Summary of Proposed Code Amendments

*High-level overview of proposed amendments. Removal of language is symbolized with ~~strikethrough~~ while new language is **highlighted and underlined**. Not all changes are reflected and errors may occur, please see draft amendments for all changes. Rationale for amendment and identification of flexibility provided below.*

December 1, 2026 Draft

🚫 = *Legal Compliance with a housing-related statute or administrative rule, little (if any) flexibility.*

🏠 = *Implements a Housing Production Strategy*

✓ = *Opportunity to clarify, streamline, or improve usability of the LDC. Change generally not required.*

LDC Section	Purpose	Recommendation
16.12.030	🚫✓	Update housing, child care, residential care and treatment, and related definitions to reflect State law (HB 2138, HB 3560, Rulemaking). Add definitions for accessible unit, affordable unit, interior and perimeter parking lot landscaping, most architecturally significant facade, and primary entrance to support the revised review and design standards.
16.12.030	🚫	Update definitions of child care to comply with State law (HB 3560).
16.12.030	🚫	Update definitions of residential homes and residential facilities, which include residential training and treatment homes and facilities, to comply with State law (HB 2005).
16.12.030	✓	Add new definitions of flexible land division and flexible design review to support the newly created processes, which retain the public hearing process and participation in development review.
16.22.010	✓	General language improvements to the Future Urban (FU-10) zone.
16.22.010.C	🚫	Amend the FU-10 zone to allow middle housing and residential homes, prohibit residential facilities (previously conditional), and allow crisis stabilization centers and mental or psychiatric hospitals when required by State law (HB 2138 and HB 2005). Some uses remain subject to State qualifications.
16.22.010.E	🚫✓	Clarify lot sizes for various housing types in the FU-10 zone, remove the maximum density standard and the dimensional adjustment process, and add setbacks for cottage clusters and garages or carports.
16.22.020	✓	General language improvements to the very low density residential zones (R-40, R-20, and R-15).
16.22.020.B	🚫	Amend the R-40, R-20, and R-15 zones to clarify where middle housing is allowed, prohibit residential facilities (previously conditional), remove multifamily units approved through a PUD, and allow crisis stabilization centers and mental or psychiatric hospitals when required by State law (HB 2138 and HB 2005). Some uses remain subject to State qualifications.

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16.22.020.C	⊘ ✓	Remove shared outdoor recreation area requirements and outdated density references in the R-40, R-20, and R-15 zones and add setbacks for garages or carports.
16.22.030	✓	General language improvements to the low density residential zones (R-10, R-8.5, and R-7).
16.22.030.B	⊘	Amend the R-10, R-8.5, and R-7 zones to clarify where middle housing is allowed, prohibit residential facilities (previously conditional), remove multifamily units approved through a PUD, and allow crisis stabilization centers and mental or psychiatric hospitals when required by State law (HB 2138 and HB 2005). Some uses remain subject to State qualifications.
16.22.030.C	⊘ ✓	Remove shared outdoor recreation area requirements and outdated density references in the R-10, R-8.5, and R-7 zones.
16.22.040	✓	General language improvements to the medium density residential zones (R-5 and MUR-S).
16.22.040.B	⊘ 🏠 ✓	Amend the R-5 and MUR-S zones to permit residential facilities (previously conditional) and allow crisis stabilization centers and mental or psychiatric hospitals when required by State law (HB 2138 and HB 2005). Some uses remain subject to State qualifications. Allow multifamily dwellings as a permitted use without a PUD per Housing Production Strategy C.1 at townhome density, and permit manufactured home parks in R-5.
16.22.040.C	⊘ ✓	Establish a maximum multifamily density in the R-5 and MUR-S zones matching the existing townhome density of 25 units per net acre and remove shared outdoor recreation area requirements. Replace variable MUR-S dimensional standards with clear and objective standards matching R-5.
16.22.050	✓ ⊘ 🏠	General language and use-table updates for the SFA, MUR-A, and VTH zones, including permitting multifamily dwellings, recognizing residential homes and facilities, and increasing the maximum floor area for single-family detached units in MUR-A to 2,500 square feet. Some stabilization uses remain subject to State qualifications. Allow multifamily dwellings as a permitted use per Housing Production Strategy C.1.
16.22.050.B	⊘	Amend the SFA, MUR-A, and VTH use table to permit multifamily dwellings, residential homes, and residential facilities, and to allow crisis stabilization centers and mental or psychiatric hospitals when required by State law (HB 2138 and HB 2005).
16.22.060	⊘	Amend the MUR-M and MUR-X zones to permit multifamily dwellings, residential homes, residential facilities, and child

