

Phoenix Code Audit Detailed Findings
March 27, 2023

Key: Select topics are color coded for easy reference. Items specific to certain land uses and zoning districts are coded to generally align with the City’s Zoning Map scheme, and comments specifically related to compliance with state regulation are shaded blue. General comments affecting multiple issues or unrelated to specific land use districts are not shaded.

Residential	City Center	Commercial
Industrial	Bear Creek Greenway	State compliance

Item	Code Section or Topic	Issue	Notes/Considerations	Update Direction
General				
1	All	Code is formatted in a single, 300-page pdf document available on the City’s website, which can be difficult to navigate. There is a table of contents with links to individual chapters that provides some help.	Consider posting chapters as individual pdfs, or using an online code publishing service that more easily allows users to jump to various chapters and sections.	Current: Once updated, the code will be transferred online.
2	All	Tables and figures are not consistently titled or numbered, making it difficult to reference in text or staff reports. A subset of tables and figures are listed in Appendix I, however, the list is incomplete.	Implement and apply consistent table and figure titling. Consider whether to update Appendix I or eliminate, particularly if the code is transferred online.	Current: Appendix I to be removed with transfer online, and consistent numbering employed.
3	All	Many graphics are provided as examples rather than as regulatory figures meant to illustrate specific standards.	No action is required but consider reviewing the example graphics to determine if they provide useful information and/or if they could be modified to more clearly illustrate specific code standards. This is largely a matter of preference.	Future: Staff to remove unnecessary graphics and change other graphics to regulatory figures.
4	All	Many standards refer to Planning Commission as the review authority to determine deviation from a standard, however, Planning Commission is not the review authority for all levels of review, e.g., Type II Site Design Review that applies to many new developments. It is not clear if the reference to Planning Commission is intended to trigger a Type III review in order to vary the standard; there is frequently no reference to the required review	Consider clarifying the review authority and/or review type required throughout the code where Planning Commission is referenced. One option would be to replace current references with “the review authority” which can then mean the Planning Director or designee or Planning Commission. Where deviation from a standard is meant to trigger a discretionary review, such as a variance, standards should clearly state the appropriate review pathway, e.g., “The	Current: Change all references to “the review authority” except where deviation from a standard is meant to trigger a higher-level review.

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		process. For example, the pedestrian access standards, which apply to all development approved through a range of approvals, state that “The Planning Commission may determine, based upon facts in the record, that a pathway is impracticable due to...”	review authority may determine through a Type II/III Variance subject to Chapter 5.2 that....”	
Chapter 1 – Introduction				
5	Chapter 1.3 – Definitions	There are cross-references in many definitions to related code sections where the term is used, which can create potential errors and omissions.	This kind of cross-referencing could provide additional benefit, but is an unusual approach and creates additional effort to keep updated. Keeping or removing these references is largely a matter of preference.	Current: Generally remove all references to individual chapters in the definition section unless otherwise useful.
6	Chapter 1.3 – Definitions	The chapter is relatively short compared to many cities’ definitions chapter. As noted throughout this table, this may be partially explained by the choice to include topic-specific definitions within chapters rather than in a central location, such as the sign definitions.	While this is partially a matter of preference, most codes centralize definitions in a single chapter.	Current: Review individual chapters and relocate definitions as useful.
7	Chapter 1.3 – Definitions, pg 13	Existing definition of ‘accessory dwelling’ departs from state definition and adds presumptive description that may not apply to all ADUs, e.g., that they are “usually the size of a studio apartment.”	Consider revising term to ‘accessory dwelling unit’ and defining per ORS 197.312(5)(b)(A), as amended by SB 1051 in 2017, as “an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.” Consider adding distinction from duplexes, such as ‘A lot or parcel developed with a single-family dwelling and an accessory dwelling is excluded from the definition of ‘duplex dwelling.’”	Current
8	Chapter 1.3 – Definitions, pg 14	There is no definition for ‘cannabis cultivation’ or any ‘cannabis’ related terms in this chapter; they are all located in Section 5.4.2. See Item #200.	Consider relocating cannabis definitions to this chapter and/or adding a cross-reference. At a minimum, consider including a definition of ‘cannabis cultivation’ as a use category that is used throughout Chapter 2, and clarifying any relationship to ‘urban agriculture’ definition.	Current

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9	Chapter 1.3 – Definitions, pg 14	‘Cottage’ is defined as a small house that may be used as an accessory dwelling. Although not permitted in Phoenix, ‘cottage clusters’ are a popular form of middle housing in many other codes.	Consider deleting coupled with revision of the ‘accessory dwelling unit’ definition that would remove the reference to ‘cottages’ as a form of accessory dwelling. Deleting would avoid confusion with cottages as used across the state to refer to cottage clusters.	Current
10	Chapter 1.3 – Definitions, pg 15	Density is defined as the number of dwelling units in relationship to “a specified amount of land,” with clarification that land devoted to street right-of-way is not included in the calculation. The code does not define gross/net density or gross/net acres, however, Table 2.2.2 includes a note that allowed residential density “is ‘net’ (calculated after ROW dedication).”	Consider adding definitions under ‘density’ for ‘gross density’ and ‘net density’ that specify the basis for measurement, and then use the terms consistently throughout code. See also Item #44.	Current
11	Chapter 1.3 – Definitions, pg 15	Term ‘Development Site’ has no definition.	Consider adding a definition or deleting the term if not used.	Current: Consider Model Code definition as an “ownership or a portion of the ownership that is proposed for development.”
12	Chapter 1.3 – Definitions, pg 15	‘Duplex’ defined as ‘a building with two attached housing units on one lot or parcel.’	Consider revising definition in relation to dwelling units rather than housing units,’ such as “a building with two attached dwelling units on one lot or parcel.” Consider grouping definitions of all residential units under ‘dwellings’ e.g., ‘dwelling, duplex.’	Current
13	Chapter 1.3 – Definitions, pg 15	‘Dwelling unit’ definition describes both the physical form (sleeping, eating, cooking and sanitation facilities) as well as the intended occupants, defined as “not more than one family or a congregate residence for 10 or fewer persons.” Per HB 2583, occupancy cannot be based on the familial or nonfamilial relationships between occupants, and can only be based on the occupancy capacity determined by the Building Code.	Consider revising as: ‘A building, or portion of a building, that has independent living facilities including provisions for sleeping, cooking and sanitation, and that is designed for residential occupancy by a group of people,’ to remove occupancy limits.	Current

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14	Chapter 1.3 – Definitions, pg 14, 15	Existing definitions of ‘childcare center’ and ‘family child care provider’ are outdated and do not align with current definitions in ORS Chapter 329A and OAR Chapter 414, which replaced previous ORS 657A referenced in definition.	Update to current terms and definitions that match state statutes: ‘Child care center,’ defined as ‘a child care facility, other than a family child care home, that is certified under ORS 329A.280(3).’ ‘Family child care home,’ defined as ‘a child care facility in a dwelling that is caring for not more than 16 children and is certified under ORS 329A.280 (2) or is registered under ORS 329A.330.’	Current
15	Chapter 1.3 – Definitions, pg 16	No existing definition for ‘fourplex,’ which is permitted in residential zones.	Consider developing definition similar to the triplex definition, “four attached dwelling units on one lot or parcel.” Multifamily definition should be adjusted to refer to five or more units, if fourplexes are defined separately.	Current: Revise for clarity, maintaining fourplexes as a type of multifamily use. Future: Consider distinguishing between fourplexes and multifamily uses.
16	Chapter 1.3 – Definitions, pg 16	‘Group living structure’ definitions for ‘residential facility’ and ‘residential home’ are consistent with state standards, but refer only generally to ‘the State definition of Residential Facility.’	Consider adding specific reference to applicable state definitions and standards in ORS 197.660.	Current: Add reference to ORS.
17	Chapter 1.3 – Definitions, pg 16	The definition of ‘human-scale design/development’ catalogues a number of design elements like building massing approaches. The design standards for residential and commercial zones reference ‘human-scale design’ in their purpose statements but then go on to define specific architectural treatments required. It is not clear what regulatory value the definition provides.	Consider deleting term.	Current
18	Chapter 1.3 – Definitions, pg 17	Infill definition is very general and the term is only referenced in the mid-block lanes standards for residential development in Section 4.3.5.D; developments are not required to meet the definition of ‘infill’ to qualify to use the standards of that section.	Consider deleting term.	Current

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19	Chapter 1.3 – Definitions, pg 17	‘Light manufacture’ term described as “production or manufacturing of small-scale goods” and potentially creates confusion in later use tables. In the C-C district, the term is used as a kind of “cottage industrial” use with small-scale production alongside retail sales, whereas the Industrial districts use the term to refer to more traditional light manufacturing on a larger scale without the retail component.	Consider replacing term with two separate terms: a more traditional ‘light manufacturing’ to define uses for industrial districts and ‘cottage industry’ to define the smaller-scale craft production that incorporates a retail component permitted in the commercial districts. See also Items #75, 86, 96 & 105.	Current: Align with changes in use tables, potentially exploring ‘artisan manufacturing’ term.
20	Chapter 1.3 – Definitions, pg 17	‘Livestock’ definition refers to domestic animals, but the use is better defined in Section 2.2.9.K which specifically describes the species allowed. Use is referred to elsewhere in Table 2.2.2 as ‘domestic livestock.’	Consider revising term to ‘domestic livestock’ for consistency and incorporating definition from Section 2.2.9.K.	Current
21	Chapter 1.3 – Definitions, pg 18	‘Manufactured home’ definition includes only a reference to ORS 446, with no local definition.	Consider including definition of ‘manufactured home’ from ORS 446.003(23) directly in code: ‘a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.’	Current
22	Chapter 1.3 – Definitions, pg 18	‘Manufactured home park’ definition include only a reference to ORS 446, and should be ‘manufactured dwelling park’ per ORS 446.003(22).	Consider including full definition that matches ORS 446.003(22): ‘Manufactured dwelling park means any place where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person. “Manufactured dwelling park” does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot.’	Current

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			Use 'manufactured dwelling park' term throughout the code.	
23	Chapter 1.3 – Definitions, pg 18	No existing definition for 'manufactured dwelling.'	Consider adding definition per ORS 446.003(21): 'Manufactured dwelling means a residential trailer, mobile home or manufactured home.' Consider grouping the definitions of these three terms under the 'manufactured dwelling' definition.	Current
24	Chapter 1.3 – Definitions, pg 18	No existing definition for 'mobile home.'	Consider adding definition per ORS 446.003(27): 'Mobile home means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.'	Current: Note that very few of these older structures are likely to exist, particularly post-fire
25	Chapter 1.3 – Definitions, pg 18	'Multi-family housing' defined as housing with more than three dwellings.	Consider a more standardized set of dwelling definitions, such as "four (or five) or more dwelling units located on a single lot or parcel." Number should be increased to five if fourplex definition is added; see Item #15. Consider grouping definitions of all residential units under 'dwellings' e.g., 'dwelling, multifamily.'	Current: Incorporate fourplex into definition or otherwise align. Future: Revisit distinction between fourplex and multifamily.
26	Chapter 1.3 – Definitions, pg 18	'Neighborhood commercial' defined as "small-scale commercial allowed as a conditional use in Residential Districts." The conditional use aspect is a regulation that better belongs in the use standards for each zone rather than the definitions.	Consider adding more detail about the use category itself, such as typical businesses, and removing the conditional use standard which is detailed in Chapter 2.2.	Current
27	Chapter 1.3 – Definitions, pg 18	'Open space' definition provides a single definition for common, private, active and passive versions of open space without distinction. Common and private open space are used in several contexts in the code, but the active and passive open spaces are not referenced.	Consider differentiating terms that are used specifically throughout the code, or revising the definition to explain that 'open space may be common, private or public, and may provide for active or passive uses.'	Current

