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STAFF REPORT TO THE PLANNING COMMISSION

TO: Clackamas County Planning Commission

FROM: Martha Fritzie, Principal Planner (mfritzie@clackamas.us)

DATE: April 30, 2026;

HEARING DATE: May 11, 2026

RE: Planning File ZDO-293, ***Minor and Time Sensitive Comprehensive Plan and Zoning and Development Ordinance (ZDO) Amendments (Fiscal Year 2026)***

BACKGROUND

The 2025-2027 Long-Range Planning Work Program includes a project titled “*Minor and Time-Sensitive Comprehensive Plan and Zoning and Development Ordinance Amendments.*” Since 2020, a package of amendments has been developed annually or biennially to focus on relatively minor changes to the County’s Comprehensive Plan (Plan) and Zoning and Development Ordinance (ZDO) to comply with any new Metro, state or federal mandates, clarify existing language, correct errors, or adopt optional provisions that require only minimal analysis. The last such package was adopted in 2024. Ordinance ZDO-293 includes the “minor and time sensitive” amendments for fiscal year 2026.

Ordinance ZDO-293 proposes changes to accomplish the following five actions:

1. Implement state mandates, which were adopted through legislation or administrative rulemaking, and that are currently in effect or will become effective by July 1, 2026;
2. Align the County’s requirements in Agriculture and Forest zones with state law;
3. Amend certain height limit and dock prohibition standards within the Willamette River Greenway (WRG);
4. Clarify how to identify front, rear, and side lot lines for the purpose of structure setback measurement; and
5. Make minor changes to the Comprehensive Plan and ZDO clarify provisions, reduce administrative barriers, and correct citations and typographical errors.

Before a decision will be made on the proposed amendments in ZDO-293, there will be at least two public hearings on this proposal: one before the Planning Commission (PC) on Monday, May 11, 2026, and another before the Board on Wednesday, June 16, 2026. The PC provides a recommendation to the Board, who would ultimately decide whether the proposal is adopted.

PROPOSAL

ZDO-293 proposes text amendments to one chapter of the county’s Comprehensive Plan and 40 sections of the county’s Zoning & Development Ordinance (ZDO); and proposes the addition

of two new ZDO sections¹. The full text of the proposed amendments and a summary of the proposed changes in each section or chapter are included in **Attachment A**.

Following is a list of the five actions the proposal in Ordinance ZDO-293 would accomplish, as well as brief explanations of the context behind each action and how the action would be accomplished with the proposed amendments.

1. Implement state mandates, which were adopted through legislation or administrative rulemaking, and that are currently in effect or will become effective by July 1, 2026.

Generally, these mandates relate to urban housing procedures; on-site parking in the urban area; and requirements to allow certain uses outright, including childcare centers, emergency shelters, residential treatment facilities and homes, mental and psychiatric hospitals, and crisis stabilization centers. Many of these changes would be limited to the urban area. ZDO-293 includes amendments to the ZDO that are necessary to implement these recent changes, which include:

- Amending the Middle Housing Land Division (MHL) process to allow shared water/wastewater facilities; allow a MHL before, during and after middle housing building permits; and offer concurrent review of a MHL and partition or subdivision.
- Adding the Expedited Land Division (ELD) process to the ZDO – it was previously implemented directly from the state statutes - and ensuring the regulations reflect new requirements for no public notice; no public hearing; no allowance for any party to intervene in opposition; and that the applicant is the only party required to receive Notice of Decision and eligible to appeal.
- Exempting housing developments that include 20 or more units of new single-family dwellings, manufactured dwellings, or middle housing within the Portland Metro urban growth boundary (UGB) from design standards related to such features as façade materials; roof decorations, form, or materials; or other architectural features.
- Allowing for an applicant of a housing application within the UGB to “opt in” to new standards if they have become effective after application was submitted, if public notice has not been issued.
- Including standards for a new applicant type, called an “urban housing application”, for a residential zone change, planned unit development or variance. The process for this application would include notice to property owners within 300 feet and a comment window of 14 days, but limited appeal rights.
- Including standards for another new application type that applies to housing applications in urban and certain rural areas that are reviewed under only clear & objective standards. The process for this application includes notice to property owners within 100 or 500 feet, depending on the size of the proposed development, but only the applicant may appeal a decision to the Land Use Board of Appeals.
- Allowing by right certain uses and, where necessary, including a new definition to the ZDO for the specified use, including:

¹Each ZDO section and Comprehensive Plan chapter proposed for amendment is listed in the “List of Attachments” section, found on pages 22-23 of this report.

- A residential treatment facility or residential home within the UGB on certain publicly-owned lands and lands zoned for residential, commercial, employment, and industrial uses.
- A mental or psychiatric hospital and adjacent crisis stabilization center within the UGB on certain commercial, industrial or publicly-owned lands.
- A preschool or pre-kindergarten with place of worship (does not apply if place of worship is a nonconforming use)
- An emergency shelter that meet certain defined criteria on land within a UGB or on rural residential land. This requirement sunsets if the sheltered and unsheltered homeless population falls below a defined threshold.
- A childcare center in multifamily residential, commercial, and light industrial zones.

ZDO-293 would add these specific uses as “primary uses” in the applicable zoning districts and would add two new ZDO sections with the state-mandated development standards for emergency shelters (Section 848) and for residential treatment facilities, residential treatment homes, mental or psychiatric hospitals, and crisis stabilization centers (Section 849). A table in **Attachment B, Exhibit 2** describes the locations and/or zoning districts in which these special uses must be allowed.

- Implementing recent changes related to off-street parking and parking lots within the UGB. These rules are currently in effect but are being administered directly from state law. In August 2022, the Land Conservation and Development Commission (LCDC) adopted changes to the Transportation Planning Rule (TPR) that were designed to better support climate friendly and equitable communities. These new rules apply to the urban, unincorporated areas of Clackamas County and included various compliance dates for the different types of changes required. While many of the changes will take effect when the county’s Transportation System Plan is updated, mandatory changes in off-street parking requirements took effect in two phases, the first on December 31, 2022, and the second on June 30, 2024.

Because the county has not yet adopted the changes that took effect in 2024 into the ZDO, staff has been implementing the rules directly from state law. Although the rules include no longer *requiring* off-street parking with development in the urban area, it is important to note that the rules do not preclude the county from *allowing* off-street parking in the urban area.

And, in fact, based on a search of developments approved since June 30, 2024, off-street parking is still being provided by developments in the urban area, and, in many cases, exceeds the amount that would have been required prior to these rules going into effect (see **Attachment B, Exhibit 2**). On average, middle housing developments are providing over 50% more parking than would have been required (1 space per unit) and commercial and multifamily developments are providing 98% of the parking that would have been required. To our knowledge, only one development – a 5-unit cottage cluster – has provided *no* off-street parking.