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		care centers, and to allow crisis stabilization centers and mental or psychiatric hospitals when required by State law (HB 3560 and HB 2005).
16.22.060.C	⊘✓	Replace variable dimensional standards in MUR-M and MUR-X with clear and objective standards. MUR-M previously had some clear and objective dimensional standards, such as height, but MUR-X had none.
16.23.010	✓⊘	Within the Happy Valley Town Center, prohibit vehicular service uses in MUC and limit MUC fueling stations to sites with direct access from an adjacent arterial or collector. Allow child care centers, residential homes, residential facilities, and qualifying crisis stabilization centers and mental or psychiatric hospitals (HB 3560 and HB 2005).
16.23.010.C	⊘✓	Replace variable dimensional standards in MUC, MUE, and RCMU with clear and objective standards.
16.23.020	⊘	Update VO and VC to allow child care centers with fewer limitations, permit residential homes in both districts and residential facilities in VC, and allow qualifying crisis stabilization centers and mental or psychiatric hospitals (HB 3560 and HB 2005).
16.23.020.C	⊘✓	Replace variable dimensional standards in the Village Commercial and Village Office districts with clear and objective standards.
16.23.030	⊘✓	General language and organization updates to the CCC and MCC commercial district standards, including removal of redundant or discretionary provisions that are not clear and objective.
16.23.030.B	✓⊘	Within the Happy Valley Town Center, prohibit vehicular service uses in CCC and MCC and limit fueling stations to locations with direct vehicular access from an adjacent major or minor arterial or collector. Allow child care centers, residential homes, and residential facilities, and allow crisis stabilization centers and mental or psychiatric hospitals when required by State law (HB 3560 and HB 2005). Some uses remain subject to State qualifications.
16.24.010	✓	General language improvements to the Institutional and Public Use district (IPU).
16.24.010.B	⊘	In IPU, allow crisis stabilization centers and mental or psychiatric hospitals when required by State law (HB 2005).
16.25.005	⊘	In RC-ME, allow child care centers, and allow crisis stabilization centers and mental or psychiatric hospitals when required by State law (HB 3560 and HB 2005).
16.25.005.E-H	✓	In RC-ME, delete repetitive and conflicting master plan requirements. Master plan still required in master plan chapter.

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16.25.010	✓	General language improvements to the industrial districts (EC and IC).
16.25.010.B	⊘	In EC and IC, allow child care centers, and allow crisis stabilization centers and mental or psychiatric hospitals when required by State law (HB 3560 and HB 2005). Add fueling stations to the use table, prohibited in EC and permitted in IC outside the Rock Creek Employment Center.
16.31	✓	Delete Chapter 16.31, Rock Creek Planned Mixed Use District, because the applicable standards have been incorporated into the Land Development Code citywide.
16.32	⊘ ✓	Revise the Steep Slopes Development Overlay Zone to specify the moderate and high DOGAMI areas subject to review. Make general updates, including corrected cross-references and removal of language that is not clear and objective.
16.34	⊘ ✓	Revise the Natural Resources Overlay Zone to remove adjustments and encourage use of the flexible land division and flexible design review processes. Make general updates, including corrected cross-references.
16.39.030	✓	Require, rather than encourage, a master plan for the Main Street District because the master plan criteria have been updated to be clear and objective.
16.40.030	✓	Remove modifications to various chapters in Title 16 to encourage use of flexible land division and flexible design review.
16.41.030	⊘ ✓	Revise vehicular access and circulation standards to be clear and objective. Remove modifications and City Engineer exceptions to encourage use of flexible land division and flexible design review. Add standards for shared driveways and accessways, and make general updates, including corrected cross-references.
16.42.030	⊘ ✓	Revise landscaping standards through reorganization and clear and objective requirements for parking-lot landscaping, screening, plant sizes and diversity, irrigation, installation assurances, and maintenance guarantees. Relocate general landscape maintenance responsibilities to Chapter 16.47.
16.42.080	✓	Remove shared outdoor recreation standards for land divisions and relocate them to the land division chapter.
16.44.010	✓ ⊘ 🏠	Revise multifamily standards through general improvements, reorganization, and updated cross-references. Add clear and objective requirements for roofs, entries, facade details, building materials, offsets, windows and doors, parking lots, garages and carports, private and shared outdoor areas, safety, garbage and recycling, and equipment screening, and remove the individual storage area requirement. Remove the exceptions process to encourage flexible design review. Exempt shared

