA). Ocean flooding includes areas of velocity flooding and associated shallow marine flooding.

OFF-SITE: With respect to mitigation, an area separated from the impact area that offers a potential set of environmental conditions that are partially or entirely different from the original conditions occurring at the impact area.

ON-SITE: With respect to mitigation, an area near the impact area that offers a reasonable opportunity to emulate the same environmental conditions lost to a development action (e.g. salinity regime, tidal elevation or flood regime, temperature regime, proximity to propagules, and substrate type).

OUT-OF-KIND: With respect to mitigation, an action that is designed to replace a set of habitat characteristics that have been impaired or lost due to a development action with a different set of habitat characteristics that are considered to be equally desirable by the regulatory resource agencies.

OPEN SPACE OR OPEN AREA: Land area that is not occupied by buildings, structures, parking areas, streets, or alleys, excluding approved driveways. Open space or open area may

be devoted to landscaping or preservation of natural features.

OUTDOOR STORAGE AREA: An area for storage of materials, products, solid waste disposal collection, recycling, utilities, mechanical equipment, and other storage unless otherwise defined. This does not include roof top equipment enclosures. (Added by Ord 19-06, 7-1-2019)

OWNER: For purposes of transient lodging codes, the term owner only includes individuals, holding fee simple title to property, the beneficiaries of a revocable living trust, or a purchaser under a recorded instrument of sale. This does not include corporations, limited liability companies or similar organizations, an authorized agent of the owner, or those holding easements, leaseholds, or purchasers of less than fee interest. (Added by Ord 19-07, 7-1-2019; Amended by Ord 14-03, 4-21-2014)

OWNER OCCUPIED: Occupancy of a residence by an individual owner. (Added by Ord 19-07, 7-1-2019)

PARCEL: A unit of land that is created by a partitioning of land. (Added by Ordinance 14-03, 4-21-14)

PARKING SPACE: An enclosed or unenclosed surfaced area, exclusive of maneuvering and access area, permanently reserved for the temporary storage of one automobile, and connects with a street or an alley which affords ingress and egress for automobiles.

PARTITION: Either an act of partitioning land or an area or tract of land partitioned as defined in this Section.

MAJOR PARTITION: A partition which includes the creation of a street.

MINOR PARTITION: A partition that does not include the creation of a street. (Added by Ordinance 14-03, 4-21-14)

PARTITION LAND: To divide an area of land into two or three parcels within a calendar year, but does not include:

- A. A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots; or
- B. An adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment complies with any applicable Development Code requirement; or
- C. A sale or grant by a person to a public agency or public body for State highway, County road, City street or other right of purposes provided such road or right-of-way conforms with the Comprehensive Plan and ORS 215.213(2)(g) to (s) and ORS 215.283(2)(p) to (r). However, any property divided by the sale or grant of property for State highway, county road, city street or other right-of-way purposes shall continue to be considered a single unit of land until such time as the property is further subdivided or partitioned. (Added by Ordinance 14-03, 4-21-14)

PARTITION PLAT: A final map and other writing containing all the descriptions, locations, specifications, provisions and information concerning a major or minor partition. (Added by Ordinance 14-03, 4-21-14)

PATHWAY/SHARED-USE PATHWAY: A facility for pedestrian and bicycle access conforming to City standards and separated from the street right-of-way, which may or may not be within a public right-of-way. (Added by Ordinance 14-03, 4-21-14)

PEDESTRIAN WAY: A right-of-way for pedestrian traffic. (Added by Ordinance 14-03, 4-21-14)

PENNANT: Any flag tapering to a point or swallowtail and used for identification or signaling.

PERFORMANCE AGREEMENT: A proper petition submitted to and approved by the Council for construction and improvements as required in Section 13.150; or a performance bond executed by a surety company duly licensed to do business in the State, in an amount equal to the full cost of the work to be done, and conditioned upon the faithful performance thereof. (Added by Ordinance 14-03, 4-21-14)

PERMIT: [Any approval granted under the Astoria Development Code or City Code.](#)

PERSON: Every natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other group or combination acting as a unit.

PERSONAL SERVICE ESTABLISHMENT: Business primarily engaged in providing services involving the care of a person or pet, including laundering and dry cleaning services, beauty and barber services, grooming, garment alterations, and funeral homes.

PHASED PROJECT: Project involving construction of buildings and/or sites that are not completed all at the same time. All phases of a phased project are reviewed and approved under one permit with a time line for phased completion. (Added by Ordinance 10-06, 4-19-10)

PILING/DOLPHIN INSTALLATION: The driving of wood, concrete or steel piling into the bottom in aquatic areas to support piers or docks, structures, moored floating structures, vessels or log rafts, or for other purposes. A dolphin is a group of piling held together by steel cable and used for mooring vessels, log rafts or floating structures.

PLAT: A final subdivision plat, replat or partition plat. (Added by Ordinance 14-03, 4-21-14)

PORTABLE ACCESSORY STRUCTURE OR OBJECT: A structure or object which is not permanently attached to the ground, but which requires location on the ground; and which is more than 12" in height; and that is not used or intended to be used for dwelling or storage or coverage (for humans or equipment) purposes. Examples include but are not limited to: picnic tables, basketball hoops, dog houses, skate board ramps, and similar structures or objects.

(Added by Ordinance 01-05, 5-7-01)

PORTABLE SIGN: Any sign designed to be placed on the ground, and attached to a frame which is self-supporting, and which is not affixed to a building, structure, pole, or other item of permanent support. (Added by Ordinance 00-11, 12-4-00)

PRELIMINARY PLAT: A tentative map and plan for a land division duly submitted to the Community Development Director for Commission or administrative consideration and approval and conforming in all respects to the requirements therefore specified in this Ordinance. (Added by Ordinance 14-03, 4-21-14)

PRIMARY: See "Historic Primary Significant Contributing Structure".

