

Attachment 1 – to the 2022 PC Work Program

List of ‘on-deck’ potential future Planning Commission Work Program Projects

Below is a list of ‘on-deck’ projects that are not included in the current work program. Staff maintains this list as a way to keep track of projects for inclusion in future work programs along with other sources such as legislative bills related to land use and the 2016 Comprehensive Plan. Though ‘on-deck’ projects are not included in the current work program, projects may be brought to the Planning Commission when an issue becomes more pressing and/or the opportunity arises to elevate the project. ‘On deck’ projects (or specific aspects of these projects) may be bundled with related projects for efficiency. Items B.57 through B.60 are new this year. Staff is also recommending removal of items B.61 and B.62 for reasons explained below.

Table B: ‘On-Deck’ Projects

- Unlikely to be advanced in 2022 given existing resources. Can be considered for advancement to a future Work Program during future annual work program discussions

| | Project Name & Year Either Added to Work Program or Identified | Brief Summary | Status | Year Added | Source |
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| Health/Life-Safety Projects | | | | | |
| B1 | Wildfire Safety Improvement; 2017 (PC-2017-9605) | Implements Comprehensive Plan Policy 7.7: Fire safety and mitigation standards in areas prone to wildfire risk. Also an action item identified in 2017 Multnomah County Natural Hazard Mitigation Plan (https://multco.us/em/natural-hazard-mitigation-plan-document-library) and 2015 Climate Action Plan (CAP) (https://multco.us/sustainability/2015-climate-action-plan). SB 762 passed in the 2021 legislative session and there’s a lot in the bill. From electrical utilities, to health systems for smoke and more. The most directly relevant (for land use | Likely to be on 2023 work program pending state rule-making Briefing was held on December 3, 2018. New statewide | 2017-2021 | County: Comp Plan CWPP NHMP State: SB 762 (2021) |

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| | | <p>planning) provisions address land use, building codes and defensible space.</p> <p>Among other things, the legislation requires DLCD to identify updates to the statewide land use planning program and local comprehensive plans and zoning codes that are needed in order to incorporate wildfire risk maps and minimize wildfire risk.</p> <p>Updates may include, but need not be limited to, provisions regarding sufficient defensible space, building codes, safe evacuation and development considerations in areas of extreme and high wildfire risk, allowing for regional differences.</p> <p>Similar requirement for the development of wildfire hazard mitigation building code standards that apply to new dwellings and the accessory structures of dwellings.</p> <p>We anticipate that much of the state rulemaking and development of risk maps will take place in 2022 and staff will continue to follow the progress. https://olis.oregonlegislature.gov/liz/2021R1/Masures/Overview/SB762</p> <p>Staff is also participating in the development of the updates to the County’s Community Wildfire Protection Plan (CWPP) and the Natural Hazard Mitigation Plan (NHMP): https://www.multco.us/em/wildfire-mitigation-planning https://www.multco.us/em/natural-hazard-mitigation-planning</p> <p>This project remains on the 2022 Work Program and staff plans to provide updates to the Planning Commission as the project develops further.</p> | <p>legislation passed in 2021.</p> <p>Participating in Updates to County Hazard Plans</p> | | |
| B2 | <p>Geologic Hazards (Landslides and Seismic Hazards); 2018 (PC-2018-10262)</p> | <p>Implements Comprehensive Plan Policy 7.1-7.2: Update slope hazard maps and regulations. Consider Policy 7.3: Development protection regulations in high liquefaction risk areas. Also an action item in 2017 Multnomah County Natural Hazard Mitigation Plan (https://multco.us/em/natural-hazard-mitigation-plan-document-library) and 2015</p> | <p>A Briefing was held December 3, 2018</p> <p>Additional scoping required</p> | 2018 | <p>Comp Plan</p> <p>NHMP</p> |

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| | | Climate Action Plan (https://multco.us/sustainability/2015-climate-action-plan). | | | |
| B3 | Mass Gatherings; 2016 (PC-2016-6021) | Implements Comprehensive Plan Policy 3.5: Mass Gatherings. | A Briefing was held March 6, 2017 New laws were adopted by the State Legislature in 2019: HB 2790 (2019) and SB 696 (2019) | 2016 | Comp Plan |