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		outdoor recreation areas when a public park is within 1,000 feet, consistent with Housing Production Strategy C.1.
16.44.050	🏠	Allow up to one attached and one detached accessory dwelling unit per parcel or applicable parent lot, consistent with Housing Production Strategy C.3.
16.44.055	✓	Update the requirement for walls, fences, or berms along arterial and collector streets in residential districts to a consistent minimum height of four feet, remove the waiver option, exempt frontages of open space and stormwater facilities, and update cross-references.
16.44.070	🏠 🚫	Add clear and objective standards for affordable or accessible bonus housing units required by HB 2138 and Housing Production Strategy D.3.
16.44.120	🚫	Revise design standards for single-family detached dwellings, townhomes, duplexes, triplexes, quadplexes, cottage clusters, and affordable or accessible bonus units. Apply siting and design standards only to new units, add two design options, replace the variation of design standard with clear and objective criteria, allow additional driveways for qualifying townhomes, triplexes, and quadplexes, and relocate middle housing conversion provisions (HB 2138).
16.46.010	✓	Remove the Happy Valley Style exceptions process to encourage use of flexible design review.
16.47.010	✓	Relocate landscape maintenance and tree protection requirements for clarity.
16.50.015	✓	Remove the modifications process for public and private transportation facilities and utilities to encourage use of flexible design review and flexible land division.
16.50.020	🚫 ✓	Add limits on public improvement requirements for qualifying middle housing (HB 2138) and specified alterations subject to an issued construction permit (HB 2658). Remove the City Engineer's alternative improvement and fee-in-lieu option and relocate neighborhood circulation plan requirements to this section.
16.50.030	🚫 ✓	Remove flexibility to encourage use of flexible design review and flexible land division. Allow private access drives in shared access easements serving three or fewer units, require lots abutting arterials to have frontage but no access, and update references.
16.50.050	✓	Update references.
16.50.070	✓	Update references.
16.61.010.B	✓	Update review procedures, add separate Type IV quasi-judicial and legislative descriptions, revise the approvals table, process standard

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		subdivisions of four or more lots as Type II applications, and identify flexible land division and flexible design review procedures.
16.61.010.G	⊘ ✓	Update design review and master plan procedures to reflect restrictions on hearings for qualifying housing applications (HB 4037 and SB 974). Add flexible land division and flexible design review procedures that retain hearings and appeal rights through alternative processes where allowed.
16.61.030	⊘ ✓	Create separate Type II notice and appeal procedures for housing subject to ORS 197A.400(1), including a reduced 100-foot mailed notice radius (300 feet for 20 or more units) and applicant-only appeal rights. Retain the existing Type II procedures for other applications, relocate sign posting and agency comment provisions, and remove discretionary referral to a hearing (HB 4037 and SB 974).
16.61.040	✓	Relocate agency, road authority, and airport notice to a separate request for agency comment and remove the deadline for City Council call-up decisions.
16.61.050	✓	Clarify that the Type IV procedure applies to both legislative and quasi-judicial matters.
16.61.055	⊘	Limit appeals of Type II housing decisions subject to ORS 197A.400(1) to the applicant (HB 4037 and SB 974).
16.61.060	⊘	Update decision timelines to reflect the 120-day, 100-day affordable housing, and 63-day expedited land division periods. Allow housing applicants to request review under currently operative standards, subject to specified limits, allow applicants to choose consolidated review, and revise application-completeness provisions (ORS 227.178, SB 1537, and HB 4063).
16.61.070	⊘	Update expedited and middle housing land division procedures, eligibility, approval criteria, submittal requirements, timelines, notice, City Council appeals, and final plat requirements. Incorporate changes for additional middle housing units and retained or rehabilitated dwellings (HB 2138).
16.61.080	✓	Revise neighborhood meeting language to account for smaller notice areas for smaller housing applications.
16.61.090	⊘	Exempt qualifying individual middle housing developments from traffic impact analysis requirements, with exceptions for townhouse or cottage cluster developments exceeding 12 units and certain recently divided properties (HB 2138).
16.62.020	⊘ ✓	Revise design review classifications and thresholds. Process housing subject to ORS 197A.400(1) through administrative review and establish size-based review pathways for optional flexible design review that retain public participation where allowed.

