

# Proposed Wetland Overlay Ordinance Revision

News Release Date

02-20-2024

## Proposed Wetland Overlay Zone Revision (CBMC 17.43)

### Overview Of Proposed Wetland Overlay Amendments

The City recognizes the environmental value of wetlands, and the Cannon Beach Municipal Code contains wetland regulations in Chapter 17.43 Wetlands Overlay (WO) Zone to protect them. This amendment to the wetland overlay ordinance has been a “fast tracked” component of the larger zoning code revision process. The initial effort of this amendment process was undertaken by a group of local citizens. This group created a draft, and the Urbsworks team which is contracted to assist the City with Community Development Ordinance revision project was asked to review the document and make recommendations as to how it might be further improved. The goal of these revisions is to bring wetland protections in Cannon Beach up to the standard of other municipalities in Oregon. The focus throughout the process has been on maximizing environmental protection for our dwindling local wetlands while maintaining the ability for every lot owner to make use of their property.

### Process

#### Step 1: Reorganization - Status: Complete

As a first step the Urbsworks team recommended a reorganization of the WO Zone draft to enhance readability and clarity. A revised outline was reviewed by the committee and city staff and found to be appropriate. The draft text was then reorganized accordingly into the WO sections without adding or deleting any text.

#### Step 2: Preliminary Editing - Status: Complete

Following the reorganization, the text was edited primarily to eliminate duplicative language and to identify potential definitions and narrative additions to strengthen the WO chapter.

#### Step 3: Public Deliberation - Status: In Progress

The draft of the proposed revised ordinance was formally introduced to the Planning Commission during a public hearing on October 26, 2023. During the initial evidentiary hearing the Planning Commission continued this matter and the Urbsworks team, which is contracted by the City with the zoning code revision project, has worked with the City staff and State agencies including the Department of Land Conservation and Development (DLCD) to refine the text of the proposed amendment and develop an Economic, Social, Environmental, and Energy (ESEE) analysis that identifies potential impacts that may result from the adoption of the proposed amendment.

During public hearings the Planning Commission will hear evidence and public testimony regarding the proposal, conduct deliberations, and make a recommendation to City Council regarding the proposed revisions to the ordinance. This is an opportunity for everyone who has an interest in local wetlands to have their voices heard. The City Council will then hold a public hearing where they will likewise hear evidence and conduct deliberations before making a decision on the proposed revisions. The date of the initial evidentiary hearing before City Council is to be determined.

On September 29, 2023 the City issued a Measure 56 notice to property owners with wetland affected properties advising them of rulemaking changes that may have potential impacts to their property values. The City has no way to verify whether, how, or when proposed land use regulations may affect the value of individual properties. The Planning Commission and City Council will not be addressing property-specific questions during public hearings on this matter.

#### Step 4: Adoption - Status: Pending

After a draft revision is approved by City Council the current wetland regulations will be replaced by the revised ordinance. An implementation date will be determined the City Council's decision making process.

During this process the public is encouraged to submit written statements to both the Planning Commission and City Council and attend and participate in the public hearings. Statements may be sent to the following:

Email: [planning \[at\] ci.cannon-beach.or.us](mailto:planning@ci.cannon-beach.or.us)

Mail: P.O. Box 368, Cannon Beach, OR 97110

**Staff Reports**

Planning Commission - February 22, 2024 8.11 MB

Joint City Council, Planning Commission, Design Review Board - September 13, 2023 641.36 KB

Oregon DLCDC Post Adoption Plan Amendment (PAPA) Memo - September 14, 2023 240.07 KB

## Draft Revisions

Draft Reorganization - February 14, 2024 1.19 MB

Economic, Social, Environmental, & Energy (ESEE) Analysis - February 15, 2024 993.5 KB

Draft Reorganization - August 20, 2023 238.39 KB

## Public Notices

News Release - February 9, 2024 213.25 KB

ZO 23-02 Wetlands Overlay Zone 186.63 KB

Measure 56 notice to affected property owners - September 29, 2023 758.33 KB

Proposed Wetland Overlay Revision Announcement 151.97 KB

## Public Comments

C. Mirth Walker - February 19, 2024 435.25 KB

B. Lundy - October 26, 2023 3.14 MB

G. Wilson - October 24, 2023 851.95 KB

S. Logan - October 20, 2023 1.24 MB

P. Lowry - October 19, 2023 1.86 MB

S. Logan - October 18, 2023 9.12 MB

J. Graves - October 16, 2023 6.71 MB

D. Pietka - October 6, 2023 1.01 MB

R. Benson-Jackson - October 6, 2023 1.07 MB

## Mapping

Economic, Social, Environmental, & Energy (ESEE) Maps 14.62 MB

Map 1: North End Buffer Comparison 1.15 MB

Map 2: Downtown Buffer Comparison 1.04 MB

Map 3: Presidentials Buffer Comparison 1.31 MB

Map 4: Tolovana North Buffer Comparison 1.41 MB

Map 5: Tolovana South Buffer Comparison 944.49 KB

Map 6: North End Affected Taxlots 1.73 MB

Map 7: Downtown Affected Taxlots 1.65 MB

Map 8: Presidentials Affected Taxlots 2.03 MB

Map 9: Tolovana North Affected Taxlots 2.12 MB

Map 10: Tolovana South Affected Taxlots 1.38 MB

Map 11: North End Zoning 2.17 MB

Map 12: Downtown Zoning 2.2 MB

Map 13: Presidentials Zoning 3.84 MB

Map 14: Tolovana North Zoning 2.41 MB

Map 15: Tolovana South Zoning 1.91 MB

Map 16: North End Aerial 1.42 MB

Map 17: Downtown Aerial 1.27 MB

Map 18: Presidentials Aerial 1.58 MB

Map 19: Tolovana North Aerial 1.85 MB

Map 20: Tolovana South Aerial 1.15 MB