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28	Chapter 1.3 – Definitions, pg 18	No existing definition of ‘prefabricated structure,’ a new term introduced with HB 4064 under the same umbrella as manufactured homes.	Consider adding definition per ORS 197.286(5), as amended by HB 4064: ‘Prefabricated structure, means a prefabricated structure, as defined in ORS 455.010, that is relocatable, more than eight and one-half feet wide and designed for use as a single-family dwelling.’	Current
29		No existing definition for ‘residential trailer,’ a subtype of manufactured dwelling that is regulated by the state.	Consider adding definition per ORS 446.003(30): ‘Residential trailer means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962.’	Current: Note that very few of these older structures are likely to exist, particularly post-fire
30	Chapter 1.3 – Definitions, pg 20	The definition of ‘short term lodging’ is very similar to the definition of ‘bed and breakfast’ but includes additional stipulation naming various short-term rental booking services like AirBnB. Note that other lodging terms such as inn, hotel and motel are not defined.	Consider overlap between the definitions—and the related use standards—for these two terms. Consider omitting reference to ‘breakfast’ in the Short Term Lodging definition as a start, and referencing length of stay less than 14-30 days. Consider adding additional lodging related definitions as needed to align with use categories in Chapter 2.	Current: Revise definitions and add other lodging definitions as needed. Future: Align with any changes being considered to the City’s short-term lodging policies that currently exclude whole-house rentals.
31	Chapter 1.3 – Definitions, pg 20	‘Single-family attached housing (townhomes)’ defined as two or more single-family dwellings with common walls.	Consider revising definition in relation to dwelling units rather than more general terms like ‘housing’ or ‘single-family,’ such as “a dwelling unit constructed in a row of two or more attached units where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.” Consider grouping definitions of all residential units under ‘dwellings’ e.g., ‘dwelling, townhouse’ or ‘dwelling, single-family attached.’	Current

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32	Chapter 1.3 – Definitions, pg 20	‘Single-family detached house’ defined as a single-family dwelling that does not share a wall with any other building.	Consider revising definition in relation to dwelling units rather than more general terms like ‘house or ‘single-family,’ such as “one dwelling unit on one lot or parcel with no common walls attached to another dwelling unit.” Consider grouping definitions of all residential units under ‘dwellings’ e.g., ‘dwelling, single-family detached.’	Current
33	Section 1.3 – Definitions, pg 20	‘Site design review’ and ‘development review’ are the only land use review procedures defined in the definitions chapter. It is not clear what value the definition provides here compared to the specifics in Chapter 4.2.	Consider deleting the terms.	Current
34	Section 1.3 – Definitions, pg 20	‘Standards and criteria’ are defined together but it not clear what value the definition provides.	Consider deleting the term.	Current
35	Section 1.3 – Definitions, pg 20	The definition of ‘storefront character’ catalogues a number of design elements like awnings. The design standards for residential and commercial zones reference ‘storefront character’ in their purpose statements but then go on to define specific architectural treatments required. It is not clear what regulatory value the definition provides.	Consider deleting term.	Current
36	Chapter 1.3 – Definitions, pg 21	‘Triplex’ defined as ‘three attached housing units on one lot or parcel.’	Consider revising definition in relation to dwelling units rather than housing units,’ such as “three attached dwelling units on one lot or parcel.” Consider grouping definitions of all residential units under ‘dwellings’ e.g., ‘dwelling, triplex.’	Current
37	Chapter 1.3 – Definitions, pg 21	The definition of ‘urban agriculture’ does not explicitly include or exclude cannabis cultivation, though cannabis cultivation appears to fall under the ‘urban agriculture’ use category in certain zones. See Items #95, 102 & 110.	Address whether cannabis cultivation is included here, or consider defining cannabis separately. See Item #8.	Current: Consider when revising cannabis terms; no change may be needed. Future: Further revisions as needed.

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38	Chapter 1.3 – Definitions, pg 22	The definition of ‘zero-lot line house’ is tied to a ‘single family detached house.’	Consider replacing ‘house’ with the term ‘dwelling.’ Consider grouping definitions of all residential units under ‘dwellings’ e.g., ‘dwelling, zero-lot line.’	Current: Coordinate any aspects of this definition that relate to common wall requirements with standards in Section 2.2.4.C.1.
Chapter 2 – Land Use Districts				
39	Section 2.2.1.A – Purpose for Residential Districts, pg 28	Intent is detailed for residential zones generally and the development patterns and potential are detailed for each of the R-1, R-2 and R-3. Descriptions include types of dwellings and density range, as well as possibilities that a developer could consider when balancing various types of development. Intent statement makes no reference to the HO zone, referenced in the chapter title.	Consider simplifying and tying back to more general residential goals in the Comprehensive Plan. Discussion speculating what a developer may wish to build and the trade-offs for different dwelling types may not serve a useful informational or regulatory purpose here.	Current. Add statement describing HO purpose.
40	Section 2.2.1.B – Purpose for Residential Districts, pg 28	Discussion about how to interpret Development Standards describes several examples of how one standard may be more limiting than another and preclude maximizing other standards, and praising creativity and flexibility.	Consider eliminating this section; a more general standard that “the most restrictive standard shall apply,” could be added to introduce a development standards table. The statement at the end that “Development typologies that may have been precluded [...] may be considered again, and new options that may not be foreseen by currently prescribed standards will be enabled,” could be misleading: any proposed development, foreseen or unforeseen, is required to meet the standards of the code unless amended.	Current
41	Table 2.2.2 – Development Standards in Residential Zones, pg 30	Table succinctly covers a wide range of dimensional and use standards. Use table formatting is different from use standards in other zones, such as the C-H table.	Consider splitting table into two separate tables: a use table modeled after the one used in the C-H zone, and a table of dimensional and density standards. Adopt consistent use table formatting for all zones.	Current, policy-neutral approach to reorganize but not change standards.
42	Table 2.2.2 – Development Standards in Residential	Minimum and maximum densities for each zone control the scale of development, with no minimum lot sizes.	Reliance on maximum density allows more flexibility to average lot sizes within a development. Coupled with the expansive list of permitted uses, it allows for greater flexibility to build a variety of multi-unit	Future

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	Zones, Residential Density, pg 30		projects such as electing whether to build four single-family units or one fourplex. This approach does not take into account different sizes of typical units and their related impacts, such as smaller multifamily units, or different lot size needs, such as smaller lots for townhouses due to elimination of side yards. The effects may be most pronounced in the R-1 zone with a maximum density of 8 units/acre, and less impactful in the R-2 and R-3 zones with higher—or no—maximum densities. <i>See further discussion in summary memo.</i>	
43	Table 2.2.2 – Development Standards in Residential Zones, Residential Density, pg 30	Minimum density is set at 8 units/acre in the R-2 zone and 12 units/acre in the R-3 zone.	The current minimum densities in these higher density zones are low enough to allow for single-family detached or townhouse development, and may not support development of a greater diversity of residential types in these zones to complement the predominately single-family detached patterns in the R-1 zones.	Future
44	Table 2.2.2 – Development Standards in Residential Zones, Residential Density, pg 30	Note stipulates that density is calculated on a project scale and is “net” (calculated after ROW dedication). Methodology for density calculations should be precise, clear and objective.	Consider a clearer definition of net area and/or net density to inform these calculations. Consider whether any areas besides dedicated ROW should be subtracted from the gross site area.	Current: Any policy-neutral clarifications. Future: Reconsider approach to density calculations.
45	Table 2.2.2 – Development Standards in Residential Zones, Residential Density, pg 30	Note allows for density calculations to be rounded on larger sites. It is not clear whether to round up, down or to the nearest integer.	Consider clarification on how density calculations can be rounded.	Current
46	Table 2.2.2 – Development Standards in Residential	Minimum dwelling area per unit required, ranging from 500-1,000 square feet. Minimum unit sizes can have economically discriminatory effects, and	Consider eliminating the minimum unit size standards.	Future: Consider relationship of home sizes for primary dwelling, manufactured

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	Zones, Residential Density, pg 30	preclude homes with a smaller footprint and environmental impacts.		homes, cottages and ADUs.
47	Table 2.2.2 – Development Standards in Residential Zones, Setbacks, pg 30	Setback standards include those noted in the table, notes in the table, and additional modifications in Section 2.2.4, which can be hard to follow. E.g., the allowance for side setbacks to be based on each building rather than individual units for attached (townhouse) projects is described in text but could more simply be added as a 0-ft side yard setback in the table for attached units.	Consider combining the setback standards, notes and text standards in a single section, and potentially adding more detail to the table rather than relying on text and footnotes.	Current: Add cross-references to other sections as needed to reduce repetition.
48	Table 2.2.2 – Development Standards in Residential Zones, Setbacks, pg 30	Note on garage/carport setbacks states that a garage or carport is required for all new SF-D, all zones. The note does not create a clear or detailed standard for garages, and conflicts with standard in 2.2.9.L requiring garages for SF-D in R-1 zone only.	Add reference to the revised garage standard in Section 2.2.7.D.2 in place of note. See Item #60.	Current: Align standards. Future: Reconsider scope of garage requirements.
49	Table 2.2.2 – Development Standards in Residential Zones, Uses, pg 30	<p>Terms are used inconsistently with the definitions, including:</p> <ul style="list-style-type: none"> • ‘<i>SF-D zero lot line</i>’ does not match with defined term ‘Zero-lot Line House.’ • ‘<i>Condominium</i>’ is not a separate dwelling type defined in the code and should be deleted; condominiums refer to the ownership structure not the physical dwelling type, which can be multifamily, townhouses, or other. • ‘<i>Manufactured Home Park</i>’ should be termed ‘Manufactured Dwelling Park.’ • ‘<i>Multifamily</i>’ should be termed ‘Multi-family Housing’ • ‘<i>Residential Care Homes</i>’ should be termed ‘Residential Home’ • ‘<i>Residential Care Facilities</i>’ should be termed ‘Residential Facility’. Residential care facilities are repeated as a neighborhood commercial use and should be deleted. 	Standardize terms across definitions and use standards.	Current

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		<ul style="list-style-type: none"> • <i>'Family Child Care'</i> should be termed <i>'Family Child Care Home'</i> • <i>'Child Care Center >12 children'</i> under Neighborhood Commercial uses should eliminate the reference to 12+ children based on updated definitions. 		
50	Table 2.2.2 – Development Standards in Residential Zones, Uses, pg 30	<p>Dwelling types and uses are not permitted in all zones where required by state law, including:</p> <ul style="list-style-type: none"> • ADUs must be permitted in all residential zones where single-family detached dwellings are permitted per (reference) and they are not permitted in the R-2 and R-3 zones where single-family detached homes are permitted. • Manufactured homes on individual lots must be permitted in all residential zones where single-family detached dwellings are permitted per (reference) and they are not permitted in the R-3 zones where single-family detached homes are permitted. • Residential facilities must be permitted in all zones where multifamily dwellings are permitted per (reference), and they are not permitted in any zones outright when multifamily in permitted in all three residential zones. 	For compliance with state law, permit ADUs, manufactured homes, and prefabricated dwellings in all zones. Permit residential facilities in all zones as well, or consider limiting multifamily dwellings in some zones such as R-1 which would eliminate the need to permit residential facilities.	Current: Align with state law. Future: Review scope of multifamily in R-1 and consider limitations.
51	Table 2.2.2 – Development Standards in Residential Zones, Uses, pg 30	Note on Family Child Care limits the use to 12 or fewer children and references ORS 657. Definition has been expanded to 16 or fewer, per updated ORS 329A.	Consider updating or removing the note on occupancy limit, and allowing definition of <i>'family child care home'</i> to detail those standards and applicable ORS.	Current
52	Table 2.2.2 – Development Standards in Residential Zones, Uses, pg 30	Use table includes category for <i>'Nonresidential Uses'</i> that range from short term rentals to schools, churches and libraries. Throughout the chapter, many development standards are applicable to <i>'public and institutional'</i> buildings.	Consider revising the subcategories within the use table to create a <i>'Public and Institutional'</i> grouping similar to the <i>'Neighborhood Commercial'</i> grouping, that can then be more clearly implemented by the subsequent standards.	Current

