



Community Development Ordinance (CDO) Audit

JOINT WORK SESSION #4 , JUNE 29, 2022

Agenda

- › Code Audit update
- › Joint Session #3 – Village character visioning session
- › “Clear and objective language for needed housing”
- › Form based approaches
- › Public survey overview

MARCY MCINELLY, AIA, URBSWORKS, AND KEITH LIDEN

Code Audit Update



Code Audit Overview

Project Objective

- › Review and assess the Community Development Ordinance (CDO) in comparison to the Comprehensive Plan
- › How the Plan and CDO do or do not provide mutual support in furthering the community’s vision.

Key dates in the project timeline

- › The Code Audit project includes four tasks scheduled to be completed before the end of 2022
- › Next month: Technical meeting with city staff responsible for enforcement and administrations of of city policy and regulations

Project timeline and Joint Session role				
Oct 2021– Mar 2022	April – June 2022	* Technical Review of Concepts (July 2022)	July – August 2022	August – Sept 2022
Task 1 – Code Audit	Task 2 – Preliminary Concepts		Task 3 – Refined CDO Concepts	Task 4 – Final CDO Recommendation
<ul style="list-style-type: none">• Joint Session #2 / #3• Introduction to project• Status of Track 1 amendments• Code audit findings	Joint Session #4 <ul style="list-style-type: none">• Review code concepts• Form based approaches• Clear and objective criteria for village character• Village character public survey results		<ul style="list-style-type: none">• Joint Session #5• Provide feedback on refined code concepts	<ul style="list-style-type: none">• Joint Session #6• Review CDO recommendations report

* Review of concepts by city staff representing code enforcement, building permit, emergency responders, public



Village Character Visioning Session

Group discussion

Physical features that contribute to the unique character of Cannon Beach

Referred to as “village character”

Focused on residential neighborhoods but also included discussion of downtown

Two groups and facilitated discussion:

- › In ten years time, what would you want to make sure remains a part of the village?
- › In ten years time, what currently doesn't exist that you would like to see in the village?
- › Discuss the [adequacy of the] tools you currently have for architectural controls.

Notes at [city's webpage](#) for the Code Audit project



Village Character Visioning Session

Purpose of these questions

Consultants need to hear from the Joint Commission about those characteristics which could be regulated in the zoning code

Using clear and objective language

Clear and objective zoning code language includes dimensions, geometry, and numerical standards (i.e., feet, area in square feet, angles, or percentages)

The background of the slide features a photograph of a vast, golden-yellow field of tall grass in the foreground. In the distance, a range of blue mountains is visible under a clear sky. The image is slightly faded to allow the text to be the primary focus.

Village Character Visioning Session

“Clear & objective language for needed housing”

Oregon state law: Housing may not be subject to a discretionary review

Design review can be an alternative track but may not be the only track for approval

ORS (Oregon Revised Statutes) 197.307:

- › “...a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. The standards, conditions and procedures:
- › May include, but are not limited to, one or more provisions regulating the density or height of a development.
- › May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.”

Village Character Visioning Session

OR 197.307 legislation pre-dates HB 2001 Oregon
Middle Housing mandate

Originally created to make it easier for homebuilders
and housing providers to build within designated urban
growth areas

Village Character Visioning Session

One goal of the code audit project is to help the Cannon Beach Community Development Ordinance (CDO) implement the community's vision and do so while complying with Oregon state law 197.307.

