



Forest Grove Code Text Amendments Staff Report and Recommendation

Community Development Department, Planning Division

REPORT DATE:	November 10, 2025
HEARING DATE:	November 17, 2025
REQUEST:	Text amendments to the Forest Grove Development Code. Proposed amendments include modifications to height restrictions and setbacks for Industrial zones, Residential unbundling of parking, along with other miscellaneous provisions and definitions.
FILE NUMBER:	311-25-000025-PLNG
PROPERTY LOCATION:	Not applicable
LEGAL DESCRIPTION:	Not applicable
APPLICANT:	City of Forest Grove
APPLICABLE STANDARDS AND CRITERIA:	City of Forest Grove Development Code: §17.1.700 et. seq. <i>Legislative Land Use Decision</i> §17.2.600 et. seq. <i>Development Code Text Amendment</i>
REVIEWING STAFF:	Matt Johnson, AICP, Senior Planner Bryan Pohl, Community Development Director
RECOMMENDATION:	Staff recommends approval of the proposed amendments listed in attached Exhibits A-E, as well as any revisions found appropriate by the Planning Commission.

I. BACKGROUND

The City of Forest Grove Development Code was adopted in 2009. Occasionally, it is necessary to update the code to reflect changes in state rules, policies, and definitions.

The Community Development Department held a Work Session with the Planning Commission on September 15, 2025 to discuss the proposed code amendments.

Post Acknowledgement Plan Amendment (PAPA) notice of this proposal was provided to the Department of Land Conservation and Development (DLCD) on October 13, 2025. Measure 56 notice was mailed to industrial zoned property owners on October 28, 2025, and notice of this proposal was published in the *News Times* on November 7, 2025. As of the date of this report, no comments have been received in response to these notices.

II. PROPOSED AMENDMENTS

Each exhibit listed below refers to a specific section of the Development Code. Proposed new text located within each exhibit attached are **bolded**, while text proposed to be deleted in the exhibits are ~~struck through~~. Below are summaries of the proposed amendments.

Exhibit A: Industrial Zone Development Standards

- Creates new height restrictions and setbacks where there are currently none.

Exhibit B: Residential Development Code Revisions

- Revised definition of building height, clarification of Townhome setback requirements, revisions to ADU standards, addition of comprehensive plan target densities, and clarification of historic review garage standards.

Exhibit C: Non-Residential Use Regulations

- Allow office uses within a NMU zone, and revised definitions for “Building” and “Structure”.

Exhibit D: Non-Residential Development Standards

- Revise and clarify landscape and buffer and screening standards, Update state-revised statute number for cannabis facilities, and revise sidewalk construction standards.

Exhibit E: Mandatory Adjustments

- Revise Adjustments to incorporate State-required Mandatory Adjustments.

III. APPROVAL CRITERIA AND FINDINGS

Development Code §17.2.630, *Review Criteria*, lists two standards to be satisfied to adopt a text amendment:

A. The text amendment is consistent with relevant goals and policies of the Forest Grove Comprehensive Plan:

Finding: The proposed amendments refine development standards and definitions to maintain consistency with the City’s Comprehensive Plan. The Comprehensive Plan establishes a coordinated framework of policies addressing the quantity, quality, and location of future urban development in and around Forest Grove, ensuring that growth occurs in areas most appropriate for development.

B. The text amendment is consistent with relevant statewide planning goals and plans:

Statewide Planning Goal 1: Citizen Involvement

It is the purpose of this Goal to develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Finding: The Planning Commission's work session on the proposed amendments and the City's development code legislative process ensure the opportunity for public engagement.

Statewide Planning Goal 2: Land Use Planning

It is the purpose of this Goal to establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.

Finding: The development of the proposed amendments has followed the City's established land use planning process and included public meetings and work sessions, public outreach through information on the city's website, and opportunities for public comment. The proposed development code amendments help meet state goals regarding land use planning.

Statewide Planning Goal 5: Natural Resources, Scenic & Historic Areas, & Open Spaces

It is the purpose of this Goal to protect natural resources and conserve scenic and historic areas and open spaces.

Finding: The proposed text amendments do not apply to goals and policies in the City's Comprehensive Plan pertaining to the protection of natural resources and conservation of scenic and historic areas and open spaces.