PRIMARY RESIDENCE: Dwelling maintained as the permanent residence of the owner for not less than six months of the year. (Added by Ord 19-07, 7-1-2019)

PROFESSIONAL SERVICE ESTABLISHMENTS: Businesses primarily engaged in providing services such as the following: medical and other health services; legal services; engineering and architectural services; accounting, auditing, and bookkeeping services; real estate services; and financial services.

PROPERTY LINE: The division line between two units of land. (Added by Ordinance 14-03, 4-21-14)

PROPERTY LINE ADJUSTMENT: The relocation of a common property line between two abutting properties. (Added by Ordinance 14-03, 4-21-14)

PUBLIC USE: A structure or use intended or used for a public purpose by a city, school district, county, state, or by any other public agency or by a public utility.

PUBLIC WORKS DIRECTOR: The duly appointed Public Works Director of the City of Astoria or his/her designee. (Added by Ordinance 14-03, 4-21-14)

RECREATION: Any experience voluntarily engaged in largely during leisure (discretionary time) from which the individual derives satisfaction. Coastal Recreation occurs in offshore ocean waters, estuaries, and streams, along beaches and bluffs, and in adjacent shorelands. It includes a variety of activities, from swimming, scuba diving, boating, fishing, hunting, and use of dune buggies, shell collecting, painting, wildlife observation, and sightseeing, to coastal resorts and water-oriented restaurants.

LOW-INTENSITY: Does not require developed facilities and can be accommodated without change to the area or resource. For example, boating, hunting, hiking, wildlife photography, and beach or shore activities can be low-intensity recreation. Facilities included as low-intensity recreation include picnic tables, trail signs, unpaved trails and portable restrooms.

HIGH-INTENSITY: Uses specially built facilities, or occurs in such density or form that it requires or results in a modification of the area or resource. Campgrounds, golf courses, public beaches, and marinas are examples of high-intensity recreation.

RECREATION VEHICLE PARK: A facility which is designed for occupancy by RV, camping trailers, tents, or other personal transient lodging facility and are not designed for permanent occupancy exceeding 90 days.

RECREATIONAL VEHICLE: A vehicle which is:

- A. Built on a single chassis;
- B. 400 square feet or less when measured at the largest horizontal projection;
- C. Designed to be self-propelled or permanently towable by a light duty truck; and
- D. Designated primarily not for use as a permanent dwelling but as temporary occupancy for recreational, camping, travel, or seasonal use. (Added by Ordinance 09-03, 8-3-09)

REPAIR SERVICE ESTABLISHMENT, MAJOR: Business primarily engaged in repairing items and which undertakes no more than a minimal amount of manufacturing. A major repair service establishment has more than 3,000 square feet of gross floor area.

REPAIR SERVICE ESTABLISHMENT, MINOR: Business primarily engaged in repairing items and which undertakes no more than a minimal amount of manufacturing. A minor repair service establishment has 3,000 square feet or less gross floor area.

REPLAT: The act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision. (Added by Ordinance 14-03, 4-21-14)

RESERVED STRIP: A strip of land, usually one (1) foot in width, reserved across the end of a street or alley and terminating at the boundary of a land division or a strip of land between a dedicated street or less than full width and adjacent acreage, in either case reserved or held for future street extension or widening. (Added by Ordinance 14-03, 4-21-14)

RESIDENTIAL FACILITY: A facility licensed by or under the authority of the Department of Human Resources under ORS 443.400 to ORS 443.460 which provides residential care alone or in conjunction with training or treatment or a combination thereof for six (6) to 15 individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.

RESIDENTIAL HOME: A home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to ORS 443.825 which provides residential care alone or in conjunction with training or treatment or a combination thereof for five (5) or fewer individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

RESIDENTIAL STRUCTURE TYPES:

ACCESSORY DWELLING UNIT: A second dwelling unit created on a lot with a house, attached house, or manufactured home. The second unit is created auxiliary to, and is always

smaller than the house, attached house, or manufactured home. The unit includes its own independent living facilities including provision for sleeping, cooking, and sanitation, and is designed for residential occupancy by one or more people, independent of the primary dwelling unit. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside. (Amended by Ordinance 21-02, 2-16-21)

RESOURCE ENHANCEMENT: The use of artificial or natural means to improve the quantity or quality of a specific resource.

RESTORATION: (Estuarine Related) Revitalizing, returning, or replacing original attributes and amenities, such as natural biological productivity, aesthetic and cultural resources, which have been diminished or lost by past alterations, activities or catastrophic events. For the purpose of Oregon Statewide Planning Goal 16, estuarine restoration means to revitalize or reestablish functional characteristics and processes of the estuary diminished or lost by past alterations, activities, or catastrophic events. A restored area must be a shallow subtidal or an intertidal or tidal marsh area after alteration work is performed, and may not have been a functioning part of the estuarine system when alteration work began. Active Restoration involves the use of specific remedial actions, such as removing fills, installing water treatment facilities, rebuilding deteriorated urban waterfront area or returning diked areas to tidal influence. Passive Restoration is the use of natural processes, sequences, and timing which occurs after the removal or reduction of adverse stresses without other specific positive remedial action.

RESTORATION AS MITIGATION: For the purposes of Oregon Statewide Planning Goal 16, estuarine restoration means to revitalize or reestablish functional characteristics and processes of the estuary diminished or lost by past alterations, activities, or catastrophic events. A restored area must be a shallow subtidal or an intertidal or tidal marsh area after alteration work is performed, and may not have been a functioning part of the estuarine system when alteration work began.