ZDO-293 would include the amendments necessary to implement the state’s parking rules through the ZDO, rather than continue to implement them directly from state law. This will reduce confusion for applicants and make administration of the rules more

efficient for staff. These amendments would apply to property in urban zones within the UGB and generally include the following:

- Removal of references to minimum off-street parking requirements
- Amended off-street parking maximums for certain locations
- New tree canopy and other design standards for parking lots > 0.5 acre.

The proposed amendments in ZDO-293 do not change to policy, practice, or standards applied related to parking in the urban area. Rather they simply align the county's ZDO with state law.

2. Align the County's requirements in Agriculture and Forest zones with state law.

Ordinance ZDO-293 includes proposed amendments resulting from an audit of the Exclusive Farm Use (EFU), Timber (TBR), and Ag/Forest (AG/F) zones to ensure they are consistent with, and not more restrictive than, state law. The proposal would:

- Incorporate amendments from recent state rulemaking that codified certain common law standards related to:
 - Farm impacts test analyses
 - Agri-tourism events standards
 - Transportation facilities subject to farm impacts test
 - Private park definition and clarifications
- Conform the ZDO to state legislation from 2025, including repealing the fire hardening construction standards for replacement dwellings.
- Allow childcare facilities in farm zones, subject to certain criteria related to serving children in rural areas and must collocate with community center or school, consistent with recent legislation.
- Add land division allowances from state law that are not currently in the ZDO.
- Amend the approval periods for various types of land use applications for consistency with state regulations.
- Repeal the "capability test" farm dwelling provisions in EFU because the county has not prepared the required gross sales figures. If that work is completed, the provisions can be added back, but currently they create confusion for staff and the public
- Remove the extensive table of uses in the AG/F District and replace with a statement that uses permitted in the AG/F District are those allowed in the EFU District, subject to standards in the EFU District, and those allowed in the TBR District, subject to the standards in the TBR District, and subject to certain limitations. This is not a substantive change, rather it is proposed for clarity and to ensure that future code amendments do not inadvertently create inconsistency between AG/F and EFU and TBR.
- Reorganize some standards to be more consistent with structure in state law to make future amendments easier.
- Include numerous other edits for consistency with requirements of state law.

3. Amend certain height limit and dock prohibition standards within the Willamette River Greenway (WRG). The Willamette River Greenway (WRG), established through Statewide Planning Goal 15, is a corridor of water and land in which development is planned and built with recognition of the unique qualities of the Willamette River. Ordinance ZDO-293

proposes two specific amendments to standards that implement the county's plan for the WRG.

- **Repeal an unnecessary dock prohibition affecting certain areas of the WRG.** There are two stretches of the Willamette River – called Limited Use areas - in which new private non-commercial docks are prohibited. Private non-commercial docks are allowed, subject to certain standards, on all other stretches of the Willamette River within the county's jurisdiction.

However, based on an analysis of lots, existing dwellings, and existing docks within the two Limited Use areas, staff have found that *all but three* of the lots within the Limited Use areas that have river frontage and a dwelling already have a dock, and that none of the vacant lots with river frontage in the Limited Use areas are zoned for residential development. In addition, there is no state requirement to prohibit docks anywhere on the river and there is no basis or evidence in the county's records to warrant the dock prohibition. As such, this prohibition appears unnecessary and creates a situation in which three property owners are precluded from using their property in the same way as many other neighboring property owners.

Ordinance ZDO-293 would repeal the prohibition on new docks in the Limited Use area and allow private, non-commercial docks to be established, subject to the same standards and processes as such docks elsewhere on the river.

- **Remove the 35-foot height limit for properties located within the WRG and designated as High Density Residential (HDR).** Currently the ZDO limits the height for all residential development within the WRG boundary to 35 feet. Non-residential development within the WRG has no specified height limit.

Inside the UGB, the vast majority of residential lots within the WRG boundary are in a zoning district that has a height limit of 35 feet for development even if the development were outside the WRG. There are, however, a limited number of lots within the WRG that have a High Density Residential (HDR) zoning designation, which is intended for multifamily development; currently has a maximum allowed density of 25 dwelling units per acre; and has no specified height limit outside the WRG.

The owner of a property with HDR zoning in the WRG requested the county consider removing the 35-foot height limit so that more housing could be developed on their site, consistent with the other regulations in the HDR District. Ordinance ZDO-293 included this consideration and proposes to remove the 35-foot height limit for residential development in the WRG that are also within the HDR zoning district. No change is proposed to the height limits in other zones within the WRG.

4. **Clarify how to identify front, rear, and side lot lines for the purpose of structure setback measurement.** The way that setbacks are reviewed has not changed substantially since the ZDO was adopted in 1980. At that time, the shape and dimensions of lots were strictly controlled, which allowed for a relatively rigid set of setback rules. Since then, however, many of the standards controlling lot shape and dimensions have been repealed; nonconforming lots are no longer required to be consolidated; new access and life safety requirements outside the ZDO have changed the way developments are constructed; and changes to state and local rules regarding infill development have resulted in lot configuration and development that was not contemplated when the 1980 ZDO was drafted. As a result, the current setback rules sometimes create conflicts and confusion when applied to certain lots.

The proposal under ZDO-293 will not change required setback distances. Rather it includes amendments to clarify how the front lot line is identified for setback purposes, thereby addressing some of the most common administrative challenges identified by staff, including:

- Private access easements
- Fire turnarounds
- Unusual flag lots
- Rounded and “unintentional” corner lots

5. Make minor changes to the Comprehensive Plan and ZDO clarify provisions, reduce administrative barriers, and correct citations and typographical errors. These amendments are intended to address basic errors (e.g., incorrect citations), revise text that consistently causes confusion for staff and customers, and amend standards or processes that create development barriers without adding significant value. To accomplish this, Ordinance ZDO-293 would:

- Remove references to a zoning district that has been repealed.
- Revise an outdated provision required by the Metro Code.
- Correct citations and typographical errors.
- Remove the option for a two-year time extension for most land use applications and extend the approval period for those application by two years. Two-year time extensions are rarely denied, unless standards have changed during the original approval period (typically four years). Rather than require an additional fee and application that takes a substantial amount of time for staff to review, ZDO-293 proposes to eliminate the two-year time extension for most land use approvals in most zoning districts and allow two additional years for the original approval. This change would reduce administrative burden and directly supports the Board for County Commissioners’ strategic plan priority *to review of all development regulatory processes to minimize burdens, providing an effective and timely permitting process for the community.*

If adopted, these amendments would apply to development applications submitted after the adoption date; the current approval and time extension would remain in effect for development applications submitted prior to the adoption date. And time extensions in EFU, AG/F, and TBR Districts will remain, pursuant to relevant state law requirements.