Form Based Approach

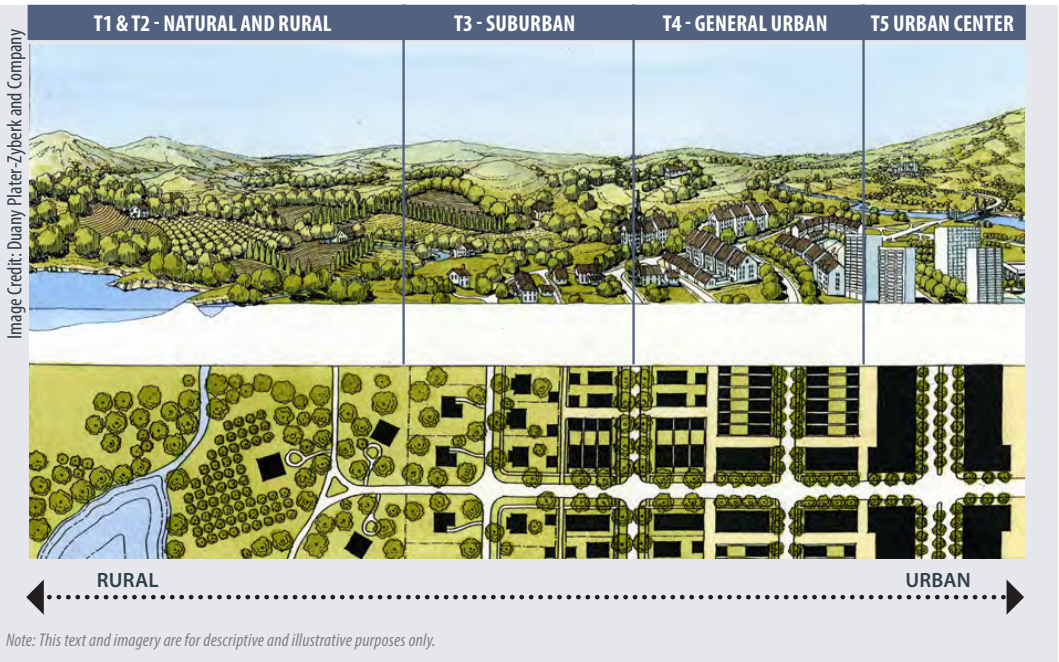


Form based approaches

Form based approaches use clear and objective criteria to determine what types building uses and shapes are permitted and where.

“A form based code is one that is based primarily on “form”—urban form, including the relationship of buildings to each other, to streets and to open space, rather than based primarily on land use.”

- › For a complete guide to form based codes see the [Form Based Code Handbook](#) published by SACOG (Sacramento Area Council of Government).



T1–NATURAL PRESERVE DISTRICT (T1)

The T1-Natural Preserve district is intended to preserve areas that contain sensitive habitats, active or passive open spaces and urban parks, cemeteries, and limited agricultural uses. This district typically does not contain buildings, with the exception of small civic buildings, interpretive centers, or supportive recreation facilities. There are no specific development standards listed for this district.



T2–RURAL DISTRICT (T2)

The T2-Rural district is made up of lands in an open, cultivated, or sparsely settled state. Planning for future development within the City of Beaufort **does not** include rural areas, and inclusion of the T2-Rural district here is for illustrative purposes only. There are no development standards listed for this district.



T3–SUBURBAN DISTRICT (T3-S)

T3-Suburban district is single-family residential in character, with less development than other Transect-based districts within the city. While almost exclusively residential, civic and park functions are also complementary to the character within this district.



T3–NEIGHBORHOOD DISTRICT (T3-N)

The T3-Neighborhood district is residential in character and includes a mixture of residential and civic uses. Residential units are an assortment of sizes and types including cottages, small houses, two- and three-family dwellings, village houses, and cottage courts. Carriage houses, located behind single family homes, and on the interior of lots, may contain studios or other small businesses.



T5–DOWNTOWN CORE DISTRICT (T5-DC)

The T5-Downtown Core district consists of higher density, mixed-use buildings that accommodate retail, rowhomes, offices, and apartments. A tight network of streets, including those in Beaufort's historic commercial downtown, allows this district to be a highly walkable area. Buildings are set very close to the street in order to define the public realm and allow for visible activity along the streetscape.