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53	Table 2.2.2 – Development Standards in Residential Zones, Uses, pg 30	Note at bottom allows properties within the Hilsinger Overlay to continue with lot sizes of 10,000-16,000 square feet, which translates to a density of 2.7-4.4 units/acre that is well below the R-1 minimum density of 5.5 units/acre.	Consider relocating within the table, and/or cross-referencing to a more consolidated section with Hilsinger Overlay standards. See Item #56 for more discussion.	Current
54	Section 2.2.3.C – Cluster developments, pg. 31	Cluster development is permitted a density increase of up to 15%, however, there is no detail in this section or elsewhere in code what “cluster development” standards would need to be met to qualify.	Define “cluster developments” and develop applicable standards to qualify for the density increase, or consider removing the reference from the code.	Future
55	Section 2.2.3.D – Solar orientation, pg. 31	“Encouragement” to create lots with optimum solar orientation in this section and the accompanying graphic are informational only and do not create a regulatory requirement.	Consider whether information is useful or should be removed given that it cannot be required.	Current: Remove section.
56	Section 2.2.3.E – Hilsinger Overlay, pg 31	Standards require new lots to be a minimum of 10,000 SF and a maximum of 16,000 SF within the Hilsinger Overlay, as mapped in the included graphic. Standards are incorporated into a medley of standards titled “Lot Orientation” and are the only reference to the Hilsinger Overlay besides the note in Table 2.2.2 in Item #53.	Consider removing the map graphic from the code; the Hilsinger Overlay is mapped on the City’s adopted zoning map along with all the other residential zones. Consider developing a separate section clearly titled ‘Hilsinger Overlay Standards’ with the applicable lot sizes, referenced in Table 2.2.2. Clarify whether the lot sizes apply to existing lots (as noted in the table note), new lots (as noted in this section), or both.	Current: Remove map and consolidate standards.
57	Section 2.2.4.E – Flag Lot Setbacks, pg 33	Standards require compliance with flag lot standards in Section 4.3.5, but create conflicts with that section such as the requirement here that setbacks be 5 feet on all sides while the referenced section requires 10-foot setbacks. Flag lot standards are scattered throughout this chapter, including subsections 2.2.3.B and 2.2.5.D.	Consider consolidating flag lot standards. See Item #173.	Current: Locate all flag lot standards in Chapter 4.3
58	Section 2.2.5 – Maximum Lot Coverage, pg 33	There is no reference to the site landscaping standards, which are in some ways the inverse of maximum lot coverage. Section 3.3.3.C.1 requires a minimum of 20% site landscaping for residential uses	Consider adding cross-reference to landscaping standards.	Current

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		triggering Site Design Review (i.e. all 3+ unit developments).		
59	Section 2.2.7 – Building and Site Orientation, pg 33	<p>Standards apply to multifamily housing and 3+ attached townhouses, and contain discretionary language that could cause difficulties for implementation consistent with the state’s requirements for clear and objective residential standards, per ORS 197.307(4). Potentially discretionary language includes:</p> <ul style="list-style-type: none"> • Buildings “shall be oriented toward a street when the lot is of a sufficient size to allow for this.” (2.2.7.C) • Primary façade to be built parallel to the frontage “to the maximum extent possible.” (2.2.7.C.2) • “Parking shall be located in the rear of the building unless lot configuration makes this impracticable.” (2.2.7.C.4) • “North-south roof orientation is encouraged...” (2.2.7.C.5) 	Consider clearer language for standards to remove discretion.	Current: Any policy-neutral clarifications. Future: More substantial revision.
60	Section 2.2.7.D.2 – Off-street parking standards, pg 34	Requirement for garage or carport with single-family detached home in all zones is detailed along with other garage development standards such as setbacks and orientation, some of which are included in a graphic “Garage Standards” and others included in Section 2.2.7.D.9.	Retain this standard as the sole garage standard, replacing the multiple current references. Incorporate standards from graphic into text for improved clarity. Consider whether the requirement should apply to all zones, as stated here, or only in the R-1 zone, as stated in Section 2.2.9.L. Also, consider relocating out of this section, Building and Site Orientation, that explicitly does not otherwise apply to single-family detached homes.	Current: Clarify whether to apply in all zones or limit to R-1.
61	Section 2.2.7.D.4 – Off-street parking standards, pg 34	Available on-street parking may count towards some of the parking requirements for common-wall and multifamily uses at densities of 10+ units/acre and for ADUs.	Remove reference to ADUs, as no parking can be required based on ORS 197.312(5)(b)(B). Replace ‘common-wall’ reference with ‘townhouse’ and any other housing types intended here. Consider relocating on-street parking standard to Chapter 3.4 with other parking requirements.	Current
62	Section 2.2.7.D.6 – Off-	A minimum of one ‘bicycle rack place’ is required for every 10 dwellings in multifamily and common-wall	Consider deleting standard and replacing with a cross-reference to bicycle parking standards:	Current

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	street parking standards, pg 34	developments. Table 3.4.4 establishes bike parking standards for all uses, including a minimum of 1.1. spaces for multifamily development over 4 units.	“Bicycle parking shall be provided as required in Section 3.4.4.” Within Table 3.4.4, amend the minimum standards if bicycle parking is desired with additional housing types.	
63	Figure 3: 3.2.8.C(2) – Examples of Architectural Details, pg 37	Graphic appears to be of single-family detached homes, which are not subject to the Architectural Standards of this section.	Consider replacing with a graphic showing townhouses or other multi-unit project.	Current
64	Section 2.2.8.4 – Repetition of Residential Façades, pg 38	Standards “encourage” variability in design and reference different appearances for detached single-family dwelling façades, however, those dwellings are not subject to this section.	Consider removing the standard, revising to apply to repetitive townhouse façades that are subject to this section, or relocating with clearer language to another section if limiting repetitive detached single-family façades is desired.	Current: Discuss further how to address both townhouses and single-family detached, likely in separate sections.
65	Section 2.2.9.A – Accessory dwelling, pg 38	Standards include provisions that may be indirect or out of compliance with state requirements in ORS 197.312(5), including: <ul style="list-style-type: none"> • References to ‘cottages’ as a form of ADUs may create confuse with cottage type developments permitted in other cities (though not in Phoenix). • Exemption to housing density could be more clearly enumerated as a standard, “ADUs are exempt from the maximum density standards in the zone where they are located.” • ‘Oregon Structural Specialty Code’ appears as a sentence fragment, and would exclude a manufactured home or prefabricated structure being used as an ADU. (2.2.9.A.1) • Architectural compatibility standards are ‘desired’ but not required, which avoids conflict with the clear and objective requirements but may make the standards ineffective. (2.2.9.A.5) • One on or off-street parking space is required for ADUs, but parking cannot be required for ADUs per ORS 197.312(5)(b)(B). (2.2.9.A.6) 	Consider recommended revisions to ADU standards.	Current

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66	Section 2.2.9.B – Manufactured homes on individual lots, pg 38	The standards reference an earlier version of allowed manufactured home standards in ORS 197.307(8). Allowed standards for manufactured homes placed on individual lots have been significantly limited in the revised ORS 197.314 with adoption of HB 4064, and must essentially be subject only to the same standards as single-family detached homes in the same zone. Standards do not reference prefabricated dwellings, which must be permitted where single-family detached homes are allowed per revised ORS 197.314(1) with adoption of HB 4064.	Retitle to include prefabricated structures and remove all standards with the exception of the thermal envelope standards, which remain a valid local standard in ORS 197.314(4)(b)	Current Note: If minimum unit size for single-family dwellings is retained, it would also apply to manufactured homes and prefabricated structures. See Item #46.
67	Section 2.2.9.E.2 & 4 – Multi-family housing, pg 40	Requirement for common open space does not specify what areas count as ‘common open space,’ an undefined term, other than allowing sensitive lands and historic resources to count towards the total. Developments within ¼ mile of a public park may be exempted.	Consider developing standards about the types of facilities and/or location within the development, minimum sizes and dimensions, etc that apply to common open space to ensure desired spaces are created. See Section 2.3.5 for an example of more detailed standards that apply to the C-C District. Exemption language could also be clearer about whether it is a full exemption for all common and/or private open space, or a portion of the requirements.	Future
68	Section 2.2.9.F – Group living structures, pg 41	Standards refer to group living structures and residential care homes. State terminology is ‘residential homes’ and ‘residential facilities.’	Update terms.	Current
69	Section 2.2.9.G – Public and Institutional Land Uses, pg 41	Standards state that these uses are allowed as conditional uses, then set standards for development site area and building mass but allow deviation as a conditional use. Since all such uses already must be reviewed as a conditional use, it is not clear that the standards are ever applied.	Consider removing the maximum standards or otherwise revising to make clear how the standards apply to a conditional use.	Current: List any conditional use approval criteria in the CUP section.
70	Section 2.2.9.G.3 – Public and Institutional Land Uses, pg 42	Development review is required for group living structures, however, as noted in Item #50, both residential homes and residential facilities must be permitted outright in residential zones as residential rather than as institutional uses.	Delete standard.	Current

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70a	Section 2.2.9.H.4 – Accessory Uses and Structures, pg 42	Accessory structures are limited to 50% of the square footage of the primary dwelling or 800 SF, whichever is less, unless approved through a Type III review.	Staff had noted that this can be overly restrictive and could be reviewed for possible deletion. Table 4.2.2 should also be updated to reflect any change.	Current
71	Section 2.2.9.J – Short Term Lodging, pg 43	Standards in subsections 1, 4, 8 and 10 collectively require that an owner live on the property and that only portions of a single-family detached dwelling and/or an ADU may be rented as short-term lodging.	Consider consolidating in an applicability section that more clearly defines where short-term lodging is and is not permitted.	Current: Consolidate and reorganize. Future: Revisit requirements.
72	Section 2.2.9.K – Animals, pg 44	Section is specific to domestic <i>livestock</i> , e.g. bees, chickens and goats, and does not refer to other <i>animals</i> domestic or otherwise despite the section title.	Consider renaming 'Domestic livestock' for consistency, along with an updated definition per Item #20.	Current
73	Section 2.2.9.L – Garages, pg 44	Special use standard requires a garage or carport with single-family detached homes in the R-1 zone, and duplicates and conflicts with garage standard in Section 2.2.7.D.2.	Delete standard and rely on Section 2.2.7.D.2; see Item #60.	Current
74	Section 2.2.9.N – Cannabis Cultivation, pg 46	Standards are later repeated in other chapters.	Consider consolidating cannabis standards into a central section, cross-referenced in each of the zoning district chapters. See also Items #85, 95, 102, 110.	Future
75	Table 2.3.2.A – Land Uses and Building in the City Center District, pg 50	<p>Table content and formatting is unclear and inconsistent and with other use tables. Terms are used inconsistently both within this district and across districts.</p> <ul style="list-style-type: none"> • Conditional uses are not clearly identified: the intro text states they are noted in the table as 'CUP,' a few uses note 'subject to CUP requirements, as applicable' without specifying where applicable, and a table footnote specifies that conditional uses are marked with a **, however, none are so marked. • Standards limiting residential uses to mixed-use development, excepting non-conforming uses, could be clearer. Inclusion of 'Mixed-use development' as a separate category of residential 	Adopt consistent use table formatting for all zones modeled after the current C-H zone. Use standard use categories here and across all zones, tied to specific definitions.	Current

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		<p>use implies that it is only one type of residential, and all the other types are also permitted outright.</p> <ul style="list-style-type: none"> • Terms should be 'Residential Homes' and 'Residential Facilities.' • Term should be 'Family Child Care Home,' without reference to the maximum number of children. • 'Bed and Breakfast Inn' is permitted; definitions of B&B and Short-Term Lodging have significant overlap and may best be served by a single term or clearer distinction between them. (See Items #30.) • Both terms 'Cottage Industrial' and 'Light Manufacture' are used here interchangeably and in the special use standards, but only 'Light Manufacture' is defined. Choose one and align across all sections. • Use standards for 'Cannabis Cultivation' are not listed as either permitted, conditional or prohibited. Inclusion of special use standards implies it is permitted in some circumstances but not clear. (See Item #85.) 		
76	Table 2.3.2.A – Land Uses Prohibited in the City Center District, pg 50	Separate table details the prohibited uses in paragraph format.	Delete table and combine these uses in a unified table of permitted, conditional and prohibited uses as noted above.	Current
77	Section 2.3.3 – Building Setbacks, pg 51	Dimensional standards in this and following sections are described in text.	Consider whether dimensional standards could be summarized in table format with appropriate notes to supplement or replace these text-based standards.	Current
78	Section 2.3.4 – Lot Coverage, pg 51	There is no reference to the site landscaping standards, only a general mention that other standards in the code may preclude full lot coverage. Section 3.3.3.C.2 requires a minimum of 10% site landscaping for residential uses triggering Site Design Review.	Consider adding cross-reference to landscaping standards.	Current