RETAIL SALES ESTABLISHMENTS: Businesses, including a restaurant or bar, which are primarily engaged in selling merchandise to customers for personal, household, or farm use. It includes the sale of moped and other small powered vehicles as long as they are not displayed in an outdoor sales area. Retail Sales Establishment does not include gasoline service station, automotive sales establishment, or other sales of large motorized vehicles, or mobile homes. (Amended by Ord 19-05, 6-17-2019)

RETIREMENT CENTER: A housing facility designed specifically for residents 55 years of age or older.

REVERSED CORNER LOT: A corner lot the side street line of which is substantially a continuation of the front line of the first lot to its rear. (Added by Ordinance 14-03, 4-21-14)

RIGHT-OF-WAY: The area between the boundary lines of a street or other easement. (Added by Ordinance 14-03, 4-21-14)

RIPARIAN: Of, pertaining to, or situated on the edge of the bank of a river or other body of water.

RIPRAP: A layer, facing, or protective mound of stones randomly placed to prevent erosion, scour or sloughing of a structure or embankment; also, the stone so used. In local usage, the similar use of other hard material, such as concrete rubble, is also frequently included as riprap.

ROADWAY: The portion of a street right-of-way developed for vehicular traffic. (Added by Ordinance 14-03, 4-21-14)

ROUTINE MAINTENANCE: Includes cleaning, landscaping, painting and minor repairs, not including the removal or replacement of architectural elements or details which would significantly alter the historical integrity of the building.

ROWHOUSE: One of a continuous row of dwellings having a uniform or nearly uniform architectural style, and having at least one common wall with its neighbor. (Added by Ordinance 95-05, 2-6-95)

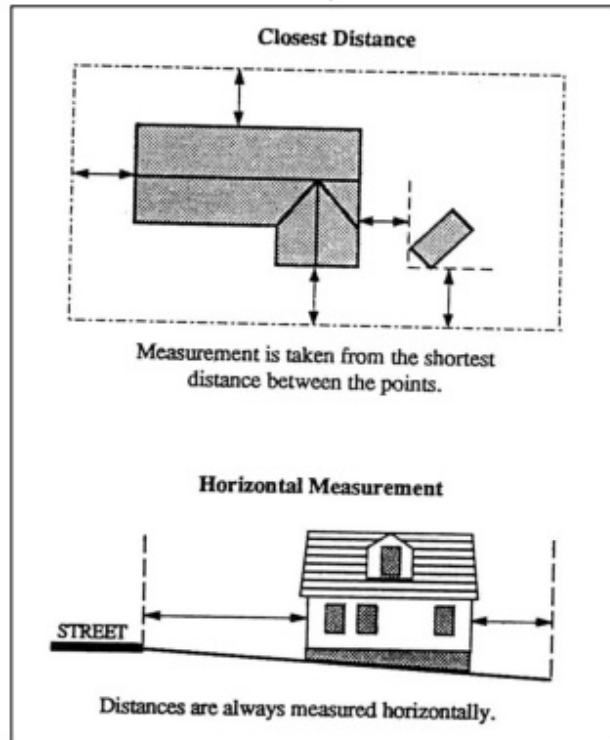
SANDWICH BOARD: (Deleted by Ordinance 00-11, 12-4-00)

SCALE, BUILDING: The appearance of a structure in relation to other structures in the vicinity. Scale is affected by variations in height, setbacks, and stepbacks of upper stories. (Added by Ord 19-06, 7-1-2019)

SECONDARY: See "Historic Secondary Significant Contributing Structure".

SEMI-PUBLIC USE: A structure or use intended or used for a semi-public purpose by a church, lodge, club, or any other nonprofit organization, excluding lodges or clubs which have eating or drinking facilities.

SETBACK: The minimum distance required between a structure and a lot line.



SHOPPING CENTER: A group of stores sharing common off-street parking facilities and leasing or sharing a common property ownership.

SHORELAND AREAS: The lands and nontidal wetlands along the estuary shore. Shoreland designations extend waterward to the upper limit of aquatic vegetation or, where aquatic vegetation is absent, Mean Higher High Water.

SHORELAND RESOURCES, SIGNIFICANT: Significant shoreland resources are described in subarea plans, and are included in Oregon jurisdiction Coastal Shorelands Boundaries. Significant shoreland resources include significant nontidal wetlands, significant shoreland fish and wildlife habitat, significant riparian vegetation, exceptional aesthetic resources and coastal headlands.

SHORELINE: The boundary line between a body of water and the land, measured on tidal waters at the landward limit of aquatic vegetation or, where aquatic vegetation is absent, Mean Higher High Water; and on non-tidal waterways at the ordinary high water mark.

SHORELINE STABILIZATION: The protection from erosion and sloughing of the banks of tidal and nontidal streams, rivers, lakes or estuaries by vegetative or structural means.

VEGETATIVE SHORELINE STABILIZATION: Use of plants that anchor the soil to prevent shoreline erosion and sloughing.

STRUCTURAL SHORELINE STABILIZATION: Use of riprap, bulkheads, seawalls or

other non-vegetative material to prevent shoreline erosion.

SHOULD: A requirement, unless it can be shown that to comply with the requirement would be unreasonable, impractical, or unfeasible. Economic hardship alone shall not be justification for noncompliance with the requirement, but may be considered in conjunction with other reasons for noncompliance. (Added by Ordinance 14-03, 4-21-14)

SIDEWALK: A paved walkway with rock, paved surfacing, or other approved material within a public street right-of-way that is generally located adjacent to and separated from the roadway by a curb, drainage facility (e.g., ditch or swale), or planter strip. (Added by Ordinance 14-03, 4-21-14)

SIGN: Any identification, description, illustration, symbol, or device which is affixed directly or indirectly upon a building, structure, or land and which conveys a message.