Significant Environmental Concern Permit / Goal 5 Resources

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| B4 | ESEE Implementation ; 2017 (PC-2017-7228) | Updates to SEC habitat, SEC stream and SEC water resource extent based off the 2016 Comprehensive Plan ESEE analyses. | Work session held April 3, 2017 | 2017 | Comp Plan |
| B5 | Update SEC Maps, overlay extent and stream centerlines (PC-2017-9602); 2017 | Implements Comprehensive Plan Policy 5.18 - 5.26: Update SEC maps and stream centerlines. | Some mapping has occurred. May integrate with ESEE project above | 2017 | Comp Plan |
| B6 | SEC-h building footprint; 2018 | Implements Comprehensive Plan Policy 5.36: Limit size and footprint of houses in SEC-h overlay in order to minimize harm to wildlife. | Not yet begun | 2018 | Comp Plan |
| B7 | Tree Removal and Tree Planting in SEC-h; 2018 | Implements Comprehensive Plan Policy 5.40: Update development requirements related to tree removal and tree plantings. | Not yet begun | 2018 | Comp Plan |
| B8 | Add prohibited uses list to PAM code from the West Hills Reconciliation Report; 2019 | Amend PAM code to specifically list prohibited uses that are in the West Hills Reconciliation report. Consider adding the allowed and conditional uses from the Reconciliation Report as well. | Not yet begun | 2019 | Staff |
| B9 | SEC-h Sub-designations | Consider sub designations in the SEC-h that are protective of species of concern / critical habitat areas. This would require additional ESEE analysis to determine the geography and | Not yet begun | 2019 | FPNA |

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| | | recommended criteria for these additional Goal 5 overlays. | | | |
| B10 | Clarify term 'within' at MCC 39.5860 (B)(2) | 39.5860 (B)(2): Consider a definition for the term 'within' for MCC 39.5860(B)(2): "Development shall occur within 200 feet of a public road capable of providing reasonable practical access to the developable portion of the site." | Not yet begun | 2020 | Staff |
| B11 | SEC criteria – vegetation favorable to pollinators | Consider SEC mitigation criteria that allows for native shrubs / low growing vegetation that favors pollinators (bees, butterflies etc.). Especially useful under power lines easements. | Not yet begun | 2019 | FPNA |
| B12 | Define 'subject property' for the purpose of MCC 39.5860(A)(7) | Consider defining 'subject property' for the purpose of MCC 39.5860(A)(7), "The nuisance plants in MCC 39.5580 Table 1 shall not be planted on the subject property and shall be removed and kept removed from cleared areas of the subject property." This would be helpful when considering projects that are within an easement. | Not yet begun | 2019 | FPNA |
| B13 | Simplify and Restructure the SEC Code | The SEC code appears to have become increasingly complex and difficult to navigate. The goal of this project will be to achieve the same or better Goal 5 protections through a more streamlined SEC Code. | Not yet begun | 2020 | Staff |

Public Facilities and Utilities

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| B14 | Public Facilities; 2017 | Implements Comprehensive Plan Strategy 11.10-1: Public Facilities. Requires alternatives analysis prior to approving electrical substation or water system storage tank or reservoir intending to solely serve uses within the UGB. | Not yet begun | 2017 | Comp Plan |
| B15 | Under-grounding Communication Lines; 2019 (PC-2019-11702) | Implements Comprehensive Plan Strategy 11.14-2: Undergrounding Communication Lines. Require undergrounding of personal power and communication lines serving new or replaced development. | Not yet begun. Possible candidate for housekeeping bill | 2019 | Comp Plan |

Procedures, Review Process, Use Assessment, Covenants, Tax Deferral, Lot of Record