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79	Section 2.3.6.A – Block Layout and Building Orientation, pg 53	Block standards set a maximum length and depth of 200 feet. Street connectivity standards in Section 3.2.2.1 set a maximum dimension of 400 feet for the City Center District.	Resolve conflicting maximum block dimensions. See also Item #126.	Current: Delete this section and rely on Chapter 3.2 only, ensure block standards exist for all zones.
80	Section 2.3.6.B – Block Layout and Building Orientation, pg 53	Usable pedestrian space requirements do not include a measurement of how much pedestrian space must be provided near entrances and along internal private drives. The requirement may also overlap with the standards for Pedestrian and Transit Amenities in Section 2.3.9.	Consider quantifying the pedestrian space requirements, and potentially linking to the required common open space which can serve a similar function, or consolidating with the pedestrian amenities requirement.	Future
81	Section 2.3.8 – Architectural Guidelines and Standards, pg 54	This section references both guidelines and standards, but only includes standards (specific requirements) and not guidelines (general principles to be met).	Consider simplifying language and using the term 'standards' here and in following sections.	Current
82	Section 2.3.10 – Special Standards for Certain Uses	The introduction for this section notes that there are special standards for Bed and Breakfast Inns and Vacation Rentals, but there are none contained in this section.	Consider the role of B&Bs and vacation rentals (or Short Term Lodging, as defined in code) for this zone, and whether to continue to permit and if so, which standards should apply. Given that hotels/motels are permitted in this zone, it seems less important to regulate the impacts of commercial lodging but licensing requirements may apply.	Future
83	Section 2.3.10.C – Automobile-Oriented Uses and Facilities, pg 59	These standards apply to auto-oriented uses that are allowed with a conditional use permit, however, all of the auto-oriented uses in subsection 2 are prohibited, which is consistent with the prohibition on these uses in Table 2.3.2.B. The remaining standards in this section detail types of parking and required site orientation, which overlap with the Building Orientation standards for off-street parking in Section 2.3.6.C.3.	Consider removing this section, relying on Table 2.3.2.B to prohibit auto-oriented uses and combined any standards from subsection 1 with off-street parking standards in 2.3.6.C.3.	Current
84	Section 2.3.10.E – Cottage Industrial, pg 60	As noted above, both terms 'Cottage Industrial' and 'Light Manufacture' are used here interchangeably and in the special use standards, but only 'Light Manufacture' is defined.	Choose one term and use consistently across all sections. See Item #19.	Current: Remove 'Cottage Industrial' term.

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85	Section 2.3.10.G – Cannabis Cultivation, pg 60	Special use standards are repeated in several chapters. Because cannabis is not explicitly permitted in this zone, it is unclear why these standards are included.	Consider whether cannabis uses are meant to be permitted in the C-C district. Consider consolidating cannabis standards into a central section, cross-referenced in each of the zoning district chapters. See also Items #74,95, 102 & 110.	Future
86	Table 1: 2.4.2 – Land Uses in C-H, pg 64	<p>This is generally the clearest and best use table in the code, with a few minor areas for improvements:</p> <ul style="list-style-type: none"> • Is there a reason why retail sales are divided into more or less than 30,000 SF, and wholesale uses are divided as more or less than 20,000 SF? Could it be the same size for both categories? • According to the special use standards in 2.4.5.K, the ‘Urban Agriculture’ use includes cannabis cultivation. Consider whether to continue grouping these uses together, or to separate them and call out cannabis more specifically. • The ‘Civic’ subcategory includes uses generally classified as ‘Public and Institutional’ elsewhere in code; consider the same subcategory name. • The distinction, if any, between ‘Distribution Facilities’ listed under Commercial uses and ‘Transportation, Freight and Distribution’ listed under Light Industrial uses is not clear. • If the ‘Manufacturing and Production less than 5,000 sq. ft. with retail outlet’ use is meant to refer to ‘Light Manufacture’ (aka Cottage Industry), revise term to align with Development standards in 2.4.3.H. (See Item #90) • Likewise, align the ‘Manufacturing and Production 5,000 sq. ft. and larger’ use with the Special Use standards for ‘Light Manufacturing’ in 2.4.5.D. • ‘Warehouse’ use should specify whether self-storage facilities fit under that category; there are Special Use Standards for self-storage later in the chapter that implies the use is permitted, but other districts’ use standards are more explicit on the 	Consider minor table updates.	Current

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		<p>topic. There is no definition of 'warehouse' to reference.</p> <ul style="list-style-type: none"> • The size standards are tied to 'Gross Leasable Area' which is not defined in code. • Consider adding a general note to the table that some permitted uses still require a CUP if located within the trip budget overlay zone with a cross-reference. 		
87	Section 2.4.3 – Development Standards, pg 65	Subsections A-D describe dimensional standards in text.	Consider whether dimensional standards could be summarized in table format with appropriate notes to supplement or replace these text-based standards.	Current: Consider revising for consistency with other chapters.
88	Section 2.4.3.C – Lot Coverage, pg 65	The requirement for impervious surfaces to be “minimized to the greatest extent practicable” coupled with best practices for stormwater may be unclear and difficult to administer.	Consider a more measurable standard, coupled with stormwater standards to address impacts. The minimum 20% landscaping requirement will guarantee that coverage does not exceed 80%.	Future
89	Section 2.4.3.F – Drive-up facilities, pg 65	Subsection 4 on play structure locations appears misplaced, see Item #94.	Consider moving to Section 2.4.5.I.	Current
90	Section 2.4.3.H – Light Manufacture, pg 65	The standards use the same term as Cottage Industry standards for the C-C district, but do not include explicit requirements for a retail space as indicated in the Use Table, 'Manufacturing and Production less than 5,000 sq. ft. with retail outlet'.	Revise standards as appropriate based on updated uses in the Use Table, or consolidate with the Light Manufacturing standards in the Special Use standards. (See Item #93.)	Current: Use consistent terms throughout code. Future: Revise standards.
91	Section 2.4.4 – Architectural Guidelines and Standards, pg 66	Section is a mix of site and building standards, with varying level of detail. The Trash Enclosure standards for example are specific and appear effective, but the Detailing standards only vaguely require that “Architectural detailing shall be consistent on all elevations” without detailing which details are subject to review.	Consider sorting into site design (e.g., pedestrian circulation) and building design (e.g., architectural quality and materials). Develop a similar level of detail for all applicable standards.	Future
92	Section 2.4.4.H – Pedestrian Circulation, pg 67	Pedestrian circulation standards for sites with more 50 parking spaces include some similar features but do not reference Pedestrian Access and Circulation standards in Section 3.2.3.	Consider adding a cross-reference to the standards in Section 3.2.3 at a minimum, and removing any portions of this section that repeat the general standards.	Current

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93	Section 2.4.5.D – Light Manufacturing, pg 67	The Light Manufacturing standards here are a repeat of the ‘Light Manufacture’ standards in 2.4.3.H. As noted in Item #90, the term does not align clearly with the land uses in the Use Table.	Remove or consolidate with the Light Manufacture standards, after sorting out which uses are desired. Consider aligning with standards in Section 2.3.10.E.	Current
94	Section 2.4.5.I – Fast Food Restaurants, pg 68	Fast Food Restaurants are not a specific listed use; the closest related use is ‘Restaurants with drive-through.’ The standards address location of play areas and drive-through spacing, which overlap with the standards for Drive-up facilities in Section 2.4.3.F.	Consolidate with standards in 2.4.3.F and use consistent terminology either specific to ‘Restaurants with drive-throughs’ or more general to any use with drive-up facilities.	Current: Use consistent terms.
95	Section 2.4.5.K – Cannabis Cultivation, pg 68	Standards are repeated again here. The standards classify cannabis cultivation as a type of ‘Urban Agriculture’ use, which is not clearly articulated in the Use Table or the definitions.	Consider consolidating cannabis standards into a central section, cross-referenced in each of the zoning district chapters. Clarify whether cannabis is treated as an urban agriculture use or separately. See also Items #74, 85, 102 & 110.	Future
96	Table 2: 2.5.2.A – Land Uses Types in the General Industrial District, pg 72	<p>Table content and formatting is unclear and inconsistent and with other use tables. Terms are used inconsistently both within this district and across districts.</p> <ul style="list-style-type: none"> • The table could more clearly indicate which uses are permitted, conditional or prohibited, rather than relying on CUP and asterisks to indicate conditional uses. • The term ‘Light manufacture’ is tied to Cottage Industry as defined in the C-C District. Consider distinct categories of ‘Cottage Industry’ and a more traditional ‘Light Manufacturing’ to avoid confusion. • ‘Urban Agriculture’ uses are either permitted outright or trigger a conditional use permit based on whether they are smaller or larger than 5,000 SF, whereas the trigger for a conditional use permit for those uses in the C-H district is 2,000 SF. Consider whether a single threshold could be used across both districts. This distinction may or may not be related to treating cannabis cultivation 	Adopt consistent use table formatting for all zones modeled after the current C-H zone. Use standard use categories here and across all zones, tied to specific definitions.	Current

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		<p>as a type of urban agriculture in both zones. Consider whether to regulate separately.</p> <ul style="list-style-type: none"> • ‘Warehousing and distribution’ is split into two separate use categories in the C-H district; consider a consistent way to classify. The explicit prohibition on Mini-Warehouse Storage facilities could use both a consistent term (they are called Self-Storage Facilities in C-H) and perhaps merits a separate use category so as to more clearly regulate them. 		
97	Table 3: 2.5.2.B – Land Uses Prohibited in the General Industrial District, pg 73	Separate table details the prohibited uses in paragraph format.	Delete table and combine these uses in a unified table of permitted, conditional and prohibited uses as noted above.	Current
98	Section 2.5.3 – Development Setbacks, pg 74	This and following sections describe dimensional standards in text.	Consider whether dimensional standards could be summarized in table format with appropriate notes to supplement or replace these text-based standards.	Current: Consider revising for consistency with other chapters.
99	Section 2.5.4 – Lot Coverage, pg 74	There is no reference to the site landscaping standards, only a general mention that other standards in the code may preclude full lot coverage. Section 3.3.3.C.4 requires a minimum of 20% site landscaping.	Consider adding cross-reference to landscaping standards.	Current
100	Section 2.5.6.B – Development Orientation for General Industrial District, pg 74	Standard allows that “the City <i>may require</i> ” a landscape buffer or other type of barrier, without establishing clear requirements. While some discretion may be appropriate for higher impact uses, greater specificity about buffering requirements could add clarity and ensure more uniform implementation.	Consider developing clear buffering standards for these and other uses, referencing Section 3.3.3.E.3.	Current
101	Section 2.5.8.A – Uses with Significant Noise, Light/Glare,	Standards establish a Code Interpretation process to determine whether a proposed use generates “significant” impacts, that then trigger a conditional use permit among other requirements. The CUP requirement is not clearly integrated into the Use	Consider how these standards have been used, and whether they have been helpful to mitigate potential impacts from industrial use while providing clear direction for applicants and staff to implement consistently.	Future