- Allow outdoor silos, towers, or other specialized storage and processing structures in the Business Park (BP) and Light Industrial (LI) Districts, subject to a height limit, siting standards, and screening requirements. Currently such structures in the BP and LI zones are only allowed if located within a building. The amendments would also clarify options for such structures in the General Industrial (GI) District. This proposal originated from a specific request from a member of the public with an existing business in the LI zone and a need for locating such a structure outdoors.
- Clarify provisions that routinely cause confusion for staff and customers, which includes amending and adding definitions related to streets, roads, and internal circulation ways within parking lots to clarify where certain improvements are required and where front setbacks must be met.
- Add single-room occupancies (SROs) and an allowed housing type in commercial zones that already allow multi-family and congregate housing. State law is clear that SROs

must be allowed in urban, residential areas, but is arguably not clear whether SROs are also required in non-residential zones that allow residential development. Legislation in 2025 clarifies that SROs must be allowed in those non-residential zones. That legislation is not required to be implemented until January 1, 2027, but this change is proposed in ZDO-293 to eliminate the time and expense of a “similar use” land use process that would currently be required for approval of a SRO development in the identified commercial areas.

PUBLIC NOTICE & COMMENTS

Notice of the proposed amendments in ZDO-293 was sent to:

- All cities within the County;
- All County Community Planning Organizations (CPOs) and Hamlets;
- Oregon Department of Land Conservation & Development (DLCD), Metro, Oregon Department of Transportation (ODOT), Oregon Parks & Recreation District (OPRD), and other interested agencies; and
- An interested parties list, specific to legislative land use proposals in the county.

Notice was also published in the newspaper and online. To date, Planning and Zoning has received only two written comments (**Attachment B**, Exhibit 3 & 4). Both were from individuals with interest in the proposed amendments that relate to a broader allowance for certain specialized structures in light industrial zones. The comments request additional clarity and amendments. Staff did amend the original proposal (that was included with the hearing notices) related to silos, towers, or other specialized storage and processing structures to provide additional clarity; the updated draft of the proposed amendment related to this issue are included with this staff report in **Attachment A**.

ANALYSIS & FINDINGS

The proposed Comprehensive Plan and ZDO text amendments are legislative in nature and are subject to the relevant Statewide Planning Goals, Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OARs), the Metro Urban Growth Management Functional Plan (UGMFP), County Comprehensive Plan policies, and procedural standards identified in the county’s Zoning & Development Ordinance (ZDO). Compliance with the relevant portions of each is discussed in subsections 1 through 4, below.

The analysis and findings are focused on the optional changes proposed in **Actions 3 through 5**. Proposed actions to conform to state laws, including recent legislation and rulemaking, or to codify existing rules or definitions, do not warrant findings for consistency.

1. Statewide Planning Goals:

Goal 1 – Citizen Involvement:

Goal 1 calls for “the opportunity for citizens to be involved in all phases of the planning process” and requires the County to have a citizen involvement program with certain features.

ZDO-293 does not propose any change to the *Citizen Involvement* chapter (Chapter 2) of the County’s Comprehensive Plan.

ZDO Section 1307 implements policies of Comprehensive Plan Chapter 2 and contains adopted and acknowledged procedures for citizen involvement and public notification of

land use applications. Notice of ZDO-293 has been provided consistent with the requirements of Section 1307, including to DLCDC, all cities in the County, and all active and recognized CPOs and Hamlets 35 days before the first public hearing. Notice of the proposal and its scheduled hearings was published in *The Oregonian* 10 days in advance of the first hearing and has also been posted on County websites. Before a final decision on ZDO-293 can be made, there will have been at least two public hearings: one before the Planning Commission and another before the Board of County Commissioners.

These processes ensure any interested parties have ample opportunity to participate in this planning process.

This proposal is consistent with Goal 1.

Goal 2 – Land Use Planning:

Goal 2 requires the County to have and to follow a comprehensive land use plan and implementing regulations. Comprehensive Plan provisions and regulations must be consistent with Statewide Planning Goals. Goal 2 also provides a process by which exceptions can be made to certain Goals.

ZDO-293 does not require an exception to any Statewide Planning Goal. The only Comprehensive Plan amendments that would be made by ZDO-293 would be to Chapter 3, *Natural Resources and Energy*, in order to ensure this chapter is consistent with changes proposed within the Willamette River Greenway (WRG), as described in **Action 3**. As discussed below, these proposed amendments are consistent with Statewide Planning Goal 15, *Willamette River Greenway*.

As such, with the proposed amendments, the County's adopted and acknowledged Comprehensive Plan will continue to be consistent with all Statewide Planning Goals, and the implementing regulations in state law.

This proposal is consistent with Goal 2.

Goal 3 – Agricultural Lands:

ZDO-293 would not amend Comprehensive Plan policies related to agricultural lands, nor would it change any property's land use plan designation or expand any UGB into agricultural lands (i.e., those zoned Exclusive Farm Use).

Although ZDO-293 would permit new land uses on agricultural lands, the uses are included only for consistency with allowances under state law. Care has been taken to ensure none of the proposed amendments exceed the county's authority in the EFU District under state law.

Ordinance ZDO-293 proposes a number of amendments to ZDO Section 401, *Exclusive Farm Use*, but these amendments are either:

- Structural, including reorganizing aspects of the section and amending notations for consistency with other areas of the ZDO; or
- Substantive only to the extent that the county's ZDO is not consistent with use or procedural requirement in state law and the amendments are necessary for compliance with state law.

This proposal is consistent with Goal 3.

Goal 4 – Forest Lands:

ZDO-293 would not amend Comprehensive Plan policies related to forest lands (i.e., those zoned AG/F or TBR), nor would it change any property's land use plan designation or expand any UGB into forest lands. ZDO-293 would not permit new land uses on forest lands. Rather, the ordinance would amend the ZDO to ensure consistency with existing state law, remove redundant definitions, and make structural changes within ZDO Section 406, Timber and 407, Ag/Forest.

ZDO-293 does propose fairly significant structural changes to ZDO Section 407, but not substantive changes. The proposal is intended to provide clarity and consistency with state law and also create greater efficiency for future code amendments by minimizing the potential for inadvertently creating inconsistencies between the AG/F table of allowed uses and those in the EFU and TBR code sections.

This proposal is consistent with Goal 4.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces:

Goal 5 requires the County to have programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. It requires an inventory of natural features, groundwater resources, energy sources, and cultural areas, and encourages the maintenance of inventories of historic resources.