T5–URBAN CORRIDOR DISTRICT (T5-UC)

The T5-Urban Corridor district consists of higher density, mixed-use buildings that accommodate retail, rowhomes, offices, and apartments located along primary thoroughfares. A tight network of streets allows this district to be a highly walkable area. Buildings are set very close to the street in order to define the public realm and allow for visible activity along the streetscape.



2.4: DISTRICT DEVELOPMENT STANDARDS

2: Map & Districts | 2.4: District Development Standards

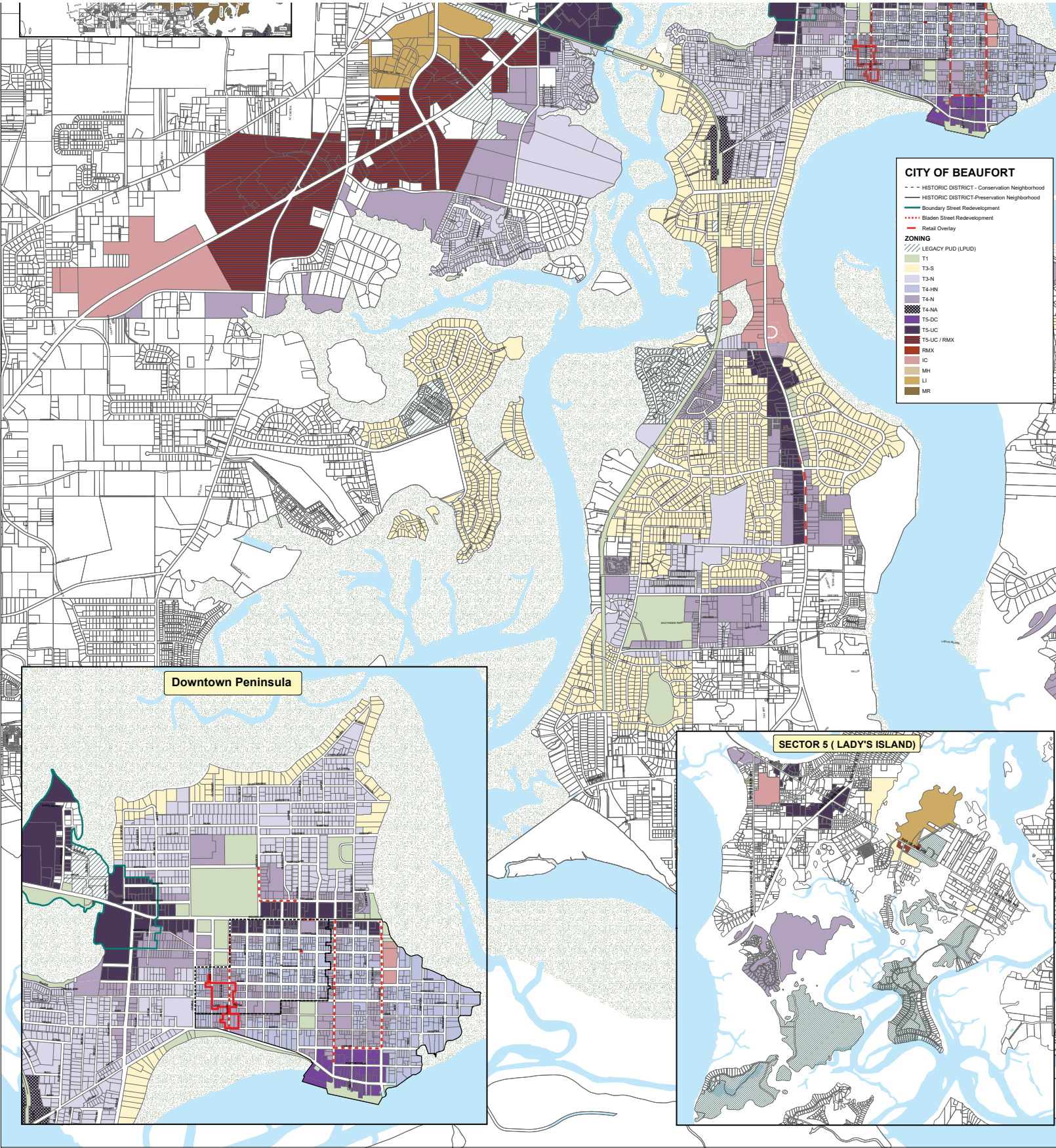
2.4.1 TRANSECT-BASED DISTRICT STANDARDS

DISTRICT	T3-S	T3-N	T4-HN	T4-N	T5-DC	T5-UC
A. LOT CONFIGURATION						
1. Lot Width at Front Setback	75 ft min; for waterfront lots see Section 2.5.4	40 ft min, 60 ft min in the Hundred Pines neighborhood	40 ft min, 60 ft min in The Point	n/a	n/a	n/a
2. Lot Size	9,000 sf min; for waterfront lots see Section 2.5.4	4,000 sf min; 3,000 sf min for alley-served lots	4,000 sf min; 6,000 sf min in The Point	n/a	n/a	n/a
3. Maximum Lot Coverage ¹	30% of lot area	45% of lot area	55% of lot area	70% of lot area	100%	100%
4. Frontage Build-Out ²	n/a	n/a	75% max	60% min; 85% max	75% min	60% min

¹This percentage indicates maximum lot coverage by roofs; total impervious coverage may be an additional 10%. Parcels may also be subject to Section 8.3 (Stormwater).

²See Section 2.5.1.B for additional frontage build-out standards.

Form based approach 1



2.4: DISTRICT DEVELOPMENT STANDARDS

2.4.1 TRANSECT-BASED DISTRICT STANDARDS

DISTRICT	T3-S	T3-N	T4-HN	T4-N	T5-DC	T5-UC
A. LOT CONFIGURATION						