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16.62.030	✓	Create an optional flexible design review process which includes public hearings for larger projects per the previous requirements, grants a 10% density bonus on request and allows modifications to Title 16 development standards when specified criteria are met. Relocate phased development standards to this process.
16.62.040	✓	Remove phased development provisions from general design review; phasing is addressed through flexible design review.
16.63.020	✓	Reorganize general land division requirements, recognize flexible land divisions, remove duplicative provisions, and provide a clear pathway to use the flexible land division process.
16.63.030	✓	Remove the separate flexible lot size, mid-block lane, and flag lot section and relocate applicable standards to the preliminary plat approval criteria.
16.63.040		Remove phased development provisions from the standard preliminary plat process; phasing is addressed through the flexible land division process.
16.63.050	✓	Consolidate preliminary plat submission requirements and organize required plans, supporting studies, circulation information, and homeowners association documents.
16.63.060	✓🚫	Clarify preliminary plat approval criteria and consolidate standards for future re-division plans, flag lots, shared driveways, density transfers, park and trail dedications, easements, and minimum improvements. Require shared outdoor recreation areas of at least 2.5% of unconstrained land for land divisions (other than middle housing land divisions) with at least 2 acres of unconstrained land, with specified size, location, design, ownership, landscaping, installation, and maintenance requirements; flexible land divisions and multifamily housing are exempt from those recreation-area standards.
16.63.070	✓	Delete the redundant land division variance authorization section because variance procedures are addressed in Chapter 16.71.
16.63.130	✓	Remove the planned unit development process and add an optional flexible land division process. Retain public participation and flexibility, add a 10% density bonus, preserve open space requirements, and authorize modifications when the approval criteria are met.
16.65.020	✓	Require a master plan for development within the Main Street District and relocate requirement for development on lots or parcels 10 acres or larger in the Rock Creek Mixed Employment (RC-ME) District.
16.65.030	🚫✓	Process preliminary master plans that include housing subject to ORS 197A.400(1) as Type II applications, exempt those applications

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		from the neighborhood meeting requirement, and allow concurrent implementing applications.
16.65.040	✓	Remove the master plan modification process to direct requests for flexibility to flexible land division or flexible design review.
16.65.050	✓⊘	Clarify and streamline preliminary master plan submission requirements and cross-references, and make the requirements clear and objective.
16.65.060	✓⊘	Update preliminary master plan criteria for clarity and to provide clear and objective criteria focused on compliance with the implementing review process, transportation capacity, phasing, and compatibility.
16.65.090	✓	Clarify that final master plan compliance is evaluated with an associated implementing review and refine the distinction between minor and major modifications.
16.65.100	✓	Tie the duration of a final master plan to the duration of the associated design review or land division approval instead of a seven-year limit.
16.66.020	✓	Replace planned unit development references with flexible land division references.
16.66.030	⊘✓	Remove residential density and open space thresholds from major modification triggers and revise the nonresidential floor-area threshold to 5,000 square feet to align with design review procedures.
16.67.015	⊘	Expand initiation language for plan amendments to include parties authorized or required under Oregon law, and exempt City-initiated or statutorily required map changes from the 75% property owner initiation requirement.
16.67.020	✓	Delete the separate legislative amendments section as duplicative of the review procedures in Chapter 16.61.
16.67.030	⊘✓	Consolidate legislative and quasi-judicial amendment procedures, use the review type identified in Table 16.61.010-1, and retain the substantive approval criteria for map and text amendments.
16.67.070	⊘✓	Clarify that the City designation for annexed territory without a corresponding City zone is recommended, rather than determined, by the Planning Official.
16.71.040	⊘✓	Revise Class B variance to include all housing, relocating criteria from Class C (SB 974).
16.71.050	⊘✓	Limit Class C variances to nonresidential requests and revise the approval criteria for clarity. Housing variance requests are addressed through the Class B process in Section 16.71.040.
16.72.035	⊘	Add procedures for restoring or replacing dwellings damaged or destroyed by natural or involuntary events, including eligibility, siting, size, service, timing, and limited-condition requirements (SB 1561).