ZDO-293 would not make any change to the County's Comprehensive Plan goals, policies, or inventories, or to ZDO provisions, related to the protection of scenic, historic, or open space resources. Any new development that might occur as a result of the amendments proposed in ZDO-293 would be required to meet the standards and processes that currently exist to ensure the county's Goal 5 resources are adequately protected.

This proposal is consistent with Goal 5.

Goal 6 – Air, Water and Land Resources Quality:

Goal 6 instructs the County to consider the protection of air, water, and land resources from pollution and pollutants when developing its Comprehensive Plan.

ZDO-293 would not change any Comprehensive Plan goal or policy, or implementing regulation, affecting a Goal 6 resource, nor would it modify the mapping of any protected resource. Any new development that might occur as a result of the amendments proposed in ZDO-293 would be required to meet the standards and processes that currently exist related to Goal 6 resources.

This proposal is consistent with Goal 6.

Goal 7 – Areas Subject to Natural Hazards:

Goal 7 requires the County's Comprehensive Plan to address Oregon's natural hazards.

ZDO-293 would not change the County's acknowledged Comprehensive Plan policies regarding natural disasters and hazards, nor would it modify the mapping of any hazard. Any new development that might occur as a result of the amendments proposed in ZDO-293 would be required to meet the standards and processes that currently exist to ensure the county's Goal 7 resources are adequately protected.

This proposal is consistent with Goal 7.

Goal 8 – Recreational Needs:

Goal 8 requires relevant jurisdictions to plan for the recreational needs of their residents and visitors. ZDO-293 would not change any existing, state-acknowledged County Comprehensive Plan policy or implementing regulation regarding recreational needs, nor would it reduce or otherwise modify a mapped recreational resource.

This proposal is consistent with Goal 8.

Goal 9 – Economic Development:

Goal 9 requires the County to provide an adequate supply of land for commercial and industrial development. As noted earlier, ZDO-293 would not change the Comprehensive Plan or zoning designation of any property. It also would not add any new restrictions to land uses in areas of the County reserved for commercial and industrial development.

ZDO-293 would allow new uses in some commercial and industrial areas; however, as noted, the county is required to allow for all of these uses, including childcare centers, emergency shelters, residential treatment facilities, residential treatment homes, mental or psychiatric hospitals, and crisis stabilization centers. In addition, the statute that requires the county allow for residential treatment facilities, residential treatment homes, mental or psychiatric hospitals, and crisis stabilization center specifically states that these new allowances do not *trigger any requirement that a local government consider or update an analysis as required by a statewide planning goal relating to economic development.*

The only non-state-mandated new uses that ZDO-293 would include in employment lands are in the added allowance for outdoor silos, towers, or other specialized storage and processing structures in the Business Park (BP) and Light Industrial (LI) Districts, subject to a height limit, siting standards, and screening requirements. Adding these provisions may help support business retention and expansion in the county, as they are in direct response to a request from an existing business owner.

Ordinance ZDO -293 would will also support and further economic development goals in Goal 9 by:

- Aligning parking requirements and standards with state law and to ensure consistent standards are applied rather than rely on the current practice of implementing directly form stat las and not applying what the ZDO – a process that is inefficient and confusing for both the public and staff; and
- Creating more certainty for approved development by allowing a longer implementation time outright, rather than requiring a new land use application and fee for a time extension.

This proposal is consistent with Goal 9.

Goal 10 – Housing:

The purpose of Goal 10 is to meet housing needs. Goal 10 requires Oregon’s county plans to “*encourage the availability of adequate numbers of needed housing units at*

price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.”

The ZDO-293 amendments would not significantly increase housing opportunities, but would support and further the intent of Goal 10 by:

- Allowing SRO units in commercial districts that already allow of multifamily dwellings and congregate housing – creating consistency with allowances in multi-family zones and also eliminating the need and expense for a land use application for a “similar use” determination. This allowance would create a negligible impact on housing capacity because the SRO would be subject to the same density requirements as multi-family housing in the district, but it would directly support the goal of more flexibility of housing location and type.
- Removing the 35-foot height limit for high-density residential development within the Willamette River Greenway, which could allow for more housing development, consistent with the standards in the underlying zone.
- Creating more certainty for approved development by allowing a longer implementation time outright, rather than requiring a new land use application and fee for a time extension.
- Incorporating new processes mandated by the state are intended to expedite housing development into the ZDO to enable more efficient implementation.

This proposal is consistent with Goal 10.

Goal 11 – Public Facilities and Services:

The purpose of Goal 11 is to ensure that local governments plan and develop a timely, orderly, and efficient arrangement of public facilities and services to act as a framework for urban and rural development.

ZDO-293 does not propose any change in adopted plans for the provision of water, sewer, or other public services. Any new development that might occur as a result of the amendments proposed in ZDO-293 would be required to be developed compliant with public facilities and services requirements applicable at the time of construction.

This proposal is consistent with Goal 11.

Goal 12 – Transportation:

Goal 12 is implemented by Oregon Administrative Rules (OAR) Chapter 660, Division 12. Local governments are required to adopt a transportation system plan (TSP) and land use regulations to implement the TSP. This proposal does not include amendments to the County’s TSP or transportation-related land use regulations.

OAR 660-012-0060 also requires any comprehensive plan and land use regulation amendment to be evaluated according to the terms outlined in that OAR to demonstrate whether they will have a significant impact on the transportation system.

ZDO-293 does not propose any explicit change in the County’s buildable land supply and, with two exceptions, new uses allowed through ZDO-293 are mandatory under state law and not subject to analysis under Goal 12. The two exceptions are:

- (1) SROs in certain commercial zones. However, as, previously discussed, these are only allowed in commercial zones where multifamily and congregate housing is already allowed, and at the same densities as those housing types; therefore, there would be no additional traffic impact to analyze for the SRO allowance.
- (2) Allowing outdoor silos, towers, or other specialized storage and processing structures in the Business Park (BP) and Light Industrial (LI) Districts, subject to a height limit and siting standards. These are storage structures and, as such, are expected to have a negligible, if any, impact on traffic generation and therefore no analysis is needed to demonstrate compliance with Goal 12.

Notice of ZDO-293 was provided to ODOT and to county Engineering, neither of which have provided comments. As such, no additional analysis of the transportation system is needed.

OAR 660-012-0405 through -0450 include regulations that the county must implement related to parking within the urban, unincorporated areas, including removing minimum off-street parking requirements for development; establishing maximum off-street parking allowances for development; and including design standards for new parking lots over a half-acre in size. As noted, since June 30, 2024, staff had been implementing these rules directly from state law. ZDO-293 would include the amendments necessary to implement these rules through the ZDO, which will reduce confusion for applicants and make administration of the rules more efficient for staff.

