



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

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RE: Multnomah County Code Improvement Project – Module 3 Draft Code Amendments Planning Commission Discussion Questions (County Task 10.1 & DLCDC Task 3.4)

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Introduction

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 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.

For ease of review and discussion, the draft code amendments are organized into four discrete modules, or bundles, corresponding to the “Parts” of the Multnomah County Zoning Code Chapter 39, beginning with Module 1. This document summarizes proposed amendments in Module 3.

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 2 – Definitions</p> <p>Part 8 – Specific Use Standards</p> <p>Part 9 – Parcels, Lots, Property Lines and Land Divisions</p>	<p>Conforming amendments</p> <p>Code sections identified for further refinement</p> <p>Additional graphics and formatting</p>

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 3. 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 3 amendments include:

- **Part 2 – Definitions**
- **Part 8– Specific Use Standards**
- **Part 9 – Land Divisions and Property Line Adjustments**

Some key amendments included in this memo and summarized below include the following:

- Move use standards from base zones into Part 8 to avoid duplication and streamline the Code.

- Replace existing site design review standards with similar standards from the state’s Model Code. The Model Code standards are clear and objective, will be easier to comply with and administer than the current standards, and will be tailored to address conditions in Multnomah County, where needed.
- Add new standards for middle housing types (to be allowed in urban residential zones), using the Oregon Housing Needs Assessment Model Code standards as a starting point.
- Continue to review updated state requirements related to farm stands and agri-tourism, consult with DLCD staff regarding state guidance, and update the County’s related standards based on this guidance and further community, stakeholder, and decision-maker engagement and discussion.
- Streamline the County’s land division procedures, including procedures for property line adjustments, and submittal and approval of tentative plan and final plats.
- Incorporate expedited land division and middle housing land division procedures per state requirements.

These amendments are described in the summary below. In addition, 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.

Summary of Amendments and Requests for Policy Direction by Code Section

The following table summarizes key questions related to the Module 3 amendments and associated recommendations by the project team. These items will be the subject of discussion with the Planning Commission at their June 1 work session.

NOTE: “Clear and objective” is abbreviated as “C&O” throughout this document.

ISSUE/SECTION	DESCRIPTION	STAFF RECOMMENDATION
Part 2 Definitions		
Revise and Reorganize Definitions (Info Item and Organizational Change)	<ul style="list-style-type: none"> • A variety of changes to this section are needed to improve organization of the Code, address state requirements and guidelines, implement best practices and eliminate duplicative definitions, and improve the clarity and utility of this element of the Code. The definitions for types are. 	<ul style="list-style-type: none"> • <i>Move definitions from base zones, overlay zones and Part 9 of the Code into the general definitions section.</i> • <i>Consolidate and group use definitions, including dwellings, commercial uses, and other categories.</i>
Part 8 Specific Use Standards		
Site Design Review Recommendations	<ul style="list-style-type: none"> • Site design review requirements are not C&O and are challenging to 	<ul style="list-style-type: none"> • <i>Remove the site design review requirement for all housing (except multi-unit dwellings), Type</i>