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	Dust, Vibration or Traffic Impacts, pg 74	Table, nor is the process to determine “significant” entirely clear from this section.		
102	Section 2.5.8.D – Cannabis Cultivation, pg 75	Standards are repeated again here. The standards classify cannabis cultivation as a type of ‘Urban Agriculture’ use, which is not clearly articulated in the Use Table or the definitions.	Consider consolidating cannabis standards into a central section, cross-referenced in each of the zoning district chapters. Clarify whether cannabis is treated as an urban agriculture use or separately. See also Items #74, 85, 95 & 110.	Future
103	Section 2.5.9 – Industrial Design Standards, pg 78	This section comes after the special use standards, whereas the other district chapters have the design standards after the use and dimensional standards and before the special uses.	Consider swapping the order of Sections 2.5.8 and 2.5.9 for greater consistency across chapters.	Current
104	Chapter 2.6 – Light Industrial District	Overall, the use, dimensional, special and design standards for this district are very similar to the General Industrial District.	Consider whether there could be a way to combine the two industrial districts into a single chapter, much like multiple residential districts are addressed in Chapter 2.2. Explore whether either of these existing industrial zones can be amended or a new industrial zone is needed to apply to the PH-5 employment lands consistent with Policy 2.2 and 2.3 of the Urbanization Element of the Comprehensive Plan.	Further consideration needed: Need to explore whether to add a new PH-5 Industrial zone or modify the existing zone to incorporate RPS employment requirements.
105	Table 4: 2.6.2.A – Land Uses Types in the Light Industrial District, pg 82	Table content and formatting is unclear and inconsistent and with other use tables. Terms are used inconsistently both within this district and across districts. <ul style="list-style-type: none"> • The table could more clearly indicate which uses are permitted, conditional or prohibited, rather than relying on CUP and asterisks to indicate conditional uses. • The term ‘Light manufacture’ is tied to Cottage Industry as defined in the C-C District. Consider distinct categories of ‘Cottage Industry’ and a more traditional ‘Light Manufacturing’ here to avoid confusion. • ‘Urban Agriculture’ uses are not listed as a permitted use here, but Cannabis Cultivation is 	Adopt consistent use table formatting for all zones modeled after the current C-H zone. Use standard use categories here and across all zones, tied to specific definitions.	Current

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		<p>detailed in the special use standards for the zone. Add cannabis uses to the table if permitted.</p> <ul style="list-style-type: none"> • ‘Warehousing and distribution’ is a single use here but is split into two separate use categories in the C-H district; consider a consistent way to classify. The exclusion of Mini-Warehouse Storage facilities could use both a consistent term (they are called Self-Storage Facilities in C-H) and perhaps merits a separate use category so as to more clearly prohibit them. • It is interesting that retail trade and services are limited to 25% of a building, but other services like restaurants that generate similar levels of impacts and trips are not limited. • The ‘Civic and Semi-Public Uses’ category is titled differently than the ‘Civic’ and ‘Public and Institution’ categories with similar uses in different zones. Consider a consistent category title. • ‘Residential Uses for security purposes only’ could have the same explanatory text about caretaker dwellings as is included in the G-I use table. 		
106	Table 5: 2.6.2.B – Land Uses Prohibited in the Light Industrial District, pg 82	Separate table details the prohibited uses in paragraph format.	Delete table and combine these uses in a unified table of permitted, conditional and prohibited uses as noted above.	Current
107	Section 2.6.3 – Development Setbacks, pg 82	This and following sections describe dimensional standards in text.	Consider whether dimensional standards could be summarized in table format with appropriate notes to supplement or replace these text-based standards.	Current: Consider revising for consistency with other chapters.
108	Section 2.6.4 – Lot Coverage, pg 83	There is no reference to the site landscaping standards, only a general mention that other standards in the code may preclude full lot coverage. Section 3.3.3.C.4 requires a minimum of 20% site landscaping.	Consider adding cross-reference to landscaping standards.	Current

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109	Section 2.6.8.A – Uses with Significant Noise, Light/Glare, Dust, Vibration or Traffic Impacts, pg 84	Standards for uses with “significant” impacts identical to those in the G-I zone are included. See comments in Item #101.		Future
110	Section 2.6.8.D – Cannabis Cultivation, pg 85	Standards are repeated again here. The standards classify cannabis cultivation as a type of ‘Urban Agriculture’ use, which is not clearly articulated the definitions. Further, Urban Agriculture is not listed as a permitted use in this zone.	Consider whether cannabis cultivation, whether as a type of urban agriculture use or separately, is intended to be permitted in this district and adjust the Use Table. Consider consolidating cannabis standards into a central section, cross-referenced in each of the zoning district chapters. See also Items #74, 85, 95 & 102.	Future
111	Section 2.6.9 – Industrial Design Standards, pg 88	This section comes after the special use standards, whereas the other district chapters have the design standards after the use and dimensional standards and before the special uses.	Consider swapping the order of Sections 2.6.8 and 2.6.9 for greater consistency across chapters.	Current
112	Section 2.7.2 – Definitions for Historic Preservation Overlay Zone, pg 90	Definitions specific to historic standards are included at the start of this chapter.	Consider retaining definitions here and add a cross-reference in Chapter 1.3, Definitions.	Current
113	Section 2.7.5 – Exterior Remodeling of a Historic Building, pg 91	Any changes to a historic building require “site plan review” subject to Chapter 4.2, but the standard does not specify whether the review should be a Type I, II or III level review.	Consider revising historic review with one or both of the following: <ul style="list-style-type: none"> • Create both a minor Type I and major Type II or III review depending on the level of changes proposed. • Develop a specific Historic Review process separate from Site Design Review with specific historic review approval criteria. See Medford Code 10.188 for an example, https://medford.municipal.codes/Code/10.188	Further consideration needed

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114	Section 2.7.6 – Demolition and Condemnation of Historic Buildings, pg 92	Standards require City Council authorization to demolish a structure, and Council may approve the request, issue a 120-day delay, or deny the request.	Further consultation with DLCD staff is advised to determine whether the City has the ability to deny a demolition permit, or only to delay issuance. There may also be further updates needed to fully implement 2017 OAR changes around historic resources. See https://www.oregon.gov/lcd/Publications/Planning_for_Historic_Preservation_in_Oregon.pdf	Further consideration needed
115	Chapter 2.8 – Bear Creek Greenway District	This district functions as a base zone, rather than an overlay district. This chapter generally regulates parks and open space development within portions of the greenway under public ownership with the goal of protecting riparian habitat, and requires Planning Commission review of most development. There is not an analogous zone in Talent or Jackson County for portions of the greenway outside of Phoenix city limits.	Consider reorganizing to follow the Industrial districts and to separate from the other overlay zones. <i>Further review of the Bear Creek Greenway goals and zoning tools is expected as part of the concurrent Highway 99/Bear Creek Greenway Corridor Re-Visioning Project, which could recommend more substantive changes to the zone aligned with work in adjacent jurisdictions.</i>	Future
116	Section 2.9.2 – Definitions for Trip Budget Overlay Zone, pg 96	Definitions specific to the trip budget overlay are included at the start of this chapter.	Consider retaining definitions here and add a cross-reference in Chapter 1.3, Definitions.	Current
117	Section 2.9.6 – Additional Uses for Which a Conditional Use Permit is Required, pg 97	Within the list of additional uses requiring a conditional use permit, some terms are not used consistently with the use table in the underlying C-H district: <ul style="list-style-type: none"> • ‘High-turnover sit-down restaurant’ is not defined and does not clearly correlate to the two ‘Restaurant’ use categories in C-H. • ‘Gyms’ looks like a subset of the indoor ‘Entertainment and Gyms’ category in C-H; consider adding more detail if needed to differentiate. • ‘Daycare centers’ should be termed ‘child care centers.’ 	Consider revised or clarifying terms to better align with the use table in Section 2.4.2 for C-H District, and/or revisions to the table itself for consistency.	Current

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118	Table 2.9 – Parcel Budget for Trip Budget Overlay Zone, pg 99	The Parcel Budget details existing and future trips for each parcel within the overlay. While the City is required to maintain the ledger and make it available as a public document, it does not need to be incorporated into code which then requires a code amendment to maintain the ledger.	Consider removing the Parcel Budget from the code and maintaining as a separate public document that is easier to administer on an on-going basis consistent with requirements for this overlay zone.	Current
119	Figure 14: Trip Budget Overlay, pg 100	The figure shows the boundaries of the overlay zone. The overlay zone is also incorporated into the City's zoning map.	Consider removing this figure as the overlay is mapped and implemented through the City's zoning map, unless there is additional value to having it repeated in code.	Current
120	Chapter 2.10 – Oregon 99 Setback Overlay Zone, pg 101	Chapter establishes additional setbacks for future ROW improvements.	No issues identified; may merit further review as part of the Highway 99/Bear Creek Greenway Corridor Re-Visioning Project.	Future
121	Figure 15: OR99 Overlay Zone, pg 102	Boundaries of overlay included in code. Not clear if most recent City zoning map incorporates this overlay.	Consider integrating the overlay into the City's zoning map, if not already done, and removing this figure, unless there is additional value to having it here in code.	Future
122	Chapter 2.11 – Holding Zone (H-Z), pg 103	The Holding Zone can be applied to properties annexed into the City that are zoned EFU or other County zoning with no city equivalent, limiting development to a single dwelling and prohibiting land division until the property is planned and rezoned to a city zoning district.	Consider whether this overlay has been an effective tool to manage incorporation of rural properties, and whether amending this overlay or developing additional tools could better serve the City to coordinate orderly urban-level development particularly with the recent UGB expansion.	Future
Chapter 3 – Design Standards				
123	Section 3.2.2.C – Traffic Study Requirements, pg 107	The City may require a traffic study to determine access, circulation or other transportation requirements; there are no clear triggers for when the study can be required. The section references Transportation Standards in Section 3.5.2.A.5 that does have clear thresholds for requiring a Traffic Impact Analysis.	Consider removing vague language here and linking to the specific thresholds for a Traffic Impact Analysis in Section 3.5.2.A.5, and using a standard term (Traffic Impact Analysis) in both sections.	Current
124	Section 3.2.2.E – Access Options, pg 108	Note about cross references could be more specific, listing the applicable sections of Chapters 2 and 3 where additional access standards are found.		Current

Item	Code Section or Topic	Issue	Notes/Considerations	Update Direction
125	Section 3.2.2.F – Access Spacing, pg 109	Minimum driveway separation from public street intersection is 75 feet for local streets. Residential lots may be narrower than 75 feet and may not allow that spacing. Subsection 2 references option for Planning Commission to vary the driveway setback from the intersection.	Consider a clearer standard for residential local streets to allow driveways that cannot achieve 75-ft setback from the intersection, without triggering Planning Commission review.	Further review needed
126	Section 3.2.2.I – Steet Connectivity, pg 110	The maximum dimension for the City Center District is 400 feet with a maximum perimeter of 1200 feet. Block standards in the C-C District set a maximum length and depth of 200 feet, thus a maximum effective perimeter of 800 feet.	Resolve conflicting maximum block dimensions. See also Item #79.	Need to resolve which section prevails.
127	Section 3.3.2.B – Significant Vegetation for Landscape Conservation, pg 116	Definition of significant vegetation is included in text.	Consider moving definition to Chapter 1.3 with other definitions., and revise existing references to 3.3.2.B to link to definitions.	Current
128	Section 3.3.2.B – Significant Vegetation for Landscape Conservation, pg 116	Standard references “applicable OSU bulletins for Jackson County” prepared by the OSU Extension Service.	Consider a more specific cross-reference and/or ensure that the “applicable” bulletins are available from the City.	Future
129	Section 3.3.2.D – Protection Standards for Landscape Conservation, pg 117	Standard requires that significant trees “shall be retained whenever practicable.” For residential development, this standard needs to be clear and objective, and for non-residential development, any additional specificity could improve clarity.	Consider whether additional specificity could make the application of this standard more effective, and/or consider ways to incentivize protection of significant vegetation by weighting it more heavily towards fulfilling the site landscaping requirements compared to new plantings.	Future
130	Section 3.3.3.E.3 – Buffering and Screening Required, pg 119	While section provides standards for buffering parking areas adjacent to a building and mechanical equipment areas, there are no clear buffering standards between adjacent uses, such as commercial and residential uses. Some individual zones have specific standards (G-I and L-I districts require 30-ft buffer with adjacent residential and	Consider developing a unified table of required buffer setbacks and landscaping requirements within those setbacks for all zones.	Future