Specifically, these amendments would apply to property in urban zones within the UGB and generally include the following:

- Removal of references to minimum off-street parking requirements
- Amended off-street parking maximums for certain locations
- New tree canopy and other design standards for parking lots > 0.5 acre.

These amendments represent no change to policy, practice, or standards applied. Rather it simply aligns the county's ZDO with state law and Goal 12.

This proposal is consistent with Goal 12.

Goal 13 – *Energy Conservation:*

Goal 13 encourages land use plans to consider lot size, building height, density, and other measures in order to help conserve energy. The proposed amendments would not change any policy or implementing regulation regarding energy conservation.

This proposal is consistent with Goal 13.

Goal 14 – *Urbanization:*

The purpose of Goal 14 is to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. The Goal primarily concerns the location of UGBs, the establishment of "urbanizable areas" and unincorporated communities, exception lands, and rural industrial uses.

ZDO-293 would not modify any UGB or the status or boundaries of any unincorporated community. The ordinance would not modify any urban or rural reserve boundary, allow

any new land use in such reserve areas in a manner inconsistent with state law, change the land use plan designation or zoning of any property, or allow any new uses in exception lands in a manner inconsistent with state law.

This proposal is consistent with Goal 14.

Goal 15 – Willamette River Greenway:

The purpose of Goal 15 is to “protect, conserve, enhance, and maintain the natural, scenic, historical, agricultural, economic, and recreational qualities of lands along the Willamette River as the Willamette River Greenway.”

ZDO-293 does not propose to change the WRG Design Plan or the boundaries of the Greenway. The proposal does however change two of the standards that implement this Design Plan. ZDO-293 would:

- Remove the county’s prohibition of private non-commercial docks in Limited Use area of WRG and instead allow such docks, subject to the same standards and processes applicable to docks in other areas of the WRG; and
- Remove the 35-foot height restriction on residential development, but only for properties within a High-Density Residential designation within the WRG. The height limit would remain for residential development in other zoning districts in the WRG, including rural zoning districts.

The 1980 Rivers Planning Background Report of the Comprehensive Plan provides information and background on the creation of the WRG. According to this document, the WRG was initiated in 1967, but initial Plans were not adopted by the state, so Goal 15 was developed and formally adopted in 1975. Then, the “state plan showing boundaries, state and local government ownership, potential acquisition areas and proposed intensities on state land was approved by LCDC in October 1977.” The document further notes that the “Willamette River Greenway Law requires establishment of the Greenway, requires maximum and minimum acreages allowable within the boundary, restricts use of eminent domain, prohibits public use of scenic easements and Goal 15 limits intensification and change of use within the Greenway.”

The WRG law is currently found in ORS 390.310 through 390.368 and implemented through the rules in OAR 660-015-0005. Based on the history, Statutes and OARs, it appears that the Willamette River Greenway was largely established to preserve areas along the river for public use but does also recognize that private uses, such as residences and docks, exist on the river and should be allowed to continue and be afforded a “limited” intensification and/or changes of use. Staff can find nothing in Goal 15 that requires the county to prohibit all new development in certain areas or to maintain an area like the limited use portions of the WRG in Clackamas County that prohibits new docks.

Both the Limited Use and Multiple Use water-use designations are applied in the WRG Design Plan to varying areas of the Willamette River above Willamette Falls. No policies or criteria are provided in the Comprehensive Plan to justify the application of these designations to specific stretches of the river, except for a very general policy related to protecting the natural character of the river. The only practical distinction between the Limited Use and Multiple Use designations is that new, private, non-commercial docks

are prohibited in the Limited Use areas and allowed, subject to certain standards, in the Multiple Use areas.

Based on an analysis of lots, existing dwellings, and existing docks within the county's two Limited Use areas, staff have found the following (see **Attachment B, Exhibit 2**):

- 41 lots within Limited Use area have river frontage and contain a dwelling
- 38 of those 41 lots currently have a private, non-commercial dock
- No vacant lots with river frontage in the Limited Use area are zoned for residential development; vacant lots that are not parks are farm- or forest-designated land, which does not allow a dwelling outright
- A significant portion of the river frontage within the Limited Use area are parks

As noted, Staff can find nothing in Goal 15 that requires the county to maintain an area that prohibits new docks. And, as discussed later in this report, staff finds the existing prohibition on docks in the Limited Use area is not supported by any explicit criteria in the Comprehensive Plan.

As such, ZDO-293 proposes to repeal the prohibition on private, noncommercial docks in the Limited Use area. This removal is expected to have a negligible impact on the river, as it would allow potentially for only three more private non-commercial docks within the Limited Use areas.

Similarly, staff finds nothing in Goal 15 that requires a certain height limit for structures within the WRG. And, in fact, there is no height limit for non-residential structures in Clackamas County that are within the WRG; the county's 35-foot height limit only applies to residential development.

Within the urban area, the vast majority of residential lots within the WRG boundary have a low-density residential designation, which has a height limit of 35 feet for development even outside the WRG. There are, however, a limited number of lots within the WRG that have a High Density Residential (HDR) zoning designation (see map in see **Attachment B, Exhibit 2**). The HDR zoning district is intended for multifamily development; currently has a maximum allowed density of 25 dwelling units per acre; and has no specified height limit outside the WRG.

A property owner requested the county consider removing this height limit for a property in the HDR zone so that the multi-family housing could be built at a density allowed in the zone and a height allowed in the zone, but that exceeds the 35-foot limit. After consideration of the potential impacts of this change and the goals and policies of Goal 15, staff finds that this change would be consistent with Goal 15, largely because there the impact would be negligible because there are only a few lots that would be wholly or partially affected by this change, and nearly all are already developed.

Considering one of the goals of the WRG designation is to minimize visual impacts on the river, staff considered whether the height limit should remain for development in the HDR District that is within a certain distance of the river (for example, within 150 or 200 feet of the river) or if there should be some buffering or screening requirement imposed. However, ZDO-293 does not propose either of those restrictions for a number of reasons.

- Of the lots that would be wholly or partially affected by this change, most are located more than 200 feet from the river.
- There is already development visible from the river, and new developments in other locations within the WRG are not required to be “screened”. Given the minimal amount of new development that could occur in the HDR zone within the Greenway, it is unlikely that it would create a significant enough visual impact on the river to warrant additional regulations and expense for the developer.
- Adding more requirements on housing development is counter to recent mandates from the state for local jurisdictions to streamline processes and remove barriers to more housing development in order to help alleviate the housing shortage.

