

WORK FORCE HOUSING

POTENTIAL AREAS OF AMENDMENT

The Charge: The adopted affordable housing needs assessment and implementation plan, included the following recommendation – “duplexes and multi-family housing: Examine the treatment of multi-family development in the zoning ordinance to make sure these developments are not unfairly discouraged.”

A review of the literature on work force housing, and the impact of zoning code standards, identifies the following areas in zoning codes that are often reviewed in an effort to reduce the regulatory burden on workforce housing. Particular emphasis is placed on the standards that regulate the density of multifamily housing projects and the amount of off-street parking that is required.

1. Density and Building Height

The city has already removed the density standard for multifamily housing where a deed restriction is recorded that prevents that housing from being converted to condominium. Section 17.16.040.A, Residential High Density (R3) Zone, Standards Lot Size, states: “The density of multifamily dwellings shall be five thousand square feet for the first unit of the multifamily dwelling plus two thousand five hundred square feet for each additional unit, except that there is no density standard for multifamily dwellings used for long-term rental purposes (thirty days or more) and where a deed restriction is recorded preventing the multifamily dwelling from conversion to condominium use, or similar individual ownership arrangement, or use as a short-term rental pursuant to Chapter 17.77.”

The existing building height in the Residential High Density (R3) Zone is as follows: “maximum height of a structure is twenty-four feet, measured as the vertical distance from the average elevation of existing grade to the highest point of a roof surface of a flat roof, to the top of a mansard roof or to the mean height level between the eaves and the ridge for a pitched roof. The ridge height of a pitched roof shall not exceed twenty-eight feet. Pitched roofs are considered those with a 5-12 pitch or greater.” (17.16.040.E) The C1, Limited Commercial Zone has a similar height restriction.

Proposed Amendments: In the R3 and C1 zones, increase the permitted building height for workforce housing to 32 feet to the ridgeline of the building. This would permit three-story buildings. The city already permits a maximum building height of 32 feet for motels in the RM zone. These amendments are shown below, with proposed new text in italics.

17.16.040.E. R3 Zone Building Height.

1. Maximum height of a structure is twenty-four feet, measured as the vertical distance from the average elevation of existing grade to the highest point of a roof surface of a flat roof, to the top of a mansard roof or to the mean height level between the eaves and the ridge for a pitched roof. The ridge height of a pitched roof shall not exceed twenty-eight feet. Pitched roofs are considered those with a 5-12 pitch or greater.

2. *For multifamily dwellings used for long-term rental purposes (thirty days or more) and where a deed restriction is recorded preventing the multifamily dwelling from conversion to condominium use, or similar individual ownership arrangement, or use as a short-term rental pursuant to Chapter 17.77, the maximum height of a structure is twenty-eight feet, measured as the vertical distance from the average*

elevation of existing grade to the highest point of a roof surface of a flat roof, to the top of a mansard roof or to the mean height level between the eaves and the ridge for a pitched roof. The ridge height of a pitched roof shall not exceed thirty-two feet. Pitched roofs are considered those with a 5-12 pitch or greater.

17.22.050.C. C1 Zone Building Height.

1. Maximum height of a structure is twenty-four feet, measured as the vertical distance from the average elevation of existing grade to the highest point of a roof surface of a flat roof, to the top of a mansard roof or to the mean height level between the eaves and the ridge for a pitched roof. The ridge height of a pitched roof shall not exceed twenty-eight feet. Pitched roofs are considered those with a 5-12 pitch or greater.

2. For multifamily dwellings used for long-term rental purposes (thirty days or more) and where a deed restriction is recorded preventing the multifamily dwelling from conversion to condominium use, or similar individual ownership arrangement, or use as a short-term rental pursuant to Chapter 17.77, the maximum height of a structure is twenty-eight feet, measured as the vertical distance from the average elevation of existing grade to the highest point of a roof surface of a flat roof, to the top of a mansard roof or to the mean height level between the eaves and the ridge for a pitched roof. The ridge height of a pitched roof shall not exceed thirty-two feet. Pitched roofs are considered those with a 5-12 pitch or greater.

2. Off-Street Parking

A review of the literature shows that during the past decade there have been numerous studies that identify off-street parking as a main zoning code driver of increased housing costs. For example, a study from Victoria Canada found that one-off street parking space increased the rent by 12.5% and two off-street parking spaces by 25%. Studies also found that work force housing projects provided with more off-street parking than is used by residents. This fact is borne out in Cannon Beach. The number of cars parked at Shorewood and Elk Creek Terrace were surveyed three nights at 8 pm. Shorewood has 34 two-bedroom units. The average number of cars parked in association with the units was twenty-two. Elk Creek Terrace has twenty-six two-bedroom units and ten three-bedroom units. The average number of cars parking in association with the units was thirty-three. Thus, for the seventy units, there were 0.79 cars per unit.