ABANDONED SIGN: A sign pertaining to a business or occupant whose products or services or noncommercial messages have ceased to be offered to the public or ceased to be in effect on said premises for a period of more than 90 days.

ANIMATION SIGN: Any sign or part of a sign that contains text and/or other images that flash or move or otherwise change at intervals of less than once every ten (10) seconds. (Added by Ordinance 04-04, 5-3-04)

CHANGEABLE TEXT SIGN: Any sign or part of a sign that changes physical position, light intensity, or text and/or graphic images by use of intermittent on-and-off illumination or any movement or rotation or that gives the visual impression of such movement or rotation at intervals of more than once every 24 hours. Also known as “moveable text sign”, “electronic reader board”, “electronic message center”, or “multiple message sign”. (Added by Ordinance 04-04, 5-3-04)

CORNER SIGN: A sign projecting from the corner of a building.

DETERIORATED SIGN: A sign which the Building Official determines is deteriorated or dilapidated, or which may constitute a threat to public safety.

DIRECTIONAL SIGN: A permanent sign which is designed and erected solely for the purpose of traffic or pedestrian direction and placed on the property to which the public is directed.

FLASHING SIGN: A sign incorporating artificially reflected light which does not maintain a stationary or constant intensity or color at all times when in use.

FREESTANDING OR GROUND SIGN: A sign which is supported by one or more upright

poles, or other support structure, and which is not attached to a building, but not including sandwich boards.

HISTORICAL SIGN: A sign designated to be historical in nature by the Historic Landmarks Commission.

MARQUEE SIGN: A sign which is painted on, attached to or supported by a marquee.

MONUMENT SIGN: A sign, other than a freestanding sign, in which the entire bottom is in contact with or is close to the ground and is not attached to any part of a building or other structure. A monument sign shall not exceed 10' in height. Any sign over 10' in height shall be classified as a "freestanding sign". (Added by Ordinance 04-04, 5-3-04)

NONCONFORMING SIGN: A sign or sign structure lawfully erected and properly maintained that would not be allowed under the sign regulations presently applicable to the site.

OFF-PREMISE SIGN: A sign that identifies, advertises, or draws attention to a business, use, activity, goods, products, or services which are not sold, manufactured, or distributed on or from the premises on which the sign is located, or facilities not located on the premises on which the sign is located. (Added by Ordinance 04-04, 5-3-04)

OPENING OR COMING SOON SIGN: A sign intended to announce the opening of a business, use, or activity, or the construction of a new building or expansion of an existing building, excluding announcement of sales or activities and events within an existing business, use, or activity. (Added by Ordinance 04-04, 5-3-04)

PEDESTRIAN SIGN: A sign which is placed under an awning or marquee.

PORTABLE SIGN: Any sign designed to be placed on the ground, and attached to a frame which is self-supporting, and which is not affixed to a building, structure, pole, or other item of permanent support. (Added by Ordinance 00-11, 12-4-00)

PROJECTING SIGN: A sign, other than wall signs, which is attached to or project from a structure or building face, usually perpendicular to the building face, although it may project from the corner of a building.

ROOF SIGN: Any sign erected upon, against, or directly above a roof, on top of or above the parapet of a building.

SHORT TERM SIGN: A sign that is installed for more than 30 days but not more than 180 days. (Added by Ordinance 04-04, 5-3-04)

TEMPORARY SIGN: A sign which is not permanently affixed. All devices such as banners, pennants, flags (not including flags of national, state or city governments), searchlights, curb signs, balloons or other air or gas-filled balloons.

WALL SIGN: A sign attached to or erected against the wall of a building with the face in a

parallel plane to the building wall.

WINDOW SIGN: Any sign located inside, affixed to or within three (3) feet of the window panes of a building, whether removable or permanent that remains in place for more than a period of 14 days.

SIGN STRUCTURE: A structure specifically intended for supporting or containing a sign.

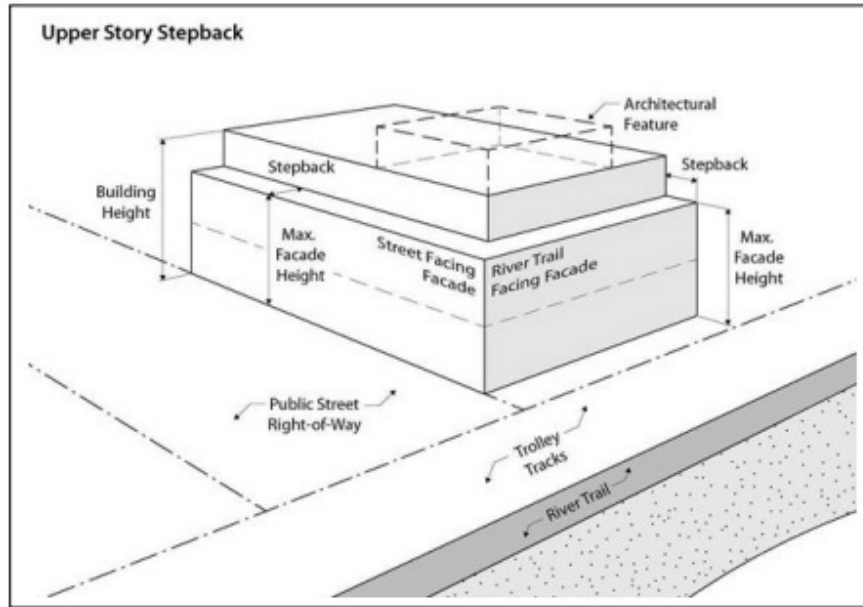
SINGLE-FAMILY DENSITY AREA: An area abutting a minor street not a business street, where for one block length or more all property on both sides of the street is, or as determined by the Planning Commission, will be occupied by no more than 4.50 families per acre exclusive of street right-of-way. (Added by Ordinance 14-03, 4-21-14)

SITE, HISTORIC: Sites which are designated as historic within Astoria may include discrete areas significant solely for activities in that location in the past, such as battlefields, significant archaeological finds, designed landscapes (parks and gardens), and other locations whose significance is not related to a building or structure. (Added by Ord 19-06, 7-1-2019)

SITE FRONTAGE: The lineal frontage of a site on a public street, excluding alleyways.