This proposal is consistent with Goal 15.

Goals 16-19:

These four Statewide Planning Goals address estuarine resources, coastal shorelands, beaches and dunes, and ocean resources, respectively, and are **not applicable to Clackamas County**.

2. Metro Urban Growth Management Functional Plan (UGMFP) and Regional Transportation Functional Plan (RTFP)

The purpose of the Urban Growth Management Functional Plan (UGMFP) is to implement certain regional goals and objectives adopted by the Metro Council as the Regional Urban Growth Goals and Objectives, including the Metro 2040 Growth Concept and the Regional Framework Plan. The Regional Transportation Functional Plan (RTFP) contains policies and guidelines to help local jurisdictions implement the policies in the Regional Transportation Plan and its modal plans, including those for active transportation, freight movement and high-capacity transit

Urban Growth Management Functional Plan (UGMFP): ZDO-293 does not propose to change the boundaries of the UGB or of an urban or rural reserve, allow any new retail use in any zoning district, change the dimensional standards of any use in an urban area, or change any provision governing open spaces. ZDO-293 also does not propose any explicit change to the County’s residential, commercial, or industrial land supply. As such, only three of the 11 sections of the UGMFP contain provisions relevant to this proposal:

- **Title 1** of the UGMFP is intended to promote efficient land use within the Metro UGB by increasing the capacity to accommodate housing. Much of this title is dedicated to the circumstances under which housing density can be reduced, which is not proposed under ZDO-293. Although it is likely to only have a minimal effect on housing in the urban area, adding expedited processes for housing development, removing the 35-foot height limit for high-density residential development within the Willamette River Greenway, and adding allowances for single-room occupancies in commercial areas, and could marginally increase the housing capacity with the Metro UGB, thereby supporting the goals of this section.
- **Title 4** of the UGMFP is intended to support a strong regional economy and to provide for and protect employment lands by limiting the types and scale for non-industrial uses in certain employment and industrial areas. Although the proposal in ZDO-293 would add new uses in certain industrial areas, the uses are required by

state law and are, under state law, limited on sites that are identified for “heavy industrial” development.

In addition, ZDO-293 would further the goals of this section by supporting businesses in the county by adding an allowance for certain specialized structures in light industrial and business park zoned areas of the county; aligning parking requirements and standards with state law and to ensure consistent standards are applied rather than rely on the current practice of implementing directly from state law; and creating more certainty for approved development by allowing a longer implementation time outright, rather than requiring a new land use application and fee for a time extension.

- **Title 8** establishes a process for ensuring compliance with requirements of the UGMFP. An amendment to the county’s comprehensive plan or land use regulations is deemed to comply with the UGMFP only if the county provided notice to Metro as required by section 3.07.820(a). Notice of this proposal was provided to Metro on April 6, 2026 - 35 days prior to the first evidentiary hearing. To date, Metro has not submitted any comments related to ZDO-285.

Regional Transportation Functional Plan (RTFP): The majority of the RTFP relates to the planning of the transportation system, but the RTFP does contain requirements for parking management within the urban area. As such, only one of the seven sections of the RTFP contains provisions relevant to this proposal:

- **Title 4** of the RTFP contains regulations for minimum and maximum off-street vehicle parking requirements, standards for bicycle parking, standards for parking lots greater than three acres in size, and requirements that local jurisdictions adopt parking policies, management plans and regulations for Centers and Station Communities.

Because recent changes in state law have required that the county remove minimum off-street parking standards in the urban unincorporated area, the minimum parking standards in the RTFP are no longer relevant to the county. However, OAR 660-012-0415 also requires maximum parking standards in certain areas of the county. These standards were compared with the maximum parking standards in the RTFP and the ZDO was amended to comply with the more restrictive of the two where they were inconsistent. The proposed amendments in ZDO-293 include these reconciled maximum parking requirements. In addition, both the state (OAR 660-012-0405) and Metro have requirements for “large” parking lots. The county’s ZDO already complies with the Metro standard and no change is proposed to those requirements; the state standards were added in the proposal and do not conflict with the existing RTFP requirements.

The proposal is consistent with Metro’s Urban Growth Management Functional Plan and Regional Transportation Functional Plan.

3. Clackamas County’s Comprehensive Plan (Plan)

Staff finds that the following four chapters of the County’s Comprehensive Plan contain policies that are applicable to this proposal.

Chapter 2 – Citizen Involvement: Chapter 2 aims to promote public participation in the County’s land use planning. Its policies largely focus on the County’s Community

Planning Organization (CPO) program and methods for informing and involving the public. Chapter 2 includes these specific policies:

2.A.1 – Require provisions for opportunities for citizen participation in preparing and revising local land use plans and ordinances. Insure opportunities for broad representations, not only of property owners and Countywide special interests, but also of those persons within the neighborhood or areas in question.

2.A.6 – Seek citizens' input not only through recognized community organizations, but also through service organizations, interest groups, granges, and other ways.

2.A.13 – Insure that the County responds to citizen recommendations through appropriate mechanisms and procedures.

Consideration of ZDO-293 has proceeded according to the noticing and public hearing requirements of ZDO Section 1307, which implements Chapter 2 of the Plan. In addition, two of the proposed amendments are in direct response to requests from the public. Allowing members of the public to propose amendments for county consideration is another way of providing opportunity for the county to respond to public needs and promote public participation in land use issues.

This proposal is consistent with Chapter 2.

Chapter 3: Natural Resources and Energy: The purpose of this Chapter is to provide for the planning, protection and appropriate use of the County's natural resources and energy.

This Chapter contains eight (8) Sections addressing; 1) Water Resources; 2) Agriculture; 3) Forests; 4) Mineral and Aggregate Resources; 5) Wildlife Habitats and Distinctive Resource Areas; 6) Natural Hazards; 7) Energy Sources and Conservation and; 8) Noise and Air Quality.

This chapter of the Plan provides direction for use management within the Willamette River Greenway (WRG) through the Design Plan depicted on Map 3-1e. ZDO-293 does not propose to change the WRG Design Plan or the boundaries of the Greenway. The proposal does however change two of the standards that implement this Design Plan, which necessitated amendments to Chapter 3.

ZDO-293 proposes amendments to Chapter 3 that would:

- Remove Policy 3.C.6.5, which prohibits private non-commercial docks in Limited Use area of WRG; and
- Amend Policy 3.B.1.2.d to allow for residential development within a High-Density Residential designation and also within the WRG to exceed 35 feet in height.

These actions were reviewed against the relevant policies for the WRG, to ensure compliance is maintained with this proposal, as follows.

