



**TO: Kevin Cook and Megan Gibb, Multnomah County
Rachel Six and Kelly Reid, Oregon Department of Land Conservation and Development**

FROM: Carrie Brennecke and Matt Hastie, MIG

**RE: Multnomah County Zoning Code Improvement Project– Module 2 Draft Code Amendments
Planning Commission Discussion Questions (County Task 10.1 & DLCD Task 3.4)**

DATE: April 27, 2026

Introduction

The Multnomah County Code Improvement Project is intended to update and modernize the Zoning Code, consistent with County policy priorities. The code update is also being co-funded by the Oregon Department of Conservation and Development (DLCD). The code update is 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. In addition, the update will also include amendments supporting the overall Code Improvement Project. These two projects are occurring simultaneously.

The outcome of this project will be a consolidated set of amendments that will make the code more clear and objective, compliant with state laws, easier to interpret and use by community members, and implementable by County staff and decision-makers. More specifically, code issues to be addressed in this phase of the project include simplifying code language; reformatting text to one-column; clarifying applications procedures; adding use tables for each base zone; right-sizing development standards; among other improvements.

For ease of review and discussion, the draft code amendments will be organized into four discrete modules, or bundles, corresponding to the “Parts” of the MCZO Chapter 39, beginning with Module 1 provided in this document.

Module 1	Module 2	Module 3	Module 4
<p>Part 1 – Administration, Procedures, Enforcement, Permits and Fees</p> <p>Part 3 – General Provisions (Lot of Record)</p> <p>Part 7 – Conditional Uses and Community Service Uses</p>	<p>Part 4 – Base Zones</p> <p>Part 5 – Overlays</p> <p>Part 6 – Common Development Standards</p>	<p>Part 8 – Specific Use Standards</p> <p>Part 2 – Definitions</p> <p>Part 9 – Parcels, Lots, Property Lines and Land Divisions</p>	<p>Conforming amendments</p> <p>Reconciliation of prior code amendments</p> <p>Additional graphics and formatting</p>

Module 2 – Draft Amendments

This memo provides a high-level summary of the proposed amendments to the Multnomah County Zoning Code for the parts of the code included in Module 2. The draft amendments are initial recommendations to meet the project objectives listed above. The amendments also respond to the findings and direction

provided in the Code Audit Report and Key Issues and Policy Direction Memo, which clarified the code issues and needs and provided explanation for specific state regulations. Module 2 amendments include the following sections of the Zoning Code:

- **Part 4 – Base Zones**
- **Part 5 – Overlays**
- **Part 6 – Common Development Standards**

The Consultant Team and staff have prepared and reviewed a more detailed memo summarizing the proposed code amendments and identifying and describing issues that require further review and discussion. The team also has prepared a preliminary set of specific edits to these sections of the Zoning Code. These documents will be provided to the PC once they have been further refined through discussion with the team and PC.

After further discussing the initial recommendations, the team will refine the draft to complete a proposal which the team will present for your review during a public hearing process, during which we will also take testimony from members of the public.

Discussion Questions for Module 2 Amendments

The following table summarizes key questions related to the Module 2 amendments and associated recommendations by the project team. These items will be the subject of discussion with the Planning Commission at their May 4 work session.

ISSUE/SECTION	DESCRIPTION	STAFF RECOMMENDATION
Part 4	Administration, Procedures, Enforcement, Permits and Fees	
Creation of Use Tables for Selected Base Zones (Organizational Change)	<ul style="list-style-type: none"> ● The Code Audit Report suggested adding ‘Use tables’ to describe allowed uses and required review procedures. While creating “Use tables’ for the zones, it was revealed that very few zones in the County have the same uses and/or several of them have very specific detailed uses that cannot be readily combined or formatted to fit into a table clearly. For some zones, such as EFU and CFU, moving text from “Allowed Uses, Review Uses, Conditional Use” sections to a Use Table may not create a more user-friendly Code. 	<ul style="list-style-type: none"> ● <i>Evaluate the list of uses across all zones, and find opportunities to use common terms across zones, where feasible. Create use tables for selected zones that lend themselves to this approach, including non-resource residential base zones (MUA-20 and RR) and urban residential base zones (LR-5, LR-7, LR-10 and MR-4).</i> ● <i>Continue to use a narrative list to describe allowed, review and conditional uses in all other zones?</i>
Accessory dwelling units (ADUs) (Policy Question)	<ul style="list-style-type: none"> ● State law requires jurisdictions over a certain size to allow ADUs within a UGB, and provides the option to allow ADUs in rural areas in zones that allow rural residential development. 	<ul style="list-style-type: none"> ● <i>Ensure all urban zones allow ADUs, per state law.</i>

ISSUE/SECTION	DESCRIPTION	STAFF RECOMMENDATION
	<p>Currently, the County prohibits ADUs in all areas outside the UGB. The County frequently receives requests to allow ADUs in rural areas, whether for family members or as long-term rental properties. The Comprehensive Plan includes a policy not to increase density in these areas; a Comprehensive Plan amendment would be required to allow ADUs. Short-term rentals are prohibited; see more below.</p>	<ul style="list-style-type: none"> ● <i>Consider allowing ADUs in the MUA, RR, and Rural Center zones outside the UGB.</i>
<p>Two-unit dwellings (<u>Policy Question</u>)</p>	<ul style="list-style-type: none"> ● Duplexes also must be allowed within the urban growth boundary (UGB) on any lot where single-unit homes are allowed but the County does not have to allow them in other locations. The code currently only allows two-unit dwellings in Urban Residential Zones but not in any other zones. The County needs to determine if they should be allowed in other areas where their allowance is optional 	<ul style="list-style-type: none"> ● <i>Allow duplexes in the UGB as required by state law (LR and MR zones).</i> ● <i>Do not allow duplexes in residential or other zones outside the UGB.</i>
<p>Prohibition on ADUs as short-term rentals (<u>Policy Question</u>)</p>	<ul style="list-style-type: none"> ● ADUs are currently prohibited from being short-term rentals in all zones where they are allowed. This policy could be revisited in the future. The County does not currently have adequate staffing resources to regulate short-term rentals. 	<ul style="list-style-type: none"> ● <i>Continue to implement this policy.</i> ● <i>Consider revisiting this policy in the future if resources are available for regulation and enforcement.</i>
<p>Lot sizes for middle housing dwellings in urban residential base zones (<u>Info Item</u>)</p>	<ul style="list-style-type: none"> ● In the Urban Residential Base Zones (LR-5, LR-7, LR-10, MR-4), the current code provides minimum lot sizes based on housing type. ORS 197A.420 requires that the minimum lot size for duplexes be the same as for single-unit detached dwellings and that siting regulations for the other middle housing types do not individually or cumulatively discourage the development of middle housing types. 	<ul style="list-style-type: none"> ● <i>The team will be formulating recommended lot sizes for these middle housing sites. These zones are all located in the Interlachen and Troutdale Urban Pocket (IGA) areas.</i>
<p>Part 5</p>	<p>Overlay Zones</p>	
<p>Planned Development Overlay Refinements (<u>Info Item</u>)</p>	<ul style="list-style-type: none"> ● Since Planned Developments (PDs) represent optional development processes, the PD Overlay provisions are not required to be clear and objective. However, some code improvements could be made to improve the PD overlay and ease barriers to or provide incentives for the development of housing in these areas. County staff note that the PD provisions have rarely been used and it may not be cost-effective to invest too much time in updating them. 	<ul style="list-style-type: none"> ● <i>Given limited use of these provisions, staff consider this a low priority.</i> ● <i>No significant changes to this section are recommended at this time.</i>

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<p>Sign Code Updates (<u>Policy Question</u>)</p>	<ul style="list-style-type: none"> In the Code Audit, the County noted a desire to improve the sign code. The MCC sign code in comparison to other jurisdictions is long and complex. The sign code has been reviewed for clear and objective standards for residential signs to comply with state statutes and also been updated to remove legalese and unneeded verbiage. Updating sign codes in a comprehensive way typically is a complicated and time-consuming process. 	<ul style="list-style-type: none"> <i>Investigate other counties' best practices.</i> <i>If a similar, relevant, effective example is found, replace the County's provisions with those provisions.</i> <i>If a good example is not found, do not update this section at this time.</i>
<p>Part 6 Common Development Standards</p>		
<p>Moving selected topics to other County Code sections (<u>Organizational Change</u>)</p>	<ul style="list-style-type: none"> In the Code Audit, the County identified that consideration should be given to moving Ground Disturbing Activity Permits, which are not Land Use Decisions, from Chapter 39 (Zoning Code) to Chapter 29 (Building Regulations). The Minimal Impact Project Permit, Erosion and Sediment Control permit (ESC) are Type I standards-based reviews that are similar to grading permits. Stakeholders generally supported this approach. 	<ul style="list-style-type: none"> <i>Move these provisions to Chapter 29 of the County Code.</i>
<p>Off-Street Parking Requirements (<u>Policy Question</u>)</p>	<ul style="list-style-type: none"> The Code Audit noted that existing parking standards (both the number of spaces, and the design of parking areas, such as surfacing and landscaping) are not consistent with the rural nature of most of the areas of the County where the Zoning Code applies. Our initial approach to modernize the parking requirements has been to place the off-street parking requirements into tables developed from the state's <i>Transportation and Growth Management (TGM) Model Code</i>. We will work with staff to identify appropriate standards for specific land uses, and to develop standards for rural areas that align with area character and needs. Additionally, LUP staff would like to provide the opportunity for applicants to provide parking studies to develop parking proposals that meet the specific needs of a proposed use as an alternative to meeting specific numerical standards. 	<ul style="list-style-type: none"> <i>Apply off-street parking requirements in urban areas which are similar to the TGM Model Code standards.</i> <i>Update off-street parking requirements for rural areas to ensure they are consistent with the rural context of development and allow for flexibility in determining parking needs.</i> <i>Consider updating, surfacing, landscaping, and other design standards for parking in rural areas to ensure they are consistent with the rural context of development.</i>

Additional Notes

The following sections of the code are not proposed to include significant updates, given that neither the Code Audit nor our recent review identified problematic provisions or the need for improvements to these sections.

- Dark Skies
- Emergency/ Disaster Event Standards