1. Lot Width at Front Setback	75 ft min; for waterfront lots see Section 2.5.4	40 ft min, 60 ft min in the Hundred Pines neighborhood	40 ft min, 60 ft min in The Point	n/a	n/a	n/a
2. Lot Size	9,000 sf min; for waterfront lots see Section 2.5.4	4,000 sf min; 3,000 sf min for alley-served lots	4,000 sf min; 6,000 sf min in The Point	n/a	n/a	n/a
3. Maximum Lot Coverage ¹	30% of lot area	45% of lot area	55% of lot area	70% of lot area	100%	100%
4. Frontage Build-Out ²	n/a	n/a	75% max	60% min; 85% max	75% min	60% min

¹This percentage indicates maximum lot coverage by roofs; total impervious coverage may be an additional 10%. Parcels may also be subject to Section 8.3 (Stormwater).
²See Section 2.5.1.B for additional frontage build-out standards.

B. PRIMARY BUILDING PLACEMENT						
1. Front Setback; for infill lots also see Section 2.5.2	20 ft min No max	15 ft min 30 ft max ³	average Prevailing Setback on block	0 ft min 15 ft max	0 ft min max. Prevailing Setback on block	0 ft min 15 ft max
2. Side Setback - Corner /Alley	15 ft min No max	6 ft min No max	5 ft min No max	0 ft min 10 ft max	0 ft min 15 ft max	0 ft min 15 ft max
3. Side Setback - Interior	10 ft min	6 ft min	6 ft min, 10 ft min in The Point	5 ft min, or 0 ft if attached	0 ft min	0 ft min
4. Rear Setback ⁴	15 ft min	15 ft min	15 ft min	10 ft min	0 ft min	5 ft min
5. Rear Setback from Alley ⁴	n/a	0 ft	0 ft	0 ft	0 ft	0 ft
6. Attached Garage/Carport Setback (from front facade) ^{5,6}	5 ft min	5 ft min	attached garages shall only be accessed via an alley; garage doors shall not face the street			