Item	Code Section or Topic	Issue	Notes/Considerations	Update Direction
		commercial zones) but other zones have more general standards, such as the commercial zones (see Sections 2.3.3.D and 2.4.3.D)		
131	Section 3.3.4 – Street Trees, pg 120	Standards require that street trees be planted and that trees shall be spaced every 30 feet “in general” but does not include specific requirements for how many trees must be planted to meet the standard.	Consider developing clearer standards about the minimum street planting requirements, potentially measured based on a per linear foot of street frontage to establish the number of trees with flexibility on precise placement.	Future
132	Table 7: 3.4.3.A – Vehicle Parking – Minimum Standards Option, pg 123	The table sets minimum off-street parking requirements by use category. Many align with the uses described in the individual zones, but there are additional opportunities to synch the uses in this table, the Bicycle Parking table and in Use Tables for individual zones.	Further changes may be needed to both categories and number of spaces required to comply with pending CFEC requirements. Consider a more comprehensive review of parking minimums at that time.	Future
133	Table 7: 3.4.3.A – Vehicle Parking – Minimum Standards Option, pg 123	Table does not specify how fractional spaces should be treated, whether to round up or down.	Consider adding clarification on how to round fractional spaces: either round all numbers down, all numbers up, or split at .50 to round up or down.	Current
134	Table 7: 3.4.3.A – Vehicle Parking – Minimum Standards Option, pg 123	A minimum of 1 parking space is required for an ADU. Revised 197.312(5)(b)(B) prohibits any minimum parking requirements for ADUs.	Remove parking requirement for ADUs.	Current
135	Section 3.4.3.C – Maximum Number of Parking Spaces, pg 124	The maximum number of spaces is allowed to exceed the minimums in Table 7 by no more than 5%, which is a narrow range that may not even translate into a whole parking space.	Consider revising upwards: standard may have been intended as 50%, which is in line with Bend and Model Code (or 20% where on-street parking is allowed). Medford varies by use.	Future
136	Table 3.4.4 – Minimum Bicycle Parking Space Requirements, pg 126	The table sets minimum bicycle parking for various use categories. As with the Vehicle Parking table above, many uses could be better aligned with the categories used elsewhere in code for greater clarity.	Consider revising the use categories used herein for consistency. Also consider if there could be a way to combine this table with the minimum vehicle parking standards in	Future

Item	Code Section or Topic	Issue	Notes/Considerations	Update Direction
			Table 7, which would help ensure the same use classifications are used.	
137	Section 3.4.4.C – Off-Street Vehicle Parking Adjustment Option, pg 128	Section details alternative to meeting minimum vehicle parking requirements, but is organized with the bicycle parking requirements. Further, this section overlaps with the variance procedure specified in Section 5.2.2.A.5 to modify off-street parking requirements.	See Item #194 and consider whether to retain this process or the variance process. If kept, relocate to Section 3.4.3.F with the other vehicle parking standards, noting requirement to replace car spaces with bicycle spaces.	Current
138	Section 3.5.1.A – Purpose and Applicability of Street Standards, pg 130	Note about cross references could be more specific, listing the applicable sections of Chapters 2 and 3 where additional access and intersection standards are found.		Current
139	Section 3.5.2.X – Street Cross-Sections, pg 137	Detailed standards for roadway base, materials and lifts is less related to zoning and development reviews, and could be better applied through engineering review or Standard Specifications for construction referenced in 3.5.1.C.	Consider removing and relying on Standard Specifications.	Current
140	Section 3.6.2 – Definitions for Signs, pg 141	Detailed set of definitions related to signs is included within the chapter.	Consider retaining definitions here and add a cross-reference in the ‘sign’ definition in Chapter 1.3, Definitions.	Current
141	Section 3.6.5.A.4.e – Permitted Signs in the Residential Land Use Districts, pg 147	Bed and Breakfast Inn uses are permitted a permanent ground sign, and it is not clear how this would apply to a Short Term Lodging use in the residential zones.	Clarify whether or not short-term lodging, which is defined somewhat interchangeably with a bed and breakfast, is eligible for signs and revise standard accordingly.	Future
141 a	Section 3.6.5.C.5 – Ground and Pole Signs in the Commercial-Highway District, pg 150	Master sign program applicability versus individual sign requirements can be difficult to determine.	Review overlap between individual and master sign programs.	Future

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142	Section 3.7.3 – Flood Damage Prevention Regulations, pg 165	Many of these standards overlap with requirements in PMC 15.08, Flood Damage Prevention.	Staff noted that review of both sets of standards is already underway to better align and eliminate duplicative standards, as well as incorporate any revised requirements from FEMA.	Review underway.
143	Section 3.7.3.C – Definitions for Flood Regulations, pg 166	Detailed set of definitions related to flood standards administration is included within the chapter.	Consider retaining definitions here and add a cross-reference in Chapter 1.3, Definitions.	Current
144	Section 3.7.4 – Hillside Lands, pg 187	Standards regulating development on areas with steep slopes reference areas with slopes 15-25%, 25-35% and over 35%. There is no clear applicability standard or definition establishing which areas are classified as ‘Hillside Lands,’ whether it is all areas over 15% or some subset. There is also not a specified methodology to measure slopes, whether it applies to a single spot or an overall parcel.	Consider developing more precision definition, applicability and/or mapping of ‘Hillside Lands’ to better clarify which areas are subject to these standards, including methodology to measure slopes.	Further review needed
145	Section 3.10 – Other Design Standards	Consider relocating cannabis standards to this chapter, much like the Wireless Communication Facility standards are centralized herein rather than repeated for each individual zone.		Future
146	Section 3.10.1.A – Wireless Communication Facilities, pg 205	The purpose statement requires a conditional use review for all Wireless Communication Facilities, and the Submittal standards also reference a Type II or III Site Design Review requirement. There are also three subsections A; review numbering.	Reconsider which review requirements are most applicable for Wireless Communication Facilities, and whether both a conditional use and Site Design Review are needed. If Site Design remains required, add specificity about whether a Type II or Type III review is required.	Further review needed; may be federal rules on WCFs to consider as well. See https://mrsc.org/explore/topics/legal/regulation/telecommunications/wireless-communications
147	Section 3.10.2 – Motor Vehicle Trip Reduction Designs and	This section details ways for development to reduce motor vehicle trips that would otherwise be created and ways for the City to apply such commitments. It is not clear what reduction in trips is required to meet the standards. Figure 20 maps the MVTRD&P	Consider revising and/or relocating this section after clarification of its intent. If intended to function as a mapped overlay, relocate to Chapter 2 with other overlay zones and add to the City’s zoning map.	Further review needed

Item	Code Section or Topic	Issue	Notes/Considerations	Update Direction
	Programs, pg 207	Overlay Zone, which is not otherwise shown on the City's zoning map.	Develop clearer trip reduction requirements as needed.	
148	Section 3.12.2 – Definitions for Outdoor Lighting, pg 223	Detailed set of definitions related to outdoor lighting is included within the chapter.	Consider moving definitions to Chapter 1.3 with other definitions, or including a reference in Chapter 1.3 to the 'lighting' definitions in this chapter. If lighting code is significantly revised as mentioned below, definitions may also be simplified.	Future
149	Section 3.12.6 & 3.12.7 – Standards for non-residential & residential lighting, pg 227	The combination of prescriptive and performance methods I and II for determining various site lighting allowances is very finely tuned to site characteristics but introduces significantly complexity and site-by-site calculations that may be difficult for applicants and staff to administer. It appears the standards were adapted from the Model Lighting Ordinance prepared by the International Dark-Sky Association, https://www.darksky.org/our-work/lighting/public-policy/mlo/	Consider exploring alternative lighting standards to address light pollution and glare with less detailed standards.	Future
150	Section 3.12.8 – Lighting by special permit, pg 229	The lighting standards are not clearly integrated into the procedural and permitting standards. While this section details a "special permit" for lighting not meeting the base standards, there is no link to the applicable review procedure in Chapter 4. More significantly, there is no detail about how lighting for projects meeting the standards (i.e. not "special") is reviewed. Lighting review can be challenging to integrate into site plan review or other land use reviews at the outset of a project because the applicant may not have selected light fixtures, but delaying lighting review until building permit application can result in reviews being forgotten or omitting details.	Consider developing more specific procedural standards for review of proposed site lighting, integrated with existing land use reviews.	Future
Chapter 4 – Applications and Review Procedures				
151	Table 12: 4.1.2 – Summary of Development	The table generally does a good job summarizing the various land use application types and required level of review. Targeted updates to align with the rest of		Current

Item	Code Section or Topic	Issue	Notes/Considerations	Update Direction
	Decisions/Permit , pg 238	<p>this chapter and the standards elsewhere in code should address:</p> <ul style="list-style-type: none"> • Building Permits, as noted, are not a land use decision and could be removed. • Modifications are listed as Type II/III but could be a I/II/III under current standards. Consider separating into Minor Modifications and Major Modifications with appropriate review types. See Item #186. • Non-Conforming Use/Development is listed as a Type I review, but no review procedure or permits are specified in the applicable Chapter. See Item #195. • If modifications are made to the Development Review and Site Design Review process, modify to match here. • Temporary uses are listed as Type II/III but the applicable standards in Section 4.9 require Type I or III permits. • The requirements for Tree Removal permits are listed in Section 3.7.4.E, not Section 3.3 as stated here. • Planned Unit Developments are not included and should be added. • Final Plats are a Type I review but are not listed here. 		
152	Section 4.1.4 – Type II Procedure, pg 239	There is no requirement for a pre-application conference with a Type II application, as required with a Type III application in Section 4.1.5.A.	Consider making pre-application conferences optional or mandatory with a Type II application to provide an opportunity for more coordinated review of pending project.	No change.
153	Section 4.1.4.A – Application requirements for Type II procedures, pg 240	Submittal requirements include an impact study for all land division applications.	Consider relocating to a single reference point within the land division standards in Chapter 4.3.	Current

Item	Code Section or Topic	Issue	Notes/Considerations	Update Direction
154	Section 4.1.5.B – Application requirements for Type III procedures, pg 243	Submittal requirements include an impact study for all applications.	If land division impact study to Chapter 4.3, as noted above, consider retaining these requirements here.	No change.
155	Table 4.1.8 – Expiration and Extension of Decisions, pg 255	<p>Type I, II and III decisions are generally valid for 2 years. However, various other procedures specify alternative validity periods including:</p> <ul style="list-style-type: none"> • Development Review and Site Design Review permits expire within 1 year, per Section 4.2.3.A.5 and 4.2.8.B. • PUD concept plans are valid for 1 ½ years, per Section 4.5.11.B. <p>While the code defaults to any more specific validity period, clearer alignment could remove possible conflict.</p>	Consider revising the validity period to two years for all permit types and deleting specific timelines in other chapters, and/or expanding the table to address various timelines for other permit types.	Current
156	Chapter 4.2 – Development Review and Site Design Review, pg 257	<p>Review process is termed both Development Review and Site Design Review depending on the level of review, creating potential for confusion of terms. These terms are used inconsistently throughout the code, sometimes referencing “site plan review” or “site review.”</p>	<p>Consider replacing with a single term for this type of development review, possible “site design review” or “site plan review.”</p> <p>Generally, consider reviewing the Site Design Review section of the Oregon Model Development Code for reference in this section; it appears this code was based on the Model Code and the original source could provide some clarification.</p> <p>https://www.oregon.gov/lcd/TGM/Pages/Model-Code.aspx</p>	Current
157	Section 4.2.2 and Table 4.2.2 – Applicability of Development Review, pg 258	<p>Aside from several types of development actions listed as exempt from review, all new development and modifications of existing development are listed as subject to Type I, II or III review. Existing chart could add clarity around:</p> <ul style="list-style-type: none"> • No review type is specified for single-family attached of 4 or fewer units. • If fourplex use is separated from Multifamily category, it should be specified as a Type I review. 	<ul style="list-style-type: none"> • Consider rewriting the exempt development actions as bullets or within the table. • Consider collapsing reviews into two categories: Type I and II, possibly termed Minor Site Plan Review and Major Site Plan Review. Existing Type III reviews could be reclassified as Type II or trigger conditional use review if a quasi-judicial review is desired. 	Current for most. Future: Revising the threshold between Type I and II review.