Following are the zoning ordinance's existing standards for off-street parking for dwellings units associated with multifamily dwellings that are not in condominium ownership. These standards provide a reduction in the amount of off-street parking required for multiple-family housing not in condominium ownership.

Section 17.78.020.D. Off-street parking requirement includes the following standards for multi-family dwellings:

Studio:	1 space per dwelling unit
One bedroom:	1.25 spaces per dwelling unit
Two-bedroom:	1.5 spaces per dwelling unit

3 or more bedrooms: 2 spaces per dwelling unit

Proposed Amendments: Reduce the amount of off-street parking required for work-force housing, or multifamily dwellings that are not in condominium ownership as shown below. Require some level of secure and covered bicycle parking. For three-bedroom units, permit stacked parking. These amendments are shown below, with proposed new text in italics, and deleted text struck-through.

17.78.020.D.b. Multi-family dwellings in other than condominium ownership:

Studio	1 per dwelling unit <i>0.65 per dwelling unit</i>
One bedroom	1.25 per dwelling unit <i>1.0 per dwelling unit</i>
Two bedroom	1.5 per dwelling unit <i>1.0 per dwelling unit</i>
Three bedroom or more	2 per dwelling unit <i>1.25 per dwelling unit</i>

17.78.030 Design standards. A. The following design requirements shall apply to an off-street parking area consisting of five or more parking spaces:

1. Parking area layouts shall provide parking spaces and aisle dimensions that meet the minimum dimensions contained in Figure A, Minimum Design Requirements.
2. A parking space must be at least nine feet by eighteen feet. Where parallel parking spaces are provided, the minimum dimension is nine feet by twenty-two feet.
3. Parking spaces for disabled persons shall be in accordance with the requirements of the Oregon Structural Specialty Code. These standards control: dimensions of disabled person parking spaces and access aisles; the minimum number of disabled person parking spaces required; location of disabled person parking spaces and circulation routes; curb cuts and ramps including slope, width and location; and signage and pavement markings.
4. All parking areas must be designed so that a vehicle may enter or exit without having to move another vehicle. Stacked or tandem parking is not permitted, *except for three-bedroom or larger multi-family dwelling units.*
5. At a minimum, ten percent of the area of the parking lot shall be landscaped. In determining the area of the parking lot and required landscaping the minimum area separation between the building and the parking lot described in subsection (A)(6) of this section shall not be included. The landscaped area of the parking lot shall contain at least one tree for every one hundred seventy-five square feet of landscaping provided. Areas that contain a tree shall have a minimum width of five feet. Any landscaped area shall have a minimum area of fifty square feet.
6. An area with a minimum width of five feet shall separate the exterior wall of a building from the parking lot. The separation between the parking lot and the building can consist of landscaping material, a pedestrian walkway, or a combination of the two.
7. Provide separation and screening of the parking area from the street and abutting property. The separation can be provided by either a fence or a landscaped planting area. Where landscaping is utilized,

the planting area shall have a minimum width of three feet. The height of the fence or planting shall be sufficient to screen the parking facility, but without encroaching into the required clear vision area.

8. When a parking area serving a multifamily, commercial, industrial or governmental use abuts a residential zone, buffering meeting the requirements of Chapter 17.66 shall be provided.

9. The number of access points from the adjacent public street(s) to the parking area shall be limited to the minimum that will allow the property to accommodate the anticipated traffic. Access points shall be located on side streets or existing driveways wherever possible so as to avoid congestion of arterial or collector streets. The width of the access point(s) to the parking area shall comply with the standards of Municipal Code Section 12.08.040.

10. Maneuvering space (to prevent backing onto streets) shall be provided for all lots which provide access onto arterial streets (Hemlock Street, Sunset Boulevard, and US Highway 101).

11. Service drives shall have a minimum vision clearance area formed by the intersection of the driveway center line, the street right-of-way line, and a straight line joining said lines through points fifteen feet from their intersection.

12. Bicycle parking: Multi-family dwelling units shall provide at least one secure, covered bicycle parking space per unit.