C. ACCESSORY BUILDING PLACEMENT - see section 3.11 for additional requirements						
1. Front Setback	accessory structures shall be located behind the front facade of the primary structure, except as provided for in Section 2.5.4 (Waterfront Lots) and Section 4.5.3 (Carriage House); see item 6 below for setback for detached garage doors					
2. Side Setback - Corner / Alley ⁵	5 ft min	5 ft min	5 ft min	3 ft min	0 ft min	0 ft min
3. Side Setback - Interior	5 ft min	5 ft min	5 ft min	5 ft min	0 ft min	0 ft min
4. Rear Setback ⁴	5 ft min	5 ft min	5 ft min	5 ft min	0 ft min	0 ft min
5. Rear Setback from Alley ⁴	3 ft min	3 ft min	3 ft min	3 ft min	3 ft min	3 ft min
6. Detached Garage Door/Carport Setback (from front facade) ⁵	5 ft min	20 ft min	20 ft min	20 ft min	shall be located behind primary building and accessed via alley or side street ⁷	

³When lot width is 75 ft or greater, there is no maximum front setback.
⁴Garage doors shall be 15 ft min from alley centerline.
⁵In addition to the setback requirements listed above, garage doors/carports which face a public right-of-way, except for rear alleys, shall be set back a minimum of 20 ft from that right-of-way.
⁶The Battery Shores and Islands of Beaufort neighborhoods are exempt from this standard when garage doors do not face a public right-of-way. In the Jericho Woods neighborhood, carports are exempt from this standard.
⁷Also see Section 2.5.7(Street Access Standards).

D. BUILDING FORM						
1. Primary Building Height - see Section 2.6	No min 2.5 stories max	No min 2.5 stories max	No min 3 stories max	2 stories min ⁸ 4 stories max; 3.5 stories max in & fronting Historic District & interior lots along Allison Rd.	2 stories min 3 stories max at property line, see 2.6.1.G	2 stories min ⁸ 5 stories max; 3.5 stories max in & fronting Historic District
2. Accessory Building Height	2 stories or 30 ft max	2 stories or 30 ft max	2 stories or 30 ft max	2 stories or 30 ft max	2 stories max	2 stories max
3. Building Width at Frontage	n/a	n/a	n/a	100 ft max	100 ft max ⁹	160 ft max ⁹

⁸ 2 stories are only required at significant intersections, in accordance with Section 2.6.3 and the Street Hierarchy Diagram in Appendix C.3
⁹ Buildings exceeding this maximum shall comply with the Large Footprint Building standards in Section 4.5.10.

E. PARKING PAD LOCATION- there are no interior side setbacks for parking unless buffers are required per Section 5.5. See Section 2.5.8 for additional provisions						
1. Front Setback	there are no parking setbacks, however, driveways shall be located to the side of the lot/primary structure except on waterfront lots meeting the conditions stated in 2.5.4.	40 ft min	40 ft min	40 ft min	40 ft min	
2. Side Setback - Corner		5 ft min	15 ft min	5 ft min	5 ft min	
3. Rear Setback		5 ft min	5 ft min	0 ft min	0 ft min	



How floor area ratio requirements affects a project

Floor area ratio requirements are in place to maintain the relationship between building size and site areas. they ensure development on one lot does not overwhelm development on adjacent lots. The amount of allowed floor area generally increases as units are added to a property.

Maximum allowed floor area ratio

The number of units can be configured in multiple ways.

For example: One unit is the main house or attached house. Two units could be a house with an attached or detached accessory dwelling unit or a duplex. Three units could be a triplex, a duplex with one accessory dwelling unit or a house with one internal and one detached accessory dwelling unit.

Units	R7	R5	R2.5
1	0.4 to 1	0.5 to 1	0.7 to 1
2	0.5 to 1	0.6 to 1	0.8 to 1
3 or more	0.6 to 1	0.7 to 1	0.9 to 1

Bonus floor area ratio

To provide incentives to build more affordable housing--and to keep existing houses--bonus floor area is available to certain projects:

- *Affordable Housing*: sites that provide at least one dwelling unit to those earning no more than 80% of the median area family income (certified by Portland Housing and restricted by covenant).
- *Existing Houses*: projects on sites with an existing residential structure that received final inspection at least five years ago and alter no more than 25% of the existing street-facing façade.