Willamette River Design Plan and Policies

3.C.6.1 Implement the design plan for the Willamette River according to Map 3-1e, which illustrates uses. Management activities and land classifications shown on the map are consistent with land use policies and designations in the Land Use Chapter. Official maps showing precise boundaries and sites (scale 1"=2000') are on file at the Clackamas County Department of Transportation and Development.

Two classifications of water use are established in the WRG Design Plan: Limited Use and Multiple Use. The general uses identified for the Limited Use designation are described as:

"Uses compatible with limited use recreation. Other uses are existing residential, commercial and industrial water dependent and water related uses..."

The general uses identified for the Multiple Use designation are described as:

"Encourages multiple use recreation activities, Continues existing uses with no restriction on waterborne commerce..."

Both water use designations are applied in the WRG Design Plan to varying areas of the Willamette River above Willamette Falls. No policies or criteria are provided in the Comprehensive Plan to justify the application of these designations to specific stretches of the river, except for the very general policy related to protecting the natural character of the river.

In the non-urban portion of the Greenway, the Design Plan identifies adjacent land classifications as "Natural Resource" or "Low Intensity Rural." However, there does not appear to be any direct correlation between the adjacent land use designation and the water use category applied. Both designations are applied to various stretches of the river abutting Low Intensity Rural and/or Natural Resource lands and both designations are applied to stretches of the river that contain larger, undeveloped lots and smaller lots with residences.

In the urban portion of the Greenway, the Design Plan identifies adjacent land classifications as "Low Intensity Urban" or "High Intensity Urban." The only area that appears to be classified "High Intensity Urban" is the one area that is currently zoned for high-density residential use.

ZDO-293 does not propose to change any of the Design Plan water or land designations, but staff finds the following policies apply to the proposal to remove the prohibition on private non-commercial docks in the Limited Use area and allow for structures to potentially exceed 35 feet on the limited number of lots zoned for high-density residential use within the WRG.

3.C.6.2 Support regulation of recreational activities in the rural portion of Willamette Greenway to minimize conflicts between water-based recreational uses, manage the intensity of recreational uses, and buffer bankside uses from water-borne recreational activities including recreational noise levels. The County shall develop a joint land management program with the Oregon State Parks and Recreation Department for all County- and state-owned lands in the rural greenway.

This policy does not explicitly state what is meant by "support regulation of recreational activities" or "minimize conflicts". The Design Plan permits both the Limited Use and

Multiple Use water designation in rural sections of the Greenway. Installing private noncommercial docks on the Willamette River is allowed in the Multiple Use areas of the river and are presumably consistent with this policy. The proposal in ZDO-293 would allow docks within the Limited Use areas, subject to the same size and design regulations as those in the Multiple Use areas.

3.C.6.5 Prohibit private noncommercial docks and moorages in limited-use rural portions of the Greenway to protect the natural river character.

This policy would be removed by ZDO-293. This policy appears to be the only one in the Plan that attempts to direct the application of the Limited Use water designation, albeit is using a broad, discretionary standard. Because "protect the natural river character" is not defined and, to Staff's knowledge has never been formally interpreted, its meaning is presumably to be taken at face value, meaning the Limited Use designation is intended for areas that have remained in a natural, undeveloped state, and docks should not be allowed to blemish these areas.

Based on an analysis of lots, existing dwellings, and existing docks within the county's two Limited Use areas, staff have found the following (see **Attachment B, Exhibit 2**):

- 41 lots within Limited Use area have river frontage and contain a dwelling
- 38 of those 41 lots currently have a private, non-commercial dock
- No vacant lots with river frontage in the Limited Use area are zoned for residential development; vacant lots that are not parks are farm- or forest-designated land, which does not allow a dwelling outright
- A significant portion of the river frontage within the Limited Use area are parks

It is clear from the analysis and aerial photography of the Limited Use areas, that the "natural character" of the river has already been impacted where the dwellings already exist. And, based on the analysis, the potential for additional dwellings to be constructed with river frontage in the Limited Use area is, at best, very limited, due to zoning and the presence of established public and private parks.

For all these reasons, staff finds this policy prohibiting private non-commercial docks is not supported by any explicit criteria in the Comprehensive Plan or Goal 15, nor is it necessary to continue to enforce a prohibition that is effective preventing only a few docks from potentially being constructed.

Other applicable policies

3.A.1 Maintain rivers and streams in their natural state to the maximum practicable extent through sound water and land management practices. Consideration shall be given to natural, scenic, historic, economic, cultural, and recreational qualities of the rivers and adjacent lands.

This policy does not explicitly prohibit development in stream corridors, rather it requires the natural state of rivers and streams to be protected "to the maximum extent practicable." Installing private noncommercial docks on the Willamette River is allowed in most areas within the county's jurisdiction and has been found to be consistent with this policy. Other docks allowed on the river demonstrate that this type of "water-dependent" use may be developed, while maintaining these vegetated buffers. Removing the dock

prohibition that is effective prohibiting only a few docks from potentially being constructed would not change the conclusion.

Removing the 35-foot height limit for the few affected lots in the high-density residential zone within the WRG will similarly have little effect on maintaining the river as required, in large part because the requirement that development be set back from the river by at least 100 feet will remain in effect.

This application is consistent with Chapter 3.

Chapter 4 – Land Use: Chapter 4 generally includes goals and policies for how land in Clackamas County should be designated and zoned, and goals and policies for what land uses should be allowed in those designations and their implementing zoning districts.

ZDO-293 does not propose to change the Comprehensive Plan land use designation or zoning district of any property. The proposal does change allowed uses in some zoning districts but, with two exceptions, these uses are required under state law. The two exceptions are (1) allowing single-room occupancies (SROs) in commercial districts that already allow other forms of multiunit housing and (2) allowing certain specialized storage structures to be located outside in light industrial and business park districts, subject to a height limitation and siting and screening requirements. Neither of these allowances conflict with policies in Chapter 4, nor do they require an amendment to the chapter.

ZDO-293 would allow a new use – emergency shelters - in rural residential areas, some of which are located within the Portland Metropolitan area urban and rural reserves. Although this use is required under state law, the following policies may apply to this proposal:

4.E.2.3 The County shall not amend the Comprehensive Plan or Zoning and Development Ordinance or the Comprehensive Plan Map or zoning designations:

4.E.2.3.1 To allow within Urban Reserve areas, new uses that were not allowed on the date the Urban Reserve areas were designated, except those uses authorized by amendments to the Oregon Revised Statutes or Oregon Administrative Rules enacted after designation of Urban Reserve areas.