3. Landscaping Requirement

The following is the existing standard for landscaping in conjunction with multifamily dwellings:

Section 17.44.120.A.2 Landscaping standards, the following landscape requirements are established for developments subject to design review plan approval: . . .the following minimum lot area shall be landscaped for the following uses: . . . Multifamily dwellings containing four or more units: thirty percent.

Proposed Amendment: In the R3 Zone, reduce the amount of landscaping required to 20% of the site area. In the C-1 zone apply the same landscaping requirement for multifamily dwellings as for commercial uses, i.e., 20% landscaping of which 10% of the site area must be “soft landscaping.” These amendments are shown below, with proposed new text in italics, and deleted text struck-through.

17.44.120. Landscaping Standards. The following landscape requirements are established for developments subject to design review plan approval:

A. Area Required. The following minimum lot area shall be landscaped for the following uses:

1. Duplexes and triplexes: ~~forty percent~~ twenty percent;

2. Multifamily dwellings containing four or more units: ~~thirty percent~~ twenty percent;

3. Nonresidential uses (e.g., commercial, industrial, governmental): twenty percent.

4. Zoning for Multiple-family dwellings in the C-1, Limited Commercial Zone

The following are the zoning code standards for multiple-family dwelling in the C-1 Zone.

Section 17.22.020.K, Limited Commercial (C1) Zone, Uses permitted outright provides for “a residential use in conjunction with a permitted use where the residential use does not exceed fifty percent of the building’s floor area.”

Section 17.22.030.K, Limited Commercial (C1) Zone, Conditional uses permitted, provides for “multifamily dwelling;”

Proposed Amendments: Permit work force housing as an outright use in the C1 Zone. These amendments are shown below, with proposed new text in italics, and deleted text struck-through.

17.22.020. Uses Permitted Outright. In a C 1 zone the following uses and their accessory uses are permitted outright:

- A. Retail trade establishment, such as a food store, drug store, gift shop, variety or appliance store;
- B. Repair and maintenance service of the type of goods to be found in the above permitted retail trade establishment, provided such service is performed within an enclosed building;
- C. Arts and crafts gallery and studio;
- D. Business or professional office;
- E. Garden store;
- F. Financial institution;
- G. Eating and drinking establishment, except those prohibited by Section 17.22.040;
- H. Personal business service, including, but not limited to, barber shop, tailoring, printing, laundry and dry cleaning, or other service establishment;
- I. Theater, but not including a drive-in;
- J. Wholesale business in conjunction with a retail trade establishment on the same premises;
- K. A residential use in conjunction with a permitted use where the residential use does not exceed fifty percent of the building’s floor area;
- L. Publicly owned park or recreation area;
- M. Utility lines necessary for public service;
- N. A manufactured dwelling or recreational vehicle not exceeding three hundred square feet in area used temporarily during the construction period of a permitted use for which a building permit has been issued, but not to exceed one year;
- O. Family day care center, day care center or adult day care center;
- P. Accessory dwelling which satisfies the requirements of Section 17.54.080;
- Q. Claims for Compensation Under ORS 197.352. A specific individual use or structures approved pursuant to a development agreement created as part of the city’s final action modifying, removing or not applying the city’s land use regulation(s) on a demand for compensation under ORS 197.352, where the standards of Section 17.90.180 are met;

R. Museums.

S. Multifamily dwellings or two-family dwellings used for long-term rental purposes (thirty days or more), where a deed restriction is recorded preventing the multifamily dwelling from conversion to condominium use, or similar individual ownership arrangement, and preventing use as a short-term rental pursuant to Chapter 17.77

17.22.040. Conditional Uses Permitted.

In a C1 zone the following conditional uses and their accessory uses are permitted subject to the provisions of Chapter 17.80:

- A. Cabinet, sheet metal, plumbing, carpenter or similar craft or trade shop;
- B. Gasoline service station;
- C. Government structure or use other than a park, including public parking and public schools;
- D. Building materials supply sales;
- E. Plant nursery;
- F. Church or community meeting hall;
- G. Custom manufacturing of goods for retail sale on the premises;
- H. Structural shoreline stabilization: riprap, bulkhead or seawall consistent with Section 17.80.230;
- I. Single-family dwelling, modular housing and manufactured home meeting the standards of Section 17.68.020;
- J. A two-family dwelling other than those allowed under 17.22.020.S;*
- K. Multifamily dwelling other than those allowed under 17.22.020.S;*
- L. Residential home or residential facility;
- M. Limited manufacturing.
- N. Assisted living facility.
- O. Community garden, which satisfies the requirements of Section 17.80.155.