Units	R7	R5	R2.5
1	0.4 to 1	0.5 to 1	0.7 to 1
2	0.6 to 1	0.7 to 1	0.9 to 1
3 or more	0.7 to 1	0.8 to 1	1 to 1

Small additions- an exception to the rule

Showing the amount of floor area on a lot can require additional drawings or documentation that might not otherwise be necessary. So, the Zoning Code allows for **one alteration or addition of up to 250 square feet once every five years** for an existing primary structure that received final inspection at least five years ago.

Visitability

Contact

Development Services Center
Development Services

✉ bds@portlandoregon.gov

📞 **503-823-7310**
Monday through Friday from 8 a.m. to 5 p.m.

🗉 **711** Oregon Relay Service

Topics

[Community education and outreach;](#)
[Construction and development](#)

Form based approach 2

- › Leverage development potential granted by zoning to address the size of residential structures while incentivizing workforce housing, housing choices and affordable housing
- › One tool is Floor Area Ratio (FAR)
- › Example from Portland, Oregon

Floor area ratio for specific housing types

Due to variation in lot sizes and the types of housing allowed, the following circumstances have allowed floor area ratios that are different than the base zone (code citations included for reference).

- *Small flag lots (33.110.255.C.2) where the flag portion is less than 3,000 square feet, maximum FAR is 0.5 to 1.*
- *Attached houses in the R5 zone (33.110.260.C) where lots are less than 32 feet wide and 3,200 square feet in area, maximum FAR is 0.6 to 1.*
- *Affordable fourplexes and multi-dwelling structures (33.110.265.F), maximum FAR is 1.2 to 1.*

Public Survey





Public survey

- › Open between May and June of 2022
- › 231 community members provided 1,078 comments
- › Five open-ended questions about village character in Cannon Beach (Table 1) corresponding to the questions posed to the Joint Commission.
- › Cannon Beach population ~ 1,500: survey response rate is about 15%.
- › Out of the 217 individuals who elected to share optional demographic information, about 70% were over 55 and about 90% identified themselves as white.

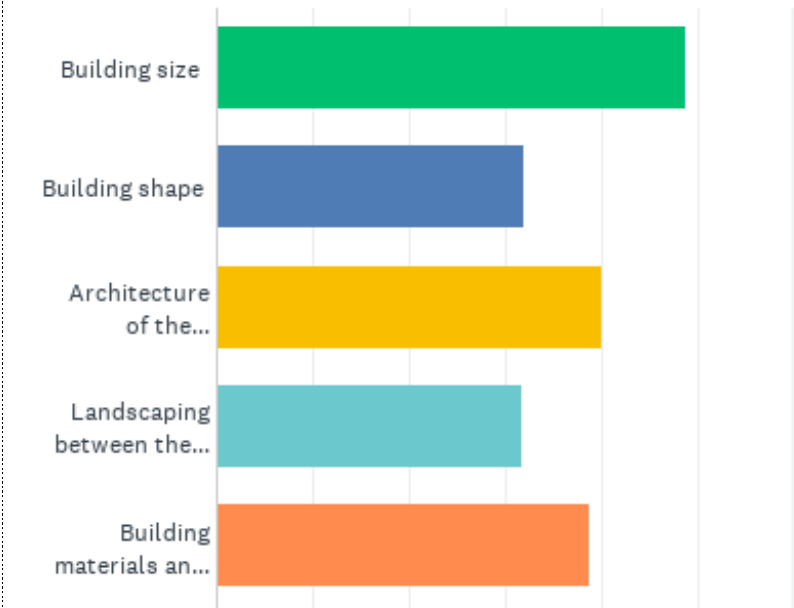
On the topic of Village Character

Joint Commission

18 responses total

Top rated items:

- › Building size
- › Architecture of street facing façade
- › Building materials and treatments

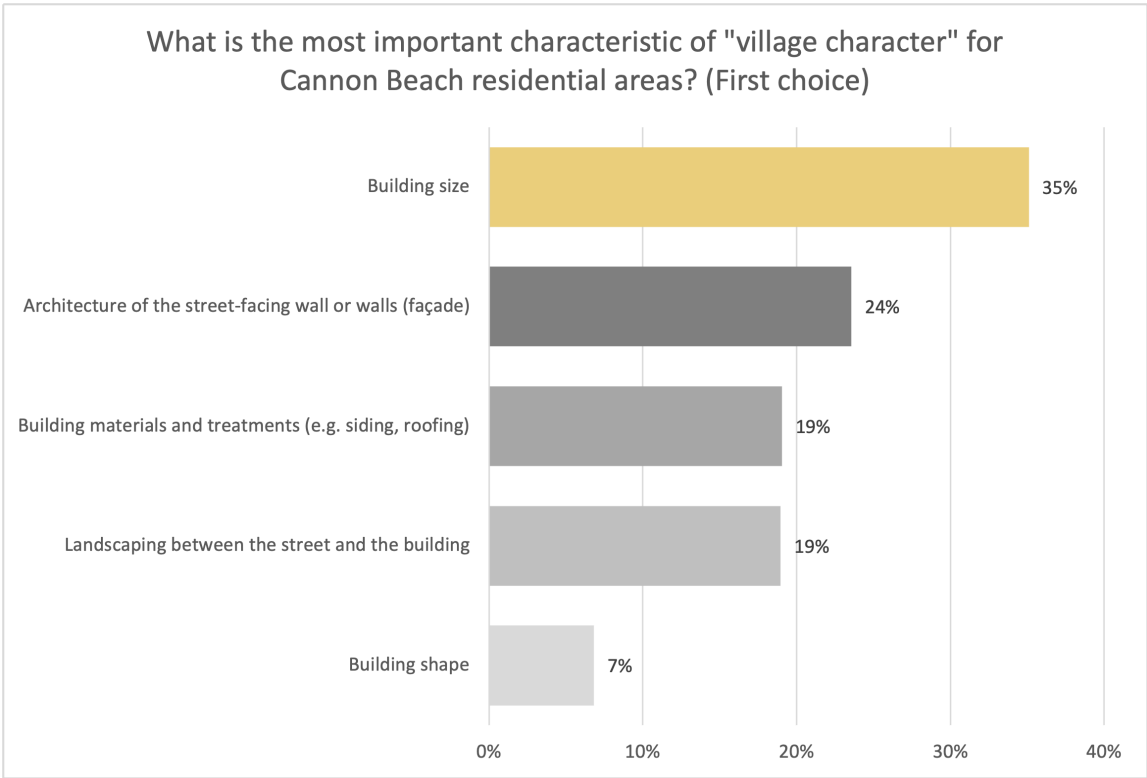


Public survey

231 responses total

Top rated items:

- › Building size
- › Street facing walls (façade)
- › Tied: Building materials / treatments and landscaping between street and building