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| B16 | Lot of Record Maps; 2017 | Adopt historic tax assessment property configuration maps and establish associated standards to help streamline Lot of Record (legal parcel) determinations. Consider process improvements including creating a Type 1 lot of record review. | Not yet begun | 2017 | Comp Plan |
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| | | Comprehensive Plan Policies 1.1 and 2.40 | | | |
| B17 | Lot of Record – Measure 49 Remainder Lots; 2019 | Add a standard in MCC 39.3005 (Lot of Record Generally) that explicitly allows the County recognize remainder lots or parcels. | Not yet begun | 2019 | Staff |
| B18 | Lot of Record Flexibility | Concept: Create a degree of flexibility in the code around LOR. Are there any ways to better help property owners resolve LOR problems who didn't create the issue? | Not yet begun | 2020 | Staff |
| B19 | Lot of Record Deed Restriction; 2017 | Implements Comprehensive Plan Policy 3.3: Lot of Record Deed Restriction. | Not yet begun | 2017 | Comp Plan |
| B20 | Procedural Provisions Update (PC-2012-2296); 2012 | Update procedural provisions. | Planning Commission work sessions held 10.1.12, 2.4.13 and 6.3.13. Project was put on hold until after conclusion of Code Consolidation | 2012 | Staff |
| B21 | Review Processes; 2018 | Consider most appropriate review path for various uses. Comprehensive Plan Policies 1.1 and 2.40 | Not yet begun | 2018 | Comp Plan |
| B22 | Conditional Uses; 2018 | Re-evaluate Conditional Use / Community Service provisions to determine if currently listed Conditional Uses are still appropriate within each zoning district. Comprehensive Plan Policies 2.8 and 3.6 | Not yet begun | 2018 | Comp Plan |
| B23 | Right to Farm and Forestry Measures in RC & MUA-20; 2018 | Implements Comprehensive Plan Policy 2.32 & Strategy 3.15-1 & 3.15-2: Implement right to farm measures for new or expanding uses in RC zone when adjacent to EFU or CFU zones. Implement right to farm measures for new, replacement, or expanded uses on MUA-20 zone when adjacent to EFU or CFU. Includes deed restriction for new and replacement dwellings and additions protecting surrounding forestry practices. | Not yet begun | 2018 | Comp Plan |
| B24 | Extending Wildlife Habitat Tax Deferral Program | Implements Comp Plan Policy 5.3 (Formerly Policy 3.2 of the 2015 Sauvie Island / Multnomah Channel Rural Area Plan). Extends | A briefing was held with the Planning | 2016 | Comp Plan |

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| | (PC-2015-4106); 2016 | the county's wildlife habitat tax deferral program to additional zoning districts. | Commission. ODFW must take action before county code amendments can be adopted. Project advancement dependent on ODFW resource availability | | |
| B25 | Creating distinct tiers for Type 1 permits; 2019 | Explore to create a distinction between Type 1 reviews that require an application that is assigned and processed by a planner and those that are processed over the counter. A possible example: Type 1-a: Building Permits, Type A Home Occupations, Floating Home Permit, sign permit etc. Type 1-b: Erosion and Sediment Control, Flood Development, etc. The idea is that Type 1-a follows a relatively simpler, quicker process than Type 1-b. | Not yet begun | 2019 | Staff |
| B26 | Add standards to CS and CU in the National Scenic Area code (NSA); 2019 | Consider adding Conditional Use criteria to CS uses in Chapter 38 (NSA). Request to tie CU/CS to site review criteria. | Not yet begun | 2019 | Staff |
| Other Projects | | | | | |
| B27 | Code changes related to Measure 49 approved dwellings and properties; 2016 | Consider code amendments to reference unique allowances and restrictions related to 2007 property rights Ballot Measure 49 approved dwellings and properties. Topics to research include but are not limited to farm and forest zoning aggregation requirements, PLA restrictions and references for setbacks to different types of forest dwellings in CFU zones. | Not yet begun May combine with item B.17 above or may include in | 2016 | Staff |