4.F.3 - The County shall not amend the Comprehensive Plan or Zoning and Development Ordinance, or the Comprehensive Plan Map or zoning designations:

4.F.3.1 - To allow within the Rural Reserve areas, new uses that were not allowed on the date Rural Reserve areas were designated, except as authorized by amendments to the Oregon Revised Statutes or Oregon Administrative Rules enacted after the designation of Rural Reserve areas.

As noted, the new use that would be allowed within the urban and rural reserves is only allowed because it was “authorized by an amendment to the Oregon Revised Statutes”. This “authorization” occurred through legislation in 2021 (House Bill 2006); the county’s urban and rural reserves were adopted on August 5, 2010.

This proposal is consistent with Chapter 4.

Chapter 11 – The Planning Process:

Chapter 11 of the Comprehensive Plan includes policies requiring inter-governmental and inter-agency coordination, public involvement, and noticing. As explained previously in this report, all required entities have been notified in accordance with law and have been invited to participate in duly-advertised public hearings.

Chapter 11 of the Comprehensive Plan also contains the specific requirement that the Comprehensive Plan and ZDO be consistent with Statewide Planning Goals and with Metro’s Urban Growth Management Functional Plan; Chapter 11 is what requires the ZDO itself to be consistent with the Comprehensive Plan. This report’s *Analysis & Findings* outline how ZDO-293 is consistent with all of these requirements.

This proposal is consistent with Chapter 11.

4. Zoning and Development Ordinance (ZDO):

The proposed text amendments are legislative. Section 1307 of the ZDO establishes procedural requirements for legislative amendments, which have been or are being followed in the proposal and review of ZDO-293. Notice of this proposal was provided at least 35 days before the first scheduled public hearing to DLCD, all cities in the County, and active CPOs and Hamlets, as well as other interested agencies, to allow them an opportunity to review and comment on the proposed amendments. Advertised public hearings are being held before the Planning Commission and the Board of County Commissioners to consider the proposed amendments. The ZDO contains no further specific review criteria that must be applied when considering an amendment to the text of the Comprehensive Plan or ZDO.

RECOMMENDATION

Staff recommends approval of ZDO-293, as proposed in Attachment A. Staff finds the proposed ZDO text amendments are consistent with all applicable criteria.

LIST OF ATTACHMENTS

A. Proposed Comprehensive Plan and ZDO amendments

- (1) **ZDO Section 202**, *Definitions*
- (2) **ZDO Section 315**, *Urban Low Density Residential (R-2.5, R-5, R-7, R-8.5, R-10, R-15, R-20, and R-30), Village Standard Lot Residential (VR-5/7), Village Small Lot Residential (VR-4/5), Village Townhouse (VTH), Planned Medium Density Residential (PMD), Medium Density Residential (MR-1), Medium High Density Residential (MR-2), High Density Residential (HDR), Village Apartment (VA), Special High Density Residential (SHD), and Regional Center High Density Residential (RCHDR) Districts*
- (3) **ZDO Section 316**, *Rural Area Residential 1-Acre (RA-1), Rural Area Residential 2-Acre (RA-2), Recreational Residential (RR), Rural Residential Farm Forest 5-Acre (RRFF-5), Farm Forest 10-Acre (FF-10), and Future Urban 10-Acre (FU-10) Districts*
- (4) **ZDO Section 401**, *Exclusive Farm Use District (EFU)*
- (5) **ZDO Section 406**, *Timber District (TBR)*
- (6) **ZDO Section 407**, *Ag/Forest (AG/F)*
- (7) **ZDO Section 510**, *Neighborhood Commercial (NC), Community Commercial (C-2), Regional Center Commercial (RCC), Retail Commercial (RTL), Corridor Commercial (CC), General Commercial (C-3), Planned Mixed Use (PMU), Station Community Mixed Use (SCMU), Office Apartment (OA), Office Commercial (OC), and Regional Center Office (RCO) Districts*
- (8) **ZDO Section 511**, *Village Community Service (VCS)*
- (9) **ZDO Section 512**, *Village Office (VO)*
- (10) **ZDO Section 602**, *Business Park, Light Industrial, and General Industrial Districts (BP, LI and GI)*
- (11) **ZDO Section 703**, *Floodplain Management District (FMD)*
- (12) **ZDO Section 704**, *River and Stream Conservation Area (RSCA)*
- (13) **ZDO Section 705**, *Willamette River Greenway (WRG)*
- (14) **ZDO Section 706**, *Habitat Conservation Area District (HCAD)*
- (15) **ZDO Section 709**, *Water Quality Resource Area District (WQRAD)*
- (16) **ZDO Section 710**, *Sensitive Bird Habitat District (SBH)*
- (17) **ZDO Section 712**, *Private Use Airport & Safety Overlay Zone*
- (18) **ZDO Section 713**, *Public Use Airport & Safety Overlay Zones*
- (19) **ZDO Section 804**, *Places of Worship*
- (20) **ZDO Section 806**, *Home Occupations to Host Events*
- (21) **ZDO Section 837**, *Mobile Vending Units*
- (22) **ZDO Section 839**, *Accessory Dwelling Units*
- (23) **ZDO Section 840**, *Farmers' Markets*
- (24) **ZDO Section 841**, *Marijuana Production, Processing, and Retailing*
- (25) **ZDO Section 845**, *Triplexes, Quadplexes, Townhouses, and Cottage Clusters*
- (26) **(New) ZDO Section 848**, *Emergency Shelter Siting*
- (27) **(New) ZDO Section 849**, *Residential Treatment Facilities, Residential Treatment Homes, Mental or Psychiatric Hospitals, and Crisis Stabilization Centers*

- (28) **ZDO Section 903**, *Setback Exceptions*
- (29) **ZDO Section 1005**, *Site and Building Design*
- (30) **ZDO Section 1009**, *Landscaping*
- (31) **ZDO Section 1010**, *Signs*
- (32) **ZDO Section 1015**, *Parking and Loading*
- (33) **ZDO Section 1102**, *Design Review*
- (34) **ZDO Section 1103**, *Open Space Review*
- (35) **ZDO Section 1105**, *Subdivisions, Partitions, Replats, Middle Housing Land Divisions, Condominium Plats, and Vacations of Recorded Plats*
- (36) **ZDO Section 1107**, *Property Line Adjustments*
- (37) **ZDO Section 1203**, *Conditional Uses*
- (38) **ZDO Section 1205**, *Variances*
- (39) **ZDO Section 1206**, *Nonconforming Uses and Vested Rights*
- (40) **ZDO Section 1307**, *Procedures*
- (41) **ZDO Section 1309**, *Modification*
- (42) **ZDO Section 1310**, *Time Extension*
- (43) **Comprehensive Plan Chapter 3**, *Natural Resources and Energy*

B. Exhibit List and Exhibits