<p>(State Compliance Issue)</p>	<p>address for planning staff and decision-makers to address.</p>	<p><i>C home occupations, and conditional uses.</i></p> <ul style="list-style-type: none"> ● <i>Consider replacing the current site design review approval criteria with TGM model code site design review approval criteria.</i>
<p>Standards for Landscaping and Recreational Areas (Organizational Issue)</p>	<ul style="list-style-type: none"> ● Standards for landscaping and outdoor recreation areas must be C&O and should be applied to housing and should be moved from the Site Design Review section to separate sections as a result of the changes noted above. 	<ul style="list-style-type: none"> ● <i>Move the landscape requirements to part 6 common development standards and update to be C&O.</i> ● <i>Move the outdoor recreation area requirements and other multi-unit dwelling approval criteria to special use standards for multi-unit dwellings in part 8.</i>
<p>Accessory Use Standards (Organizational Issue)</p>	<ul style="list-style-type: none"> ● Standards for accessory structures are duplicated in multiple base zones. 	<ul style="list-style-type: none"> ● <i>These standards have been relocated from each of the base zones in part 4 to their own subsection in Part 8 special use standards.</i>
<p>Agri-Tourism, Farm Stands and Wineries Standards (<u>Policy Issue</u>)</p>	<ul style="list-style-type: none"> ● Members of the PC recommended reviewing these standards to ensure that they are consistent with both current state rules, as well as current county policy direction. However, DLCD is currently in the process of developing new rules related to these uses. ● Staff is beginning review of HB 4153 in preparation for updating the County' 	<ul style="list-style-type: none"> ● <i>Continue to review HB 4153 and consult with DLCD regarding how best to implement the County's Code, consistent with the legislation.</i> ● <i>Based on continue review, consultation with DLCD, and further community and decision-maker engagement, recommend changes to these code provisions.</i>
<p>Standards for Middle Housing (State Compliance Issue)</p>	<ul style="list-style-type: none"> ● Special use standards for middle housing and multi-unit dwellings: middle housing types are required to be allowed use inside of the UGB in counties. These uses and standards will only apply in the urban residential zones which are currently only applied in Interlachen 	<ul style="list-style-type: none"> ● <i>Incorporate standards from the OHNA model code for large cities into a proposed new section in part 9 to provide C&O standards for middle housing development.</i>
<p>PART 9 Land Divisions</p>		
<p>Categories of Land Division Applications (Streamlining Issue)</p>	<ul style="list-style-type: none"> ● The current set of Land Division categories is unnecessarily complex and is not consistent with best practices for other Oregon counties. 	<ul style="list-style-type: none"> ● <i>The four categories of Land Divisions have been eliminated and replaced with two categories (Type II Land Divisions and Type III Land Divisions).</i>

<p>Property Line Adjustments (Organizational Issue)</p>	<ul style="list-style-type: none"> Standards and procedures for Property Line Adjustments are repeated in multiple base zones. 	<ul style="list-style-type: none"> <i>Move the specific criteria for property line adjustments from the base zones into Part 9.</i>
<p>Type II vs III Land Division Threshold (State Compliance Issue)</p>	<ul style="list-style-type: none"> The criterion that distinguishes a Type II Land Division from a Type III Land Division is if the land division <u>creates a new street</u>. 	<ul style="list-style-type: none"> <i>Confirm with DLCD that the criterion is not a barrier to housing development.</i>
<p>Procedures for Tentative Plans and Final Plats (Streamlining Issue)</p>	<ul style="list-style-type: none"> The application process, procedures and submittal requirements/contents for Tentative Plans and Final Plats are overly complex. 	<ul style="list-style-type: none"> <i>Update these procedures and submittal requirements/contents to improve useability and provide clarity in the code. Use the TGM Model Code (2026) as a template, while customizing the updated standards for Multnomah County.</i>
<p>Middle Housing Land Divisions (State Compliance and <u>Policy Issue</u>)</p>	<ul style="list-style-type: none"> Standards and approval criteria for Land Divisions must be C&O. Additional County Staff input is needed for further refinements. State law requires the County to allow for Expedited Land Divisions and Middle Housing Land Divisions (MHLD). As incorporated, the MHLD procedures are only applicable to lots entirely within the UGB. If the County decides to allow duplexes in the RC zones, MHLD’s would not need to be allowed in the RC zones. The County can choose to apply MHLD provisions for all middle housing, including those outside the UGB if desired. 	<ul style="list-style-type: none"> <i>Update criteria to be C&O and work with County staff to refine language further, where needed.</i> <i>Incorporate new procedures and approval criteria into Part 9 as required.</i> <i>Determine whether MHLD’s should be allowed within the RC zones if duplexes are allowed in those areas.</i>