STANDARD: For the purpose of the Riverfront Vision Plan Overlay Zones, the term standards shall mean code provisions that require or prohibit specific design features, incorporate numerical or other clear and objective standards, and provide for limited or no discretion by the appropriate review body to interpret and apply the standard. (Amended by Ord 19-06, 7-1-2019; Added by Ord 15-03, 6-15-15)

STEPBACK: Building setbacks are stepped or progressive recessions in a building's face as the building rises higher. Setbacks are designed to reduce building mass to allow views around the building from above and/or from a distance, to allow more light down to the adjacent rights-of-way, and to improve the aesthetic experience of the building from adjacent rights-of-way. (Added by Ord 14-09, 10-6-14)



STORY: That portion of a building included between a floor and the ceiling above it which is six feet or more above grade. If the finished floor level directly above a basement or cellar is more than six feet above grade, each basement or cellar will be considered a story.

STREET: A public or private way being the entire width from lot line to lot line that is created to provide ingress or egress for persons to one or more lots, parcels, areas, or tracts of land and including the term "road", "highway", "lane", "avenue", "alley" or similar designations. (Amended by Ordinance 14-03, 4-21-14)

ALLEY: A narrow street through a block which affords only secondary means of access to abutting property at the rear or sides thereof. (Added by Ordinance 14-03, 4-21-14)

ARTERIAL: A street of considerable continuity which is primarily a traffic artery for intercommunication among large areas. (Added by Ordinance 14-03, 4-21-14)

BUSINESS STREET: Any block length along any street, other than an arterial, within which there is or will be provided access to one or more commercial structures. (Added by Ordinance 14-03, 4-21-14)

COLLECTOR: A street supplementary to the arterial street system and a means of intercommunication between this system and smaller area; used to some extent for through traffic and to some extent for access to abutting properties. (Added by Ordinance 14-03, 4-21-14)

CUL-DE-SAC: (Dead End Street) A short street having one end open to traffic and being terminated by a vehicle turnaround. (Added by Ordinance 14-03, 4-21-14)

HALF STREET: The dedication of a portion only of the width of a street, usually along the edge of a subdivision, where the remaining portion of a street has been or could be dedicated

in another subdivision. (Added by Ordinance 14-03, 4-21-14)

MAJOR STREET: Same as “arterial”. (Added by Ordinance 14-03, 4-21-14)

MARGINAL ACCESS STREET: A minor street parallel and adjacent to a major arterial street, providing access to abutting properties, but protected from through traffic. (Added by Ordinance 14-03, 4-21-14)

MINOR STREET: A street intended primarily for access to abutting properties. (Added by Ordinance 14-03, 4-21-14)

STRUCTURAL ALTERATION: Any change to the supporting members of a building including foundations, bearing walls or partitions, columns, beams, or girders or any structural change in the roof or in the exterior walls.

STRUCTURAL ALTERATION, SIGN: Modification of the size, shape or height of a sign structure. This also includes replacement of sign structure materials with other than comparable materials, for example, metal parts replacing wood parts.

STRUCTURE: That which is built or constructed. An edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner and which requires location on the ground or which is attached to something having a location on the ground.

STRUCTURE, HISTORIC: Structures which are designated as historic within Astoria differ from buildings, in that they are functional constructions meant to be used for purposes other than sheltering human activity. Examples include, an aircraft, ship, grain elevator, gazebo, and bridge. (Added by Ord 19-06, 7-1-2019)

STUDIOS, ARTS AND CRAFTS: Facilities used by artists and crafts persons and up to two assistants for the production of arts and crafts, and which are not open to the public for sales.

SUBDIVIDE: To effect a land division. (Added by Ordinance 14-03, 4-21-14)

SUBDIVIDE LAND: To divide an area or tract of land into four or more lots within a calendar year. (Added by Ordinance 14-03, 4-21-14)

SUBDIVIDER: An owner commencing proceedings under this Chapter to effect a land division by himself or through this lawful agent. (Added by Ordinance 14-03, 4-21-14)

SUBDIVISION: Either an act of subdividing land or an area or tract of land subdivided as defined in this Section. (Added by Ordinance 14-03, 4-21-14)

SUBDIVISION PLAT: A final map and other writing containing all the descriptions, locations, specifications, dedications, provisions, and information concerning a subdivision. (Added by Ordinance 14-03, 4-21-14)

SUBSTANTIAL CONSTRUCTION: Physical alteration of the land and/or building to an extent that there is obvious progress toward completion of the project as follows: For new construction, it shall include walls extending up from grade level; for existing buildings, it shall include issuance of a building permit with inspections for work equal to or greater than 25% of the value of the project as indicated on the building permit; and if no building permit is required, proof that site work equal to or greater than 25% of the value of the project has been completed. Land value and permit costs shall not be included in the calculation for value of construction completed. (Added by Ordinance 10-06, 4-19-10)

SUBTIDAL: Below the level of extreme low tide.

SUMP DREDGED MATERIAL DISPOSAL, IN-WATER: Deposition of dredged materials in a temporary in-water holding area and subsequently rehandling the material to place it on a land disposal site.

SUPERMARKET: Any retail store over 5,000 square feet whose normal items consist of produce and groceries, but may sell other items.