Item	Code Section or Topic	Issue	Notes/Considerations	Update Direction
		<ul style="list-style-type: none"> • Additions of <50% have no review type specified. • Additions of >50% require Type II, without consideration of type of use (residential, commercial etc) or the total size of the addition. • ‘Minor Modifications’ appears to be a circular reference to using Development Permit review to modify an existing approval under this Chapter, and should likely be removed. • ‘Site approval for CUPs’ requires Type I, but it is not clear why additional review is useful when CUPs are already reviewed through a Type III process. • Accessory structures <50% of the existing structure have no review type specified. • Accessory structures >50% of existing structure area require a Type III review, but it seems likely that these are relatively small structures and may not merit Type III review. • The distinction between mobile food vendors listed here and temporary food vendors requiring a Type I temporary use permit per Section 4.9.1.D is not clear. • Commercial use reviews are split into Type I or II reviews based on number of off-street parking spaces, which may not be the best metric of overall development impact. • ‘Clearing >2 acres’ is an unclear development action not referenced elsewhere in code, and requires the highest Type III review. • ‘Change of access’ requires Type II review, but there is no reference in the Access standards in Chapter 3.2 to this type of action. • No review types are specified for Industrial, civic or public uses—only commercial uses are noted. • Use of bold text in table is not clear. 	<ul style="list-style-type: none"> • Review uses within each category and revise, including adding additional categories to cover all options. • Crucially, revise the threshold between Type I and II review for commercial development. Consider using amount of impervious surface created (possibly referencing thresholds in Section 3.8.1.B), building square footage, and/or trips generated (possibly referencing TIA thresholds in Section 3.5.2.A.5) as thresholds between minor and major reviews. 	

Item	Code Section or Topic	Issue	Notes/Considerations	Update Direction
158	Section 4.2.5.A – Site Design Review Information, pg 259	Consider adding requirement for applicant to submit lighting plans and details of proposed lighting fixtures, to determine compliance with Chapter 3.12. There are also two subsections labeled A.		Current
159	Section 4.2.5.A.9 & 4.2.5.B – Site Design Review Information, pg 261	Uses generating “significant traffic” require a Conditional Use Permit, and may require a Traffic Impact Analysis. Additional note requires a TIA for properties located within the Trip Budget Overlay Zone.	It is unclear what additional benefit is provided by a conditional use review that could not addressed through the TIA specific to the traffic impacts; consider deleting the CUP requirement. Consider adding requirement to the general submittal requirements for all projects to submit TIA if required by Section 3.5.2.A.5.	Future
160	Section 4.2.8.A – Modifications to Approved Plans and Developments, pg 262	Modifications to both approved plans and to existing developments are linked to the modifications requirements in Chapter 4.6, and can require a Type I, II or III review.	Consider separating reviews required for approved plans and to existing developments : <ul style="list-style-type: none"> • Approved but unbuilt plans should be modified through the standards of Chapter 4.6. • Once built, changes to existing developments should be reviewed through the Site Design Process in Chapter 4.2. As stated in Section 4.2.2, the process applies to new development and “modifications of existing developments.” See also discussion in Item #185.	Current, with further review as needed
161	Section 4.2.8.B – Approval Period, pg 262	Development Review and Site Design Review approvals expire within one year, rather than the two-year period established for most permits in Section 4.1.8.	Consider allowing a two-year validity period for approvals and referencing Section 4.1.8 in place of the existing subsection.	Current
162	Section 4.2.8.C – Extension, pg 262	The extension process and criteria are similar but distinct from the standards for extensions generally established in Section 4.1.9.	Consider deleting and relying on extension procedures in Section 4.1.9 to control.	Current
163	Section 4.3.2.D – Lot Size Averaging for Land Divisions, pg 265	Standards allow for averaging of lot sizes within a land division, provided that development is master planned consistent with Chapter 4.6, however, that chapter has no standards for master planning and instead addresses modifications to plans that have already been approved.	Consider permitting lot size averaging outright, or permitting through a Planned Unit Development.	Future

Item	Code Section or Topic	Issue	Notes/Considerations	Update Direction
164	Section 4.3.2.F, G, J – Floodplain-related standards for Land Divisions, pg 265	Requirements for developments in floodplains seem to be mislocated in 'General Standards' section, and may repeat or conflict with floodplain development standards in Section 3.7.3.	Consider replacing with a cross-reference to Section 3.7.3, or creating a new subsection within the Land Division chapter specific to developments within the floodplain to better organize the standards and avoid overlap with floodplain standards elsewhere in the code.	Current
165	Section 4.3.2.H, I, K – Adequate services for Land Divisions, pg 265	General requirements for developments to have “adequate” utilities, drainage and access could create discretionary approval criteria, when more specific, clear and objective standards for all three topics are already developed within the code.	Consider deleting these general provisions, and requiring compliance with applicable utilities, drainage and access standards as approval criteria in Section 4.3.5. Could also be added to submission requirements of Section 4.3.4.B.	Current
166	Section 4.3.3.D – Modifications and Extensions for Land Divisions, pg 266	Standards establish a process for the Planning Director to approve a one-year extension for a preliminary plat, separate from the general extension process in Section 4.1.9.	Consider retaining the specifics in this section and adding clarification that Section 4.1.9 does not apply to preliminary plat extensions.	Current
167	Section 4.3.4.A.1 – Planned Unit Development required, pg 267	A PUD is required for development sites 20 acres or larger. PUDs include discretionary standards, and thus appear to preclude a clear and objective development path for residential sites 20 acres or larger.	Consider making a PUD optional for larger sites to ensure that they have a clear and objective path to development under the subdivision standards.	Future
168	Section 4.3.5.B – Housing Density for Preliminary Plat Approval Criteria, pg 269	Standards require that the subdivision (or partition) meet the “housing standards” in Chapter 2. Staff mentioned that there were occasional partitions with difficulty meeting the minimum density standard, and potentially a reference to existing variance option for minimum density in Section 5.2.A.2 could help.	Consider rewording to more precisely require compliance with “the minimum and maximum density standards for the underlying land use district.” Consider adding cross-reference to Section 5.2.2.A as option to vary from the density standards.	Current
169	Section 4.3.5.C.1 & 2 – Block and Lot Standards for Preliminary Plat	Lots are required to comply with the lot area, setback and dimensional requirements of the zone, however, there are no minimum lot area standards for any of the zones because density is used to address development intensity instead. Requirement to meet setbacks is repeated in subsection 2.	Consider deleting reference to lot area in subsection 1 and deleting subsection 2 to avoid repetition.	Current

Item	Code Section or Topic	Issue	Notes/Considerations	Update Direction
	Approval Criteria, pg 269			
170	Section 4.3.5.C.4 – Block and Lot Standards for Preliminary Plat Approval Criteria, pg 269	Standard requiring landscaping as needed “to maintain privacy for abutting uses” is not clear and objective.	Consider replacing with simple cross-reference to applicable buffer and landscaping standards in Chapter 2.2 and/or Chapter 3.3, which might benefit from additional buffering standards as noted in Item #130.	Current
171	Section 4.3.5.D – Flag Lots and Lots Accessed by Mid-Block Lanes, pg 269	Mid-block lanes are required as an alternative to flag lots to serve extra deep lots, and effectively create alleys. The maximum length is 150 feet, which is no greater than the allowed length of a flag lot driveway.	Consider whether mid-block lanes aka alleys are an effective strategy for Phoenix’s development patterns. If an alternative to flag lots is desired, consider shared access easements, alley-frontage lots and/or private road standards that could exceed 150 feet and more effectively serve multiple lots.	Future
172	Section 4.3.5.D – Flag Lots and Lots Accessed by Mid-Block Lanes, pg 270	Flag lot standards are not clear about applicability: the introductory text on pg 269 states that “Flag lots will not be permitted in new subdivisions,” but the standards in subsection 4.3.5.D.2 address various circumstances where flag lots may be permitted up to 10% of the lots in a given plat. Section 2.2.3.B adds further confusion, stating that flag lots are “discouraged” but not prohibited.	Consider the development patterns in Phoenix and demand for flag lot configurations to clarify whether and when flag lots are allowed.	Future
173	Section 4.3.5.D – Flag Lots and Lots Accessed by Mid-Block Lanes, pg 270	There are multiple conflicts within the dimensional standards applicable to flag lots included here and in Chapter 2.2, including: <ul style="list-style-type: none"> • Minimum frontage for flag lot: 15-22 feet. • Width of pole: 20-22 feet • Number of lots/dwellings sharing a flag lot access: up to 4 lots, 2-4 dwellings. • Setbacks: 5-10 feet 	Consider creating a single section with flag lot development standards to eliminate overlap and possible conflicts. Consider creating two tiers of standards: one set of dimensional standards for flag lots serving 1-2 dwellings and one for a shared access serving up to 4 dwellings, and align with fire code access standards.	Current
174	Section 4.3.7.A – Final Plat Submission Requirements, pg 271	Final plat must be submitted within one year of approval of the preliminary plat, however, the referenced Section 4.3.3.C states that preliminary plat approvals are effective for two years.	Correct to require submittal of final plat within two years of preliminary plat approval.	Current

Item	Code Section or Topic	Issue	Notes/Considerations	Update Direction
175	Section 4.3.8 – Procedure for Public Improvements, pg 272	Standards establish review process for engineering plans. It is not clear if this is a land use review process, or the applicable procedure type.	Consider creating a separate set of engineering review standards and procedures outside of the development code. This procedure does not appear to align with typical land use reviews and sounds like a development agreement.	Further review needed; consider consolidating 3.7 through 4.3.10 were consolidated into a single Final Plat section.
176	Section 4.3.12.E –Extension for Lot Line Adjustments, pg 276	Standards establish a process for the Planning Director to approve a one-year extension to record a lot line adjustment, separate from the general extension process in Section 4.1.9.	Consider retaining the specifics in this section and clarifying that Section 4.1.9 does not apply to lot line adjustments.	Current
177	Section 4.4.2.C – Modification of Approved or Existing Conditional Use, pg 277	Modifications to approved or existing conditional uses are subject to the modifications procedural standards in Chapter 4.6. It is unclear in Chapter 4.6 if the review procedure is best suited for modifications to approved (but not yet developed) plans, or to modifications to existing developments.	As part of broader review of the modifications procedure in Chapter 4.6, consider whether modifications to both approved and existing conditional uses should be subject to the same procedure. Consider developing standards specific to conditional uses for modifications of existing, operational uses that are scaled relative to the additional impact created. See Item #185.	Current
178	Section 4.4.3.I & J – Application Submission Requirements, pg 277	Submission requirements include details on proposed residential care facilities, if applicable. As stated in Item #50, residential homes and facilities must be permitted outright in zones where residential uses are allowed and there may no longer be any conditional use review requirements for these uses.	Depending on the final use standards for residential homes and residential facilities, consider removing these submission requirements or narrowing to apply only to residential facilities.	Current
179	Section 4.4.4.B – Criteria, Standards and Conditional of Approval, pg 278	In addition to conditional use approval criteria, conditional use applications must meet the approval criteria for Site Design. Some of these criteria overlap, notably the adequacy of transportation and utilities to serve the proposal.	Consider further review of the Site Design approval criteria to determine if they add additional meaningful criteria to conditional use review. There may be opportunity to integrate the most applicable criteria in this chapter to avoid repetition, including Sections 4.2.6.B and D.	Current
180	Section 4.4.5.C – Traffic Studies for Conditional	Standard requires a traffic study for any applications deemed “necessary.” Additional note requires a TIA for properties located within the Trip Budget Overlay Zone.	Consider adding requirement to the submission requirements in Section 4.4.3 for all projects to submit TIA if required by Section 3.5.2.A.5, and removing this separate requirement.	Current