| | | | EFU/CFU Omnibus | | |
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| B28 | Short Term Rental; 2017 | Add short-term rental definition and potentially amend Home Occupation regulations to clarify how much of home can be dedicated to short-term rental and consider requiring owner occupancy. | Not yet begun | 2017 | Staff |
| B29 | Surveys Required; 2016 (PC-2019-11569) | Assess when a survey should be required to confirm new development is accurately sited, particularly with respect to property setbacks. Objective is to address issue of structures not being constructed in the approved locations. | Not yet begun | 2016 | Staff |
| B30 | Non-Conforming Uses; 2018 | Update non-conforming use standards. Consider other models including City of Portland, and consider breaking standards into sub-categories such as use, structure, and setback. | Not yet begun | 2018 | Staff |
| B31 | Signs; 2018 | Re-evaluate sign code provisions for possible updates. | Not yet begun | 2018 | Staff |
| B32 | Property Line Adjustments (PC-2014-3619); 2013 | Consider making PLAs a Type I permit. Consider code amendments addressing whether lots with road frontage should maintain that frontage after a PLA. Also, assess standards related to septic drainage systems. | Not yet begun | 2013 | Comp Plan |
| B33 | EFU Equal Area Exchange - Flexibility | Consider adding flexibility to EFU equal area requirements for PLA. Comprehensive Plan Policy 2.40 | Not yet begun | 2016 | Comp Plan |
| B34 | Emergency Projects; 2018 | Create expedited permit review process for reconstruction in the event of widespread community emergency. Establish requirement that bond be submitted for all emergency repair/response projects. Review APA model disaster ordinance to see if there are some things we should do now (procedurally) to make sure we can function after a disaster if we can't get a PC quorum together, or to speed up permit review somehow. Proactively adopt alternative procedures or even rules for rebuilding in the event the governor declares an emergency that lasts longer than X days? | Not yet begun | 2018 | Staff |
| B35 | Oxbow Park District; 2018 | Implements Comprehensive Plan Policy 8.11-1: Work with Metro to develop a park designation for Oxbow Park. | Not yet begun | 2018 | Comp Plan |
| B36 | Historic Preservation; 2017 | Implements Comprehensive Plan Strategy 6.1-4: Historic Preservation -Add uses to HP overlay | Not yet begun | 2018 | Comp Plan |

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| B37 | Rural Center Commercial and Industrial Uses; 2017 | Implements Comprehensive Plan Policy 2.16: Rural Center Commercial and Industrial Uses. Removes limitation that industrial uses must serve the rural community and surrounding area. | Initial scoping begun | 2017 | Comp Plan |
| B38 | Private Property Burials; 2016 | Assess whether land use code should be amended to address requests for private property burials. Preliminary goal is to have ability to authorize, where allowable, in a short timeframe. | Not yet begun | 2016 | Staff |
| B39 | Accessory Structure Provisions; 2019 | 1) Clarify how one story is measured for Allowed Use review. Intent is to prevent easy unpermitted conversion of storage loft to living space. 2) Consider limiting size of tree houses to discourage unpermitted occupation as living quarters. | Not yet begun | 2019 | Staff |
| B40 | Tualatin Basin Water Quality; 2019 | Assess the exemption in the Geologic Hazard provisions which refer to Tualatin Basin water provisions (OAR 340-041-0345(4)) to see if exemption language can be relaxed further and whether doing so would require amendments to Erosion and Sediment Control, Minimal Impact Project and Stormwater Control provisions for compliance with DEQ rules. The driving issue is that minor projects in the Tualatin Basin are occasionally being required to go through GH review rather than ESC or MIP review. Amendment should indicate that erosion and sediment control practices are still required for ground disturbing activities. | Issue scoped as part of PC-2016-5384 where it was determined a discrete project was warranted. Further research needed, including discussion with DEQ | 2019 | Staff |
| B41 | Flood Hazard Rewrite; 2019 | Rewrite Flood Hazard code to improve readability. | Not yet begun | 2019 | Staff |
| B42 | Willamette River Greenway Updates; 2016 | Implements Comprehensive Plan Policy 5.15; Update to WRG regulations. | Not yet begun | 2016 | Comp Plan |
| B43 | Temporary Use of Live-aboard Boats; 2018 | Implements Comprehensive Plan Policy 10.15: Consider standards to allow temporary use of live-aboard boats. | Not yet begun. | 2018 | Comp Plan |
| B44 | Third Party Experts; 2019 | Should the Administrative Procedures be amended to specify that the Planning Director has the authority to require a third party expert(s), when the Planning Director believes that an outside expert should provide additional information and/or that a second opinion is warranted in order to provide more clarity/certainty in a land use matter? | Not yet begun | 2019 | Staff |

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| | | Should applicant be required to pay third party expert? | | | |
| B45 | Parking Code | <p>Update the use formulas in the County's parking code.</p> <p>Consider, among other things, the parking requirements for religious uses – currently tied to pew space.</p> <p>Update to reflect uses currently in code.</p> <p>Expressly allow option for parking study.</p> | <p>Not yet begun</p> <p>Also see item B.54 (Removing Barriers to and adding support for Transportation Demand Management Strategies in the Zoning code)</p> | 2019 | FPNA |
| B46 | CU and CS Code Provide factors relating to 'Character of the area' | Conditional Use Approval criteria that the use be consistent with the character of the area - consider adding the word 'rural' to that standard. Standard is at MCC 39.7015()(1): "Is consistent with the character of the area" | Not yet begun | 2019 | FPNA |
| B47 | Define the term 'primarily' in the standard at MCC 39.7015(A)(8) | Consider project to define the term 'primarily' in the standard at MCC 39.7015(A)(8): "The use is limited in type and scale to primarily serve the needs of the rural area." | Not yet begun | 2019 | FPNA |
| B48 | Tie Design Review standards to native plant list | Similar to above, consider tying Design Review landscaping standards to same native plant list with same prohibition on nuisance plants. | Not yet begun | 2019 | FPNA |
| B49 | Retroactive permitting of structures that do not meet current zoning. | Consider criteria for retroactive compliance for structures and development if they would have met certain zoning requirements in effect at the time but didn't receive land use or building permits. | Not yet begun | 2020 | Staff |
| B50 | Metro – Regionally Significant Industrial Areas | Parts of Unincorporated Multnomah County are designated as Regionally Significant Industrial Areas (RSIA) by the State and Metro. There are criteria for uses and development that are not listed in the zoning code. Currently, planners instruct applicants and potential buyers to look into Metro's requirements found in Metro's Title 4. | Not yet begun | 2020 | Staff |

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| B51 | Exemption for small temporary accessory structures | Add exemptions for all land use review for small temporary accessory structures such as children’s play houses, mailboxes, dog houses, etc. May not be able to exempt in FH zone per FEMA requirements. May need to define thresholds, such as assuming no BP needed, not occupiable space and no more than one story. LUP team discussed on 7/24/20 and agreed such an approach would be helpful. See Tualatin code for example. | Not yet begun | 2020 | Staff |
| B52 | Restriction on city or county refusal of building permit in residential subdivision | <p>Add new provision to Land Division Code:</p> <p>ORS 455.175 Restriction on city or county refusal of building permit in residential subdivision</p> <p>(1)As used in this section:</p> <p>(a)“Conditions of development” means requirements that, as part of a residential subdivision, a developer, declarant or owner must construct public improvements that are contained in:</p> <p>(A)A development agreement under ORS 94.504 (Development agreements) to 94.528 (Recording);</p> <p>(B)Conditions of approval under ORS 92.040 (Application for approval of subdivision or partition), 215.416 (Permit application) or 227.175 (Application for permit or zone change); or</p> <p>(C)Any other agreement with, or conditional approval by, a local government.</p> <p>(b)“Residential subdivision” means a residential development requiring a developer, declarant or owner to subdivide land, as defined in ORS 92.010 (Definitions for ORS 92.010 to 92.192), and to obtain a permit under ORS 215.416 (Permit application) or 227.175 (Application for permit or zone change).</p> <p>(c)“Substantial completion” means the city, county or other appropriate public body has inspected, tested and found acceptable under applicable code requirements, unless the parties agree to a lower standard:</p> | Not yet begun | 2020 | State |

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| | | <p>(A)The water supply system;</p> <p>(B)The fire hydrant system;</p> <p>(C)The sewage disposal system;</p> <p>(D)The storm water drainage system, excepting any landscaping requirements that are part of the system;</p> <p>(E)The curbs;</p> <p>(F)The demarcating of street signs acceptable for emergency responders; and</p> <p>(G)The roads necessary for access by emergency vehicles.</p> <p>(2)A city or county may not deny a building permit allowing the construction of residential dwellings under a residential subdivision on the basis that the conditions of development have not been met, if:</p> <p>(a)Substantial completion of conditions of development for the residential subdivision occurs; and</p> <p>(b)The developer, declarant or owner, to secure the completion of the remaining public improvements included as conditions of development for the residential subdivision:</p> <p>(A)Obtains and maintains a bond; or</p> <p>(B)Undertakes an alternative form of financial guarantee, if any, that is acceptable to, but may not be required by, the city or county.</p> <p>(3)Subsection (2) of this section does not prevent a city or county from declining to issue certificates of occupancy for any residential dwellings if all conditions of development are not fully completed or the conditions for the release of the bond are not fulfilled. [2019 c.397 §1]</p> <p>Note: 455.175 (Restriction on city or county refusal of building permit in residential subdivision) was enacted into law by the Legislative Assembly but was not added to or</p> | | | |
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| | | made a part of ORS chapter 455 or any series therein by legislative action. | | | |
| B53 | Clarifying intent of 'customarily incidental or subordinate' in accessory structure code. | Consider clarifying "customarily incidental or subordinate" language in accessory structure code. | Not yet begun | 2020 | Staff |
| B54 | TDM in the Zoning Code 2019 | Removing Barriers to and adding support for Transportation Demand Management Strategies in the Zoning code (i.e. parking fees). | Not yet begun Also see item B.45 (Revise Parking Code) | 2019 | TSP |
| B55 | TSP Update Amend Comp Plan – Adding a Transit Element to the Transportation System Plan | HB 2017 (2017) provides for rural transit in counties. Project will consist of developing a transit element to the Transportation System Plan (Chapter 12 of the Comprehensive Plan). | Project scoping in progress. | 2017 | State: HB 2017 (2017) |
| B56 | Agricultural Fill Revisions (PC-2016-5384) | Agricultural Fill regulations were adopted on March 14, 2019 through County Ordinance 1271 as part of a larger legislative project related to regulation of ground disturbing activities (project PC-2016-5384). In implementing the Agricultural Fill regulations, staff have identified provisions of the Code that would benefit from further study and possible amendment. | Not yet begun | 2020 | Comp Plan & County Ord. 1271 |
| B57 | Zoning Designations in the Columbia River Gorge National Scenic Area | Update zoning designations and boundaries in the Columbia River Gorge National Scenic Area consistent the Columbia River Gorge Management Plan. | Scoping is underway | 2021 | CRGNSA Management Plan |
| B58 | Emergency shelters / affordable housing | Limits local government's restrictions on conversions of certain properties into emergency shelters or affordable housing. 'hotel or motel, to use as an emergency shelter' – Applies inside the Urban Growth Boundary. Chapter 16, (2021 Laws): Effective date May 6, 2021. https://olis.oregonlegislature.gov/liz/2021R1/Masures/Overview/HB3261 | Not yet begun | 2021 | State: HB 3261 (2021) |

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| | | May add to Part 6 of the zoning code as applicable within the UGB only. | | | |
| B59 | Climate Friendly Equity Communities CFEC | On March 10, 2020, Governor Brown issued Executive Order 20-04, directing state agencies to reduce climate pollution. In response, the Department of Land Conservation and Development (DLCD) is drafting updates to Oregon's transportation and housing planning rules and has convened a rulemaking advisory committee. That rulemaking process is currently underway. Cities and Counties affected by the rules are required to adopt code changes possibly by March 31, 2023 as is currently proposed. It is not yet clear what will be required in unincorporated Multnomah County and staff is tracking the progress of the rulemaking. For more information: https://www.oregon.gov/lcd/LAR/Pages/CFEC.a.spx | Rules are still in the rulemaking process with DLCD | 2021 | State |
| B60 | Judgments Affecting Lawful Units of Land | Provides that lawful units of land whose property lines are relocated by certain judgments remain lawful units. Prohibits requiring additional validating procedures or denying permits because of judicial boundary changes. | Not yet begun | 2021 | State: HB 2312 (2021) |
| <i>Recommended for Removal from Work Program</i> | | | | | |
| B61 | Consider adopting LiDAR visibility maps to exempt more development requests from SEC-v review; 2016 | Staff recommends removing this project pending a more comprehensive review of the SEC program. Multnomah County produced aerial LiDAR based maps identifying lands topographically visible at different altitudes above the ground from local Identified Viewing Areas. Project goal is to legislatively adopt LiDAR based maps within the boundaries of the SEC-v zoning district so staff has authority to exempt projects from SEC-v review, which will not be visible. Staff currently must make this determination through a land use review. | Not yet begun | 2016 | Staff |
| B62 | Raising Fowl (PC-2013-3094); 2014 | Project became increasingly complex. Staff recommends keeping current requirement that raising fowl in residential zones remain a Conditional Use. Define thresholds for raising of fowl (such as chickens) for personal and commercial use. | Multiple work sessions have been held | 2014 | Staff |