Statewide Planning Goal 6: Air, Water and Land Resources Quality

This Goal instructs local governments to consider the protection of air, water, and land resources from pollution and pollutants when developing comprehensive plans.

Finding: The proposed text amendments are not applicable to goals and policies in the City's Comprehensive Plan pertaining to the protection of air, water, and land resources from pollution and pollutants.

Statewide Planning Goal 7: Natural Hazards

This Goal requires local comprehensive plans to address Oregon's natural hazards.

Finding: The proposed text amendments are not applicable to the identified natural hazards within the Forest Grove community.

Statewide Planning Goal 8: Recreational Needs

It is the purpose of this Goal to satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities.

Finding: The proposed text amendments are not applicable to recreational needs within the Forest Grove community. The City has adopted Parks and Recreation Master Plan.

Statewide Planning Goal 9: Economic Development

The purpose of Goal 9 planning is to make sure cities and counties have enough land available to realize economic growth and development opportunities.

Finding: The proposed text amendments would continue to allow development and redevelopment of property. Therefore, the proposed amendments meet the intent of Goal 9, Economic Development.

Statewide Planning Goal 10: Housing

The purpose of this Goal is to make sure that a community has adequate housing supply for the twenty-year planning period through a range of densities to choose from and serves people at a variety of income levels.

Finding: The proposed text amendments will allow housing to continue to be supported, and should not further prohibit opportunities for additional housing. Therefore, the proposed amendments meet the intent of Goal 10, Housing.

Statewide Planning Goal 11: Public Facilities and Services

It is the purpose of this Goal to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The proposed amendments are consistent with the City's Comprehensive Plan and, therefore, this goal.

Statewide Planning Goal 12: Transportation

This Goal requires cities, counties, and the state to create a transportation system plan that considers all relevant modes of transportation: mass transit, air, water, rail, highway, bicycle and pedestrian.

Finding: The City has an adopted Transportation System Plan (TSP), and the proposed amendments are not applicable to the to the State's Transportation Goal.

Statewide Planning Goal 13: Energy

This Goal requires local governments to consider the effects of its comprehensive planning decision on energy consumption.

Finding: The proposed amendments are consistent with the City's Comprehensive Plan and, therefore, this goal.

Statewide Planning Goal 14: Urbanization

The purpose of this goal is to ensure land inside a UGB, is considered urbanizable. A city must plan to include a twenty-year supply of land for housing, employment, industry, open space and recreational needs. A UGB should also provide plans for transition from urban to rural land uses to avoid conflicts and encourage efficient use of the land to provide more livable, walkable, and densely built communities.

Finding: The proposed amendments are consistent with the City's Comprehensive Plan and, therefore, this goal.

The following State Land Use Goals are not applicable to this proposal:

- Goal 3: Agricultural,**
- Goal 4: Forest Lands,**

- Goal 15: Willamette River Greenway,**
- Goal 16: Estuarine Resources,**
- Goal 17: Coastal Shorelands,**
- Goal 18: Beaches and Dunes; and**
- Goal 19: Ocean Resources**

Metro Regional Framework Plan

The Functional Framework Plan Six Outcomes are statements adopted by the Metro Council that synthesize the 2040 Growth Concept and regional policies.

1. People live, work, and play in vibrant communities where their everyday needs are easily accessible.
2. Current and future residents benefit from the region’s sustained economic competitiveness and prosperity.
3. People have safe and reliable transportation choices that enhance their quality of life.
4. The region is a leader in minimizing contributions to global warming.
5. Current and future generations enjoy clean air, clean water, and healthy ecosystems.
6. The benefits and burdens of growth and change are distributed equitably.

Finding: The proposed amendments are consistent with the City’s Comprehensive Plan; therefore, the amendment is consistent with the 2040 Growth Concept and regional policies.

IV. ALTERNATIVES

The Planning Commission may recommend that the City Council approve the proposals as submitted, approve them with modifications, or the Commission may continue deliberations to a date certain.

V. RECOMMENDATION

Based on the findings above, staff recommends approval of the proposed amendments listed in attached Exhibits A-E, as well as any revisions found appropriate by the Planning Commission.