Item	Code Section or Topic	Issue	Notes/Considerations	Update Direction
	Use Permits, pg 279			
181	Section 4.4.6 – Modifications to Conditional Use Permits, pg 279	See above; this section repeats the standard in Section 4.4.2.C.		Current
182	Section 4.5.7 – Pad Lot Development, pg 282	Pad lot development is one option under the PUD process, but it not clearly defined. Medford code defines a pad lot development as: “a type of land division that creates lots within and/or adjacent to a common area where the lot-lines of pad lots are located near and/or adjacent to common or exterior building walls, shared or private open spaces, patios, porches, yards, eaves and other building projections.”	Consider whether pad lot developments have been or could be a useful development alternative to traditional subdivisions going forward. If retained, add additional definitions, clarity and possibly a graphic to explain this option, and consider separating it from the PUD process. See Medford Code 10.703 for an example of more detailed standards: https://medford.municipal.codes/Code/10.703 Alternatively, consider deleting as it is not a commonly used tool.	Future
183	Chapter 4.5.8 – Density Transfers for Planned Unit Developments, pg 283	Density transfer standards are the only way to modify the density permitted in the underlying zoning district. Aspects of the standards are misaligned with treatment of density elsewhere in city regulations. <ul style="list-style-type: none"> Section 4.5.8.B method to determine allowed housing units for transfer is based on the “minimum square footage” required in the zone. However, the code does not use minimum lot sizes so this section should be rewritten to reference the maximum density of the underlying zone. Section 4.5.8.E.3 limits the total number of dwelling units to 100% of “the maximum number of units per gross acre permitted under the applicable comprehensive plan designation.” The Phoenix plan does not set maximum densities for plan designations; this standard should be rewritten to better align with maximum densities in the base zone. 	Align density standards with measurements of density elsewhere in the code and Comprehensive Plan. Further, consider whether a clearer density “bonus” through the PUD could be useful or if density transfer is effective; PUDs are often a tool to allow moderate increases in density above the base zoning.	Current Future: Any density bonus.

Item	Code Section or Topic	Issue	Notes/Considerations	Update Direction
184	Section 4.5.11.C – Extension, pg 286	The PUD extension process and criteria are similar but distinct from the standards for extensions generally established in Section 4.1.9.	Consider deleting and relying on extension procedures in Section 4.1.9 to control.	Current
185	Section 4.6.1 – Purpose for Modifications to Approved Plans and Conditions of Approval, pg 287	The modifications process is intended to be “an efficient process for modifying land use decisions and approved development plans.” As applied, it has been unclear whether this process is meant to apply to approved but unbuilt projects, existing developments, or both.	Consider whether additional clarity in this Chapter, or in the individual chapters for site design review and conditional use permits, could better define when this modification procedure is to be used. See Items #160 & 177.	Current
186	Sections 4.6.3.B & 4.6.4.B – Major and Minor Modifications, pg 289	A Major Modification can be reviewed using the same review procedure as the original decision (Type I, II or III), however, all Minor Modifications require a Type II review.	Consider allowing Minor Modifications, which are after all ‘minor,’ through a Type I review so that they are simpler to review than Major Modifications.	Current
187	Sections 4.7.2.B – Criteria for Legislative Amendments, pg 290	The process and approval criteria for legislative amendments is specific to text amendments to the Development Code, and do not mention amendments to the Comprehensive Plan map land use designations or major zoning map amendments that affect multiple properties. The approval criteria are limited and may be difficult to meaningfully review a proposed change.	Consider developing an expanded legislative amendment process that can apply to text amendments, major zoning map amendments, and Comprehensive Plan map amendments. Develop more detailed approval criteria including compliance with statewide planning goals and the City’s Comprehensive Plan policies. See Oregon City’s approval criteria in Section 17.68.020.	Need further review
188	Section 4.7.3.B – Criteria for Quasi-Judicial Amendments, pg 290	Quasi-judicial review can be used for zoning map changes of any size, comprehensive plan map amendments, and combined zoning and comprehensive plan map amendments. While the latter two require City Council decision, they are still classified as quasi-judicial reviews. The approval criteria are somewhat limited and include the criterion that there has been a change, mistake or inconsistency that merits the amendments.	Consider separating any actions involving Comprehensive Plan map amendments and major zoning map changes and reviewing through the legislative process detailed above, to reflect the policy-based considerations appropriate. Consider focusing this section on those truly quasi-judicial zoning map changes that affect one or few parcels, and developing more detailed approval criteria specific to the impacts generated by the proposed change such as transportation, utilities, and compatibility with surrounding properties. See approval criteria in Medford’s code Section 10.204	Need further review

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			for an example, https://medford.municipal.codes/Code/10.204	
189	Section 4.9.1.B – Temporary Sales Office or Model Home, pg 293	Placement of a temporary sales office or model home can be approved through either a Type I procedure or Type III procedure during site review process. All other temporary uses in this section require a Type I procedure.	Consider removing reference to a Type III review option.	Current
190	Chapter 4.10 – Conversion Plan Regulations, pg 296	Standards require a coordinated process with Jackson County for land divisions and development within the City’s urban growth area prior to annexation. Planning Commission is to review the proposal in accordance with the site design review procedure in Chapter 4.2 to prepare a written recommendation to the County.	Consider reviewing this process for consistency with the adopted Intergovernmental Agreement with the County, and modifying as needed, particularly given the recent UGB expansion. The use of site design review rather than land division standards as the basis for review could be reconsidered.	Current
191	Chapter 4.11 – Transportation Facilities, pg 298	This chapter consolidates standards and review procedure for transportation facilities consistent with referenced OARs. While many transportation facilities do not trigger any land use reviews, projects that impact sensitive lands or overlays could trigger land use review such as within floodplains, riparian areas, the Bear Creek Greenway, or historic resources. It is unclear according to City staff if these standards have been applied to any transportation facilities.	While these standards and review procedures may not be used frequently, they do appear to be consistent with the referenced OARs and could provide a useful review mechanism for transportation reviews within areas of special concern. Consider retaining in code.	No change needed
192	Chapter 4	There is no procedure for annexation detailed in the code. Annexations are only referenced as requiring a Type III/IV land use review in Table 12: 4.1.2 subject to the Comprehensive Plan and ORS Chapter 222 generally.	State law does control annexation and can be relied upon as a reference, however, many cities have adopted local provisions for annexation into city code. Procedures, standards for applicable zoning upon annexation, and approval criteria that are consistent with ORS Chapter 222 should be developed for both quasi-judicial and legislative annexations. Annexation standards may also be an opportunity to address specific requirements for the PH5 added to the UGB for consistency with the Greater Bear Creek Valley Regional Plan.	Current

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			<p>Note that referring annexations to the general electorate has been prohibiting by a 2020 Oregon Court of Appeals decision, and not all cities have updated their codes. Medford's annexation procedures in MMC 10.216 appear to be up to date and could be a potential model: https://medford.municipal.codes/Code/10.216</p>	
Chapter 5 – Exceptions to Code Standards				
193	Section 5.2.1.B – Applicability for Variances, pg 305	Standards in this section appear to be a mishmash of approval criteria. There are not specific standards outlining when Type II or III variances can be applied. Some standards are specifically prohibited from adjustment through this process.	Consider revising section to more clearly outline when Type II and III variances can apply, and which standards may not be adjusted. See Section 4.7 of the state Model Code for a clear example with 'adjustment' and 'variance' terms.	Current
194	Section 5.2.2.A – Type II Variances, pg 305	The section details specific categories of variances that qualify for a Type II review, with specific approval standards for each category. Adjustments to minimum or maximum off-street parking requirements are included as a Type II review, although Section 3.4.4.C establishes specific provisions to vary parking by up to 20% through a Type II Site Plan Review.	Resolve overlapping procedures to vary off-street parking by removing either this option or the standards in Section 3.4.4.C. (See Item #137.) Consider whether there are any other types of dimensional standards that could be varied through this Type II process.	Current
195	Chapter 5.3 – Non-Conforming Uses and Developments, pg 308	There are no standards related to permitting or reviews required for non-conforming uses and developments. Codes typically have a process to verifying establish legal nonconforming use/development status, and to modify an existing nonconforming use/development.	Develop applicable review requirements and approval criteria for nonconforming uses/developments. See for example, Medford code section 10.034, Criteria for Nonconformity Expansion or Change.	Future
196	Section 5.3.1.A – Expansion Prohibited for Nonconforming Uses, pg 308	No expansion or modification of existing nonconforming uses and the structures in connection with them is permitted. Other codes allow modest expansions of 20-50% to allow some flexibility for existing uses.	Consider whether to allow modest flexibility to expand existing nonconforming uses.	Future
197	Section 5.3.1.C – Discontinuation or Abandonment	Uses that are discontinued for 6 months lose their nonconforming use status and must meet the current code. Other codes, such as the state Model Code in Section 1.4.020.C, allow a period of 12-18 months	Consider extending the period to 12 months at a minimum.	Future

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	of Nonconforming Uses, pg 308	before a use is determined to be discontinued, which allows any seasonal variation across the year.		
198	Section 5.3.3.B & 5.3.4.F – Exemptions for Commercial Structures lost in the Alameda Fire, pg 309	Standards exempt commercial structures destroyed in the Alameda Fire from nonconforming development review through May 1, 2022 to expedite rebuilding. Approvals expire within one year of city approval.	Consider removing standards after May 1, 2023 when any approved exemptions will expire. Consider whether there are still significant rebuilding efforts needed that are being hampered by nonconforming development standards, and whether further extension or more flexible provisions to modify existing or destroyed nonconforming development could better serve the city.	Current
199	Chapter 5.4 – Cannabis Facility License	Cannabis standards and permitting requirements are located in Chapter 5 with Exceptions to Code Standards.	Consider relocating to Chapter 4 along with other application and review procedures, or to Chapter 3.10 similar to how development standards and permitting requirements for wireless communication facilities are located.	Future
200	Section 5.4.2 – Definitions for Cannabis Facility License	Definitions for cannabis-related terms are located specific to this chapter rather than with other definitions in Chapter 1.3. The term ‘cannabis cultivation’ which is used in many of the district use standards is not defined; ‘cannabis facility’ is defined but none of the district use standards specify directly whether such facilities are permitted.	Consider relocating definitions to Chapter 1.3, or adding a cross-reference within Chapter 1.3. Develop consistent definitions for ‘cannabis cultivation,’ ‘cannabis facility,’ and any other necessary definitions to underpin the use standards for land use districts in Chapter 2.	Future
201	Section 5.4.2 – Definitions for Cannabis Facility License	Section does not include a definition of ‘Medical Marijuana Facility’ referenced later in this chapter.	Develop definition for ‘Medical Marijuana Facility’ or clarify if it is included within the broader ‘cannabis facility’ term, and add any other related terms specific to the state Medical Marijuana Program	Future
202	Section 5.4.5.A – Standards for Review and Facility Operation, pg 312	Cannabis facilities and cannabis production is prohibited in specific residential and commercial zones. Those zones list ‘cannabis cultivation’ as a permitted land use type but do not have specific use standards for cannabis facilities and production.	Update the use tables in individual zones to align with the distinct subtypes of cannabis uses specified in this standard.	Future
203	Section 5.4.5.D – Standards for	Typo refers to ‘adult business or use’ and should refer to ‘cannabis facility.’	Correct typo.	Current

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	Review and Facility Operation, pg 312			
Chapter 6 – Measure 37				
204	Chapters 6.1 and 6.2 – Measure 37 Procedures	Chapter details procedures and effective dates for Measure 37 claims, to implement 2004 ballot measure. Measure 37 was later superseded by Measure 49 to provide more limited relief to property owners related to reduced property values resulting from restrictive zoning, and no new Measure 37 claims can be filed. Measure 49 claims are limited and handled at the state level.	Delete chapter and rely instead on state standards for any Measure 49 claims, which are themselves very rare. https://www.oregon.gov/lcd/measure49/pages/index.aspx	Current