TEMPORARY ESTUARINE ALTERATION: Dredging, filling, or other estuarine alteration occurring over a specified short period of time which is needed to facilitate an allowed use. Temporary alterations may not be for more than three years and the affected area must be restored to its previous condition. Temporary alterations include:

- A. Alterations necessary for Federally authorized navigation projects (e.g., access to dredged material disposal sites by barge or pipeline and staging areas or dredging for jetty maintenance);
- B. Alterations to establish mitigation sites, alterations for bridge construction or repair and for drilling or other exploratory operations; and
- C. Minor structures (such as blinds) necessary for research and educational observation.

TEMPORARY USE: A use or activity involving minimal capital investment that does not result in the permanent alteration of the site or construction of new buildings, and is removed from the site within one year, unless otherwise extended.

TIDEGATE: A device placed in a dike or dam that allows the passage of water through a culvert in a single direction.

TIDAL MARSH: Tidal wetlands vegetated with emergent vascular plants lying between extreme low tide and landward limit of aquatic vegetation.

TIME SHARE: A dwelling unit that is occupied for other than permanent occupancy by one family and whose ownership is divided into periods of time under an arrangement, plan, scheme, or device, whether by membership, agreement, share, tenancy in common, sale, lease,

deed, rental agreement, license, right to use agreement, or otherwise, where a purchaser, in exchange for consideration, receives a right to use the dwelling unit for a period of time less than a full year during any given year. Use of the dwelling for less than a 30-day period by one family shall be classified as transient lodging and the same as a hotel or motel. (Added by Ord 19-07, 7-1-2019)

TOURIST LODGING FACILITY: See Transient Lodging Facility. (Added by Ord 19-07, 7-1-2019)

TOURIST ORIENTED SALES OR SERVICE: A use or business which devotes 50% or more of its primary use gross floor area to uses or activities which are open and or physically accessible to the public and are reasonably expected to be of interest to visitors. A use or business that is primarily used by the general public such as a video rental establishment, pharmacy, etc. and also used by a visitor but not as a tourist destination for 50% of the primary use gross floor area, is not tourist-oriented. (Amended by Ord 19-05, 6-17-2019)

TRANSIENT: A transient includes any person entitled to occupy a residence for less than 30 consecutive calendar days. The day a transient guest checks out shall not be included in determining the 30-day period if the transient is not charged rent for that day by the operator. A person who pays for lodging on a monthly basis, irrespective of the number of days in such month, shall not be deemed a transient. (Added by Ord 19-07, 7-1-2019)

TRANSIENT LODGING FACILITY: Any structure or portion of any structure which is occupied or intended or designed for transient occupancy for 30 days or less for dwelling, lodging, or sleeping purposes, and includes any hotel, motel, inn, condominium, tourist home or house, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, public or private dormitory, fraternity, sorority, public or private club, bed and breakfast establishment, home stay lodging, vacation rental, or other such transient lodging facility known by their advertising and/or management platform names. Transient Lodging Facility also means space in mobile home or trailer parks, or similar structure of space or portions thereof so occupied, provided such occupancy is for less than a 30-day period. (Added by Ord 19-07, 7-1-2019)

TRANSPORTATION FACILITY: Transportation facilities include construction, operation, and maintenance of travel lanes, bike lanes and facilities, curbs, gutters, drainage facilities, sidewalks, transit stops, electric car charging stations (without pricing signs), landscaping, and related improvements located within public rights-of-ways controlled by a public agency, consistent with the City Transportation System Plan. (Amended by Ordinance 14-03, 4-21-14)

TRANSPORTATION SERVICE ESTABLISHMENT: Business primarily engaged in moving of goods and/or persons such as freight company, bus depot, intermodal center, delivery vehicle and semi-truck storage areas, etc., but excluding bicycle rental facilities. (Added by Ord 19-05, 6-17-2019)

USE: The purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.

USE, CEASE OF: Use shall be considered as ceased when the site and/or building is no longer used or available for occupancy by the specific use. A building or site vacant while

being continuously marketed, repaired, or otherwise similarly unavailable for use is not considered to be a cessation of use. A building or site that is occupied by a different use shall be considered as a cessation of the former use. (Added by Ordinance 10-06, 4-19-10)

USE, START OF: Use shall be considered as begun when the applicant has physically moved into the site or is in the process of physically moving into the site in preparation of beginning occupation and/or operation. Actual operation and/or business open to the public need not occur to consider a use as begun. (Added by Ordinance 10-06, 4-19-10)

UTILITIES: Towers, facilities and lines for communication and power transmission; waste water treatment plants; storm water and treated waste water outfalls, including industrial; and major water, sewer and gas lines.

VACATION RENTAL: A transient lodging facility available for transient rental, and which is not occupied by an owner or manager at the same time as the guests. This includes any accommodation meeting these requirements including facilities known by their advertising and/or management platform names, or other such transient lodging identification. For the purposes of this Code, a Vacation Rental is classified the same as a hotel or motel. (Added by Ord 19-07, 7-1-2019)

VISION CLEARANCE AREA: A triangular area of a lot at the intersection of streets, railroads, alleys, or driveways, as defined in City Code Section 6.100. (Amended by Ordinance 14-03, 4-21-14)

WALKWAY: A sidewalk or pathway, including any access way, allowing pedestrian and bicycle access and improved to City standards, or to other roadway authority standards, as applicable. See also, Access Way, Pathway, Sidewalk. (Added by Ordinance 14-03, 4-21-14)

WALL GRAPHICS: Any mosaic, mural or painting or graphic art technique or combination or grouping of mosaics, murals, or paintings or graphic art techniques applied, implanted or placed directly onto a wall or fence which does not identify a business or product, or carry a commercial or non-commercial message, excluding historical signs.

WATER-DEPENDENT: A use or activity which can be carried out only on, in, or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation, energy production, or source of water.

WATER-DEPENDENT COMMERCIAL ACTIVITY, LOW INTENSITY: Commercial

activities are actions taken in conjunction with a use or to make a use possible. Commercial activities generally do not in and of themselves result in a specific use, but rather in conjunction with a variety of uses for business and trade purposes. Water-dependent commercial activities are those which can be accomplished only on, in, or adjacent to water areas and are activities requiring water access for transportation, recreation, energy production, or as a source of process water. Low-intensity, water-dependent commercial activities are those occurring as part of a business and not simply for private use, which do not require or result in major alteration of the estuary. The level of impact on estuarine aquatic resources and recreational benefits is low as it relates to the consistency of the activity with the resource capabilities of the area and the purpose of the management unit.

WATER-ORIENTED: A use whose attraction to the public is enhanced by a view of or access to coastal waters.

WATER-RELATED: Uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered. Except as necessary for water-dependent or water-related uses or facilities, residences, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories, and trailer parks are not generally considered dependent on or related to water location needs.

WETLAND CREATION: Inundation, by excavation or other means, of upland areas to allow local hydrologic conditions to convert soils and vegetation to a hydric character.

WETLAND ENHANCEMENT: An action which results in a long term improvement of existing wetland functional characteristics and processes that is not the result of a creation or restoration action.

WETLANDS: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

WETLANDS, SIGNIFICANT NONTIDAL: Nontidal wetland described as significant in Oregon subarea plan Coastal Shorelands boundary descriptions or described as significant in Oregon jurisdiction Oregon Statewide Planning Goal 5 elements.

WHOLESALE TRADE ESTABLISHMENTS: Business which generally have substantial quantities of merchandise on the premises and which are primarily engaged in selling merchandise to other wholesalers, retailers, manufacturers, other businesses, governments, or institutions.

WIND SIGN OR DEVICE: Any sign or device in the nature of banners, flags, balloons, or other objects fastened in such a manner as to move upon being subject to pressures by wind.

WIND ENERGY FACILITY: A system that converts wind energy into electricity through the use of a wind turbine generator and may include a nacelle, rotor, blade, tower, and/or turbine pad. A Small-Scale Wind Energy Facility shall be a system of less than 90' in height, rotor blade of less than 22' (380 square foot swept area). A Small-Scale Facility is classified as a utility and is subject to the height limitations of the zone. All other facilities are prohibited. (Added by Ord 19-05, 6-17-2019)

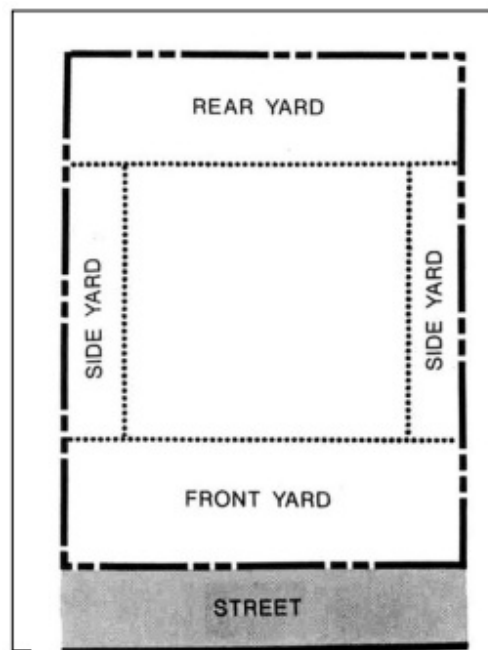
WOOD PROCESSING: Wood processing is an engineering discipline comprising the production of forest products, such as pulp and paper, construction materials, and tall oil. Paper engineering is a subfield of wood processing. Wood processing produces additives for further processing of timber, wood chips, cellulose, and other prefabricated material. It does not include the manufacturing of finished products from wood such as furniture or a woodworking shop. (Added by Ord 19-06, 7-1-2019)

YARD: An open, unoccupied space of a lot which is unobstructed by any structure or portion of a structure extending more than 12 inches above ground level of the lot upward.

FRONT: A required open space extending the full width of a lot between any structure and the front lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this Code.

REAR: A required open space extending the full width of a lot between any structure and the rear lot line unoccupied and unobstructed from the ground upward except as specified elsewhere in this Code.

SIDE: A required open space extending from the front yard to the rear yard between any structure and the nearest side lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this Code.



SECTION 2: AMENDMENT “9.100 TIME LIMIT ON PERMITS” of the Astoria Development Code is hereby *amended* as follows:

AMENDMENT

9.100 TIME LIMIT ON PERMITS

A. Duration of Permits Land Use Approval

1. Except as otherwise provided in this Code, a permit Land Use Approval shall expire two years from the date of Final Decision unless substantial construction has taken place or use has begun. However, extensions for permits Land Use Approvals may be granted as provided in this section. A permit Land Use Approval remains valid, if a timely request for extension has been filed, until an extension is granted or denied with the following limitations:
 - a. Any work completed by the applicant after the date the permit Land Use Approval would have expired, but for the extension request, is at the applicant’s own risk; and
 - b. Any work completed after the date the permit Land Use Approval would have expired shall not be considered in determining if substantial construction has been completed until an an-permit extension has been granted; and
 - c. No additional building and/or use permits associated with the permit Land Use Approval may be issued until an extension has been granted.
2. Phased Permit Land Use Approvals.
 - a. The initial phase of a phased permit Land Use Approval and/or project shall expire two years from the date of Final Decision unless substantial construction or use has begun.
 - b. Additional phases of an approved phased permit Land Use Approval and/or project shall expire two years from the date of completion of construction for the previous phase, unless substantial construction or use has begun on that subsequent phase. Completion of construction of a phase shall be determined by issuance of a temporary and/or final Certificate of Occupancy from the Building Official.
3. Any Land Use Approval that approves a particular use will expire one year after the use ceases. Such an approval may be extended for up to two additional years while the property is listed for sale.