On the topic of Village Character

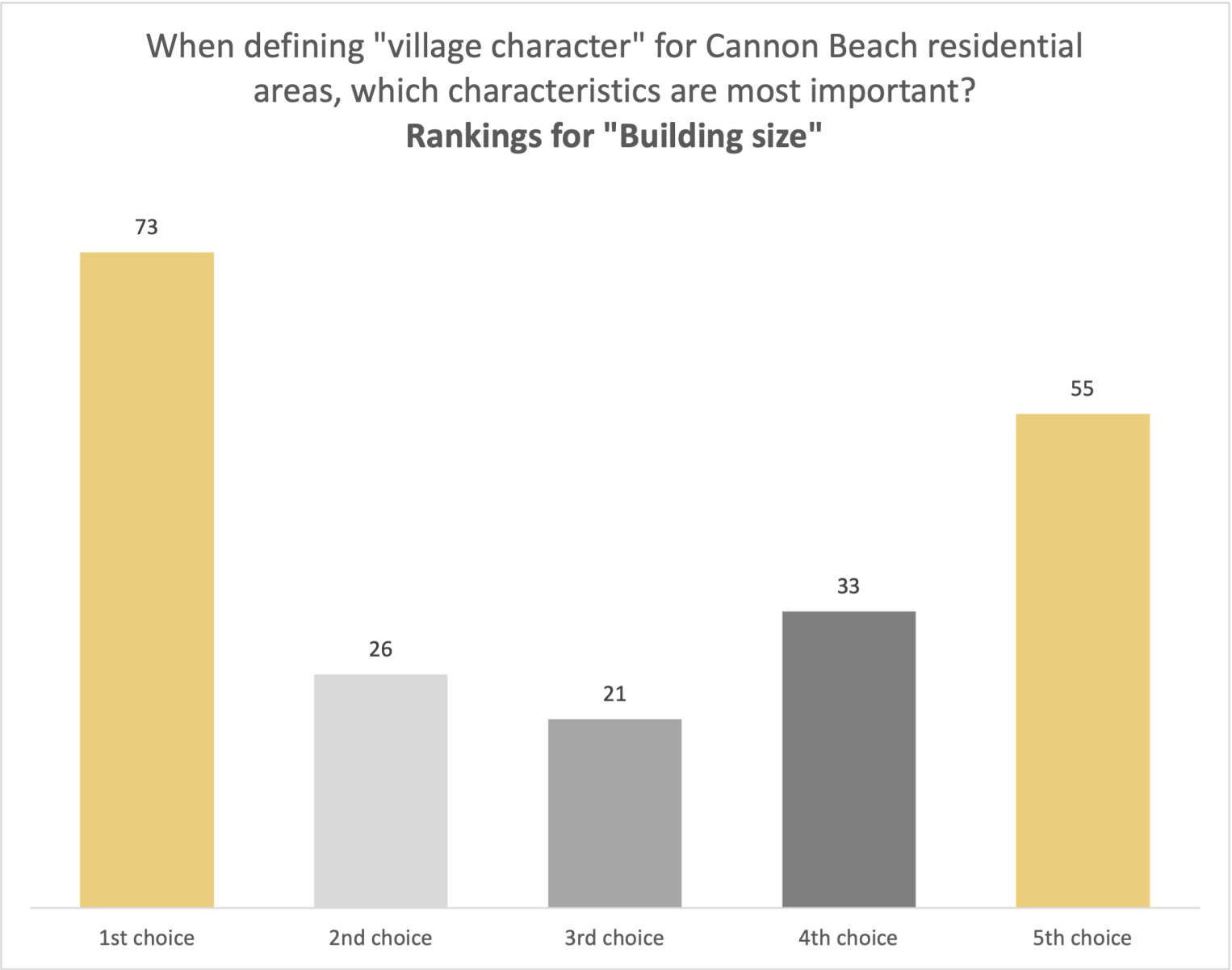
Polarization over building size

Size was selected as the most important factor by 35% of respondents, or 73 survey respondents*

26% or 55 individuals felt it was least important

216 total individuals who responded to this question

* Also selected as the highest ranked factor in the Joint Commission survey



On the topic of Village Character

Polarization over building size: Open-ended survey responses backed up this division – A sample of survey feedback:

Keep Town Small

“I see houses being built I consider monstrosities”

- › Risks of this approach: limiting affordable or Workforce housing options

Don't Limit Any Housing Options

“If we want to attract families we need to allow bigger houses”

- › Risks of this approach: Standards are not clear and objective

Finding a Way Forward:
Create More Housing Options

“In order to maintain the city’s village character and its diverse population, the city will encourage the development of housing which meets the needs of a variety of age and income groups, as well as groups with special needs.”

›

Discussion





Thank you

