

Department: Community Services **Program Contact:** Adam Barber
Program Offer Type: Operating **Program Offer Stage:** Proposed
Related Programs:
Program Characteristics: New Request, One-Time-Only Request

Executive Summary

This program offer involves an effort to audit and re-write (modernize) the county Zoning Code to re-align development rules with relevant Board and department policy priorities, clarify requirements and add flexibility and process efficiencies. This request would provide funding for the first phase of a three phased project, and allow Phase 2 scoping to begin. Phase 1 and the scoping of Phase 2 targeted for FY 2025 would include legal sufficiency assessment, issue identification, charting policy options and consideration of future community engagement options. This program offer would allow the initiation of a project that will ultimately help better align land use processes with impacts, provide additional clarity for staff and customers, and help remove structural barriers that have fostered inequities in the land use planning process.

Program Description

The Multnomah County Zoning Code was analyzed to evaluate its organization, clarity and usability as part of an organizational assessment conducted in FY 2022. The analysis concluded that the code is poorly and inconsistently organized, uses complex and often confusing language, is vague when it should provide clear direction and lacks flexibility to address minor modifications through the permitting process.

The Code has been identified as the root cause of many customer service and operational issues including lengthy permit review times, lack of clarity and limited flexibility. Staff have also experienced several instances where the required approval processes were significantly out of proportion to the potential impact of the proposed project in terms of time, degree of review and cost. In other cases, the Code was found to be missing critical provisions found in most zoning regulations that help address neighborhood concerns. The complex language also impacts equity, access and efficiency.

The Code poses barriers to advancing certain Board and Department priorities related to affordable housing, rural economic vitality, climate resiliency, hazard mitigation and customer service. It is anticipated that a portion of the project will be funded through an Oregon Department of Land Conservation and Development Housing Planning Assistance grant, pending legislative approval in the 2024 short session. Even with the State's support, the Division lacks the resources to complete the Zoning Code assessment and rewrite. This program offer would be used to hire consultants to help complete a legal analysis, identify policy options and engage underrepresented community members and organizations, including BIPOC individuals and persons whose primary language is not English, as well as other governmental agencies serving underrepresented community members.

Phase 2 work would be planned for FY 2026 and Phase 3 for FY 2027, both subject to future one-time-only funding. Future phases will involve community engagement, refining issues and options, receiving policy direction, code re-writing and adoption.

Performance Measures

Measure Type	Performance Measure	FY23 Actual	FY24 Budgeted	FY24 Estimate	FY25 Target
Output	Number of Zoning Code processes identified for simplification	NEW	NEW	0	4
Outcome	Community groups identified for participation in the project not traditionally engaged in Multnomah County la	NEW	NEW	0	4

Performance Measures Descriptions

The number of zoning code processes identified for simplification in the first measure represents an output of the degree to which the zoning code could be updated in the future to reduce barriers and improve accessibility. The community engagement outcome is a proxy to measure the collaborative environment necessary for the county to identify community needs and new opportunities to eliminate barriers to the land use planning process.

Legal / Contractual Obligation

Multnomah County must adopt, implement and enforce a comprehensive plan that meets state planning goals, including implementing regulations as provided under ORS 92, 195, 196, 197, 215 and 390 which mandate review of development, and prescribe procedures to ensure due process. The County must update its codes to comply with new laws adopted each legislative session or when relevant agencies revise their rules, appoint a Planning Director and employ staff necessary to carry out these responsibilities.

Revenue/Expense Detail

	Adopted General Fund	Adopted Other Funds	Proposed General Fund	Proposed Other Funds
Program Expenses	2024	2024	2025	2025
Contractual Services	\$0	\$0	\$0	\$140,000
Total GF/non-GF	\$0	\$0	\$0	\$140,000
Program Total:	\$0		\$140,000	
Program FTE	0.00	0.00	0.00	0.00

Program Revenues				
Total Revenue	\$0	\$0	\$0	\$0

Explanation of Revenues

This program is supported by Video Lottery Funds.

Significant Program Changes

Last Year this program was: