



memo

to **Kevin Cook and Megan Gibb, Multnomah County**

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re **Multnomah County Code Audit Report (Code Improvement Project and Clear and Objective Code Update Task 2.2)**

date **05/27/2025**

Introduction

The purpose of the Multnomah County Code Audit is to review relevant chapters of the County's zoning code (MCC Chapter 39) to identify legal or policy issues related to residential development and the topics identified for resolution as part of this effort. One of the primary goals of this effort will be to ensure that standards applied to housing are clear and objective. In addition, the project is aimed at improving the overall usability and effectiveness of the code as noted below. This effort will include, but is not limited to, the Consultant determining whether the zoning code contains:

- Standards permitting the development of housing in compliance with applicable statutes and Administrative Rules (OAR Chapter 660)
- A clear and objective path for approval of residential development
- Standards, conditions, or procedures that have the effect, either in themselves or cumulatively, of discouraging housing through unreasonable cost or delay
- Criteria or procedures related to housing that may hinder production

This Code Audit lays the groundwork for two projects happening simultaneously: the broader Multnomah County Zoning Code Improvement Project and the DLCD Clear and Objective (C&O) Code Update. The Multnomah County Code Improvement Project is intended to update and modernize the Zoning Code, consistent with County policy priorities, including affordable housing, social equity, climate resiliency, and customer service, among others. The DLCD Clear and Objective code update is primarily intended to ensure that provisions related to housing in Chapter 39 of the zoning code are clear and objective and comply with applicable housing-related state statutes, rules, guidelines and other legal requirements, but will also include amendments supporting the Code Improvement Project. These projects will lead to a consolidated set of amendments that will make the code more user-friendly, clear, and objective. The recommendations and amendments that follow from this audit will also help the

County ensure consistency with several recent State strategies and requirements to increase housing availability and affordability.

The project also will identify gaps, omissions, problematic or challenging standards and criteria, and lack of specificity in the Multnomah County Zoning Code (Chapter 39) regulations that impact the usability of the code.

The audit will identify areas for general improvement to the code in the following areas:

- Organization, readability, and plain language
- Procedural requirements
- Ease of implementation/permitting
- Clear and objective standards
- Inclusion and reduction of systemic inequities, segregation, or concentration of burdens on specific communities.
- Implementation of State Land Use Planning system, particularly Goal 5

Background on Clear and Objective Standards and Procedures for the Development of Housing

Clear and Objective Standards for Housing

Oregon State statute (ORS 197A.400) requires that local governments adopt and apply only clear and objective standards, conditions, and procedures to the development of housing (with some exceptions for historic districts).

What makes a standard “clear and objective”?

Clear and objective standards use terms, definitions, and measurements that provide for consistent interpretation of the regulation. In other words, any two people applying the same standard to a development would get the same result, and there is no need or ability for the reviewer to use their discretion in applying the standard (i.e., there is no “gray area” for interpretation).

In addition to code standards, **review criteria** in the Code that apply to housing applications need to be clear and objective as well.

Optional discretionary review

ORS 197A.400(1) [version effective after July 1, 2025]:

Except as provided in subsection (3) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing, on land within an urban growth boundary, unincorporated communities designated in a county’s acknowledged comprehensive plan after December 5, 1994, nonresource lands and areas zoned for rural residential use as defined in ORS 215.501. The standards, conditions and procedures:

(a) May include, but are not limited to, one or more provisions regulating the density or height of a development.

(b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

It may not be practical to write clear and objective standards and criteria that can address all relevant circumstances or project goals in every development situation. State law recognizes this and allows local governments to offer a discretionary review path that can be used by applicants as an optional alternative approach to the clear and objective standards.

House Bill 3197

House Bill 3197 was passed by the Oregon State Legislature in the 2023 session. This bill revised ORS 197A.400 to clarify that the requirement for clear and objective regulations for housing applies to **all land within an urban growth boundary** as well as in **unincorporated communities** designated in a county's acknowledged comprehensive plan after December 5, 1994; **non-resource lands**; and **areas zoned for rural residential use**.

In 2017, the Legislature modified the 'clear and objective' requirement to apply to all housing, instead of previously only applying to needed housing on buildable lands. While this was originally interpreted to mean to apply only within urban growth boundaries (UGBs), Community Participation Organization 4M and Jill Warren vs. Washington County (LUBA No. 2020-110) expanded this interpretation to apply to housing development on all lands, including lands outside of the UGB. HB 3197 amended the requirement to apply within UGBs, but also clarified that certain lands outside of UGBs, such as rural residential, unincorporated communities, and exception lands, will be subject to the clear and objective statute, beginning on July 1, 2025. Multnomah County, like other counties that regulate development outside of cities and urban growth boundaries, will need to update its regulations to create a clear and objective review path for housing in areas subject to the state requirements.

Part 1: Initial Findings – General Code Consistency and Usability and Clear and Objective Standards and Procedures for the Development of Housing

MIG conducted a detailed review of multiple sections of the Multnomah County Code. The table below provides an overview of key findings for those sections. Not all sections of the Code are listed in the summary. In most cases, those sections of the Code in which no (or only minor) issues were identified are not included.

This summary includes findings related to general code usability and structure, County staff identified code issues, and findings pertaining to the clear and objective nature of standards related to housing development. Additional code issues may be identified and incorporated in subsequent reports prepared during this Code Audit process based on further consultation with County staff and community stakeholders. We will continue to review and refine the code audit findings through review with County staff and community members. More specific edits and amendments will be further defined in subsequent project tasks.

Key Findings for Potential Amendments

- **Use of Columns** – To improve readability, useability, and consistency with other zoning codes and to have the ability to more easily and effectively incorporate tables and graphics into the revised code, it is recommended the zoning code be reformatted from a two-column format to a single column format. This recommendation has been noted consistently by County staff, decision-makers, and community members.
- **Complex Text Narrative** – To improve readability and usability, consider simplifying the amount and complexity of the text, in the document and substituting it with numerical lists, tables and graphics, and plain language where applicable. To the greatest extent possible revise language used throughout the code to make it more user friendly and understandable to general citizens. These changes also would include removing or reducing narrative text that does not explicitly represent a code standard or requirement. Consider using the “TGM Model Code” for an example of “plain language” which is used in many jurisdictions in Oregon.
- **Tables and Graphics** - The current Code relays heavily on lists to convey permitted uses and development standards (i.e. dimensional standards for lots in zones, setbacks, minimum parking standards). To improve usability and clarity in the Code consider amending the Code to convey this information in a tabular format. Consider the addition of graphics to convey development and design standards, and definitions as applicable, example ‘Building Height’.
- **Consolidated location for Permitted Land Uses for All Zones** - Consider the addition of a code section and a ‘Land Uses and Development Types Permitted’ table that shows permitted land uses and development for all zones in one location of the code to improve clarity and usability. The permitted uses currently are spread across several sections of the Code.

- **Use of Discretionary Language** - Discretionary terms (e.g., "to the greatest extent possible," "appropriate to the use," characteristics similar to," "the Planning Director may also require," and other similar statements) create standards that are not clear and objective. The Code should be improved by limiting discretionary language for development and design standards and replacing it with clear and objective language.
- **Discretionary Standards for the Development of Housing** - It is required by House Bill 3197 (2023) that the Multnomah County update the Code to provide clear and objective standards related to the development of housing. The requirement for clear and objective regulations for housing applies to all land within an urban growth boundary as well as in unincorporated communities designated in a county's acknowledged comprehensive plan after December 5, 1994; non-resource lands; and areas zoned for rural residential use. It also requires clear and objective standards to be used for terms, definitions, and measurements that provide for consistent interpretation. Also included are standards and requirements that could impact or be related to the development of housing such as land divisions, lot of record, full compliance, and natural resource overlays. Most of the existing standards in the Code are out of compliance and require revisions.
- **General Application Review Process and Decision for the Development of Housing** - The application process and procedures for several applications for housing are required to be approved through a discretionary process (Type II or Type III). All applications for housing (within an urban growth boundary, unincorporated communities designated in a county's acknowledged comprehensive plan after December 5, 1994, non-resource lands; and areas zoned for rural residential use) are required to have a clear and objective (Type I) path of approval. The County will be required to update procedure types for some applications and/or application types for certain types of development.
- **Consolidation of Definitions** - Definitions are provided in several code chapters and in Part 2 where the code-wide definitions are located. To improve Code usability and consistency, consider consolidating definitions into Part 2 and resolving conflicting definitions. Also note that the definitions in the Code will need to be updated to be C&O and consistent with state statutes.
- **Conditional Use Purpose and Criteria** - The purpose and objective for Conditional Use review is unclear and inconsistent throughout the code. Clarifying the underlying philosophy of conditional use reviews and updating the conditional use criteria to be consistent throughout the code and applied in a similar manner as other codes in the state is recommended to enhance the usability of the Code.
- **Discretionary Path of Approval for Housing in Some Zones** - the multiplex housing type in several base zones requires Conditional Use approval (Type III) or requires Design Review (Type II) approval with discretionary criteria. A map of the zones would be needed to see if they fall within the UGB. Housing is required to have a clear and objective path of approval within UGBs or in areas zoned for rural residential use.

- **Barriers to the Development of Housing** - There are criteria or procedures related to housing that may hinder production. Examples are the Legal Lot of Record and Full Compliance process and standards. The County may want to amend these Code sections to reduce the barriers to housing development. Amending these sections of the Code also will reduce staffing burdens and generally making these application processes more fair and less onerous for applicants.

Note: “Clear and objective” is abbreviated in this summary as “C&O.”

Code Issue	Code Section	Commentary	C&O Compliant
Administration, Procedures, Enforcement, Permits and Fees – Part 1			
MCC Part 1.B			
Procedures-Summary	39.1105	<ul style="list-style-type: none"> ● Good use of an Approval Process table ● 39.1105 Review of the process type (I-IV) of several permit types needed. Several approval types of uses could (or are required) be moved to a Type I approval process <ul style="list-style-type: none"> ○ Type II Non-Conforming Uses ○ Type II Property Line Adjustments ○ Type II Temporary Hardship dwellings ○ Type II Bus Shelter (determine if land use decision is applicable in ROW) ○ Type II Lot of Record Verification ○ Type II Review of Uses* (when applicable to housing) ○ Type II Design Review* (when applicable to housing) ● Consider incorporating a Type I review for the development of housing in areas where required by state statute. ● 39.1105 A-F- Summary of the Decision-Making Process - text heavy with low readability, consider reformatting to 	No – some approvals are required to be Type I that are Type II, some approval types required by state statute are missing

Code Issue	Code Section	Commentary	C&O Compliant
		improve readability of numbered lists (example Model Code).	
Preapplication conferences	39.1120	<ul style="list-style-type: none"> 391120.D Six month (6) valid period for a pre-application could be considered a barrier to development. Consider extending to one year. 	Yes
Application requirements/procedures	39.1125	<ul style="list-style-type: none"> 39.1130 Required Information – update section to reflect the County’s current requirements for electronic and paper submissions. The text states that 10 paper copies in 8.5x11 of application are required. Requirements should be consistent with the County’s new permitting software system. 	Yes
Review procedures	39.1133-39.1223	<ul style="list-style-type: none"> 39.1183 Expiration of Type I Decisions – Type I permits expire six (6) years after issuance. This expiration will need to be reviewed and updated with the C&O process requirements for housing as most reviews for housing will become Type I. Most jurisdictions typically allow for one to two years as an expiration period. 39.1185.C.4 contain references to specific ORS for ‘residential development’ Type II or III decision approving residential development on land zoned for Exclusive Farm Use or Commercial Forest Use. These will need to be reviewed for updates to the ORS and legislation for housing in the EFU or CFU. General – the review procedure contains a lot of text with “legalese” (unclear) language. Consider incorporating 	Maybe

Code Issue	Code Section	Commentary	C&O Compliant
		<p>language from the Model Code review procedures as an example to simplify and clarify the code.</p> <ul style="list-style-type: none"> • ORS references and MC C cross references will need to be reviewed and accuracy confirmed. 	
Lot of Record Verification Procedure	39.1255	<ul style="list-style-type: none"> • 39.1225.C requires that a request for a verification for a Lot of Record to be processed as a Type II application. Lot of record verification should be a C&O process, and the County could consider moving it to a Type I process. • Type II process for “Lot of Record Verification” requires public notice and a discretionary decision which is not required, needed or reasonable for a lot verification and could be considered a barrier to development. • See Deschutes County code ‘22.04.040 Verifying Lots of Record: Verified by County staff with land use permit application’ for an example of a simpler process that could be considered for use in Multnomah County. • See additional recommendations related to Lot of Record requirements in subsequent sections of this report. • “Unit of Land” as defined in state law could also be considered in lieu of ‘lot of record’. 	No, barrier to applications for the development of housing
Code Compliance and Applications- Full Compliance Requirement	39.1250	<ul style="list-style-type: none"> • The Code states the County shall not make a land use decision approving development, including land divisions and property line adjustments, or issue a building permit or zoning review approval of development or any other approvals authorized by this code for any property that is not in full compliance with all applicable provisions of the Multnomah County Zoning Code and/or any permit approvals previously issued by the County. 	No, barrier to land use applications or building permits for the development of housing

Code Issue	Code Section	Commentary	C&O Compliant
		<ul style="list-style-type: none"> Staff has identified this requirement as a barrier to development and as a source of frustration to applicants and MIG has identified it as unique requirement to Multnomah County. Community stakeholders also have cited this requirement as onerous and problematic. Consider elimination of the 'Full Compliance' requirements and address the development of properties with non-conforming structures, improvements, or uses in a 'Non-Conforming Uses and Structures" section and apply requirements similar to other jurisdictions. Requirements for compliance should take into consideration whether there is an 'active' code compliance case on the property and whether the proposal will remedy the violation. 	
Definitions – Part 2			
	39.2000	<ul style="list-style-type: none"> Definitions related to housing types, housing development, etc. should be updated to be clear and objective and consistent with state statutes. Review and update definitions for non-conforming uses and non-conforming structures to be compatible with revised standards. Definitions that incorporate or support new or revised code sections to address state statutes will need to be added. Combine and incorporate definitions from other sections of the Code into Part 2 and include references to the original section. Resolve conflicting or inconsistent definitions and identify section specific definitions. 	No
Lot of Record – Part 3			

Code Issue	Code Section	Commentary	C&O Compliant
Generally – Part 3.A			
Definition	39.3005	<ul style="list-style-type: none"> “Lot of Record” defines that the lot “satisfied all applicable zoning and land division laws” when created or reconfigured. A series of criteria for “Satisfied all applicable zoning laws” and “Satisfied all applicable land division laws” is provided in the section. Definition is complex and unclear. The definition of “Lot of Record” is complex compared to other jurisdictions that contain clear and simple definitions for “Lot of Record” in their zoning ordinances. 	No, barrier to the development of housing
Lot of Record Requirements Specific to Each Zone – Part 3.B			
Specific Requirements by Zone	39.3010-39.3160	<ul style="list-style-type: none"> Each zone contains series of complex and specific additional criteria (to 39.3005) for determining a “legal lot of record” in the specific zone. Includes specific criteria including but not limited to, minimum lot size, front lot lines, configuration, and exemptions. Most zones contain a list of significant dates and ordinances for verifying zoning compliance although as currently written, the list is not all inclusive. These provide the dates and corresponding ordinance numbers when specific zoning law were added or amended. Not all zones in Multnomah County have the additional specific zoning requirements. Other jurisdictions do not require evidence and research that a “legal lot” complied with specific criteria of zoning or subdivision laws when established or modified. Consider simplifying the “legal lot” determination process. 	No, barrier to the development of housing

Code Issue	Code Section	Commentary	C&O Compliant
		<ul style="list-style-type: none"> Verifying if a lot was in compliance with all zoning and land division ordinances in effect at the time of creation (typically completed by previous owners) or determining if the lot creation was done correctly by the previous owners or the jurisdiction could be considered a barrier to development. Owners typically have a deed as their only record. See Deschutes County code '22.04.040 Verifying Lots of Record: Verified by County staff with land use permit application' for an example of a simpler, more reasonable and less onerous process. 	
Base Zones – Part 4 (Specific Zones and General Provisions)			
General comments		<ul style="list-style-type: none"> Include a table establishing the relationship to Comp Plan and Map. To improve clarity, consider adding an introduction section. Reformat use lists in each subsection into tabular form. Move conditional use standards out of “Conditional Uses” lists for each base zone. EFU and CFU zones within the UGB are not subject to state Goals 3 and 4 and not subject to urban and rural reserves. Counties may continue to treat these zones similar to EFU and CFU, but they are not actually the same as those zones outside the UGB. Consider creating a different zone designations for EFU and CFU zones inside the UGB and differentiate the listed uses accordingly. 	

Code Issue	Code Section	Commentary	C&O Compliant
<i>Resource Districts – Part 4.A</i>			
Definitions	39.4060, 39.4210	<ul style="list-style-type: none"> Consolidate all definitions into Part 2 – Definitions. Indicate the definitions are intended to specifically apply in a specific zone and/or code section. 	No
<i>Non-resource Residential Base Zones – Part 4.B</i>			
Allowed Uses, Review Uses, Conditional Uses	All base zones	<ul style="list-style-type: none"> Reformat uses into tables at the beginning of Part 4. Consider adding authorization of similar uses clause instead of including “similar uses,” “similar structures,” etc. in lists of specific uses. 	Yes, except for “similar uses”
Dimensional Requirements and Development Standards	All base zones	<ul style="list-style-type: none"> Consider reformatting standards into tables to make requirements more legible for applicants. Ensure all standards are clear and objective. 	No
Access	All base zones	<ul style="list-style-type: none"> Access standard for residential zones provides a C&O option and a discretionary path. To improve clarity, consider consolidating access standards into Part 6 Common Development Standards - Parking, Loading, Circulation and Access, specifically subsection 39.6560. 	Yes
Urban Low Density Residential – (LR-5)	39.4826.C	<ul style="list-style-type: none"> Multiplex Dwellings are a Conditional Use which is not a C&O path of approval for housing 	No
Urban Low Density Residential – (LR-7)	39.4856.C	<ul style="list-style-type: none"> A multiplex or two-unit dwelling structure are Conditional Uses which is not a C&O path of approval for housing 	No
Urban Medium Density Residential Base Zones General Provisions	39.4960	<ul style="list-style-type: none"> Uses permitted in the Urban Medium Density Residential Base zone, except single-family or two-unit dwellings, mobile homes on individual lots and accessory buildings thereto, shall be subject to design review approval under MCC 39.8000 through 39.8050 which is a discretionary process. 	No

Code Issue	Code Section	Commentary	C&O Compliant
		Multiplex units are permitted in the Medium Density zoning and therefore do not have a C&O path of approval.	
Overlays – Part 5			
Definitions	All overlay subsections	<ul style="list-style-type: none"> Consolidate definitions into Part 2 and update to be C&O. 	No
Flood Hazard	Part 5.A	<ul style="list-style-type: none"> Development standards in MCC 39.5030 are discretionary (Ex: “... fill shall be performed in a manner that maintains or increases flood storage and conveyance capacity and does not increase the design flood elevation.”) Need to list specific thresholds for these criteria. Community stakeholders note that requirements in this section of the code are complex and require significant technical expertise to address. That may be unavoidable to some degree but the County could look for ways to simplify these standards and submittal requirements. Note the rules and process will become more complex in the near future with the FEMA requirement to adopt model code or similar in response to the Biological Opinion for Oregon and Washington. Clarify review process. 	No
Geologic Hazards	Part 5.B	<ul style="list-style-type: none"> Consider establishing an enforcement mechanism for fill activities that do not require a permit. Community stakeholders note that requirements in this section of the code are complex and require significant technical expertise to address. That may be unavoidable to some degree but the County could look for ways to simplify these standards and submittal requirements. 	No

Code Issue	Code Section	Commentary	C&O Compliant
		<ul style="list-style-type: none"> Standards in MCC 39.5090 include discretionary language. 	
Planned Development	Part 5.F	<ul style="list-style-type: none"> Consider reorganizing to include a standards table and a use table to make this section more legible and easier to navigate. 	Yes, PUDs are optional and not required to be C&O
Significant Environmental Concern	Part 5.H	<ul style="list-style-type: none"> List of exceptions is quite lengthy and it is hard to decipher when an SEC Overlay permit is required. Consider simplifying MCC 39.5515. Approval criteria in MCC 39.5530-39.5590 include discretionary language (Ex: “The Planning Director may also require the applicant to provide additional information.”) Simplify and make these criteria clear and objective where possible. Consider implementing a two-track process where possible to allow for application of discretion where needed or desired by applicants. Current work by MIG in Deschutes County may offer examples of this. 	No
Willamette River Greenway	Part 5.I	<ul style="list-style-type: none"> Criteria for greenway design plans (MCC 39.5935) include discretionary language. The standards appear complex, consider simplifying the standards to make C&O path and/or providing two paths of approval. 	No
Common Development Standards – Part 6			
Definitions	39.6205	<ul style="list-style-type: none"> Consolidate definitions to Part 2 and update to be C&O. 	No
<i>Parking, Loading, Circulation, and Access – Part 6.C.1</i>			

Code Issue	Code Section	Commentary	C&O Compliant
General Provisions	39.6505	<ul style="list-style-type: none"> Consider adding a threshold for when improvements must be made in lieu of the “full compliance” requirement. Make C&O requirement for “intensified use.” 	
Location	39.6525 (B)	<ul style="list-style-type: none"> Update exception criteria to be C&O 	No
Improvements required	39.6530	<ul style="list-style-type: none"> Define “condition for use” in a C&O manner or move this section to introduce the design standards. Need to enumerate bond criteria of approval. 	No
Design Standards: Scope	39.6555	<ul style="list-style-type: none"> This section could be consolidated with improvements required or moved to a purpose statement at the beginning of the subpart. Alternatively, it could be stated that “all parking spaces shall meet the following standards...” at the beginning of each section (or the beginning of the subpart) and this section could be removed entirely. 	
Access	39.6560	<ul style="list-style-type: none"> Access standards are not clear and objective. 	No
Dimensional Standards, Improvements, Setbacks		<ul style="list-style-type: none"> Standards tables are used inconsistently in these sections. All dimensional standards could be put into a tabular format. Standards should be reviewed for appropriateness in a rural setting. Sections could be reorganized into one general “Standards” section. Ensure all standards are C&O. 	No
Minimum Required Off-Street Parking Spaces	39.6590	<ul style="list-style-type: none"> Consider placing standards in a table. Review and update the minimum parking requirements as they are oriented towards greenfield sites and most of the commercial/industrial land in the County is developed with site constraints. 	Yes

Code Issue	Code Section	Commentary	C&O Compliant
Exceptions	39.6600	<ul style="list-style-type: none"> Standards for granting an exception are not C&O. 	No
<i>Signs – Part 6.C.2</i>			
Signs Generally	39.6745	<ul style="list-style-type: none"> Sign standards apply to all uses and zones except LM, C-3 and MR-4, therefore all standards must be C&O. (There are specific standards for signs in these base zones.) 	Yes
	39.6765	<ul style="list-style-type: none"> Standards for these specific zones apply to residential development. The standards are clear and objective. 	Yes
Billboards	39.6770 (D)(7)	<ul style="list-style-type: none"> Define or identify “sign free areas.” 	N/A
Sign Related Definitions and Figures	39.6820	<ul style="list-style-type: none"> Consolidate definitions in Part 2 and ensure definitions are C&O. Suggest relocating figures to their applicable sections (ex. move measurement figures to the section pertaining to the sign type they are illustrating). 	No
Exterior Lighting	Part 6.C.3	<ul style="list-style-type: none"> The County should consider whether these standards should be moved to the building code. If they remain in the zoning code, standards should be updated to be C&O. 	No
Responses to an Emergency/Disaster Event	Part 6.D	<ul style="list-style-type: none"> County should consider moving this section to another part of the Code. 	N/A
Conditional and Community Service Uses – Part 7			
General comments		<ul style="list-style-type: none"> The Conditional and Community Service Uses are located together under the same process. This is unique to Multnomah County’s Code as in most codes these uses are treated have separate types of review processes. Evaluate and update the list of Conditional and Community Services - particularly those listed in all or most zones. 	Yes, Conditional Uses are not required to be C&O

Code Issue	Code Section	Commentary	C&O Compliant
		<ul style="list-style-type: none"> Consider relocating the conditional use standards from each base zone to Part 7 and simplifying the review criteria to be consistent though out the zones. OR Separate the community services uses (specific uses) from the conditional use procedures and relocate the Conditional Use procedures to Part 8. This would allow more flexibility in applying conditional use reviews across different zones.	
<i>Conditional Uses – Part 7.A</i>			
Procedure	39.7005 – General Provisions	<ul style="list-style-type: none"> Update purpose section to clarify the underlying philosophy of conditional use reviews. Clarify the purpose of Conditional Use review. Are conditional uses intended to be allowed with conditions that mitigate their impacts as described in most codes? In Multnomah County’s code they are regulated as prohibited uses that require extensive justification to be allowed. Consider revising the Conditional Use criteria to reflect the chosen philosophy. 	Yes
Conditional use approval criteria	39.7015	The conditional use approval criteria could be clearer (Ex: “Is consistent with the character of the area”). Although Conditional Use criteria are not required to be clear and objective, consider using standard Conditional Use approval criteria as found in the Best Practices or the Model Code.	Yes
Additional provisions and use criteria	Parts 7.A.1 to 7.B.5	The relationship between the general approval criteria and the specific provisions for each use (Parts 7.A.1 to 7.B.5) needs clarification. It's unclear whether the specific provisions supersede the general criteria.	Yes
Specific Use Standards – Part 8			

Code Issue	Code Section	Commentary	C&O Compliant
Design Review	Part 8.A	<ul style="list-style-type: none"> Design review criteria (39.8040) contains discretionary language (Ex: “The elements of the design review plan shall relate harmoniously to the natural environment...”). Some standards for outdoor recreation, storage and landscape areas are not C&O. (Ex: “Convenient areas shall be provided...”) Clarify whether and which of the design review provisions apply only to residential development or to a broader spectrum of uses. Standards for shared areas and landscaping requirements should be reviewed and right-sized for the primarily rural nature of the county. (MCC 39.8045) Clarify the process for minor exceptions. Is it part of the design review process or should a separate review process be identified? Approval criteria for minor exceptions (39.0850) are not C&O and should be updated. (Ex: “More efficient use of the site”) 	No, design review criteria, minimum standards, and minor exceptions are not C&O.
Adjustments and variances	Part 8.B	<ul style="list-style-type: none"> Consider reducing the 40% threshold for adjustments or establishing a separate review level for smaller dimensional changes. To reduce barriers, consider revising the thresholds for adjustments add flexibility due to a large portion of the application are redevelopment and the code standards are oriented towards greenfield development. 	Yes, adjustment and variance criteria are not C&O if housing development has C&O path
Nonconforming uses	Part 8.C	<ul style="list-style-type: none"> Language is very “legalese” and unclear. Nonconforming use and the verification process could be described in simpler terms (39.8300 and 39.8305). See 	No

Code Issue	Code Section	Commentary	C&O Compliant
		<p>the Model Code for an example for clear language for a non-conforming use.</p> <ul style="list-style-type: none"> Criteria for alternation, expansion, or replacement are not clear and objective. Consider allowing minor expansions of nonconforming residential uses without a permit in urban zones. 	
Bus Shelters	Par 8.D.1	<ul style="list-style-type: none"> Clarify the permit process for bus shelters and whether land use approval is required for shelters in public rights-of-way. 	NA
Marijuana Businesses	Part 8.D.3	<ul style="list-style-type: none"> The table for marijuana businesses is helpful and should be retained. 	NA
Mobile Homes and Mobile Home Parks	Part 8.D.4	<ul style="list-style-type: none"> HB 4064 requires that land within UGBs allow manufactured homes and prefabricated structures on any property where a site-built single-unit dwelling would be permitted. Further, with a few exceptions, local governments cannot apply standards to prefabricated structures that are more restrictive than those applied to site-built dwellings. This section is not in compliance and should be updated to be consistent with state statute. 	No
Temporary Uses	Part 8.D.6	<ul style="list-style-type: none"> Consider adding provisions for temporary uses to address seasonal sales (Christmas trees, firework sales, and similar seasonal uses) and other common temporary uses such as mobile food trucks. 	NA
Parcels, Lots, Property Lines and Land Divisions – Part 9			
Purpose, Scope and Type of Land Divisions 9.A			
Land Division Categories	39.9035-95.9050	<ul style="list-style-type: none"> The application approval process for Category 1, Category 2, Category 3 and Category 4 Land Divisions are not identified. Sections do not provide information on the type of application process for each Category where the 	Yes

Code Issue	Code Section	Commentary	C&O Compliant
		Categories are distinguished. Specifying the application approval process (Type I, Type II or Type III) or providing a reference to the code section with the application procedure could improve clarity for the applicant.	
Category 1 Land Divisions	39.9035.E	<ul style="list-style-type: none"> Allows the Planning Director to elevate a Land Division application to Category 1 by discretionary criteria (1-3) 	No, if land division for housing
Property Line Adjustment Process	39.9300	<ul style="list-style-type: none"> The application procedure for property line adjustments is not clearly defined and could be clarified. Assumed to be a Type II procedure, but could consider making it a Type I 	Yes
Land Divisions Part 9.D			
Supplementary Application Materials	39.9425.D and 39.9435.C	<ul style="list-style-type: none"> The requirement that “Such other material as the Planning Director deems necessary to assist in the review and assessment of the land division proposal according to the provision of this Ordinance.” is not C&O. 	No
Future Street Plan Contents	39.9465	<ul style="list-style-type: none"> The requirement that ‘The future street plan shall show the proposed continuation of streets in the Category 1 Land Division in sufficient detail to demonstrate that future division of the adjacent area in compliance with the provisions of this Ordinance is reasonably possible.’ is not C&O. The section states that a Future Street Plan must be approved (with Category 1 Land Division); however criteria for approving a ‘Future Street Plan’ is not present in this section or referenced as appearing elsewhere in the Code. 	No
Standards for Land Divisions			

Code Issue	Code Section	Commentary	C&O Compliant
Land Suitability	39.9505	<p>The characteristics listed as part of the requirement that ‘A land division shall not be approved on land found by the approval authority to be both unsuitable and incapable of being made suitable for the intended uses because of any of the following characteristics:’ are not all C&O and require discretion to interpret.</p> <ul style="list-style-type: none"> • Example of a discretionary characteristic; Slopes exceeding 20% are listed but the Code does not quantify the percent of the site with steep slopes or location of the slopes in relation to the intended uses. 	No
Lots and Parcels	39.9510.A-C	<ul style="list-style-type: none"> • The criteria for ‘appropriate’ for the size, shape, orientation, and access of the lots or parcels are not C&O • Example: ‘To the nature of existing or potential development of adjacent tracts.’ • B and C contain standards with language that is not C&O; example ‘greatest extent practicable.’ 	No
Street Layout	39.9520.A-E	<ul style="list-style-type: none"> • Standards for the arrangement of streets are not C&O • Example ‘To limit unnecessary through traffic in residential areas’ and ‘may be required.’ 	No
Street Design	39.9530.C	<ul style="list-style-type: none"> • Standard contains a mix of quantifiable standards and discretionary language such as ‘short as possible.’ . 	No
Pedestrian Paths	39.9550.E	<ul style="list-style-type: none"> • Standard contains language that is not C&O, such as ‘oddly-shaped block’ and ‘unusually long.’ 	No
Street Trees	39.9560	<ul style="list-style-type: none"> • Clarification needed - Street trees shall be planted by the applicant according to the street tree planting plan and schedule approved by the County Engineer as an element of the tentative plan.’ • The requirement should reference the Code section with the standards of the street tree planting plan or reference 	Maybe

Code Issue	Code Section	Commentary	C&O Compliant
		<p>the Multnomah County Road Rules and Design and Construction Manual if the street tree requirements are housed in that document.</p> <ul style="list-style-type: none"> If no standards for street trees are provided in the Code or adopted by reference into the Code, C&O standards for street trees and street tree plans should be incorporated into the Code update. 	
Legalization of Lots and Parcels That Were Unlawfully Divided – Part 9.G			
Mechanism to review and specific approval criteria to approve certain unlawfully divided lots or parcels	39.9700	<ul style="list-style-type: none"> Note that revisions to the ‘Legal Lot of Record’ procedure and criteria could affect the application of this chapter. Section provides review procedure and criteria for legalizing illegally created lots, depending on how the determination of if a lot is legal is addressed in Part 3 of the Code. 	Yes
Street Naming and Property Numbering – Part 9.H			
Street Naming and Property Numbering references	Part 9.H	<ul style="list-style-type: none"> Confirm all sections are current and incorporate any updates or revisions to the property numbering system and street naming pattern established by the City of Portland and the City of Gresham Street Naming and Property Addressing Guidelines. 	Yes

Part 2: Initial Findings – Additional Legislative and Local Plan Compliance & Consistency

Legislative Compliance

The following table provides a summary of the housing-related state statutes and legislation that were considered as part of this Code Audit (besides clear and objective requirements) and identifies the extent to which MCC Chapter 39 is consistent with these regulations.

Note: Some of the statutory requirements apply in Multnomah County regardless of whether the County chooses to incorporate them into the MCC. If not added to the Code, the County would be required to apply the statutes directly to any applicable permit or land use application.

Topic	Status	Comments
Occupancy Limits House Bill 2583 (2021); ORS 90.112 Prohibits jurisdictions from establishing or enforcing occupancy limits for dwelling units that are based on the familial or nonfamilial relationships among any occupants.	Does not comply	The definitions (Part 2) contain a definition of ‘family’ based on familial relationships. Recommend updating the “family” definition in the Part 2.
Accessory Dwelling Units (ADUs) In UGB: ORS 197A.425 (SB 1051, Section 6, 2017; HB 2001, Section 7, 2019) Rural Residential: SB 391 (2021) / SB 1533 (2022); HB 3012 (2017); SB 644 (2023) ORS 197A.425 requires counties with populations of at least 15,000 to allow within areas within a UGB that are zoned for detached single-family dwellings the development of at least one ADU, subject to reasonable local regulations relating to siting and design. HB 2001 clarified that “reasonable local regulations” do not include off-street parking or owner-occupancy requirements.	Compliant	The Code is compliant with the various legislation that address ADUs by allowing ADUs within UGBs and rural residential zones with reasonable siting and design requirements and no off-street parking requirements. County staff indicate that there is a significant community desire to allow ADUs in other zones and that issue should be evaluated as part of the Code update process.

<p>SB 391 authorizes counties to site ADUs in rural residential zones (subject to certain restrictions). SB 1533 and SB 644 added requirements and clarified some of the regulations related to ADUs in rural residential zones. (ORS 215.495)</p> <p>HB 3012 (2017) authorizes counties to allow construction of a new dwelling on a lot with a historic home in RR zones. The existing home would then be considered an ADU. (ORS 215.501)</p>		
<p>Manufactured and Prefabricated Dwellings</p> <p>House Bill 4064 (2022); ORS 197A.015, 197.478 & 197.485</p> <p>HB 4064 updated certain definitions and regulations related to manufactured housing, prefabricated structures, and manufactured dwelling parks. Within a UGB, local governments must:</p> <ul style="list-style-type: none"> ● Allow the siting of manufactured homes and prefabricated dwellings on land zoned to allow single detached dwellings (ORS 197.478). ● Not apply siting or design standards to manufactured homes or prefabricated dwellings sited on individual to siting or design standards that do not also apply to site-built dwellings (with the exception of protections related to statewide land use planning goals regulations related to thermal envelope performance) (ORS 197.478(4)). ● Allow placement of prefabricated dwellings in manufactured dwelling parks (ORS 197.485). 	<p>Does not comply</p>	<p>Align all definitions related to manufactured homes, manufactured dwellings, mobile homes, mobile home parks and prefabricated structures with the ORS.</p> <p>Update 39.8600 and 39.8605 to align with the requirements of HB 4046 in <u>areas within a UGB</u>. OR Update 39.8600 and 39.8605 to align with the requirements of HB 4046 in all zones.</p> <p>Review and update zones within UGBs to confirm manufactured dwellings are a permitted use where single family dwellings are permitted.</p>

<p>Substantially Complete Infrastructure</p> <p>House Bill 2306 (2019)</p> <p>This house bill prohibits any local government from denying a building permit for a residential dwelling in a residential subdivision in which the infrastructure is "substantially complete." Specifically, building permits cannot be denied for failing to satisfy conditions of a development <u>IF</u> an acceptable financial guarantee has been secured <u>AND</u> the following systems meet applicable standards, unless agreed otherwise: water, fire hydrants, sewage, storm drainage, curbs, and streets and street-signs for emergency response purposes. Jurisdictions retain their authority to deny occupancy permits.</p>	Compliant	<p>The Code allows a partition or subdivision plat to be approved with a guarantee for completion of public improvements and allows for development to occur with guarantee for completion of public improvements.</p> <p>39.9600 stipulates that public improvements must be installed per an agreed upon schedule with a bond required ensuring completion.</p> <p>39.1180 allows for the applicant to submit a financial guarantee in order to postpone construction, or to guarantee construction to certain standards of improvements.</p>
<p>Opting In to Amended Housing Regulations and Additions to Limited Land Use Decisions</p> <p>SB 1537 (2024) sec 8-9, 44-47, 48-60, ORS 215.427 (amended)</p> <p><u>Opting In to Amended Housing Regulations (Sections 8– 9)</u></p> <p>Allows applicants for permits, limited land use decisions, and zone changes for the development of housing to request their application be reviewed using standards and criteria that become operative while their application is pending. Restarts application timelines.</p> <p><u>Limited Land Use Decisions (Sections 44– 47)</u></p> <p>Includes approval or denial of applications for replats, property line</p>	Not fully addressed in Code	<p>The County is not obligated to update its code but would need to review all applications against these statutes when applicable.</p> <p>The Code specifies that <u>replats</u> and <u>property line adjustment</u> are reviewed through a Type II process, which is a limited land use decision. Therefore, that aspect is already in compliance.</p> <p>39.8300 – Nonconforming Uses should be updated to note that these are subject to limited land use decisions. It is not clear in the code but it states “The Planning Director must consider,” which implies use of a Type II process.</p> <p>A code section could be added to Part 1.B - Procedures to address</p>

adjustments (PLA), and extension, alterations or expansions of a nonconforming use in the definition of “limited land use decision.”		the option for applicants to opt in to amended housing regulations.
<p>Single Room Occupancy House Bill 3395, Sections 1-2 (2023); ORS 197A.430</p> <p>Requires local governments to allow “single room occupancies” in residential zoning districts within UGBs. Single room occupancy (SRO) is a form of housing in which the units share bathroom or kitchen facilities with other units on the floor or in the building. SRO housing with just a few units could look similar to a house with individually rented bedrooms.</p> <p>The statute requires local governments to allow single room occupancies:</p> <ul style="list-style-type: none"> • In single-family zones within UGBs, with up to six single room units on each lot; • In multifamily zones within UGBs, consistent with maximum density requirements. 	Not addressed in Code	<p>The County is not obligated to update its code but would need to review all applications against this statute when applicable, which is expected to be rare.</p> <p>The code does not have a definition for SRO nor is it allowed in any residential zones.</p> <p>The County could consider defining SROs and listing them separately in Permitted Use in the residential zoning districts within UGBs. The County would need to allow up to six of these types of units on each eligible lot.</p> <p>A map showing areas in the county where residential zoning districts within located within UGBs could be useful in determining the impact of this legislation in Multnomah County.</p>
<p>Affordable Housing with Density/Height Bonus Senate Bill 8 (2021); ORS 197A.445</p> <p>Requires local governments to allow affordable housing, which meets a specific definition and criteria, on a wide range of sites.</p> <ul style="list-style-type: none"> • Affordable housing meeting certain property ownership criteria must be allowed in any zone. Initially, the criteria were 	Not addressed in Code	<p>The County is not obligated to update its code but would need to review all applications against this statute when applicable.</p> <p>The code does not have a definition of ‘affordable housing’ or address the use in any zoning districts.</p>

<p>limited to ownership by a public body or religious nonprofit; however, the criteria were expanded via HB 3151 in 2023 to include ownership by a nonprofit organization focused on affordable housing, housing authority, and manufactured dwelling park nonprofit cooperative.</p> <ul style="list-style-type: none"> ● Affordable housing that is owned by other types of organizations must be allowed on property zoned for commercial uses, religious institutions, public lands, or industrial lands except those specifically for "heavy industrial." ● ORS 197A.445 provides height and density bonuses in areas zoned for residential uses. However, it does not specify any densities for those zones that do not otherwise allow housing. 		<p>The code does not address height or density bonuses for affordable housing.</p> <p>This statute only applies to lands within UGBs.</p> <p>A map showing areas in the UGB in the county where this legislation is applicable would be useful to determine the impact of this legislation for Multnomah County.</p>
<p>Affordable Housing on Commercial Lands</p> <p>House Bill 3395, Sections 16-19 (2023); ORS 197A.460</p> <p>Requires approval of affordable housing on land zoned for commercial (but not industrial) use, as well as moderate-income housing that is part of a mixed-use structure. The housing must be subject to the clear and objective development standards in the "residential zone that is most comparable in density to the allowed commercial uses in the subject zone." These provisions do not apply to certain constrained land, vacant land, or land</p>	<p>Not addressed in Code</p>	<p>The County is not obligated to update its code but would need to review all applications against this statute when applicable.</p> <p>The code does not have a definition of 'affordable housing' or address the use in any zoning districts.</p> <p>This state requirement is only applicable to unconstrained lands within and added to UGBs more than 15 years ago.</p>

that was added to the Urban Growth Boundary (UGB) within the last 15 years. This overlaps with ORS 197A.445 (SB 8), but has somewhat different criteria and restrictions. The main differences are that HB 3395 applies only to commercial land on which industrial uses are not allowed (whereas SB 8 has broader applicability); HB 3395 has different affordability requirements for mixed-use residential development; and SB 8 includes density and height bonuses, whereas HB 3395 does not.		
Affordable Housing Owned by a Religious Nonprofit House Bill 2008 (2021); ORS 197A.470(5)-(6) Requires local governments to allow the development of affordable housing on property that is owned by a religious nonprofit organization and not zoned for housing, provided the property is contiguous to a zone that does allow housing and is not zoned for industrial uses. Density is based on standards for the contiguous zone that allows housing.	Partially Complies	<p>The County is not obligated to update its code but would need to review all applications against this statute when applicable.</p> <p>Section 7.B of the Code allows as a Community Services Use affordable housing or space for affordable housing in a building that is detached from the place of worship as part of the church or place of worship.</p>
Hotel/Motel Conversion to Shelter or Housing House Bill 3261 (2021); ORS 197.748 Requires local governments to allow the conversion of a hotel or motel to an emergency shelter or affordable housing when certain criteria and standards are met. HB 3261 provides another specific definition of “affordable housing.”	Not addressed in Code	<p>The County is not obligated to update its code but would need to review all applications against this statute when applicable.</p> <p>The code does not have a definition of ‘affordable housing’ or address the use in any zoning districts.</p>

<p>Emergency Shelters Allowed Outright HB 2006 (2021); HB 3395 (2023), Sections 6-7</p> <p>Requires local governments to approve an application for an emergency shelter, regardless of state or local land use laws, if the application meets specific approval criteria outlined in the bill. This applies within a UGB or in an area zoned for rural residential use as defined in ORS 215.501. An “emergency shelter” provides “shelter on a temporary basis for individuals and families who lack permanent housing.” HB 3395 removed the original sunset date from HB 2006; the provisions will remain in effect as long as a specific state-wide measure of homelessness is above a certain threshold. (ORS 197.783)</p>	<p>Not addressed in Code</p>	<p>The County is not obligated to update its code but would need to review all applications against this statute when applicable.</p> <p>The Code does not have a definition for ‘emergency shelter’. The County could revise Definitions in Part 2 of the Code to include a definition for emergency shelter consistent with the ORS and allow emergency shelters in all non-resource County zones through non-discretionary review, reviewed with criteria outlined in ORS 197.783</p>
<p>RVs on Rural Residential Land SB 1013 (2023)</p> <p>Allows Counties to permit the permanent siting of RVs on rural residential land.</p>	<p>Not addressed in Code; optional</p>	<p>The legislation allows for counties to permit permanent RVs on rural residential zones but it is optional for counties to allow the use.</p>

Multnomah County Comprehensive Plan and Other Planning Documents

In addition to complying with state legislative requirements, the Development Code should be consistent with Multnomah County’s Comprehensive Plan Goals and Policies, as well as with other related implementing documents such as the County’s Transportation System Plan, Climate Action Plan, Natural Hazards Mitigation Plan and other similar planning documents. This report does not include an exhaustive review of consistency with those documents but summarizes and provides examples of potential areas of consistency or inconsistency. The issues will be further evaluated as the project team prepares recommended updates to the Code. To address consistency with local plans, the team will evaluate the following types of issues:

Are changes needed to the Code in order to address policies in the Comprehensive Plan or other documents that highlight the need for specific amendments? Examples include the following:

- Citizen Involvement: Strategy 1.2-1: Incorporate an equity analysis when developing implementation standards, and processes that accounts for health, safety, and disparate impacts on low income, communities of color, and immigrant and refugee communities.
- Citizen Involvement: Strategy 1.5-1: The County should periodically amend the Zoning Code to include zoning standards and review procedures which implement the goals, objectives, and policies of the Management Plan for the Columbia River Gorge National Scenic Area and its attendant maps.
- Land Use: 2.36 Allow for home occupations wherever dwellings are permitted in order to assist in developing new business opportunities and to increase convenience to residents, while considering and minimizing impacts on adjacent land uses.
- Land Use: Strategy 2.8-1: Review the appropriateness of review uses, conditional uses and community service uses in the RR zone through a public process that involves community stakeholders prior to amending the Zoning Code.
- Natural Resources: Strategy 5.40-1: Update development requirements to ensure that removal of trees to accommodate new development is minimized and that replanting of such trees is required where physically possible.
- Natural Hazards: Strategy 7.7-4: Investigate and consider updating County zoning code requirements to address areas with multiple hazards in an integrated manner.

Do the existing Code provisions appear to conflict with or contradict specific policies in the Comprehensive Plan or other planning documents? Examples include the following:

- The ‘Full Compliance’ Requirement (39.1250) conflicts with - Land Use Strategy 2.41-2: To ensure compliance, the County Zoning Code shall provide the County a method and degree of enforcement that best fits the type and circumstances of a given violation of the County Comprehensive Plan or Zoning Code.
- The Type II Design Review Procedure and the discretionary standards applied to housing development conflict with – Housing Policy 10.4: Accommodate innovative housing types which decrease development costs to improve housing affordability.

Are any Comprehensive Plan goals or policies at odds with state legislative requirements or administrative rules, or with goals of the Code Improvement project? In these cases, the team may recommend Comprehensive Plan policy amendments. Examples include the following:

- The following policy that places limitations on residential development in Rural Centers may conflict with the following Statewide housing rules on housing with UGBs:
Land Use: Residential Uses in Rural Centers –

2.13 Continue to reinforce the rural nature of designated rural communities through the zoning code by limiting residential development to one dwelling unit per Lot of Record.

2.14 Require new residential parcels in the Rural Center zone to be at least one acre in size in order to not increase residential density and to ensure that the carrying capacity of public services and the environment is not exceeded.

Part 3: County-Identified Code Topics and Areas

The following table summarizes County staff-identified areas of the MCC that are problematic, inconsistent, contain gaps or omissions or conflicts with other code sections, and present barriers to applicants and needed housing. The table below provides an overview of topics and issues noted by County staff through a series of interviews and meetings conducted by MIG. Most of the topics and issues identified were also identified in Parts 1 and 2 of the audit, but a few additional topics or issues in the MCC are provided in Part 3. These are shown in **blue**. This is not inclusive of all issues but identifies issues and areas for which the County provided background documents (Housekeeping and Other Suggested Code Amendments, Planning Commission Work Program) and/or interviews with staff members.

Topic	Issues
Code organization/General Notes	<ul style="list-style-type: none"> ● Single-column format ● Minimize cross-references and hyperlink necessary cross-references ● Improve the legibility of code for applicants and simplify language ● Potentially remove selected development standards from Chapter 39 ● Use tables to describe allowed uses and required review procedures ● Update or removed ORS cross-references ● Assess accessibility terminology and update accordingly (i.e. use the term “accessible” parking rather than “disabled” or “handicapped” parking) ● Change “sectional zoning map” to “zoning map” ● Change “non-conforming” to “nonconforming” ● Standardize use of “Board,” “Board of Commissioners,” or Board of “County Commissioners” ● Consider updating bond amount(s) in land use code
Application & Review Procedures	<ul style="list-style-type: none"> ● Rewrite/reorganize for clarity and improve process charts ● Review necessity and extent of application of “full compliance” standards ● Determine if Lot of record should be applied to specific application types; simplify process ● Clarify which review processes apply to which development type; ensure review types are commensurate with impacts of development types ● Explore allowing modifications without a full review process ● Update returned application procedure as allowed by state law. Specify that the County keeps all fees and will return file materials (or copies of) upon request. ● Add text to Admin procedures that indicates no refund once completeness review conducted. ● Clarify bundling application types for Type II, III, IV

Topic	Issues
	<ul style="list-style-type: none"> Consider standards for minor changes to design review that could be processed as a Type 1 application. Consider making Health Hardship dwellings a Type 1 permit in certain zones Update review process for businesses in Rural Center zones
Common Development Standards	<ul style="list-style-type: none"> Identify standards that can be moved to Chapter 29 – Building Regulations, e.g., grading and fill regulations, or others Assess appropriateness of rural vs. urban parking standards Update parking standards to allow for off-site parking when TDM strategies are required Improve sign standards Include bus stop and transit requirements Incorporate Dark Sky provisions Update landscaping standards to be C&O Make accessory structure definition and standards are C&O Review setbacks in zones that are routinely granted adjustments
Conditional Uses	<ul style="list-style-type: none"> Review and refine purpose, approval criteria, uses and procedures, and use requirements.
Specific Use Standards	<ul style="list-style-type: none"> Key areas to discuss in this section may include design review, minor exceptions, adjustment and variances, nonconforming uses, bus shelters, marijuana businesses, temporary uses, home occupations, and recreational vehicle parks Add flexibility to the variance/adjustment process to allow the Planning Director to approve a reduction down to 0' of any dimensional standard
Land Divisions	<ul style="list-style-type: none"> Update standards for private accessways Clarify differences in process between plat and consolidation or parcels and lots