- B. Permit Land Use Approval Extensions. Permit An extension may be granted for all Land Use Approvals. ~~land use permits.~~ Extensions may also be granted for time limits applicable to non-conforming buildings and/or non-conforming uses located over water between 16th and approximately 54th Streets as described in Sections 3.180.D and 3.190.F. One year extensions may be granted in accordance with the requirements

of this Section as follows: ~~(Section 9.100.B amended by Ord 14-09, 10-6-14; amended by Ord 15-09, 12-7-2015)~~

1. Permit Land Use Approval Extension Time Limit.
 - a. The Community Development Director may grant the first one-year ~~permit~~ extension if the request complies with the Land Use Approval extension criteria and procedures.
 - b. Following the first one-year ~~permit~~ extension by the Community Development Director, the original granting authority may grant subsequent one-year extensions. Temporary Use Permit extensions may be granted by the Community Development Director as a Type II permit. ~~(Section 9.100.B.1.b amended by Ord 19-05, 6-17-2019)~~
 - c. No more than three ~~permit~~ extensions may be granted. No variances may be granted from this provision. Temporary Use Permit extensions are exempt from this requirement and may exceed the three extensions limitation.
 - d. This Ordinance shall apply to all ~~permit~~ extensions requested after the date of enactment regardless of the date of the original permit Final Decision. If a ~~permit~~ Land Use Approval has been granted extensions prior to adoption of this Ordinance, subsequent extension requests shall be reviewed by the granting authority. Three additional extensions may be granted.
2. Permit Land Use Approval Extension Criteria. The granting authority may grant an ~~permit~~ extension of a Land Use Approval upon written findings that the request complies with the following:
 - a. ~~The project proposal has not been modified in such a manner as to conflict with the original findings of fact for approval; and~~ The applicant has made a written request for an extension of the Land Use Approval prior to expiration of the approval period; and
 - b. ~~The proposed project does not conflict with any changes to the Comprehensive Plan or Development Code which were adopted since the last permit expiration date; and~~ The applicant demonstrates one or more reasons that reasonably caused the applicant to delay substantial construction prior to expiration of the approval period; and
 - c. ~~The applicant has demonstrated that progress has been made on the project since the date of the original decision on the permit with regard to items such as, but not limited to:~~ The City determines that the applicant was unable to obtain substantial construction during the approval period for reasons for which the applicant was not responsible; and
 - (1) ~~Submittal of permit applications to City, State and Federal agencies;~~
 - (2) ~~Contracts for geologic or other site specific reports have been signed and are in effect;~~
 - (3) ~~Project site and/or building engineering, architectural design, or construction has begun.~~
 - d. ~~In lieu of compliance with Section 2.c above, the applicant may~~

~~demonstrate that poor economic conditions exist in the market that~~

~~would advise against proceeding with the project.~~The property subject to the Land Use Approval complies with all City Code requirements.

3. Permit Land Use Approval Extension Procedures.
 - a. Applications for ~~permit~~ extensions shall be submitted in accordance with the Administrative Procedures in Article 9. ~~Permit~~Extension requests shall be submitted to the Community Development Department prior to permit the Land Use Approval expiration.
 - b. Public notice and procedures on applications for ~~permit~~ extension requests shall be in accordance with the Administrative Procedures in Article 9. However, in addition to mailed notice as required in Article 9, notice shall be provided also to those on the record for the original ~~permit~~Land Use Approval, associated appeals, and associated extensions.
 - c. The Administrative decision, public hearing, and/or Commission/Committee decision concerning an ~~an permit~~ extension may occur after the ~~permit~~Land Use Approval would have expired but for a timely filed request for a ~~a permit~~an extension.
 4. Appeals. The decision concerning an ~~an permit~~ extension may be appealed. Appeals shall be made in accordance with Administrative Procedures in Article 9. Appeals on ~~permit~~Land Use Approval extensions shall be limited to the issues relevant to the ~~permit~~ extension criteria only and not to issues relevant to the original ~~permit~~ approval.
- C. Amendments to Existing Permits. When a Land Use Approval ~~n approved permit~~ is amended, the following shall apply concerning the Final Decision date ~~for the permit~~:
1. If the amendment requires public notice as a land use decision, the Final Decision date of the amendment shall apply to the entire ~~permit~~Land Use Approval; or
 2. If the amendment is a minor administrative decision and does not require public notice as a land use decision, the Final Decision date of the original ~~permit~~Land Use Approval, including any extensions, shall continue as the Final Decision date for the entire ~~permit~~Land Use Approval.

(Section 9.100, amended by Ordinance 10-06, 4-19-10)

(Section 9.100.B amended by Ord 14-09, 10-6-14; amended by Ord 15-09, 12-7-2015)

(Section 9.100.B.1.b amended by Ord 19-05, 6-17-2019)

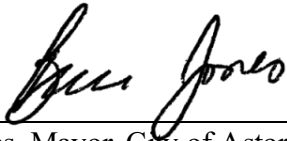
EFFECTIVE DATE This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED BY THE CITY OF ASTORIA CITY COUNCIL FEBRUARY 22, 2022.

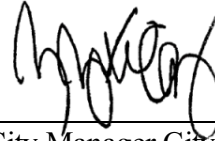
	AYE	NAY	ABSENT	ABSTAIN
Brownson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Herman	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Hilton	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Rocka	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Mayor Jones	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Bruce Jones, Mayor, City of Astoria



Brett Estes, City Manager City of Astoria