VI. LIST OF EXHIBITS

The following exhibits were received, marked, and entered into the record as evidence for this application at the time this staff report was written. Exhibits received after the date of this report will be marked beginning with the next consecutive letter and will be entered into the record at the time the public hearing is opened, prior to oral testimony.

Exhibit A	<u>Industrial Zone Development Standards</u>
Exhibit B	<u>Residential Development Code Revisions</u>
Exhibit C	<u>Non-Residential Use Regulations</u>
Exhibit D	<u>Non-Residential Development Standards</u>
Exhibit E	<u>Mandatory Adjustments</u>

Exhibit “A”

§ 17.3.530 INDUSTRIAL ZONE DEVELOPMENT STANDARDS.

<i>Table 3-13: Industrial Zone Dimensional Requirements</i>			
<i>STANDARD</i>	<i>LI</i>	<i>GI</i>	<i>BIP</i>
<i>Table 3-13: Industrial Zone Dimensional Requirements</i>			
<i>STANDARD</i>	<i>LI</i>	<i>GI</i>	<i>BIP</i>
Minimum Lot Size	10,000 square feet	10,000 square feet	20,000 square feet
Minimum Lot Width	100 feet	100 feet	100 feet
Minimum Lot Depth	None	None	None
Minimum Yard Setbacks [1]	None Front : 10 feet Interior side: 10 feet Rear : 10 feet	None Front : 10 feet Interior side: 10 feet Rear : 10 feet	Front : 20 feet Interior side: 10 feet Rear : 10 feet
Maximum Building Height [2] [3]	None 45 feet	None 45 feet	45 feet
Maximum Building Coverage			50%
Minimum Landscaping			15%
<p>Footnotes:</p> <p>[1] A setback and buffer may be required where a LI or GI boundary abuts a less intensive zone. See screening and buffering standards in Article 8. When an industrial site is separated from a residential zone by either a dedicated public street, or a railroad main line or spur track, no setback shall be required in that yard adjacent to the residential zone. Additionally, all buildings shall maintain a minimum setback of 50 feet from any residential zone.</p> <p>[2] Building height unlimited per the Building Code with the installation of a sprinkler system approved by the Forest Grove Fire Department in all buildings over two stories.</p> <p>[3] The maximum height of 45 feet may be increased with increased setbacks (1 foot additional height per 1 additional foot of building setback)</p>			

Exhibit “B”

§ 17.3.130 RESIDENTIAL DEVELOPMENT STANDARDS.

E. *Building height.* Building height standards are used to establish a compatible building scale. This can help to create a harmonious visual setting and helps to bring about a successful mixing of diverse housing types.

1. Buildings in the SR, R-7, R-5 and RM Zones are limited to a maximum height of ~~two and one-half stories or 35 feet, whichever is less.~~ Accessory buildings are limited to a maximum height of ~~one and one-half stories or 25 feet, whichever is less.~~
2. Buildings in the RH Zone are limited to a maximum height of ~~three stories or 45 feet, whichever is less.~~ A step-down in building heights may be required for multi-family building(s) that abut a lower density residential zone. The need for a step down in building heights to provide privacy, access to sunlight and a transition between zones shall be evaluated in the Design Review Process.
3. A chimney, radio or television antenna , or device designed for the collection and/or generation of energy from the sun and/or wind may exceed the building height limit by a maximum of 15 feet.
4. Church steeples may exceed 35 feet in height through a Type II process. The maximum height is 15 feet above the building height limit in any location allowed by other requirements of the zone district. Church steeples may go to a maximum total height of 75 feet provided that setbacks of one foot for each one foot in height from the property line are maintained.

§ 17.3.130 RESIDENTIAL DEVELOPMENT STANDARDS.

Table 3-5: Minimum Setback Requirements				
Housing Type	Front Yard to Dwelling	Front Yard to Garage/ Parking Area	Interior Side Yard	Rear Yard
Duplex	14 feet	20 feet	5 feet	15 feet
Single-unit Attached/townhouse	12 feet	20 feet	0 feet common wall construction 5 feet exterior wall at end of structure	0 feet adjacent to alley 10 feet no alley
Triplex and quadplex	12 feet	20 feet	5 feet	10 feet
Cottage clusters	12 feet	20 feet	5 feet	10 feet
Courtyard housing	12 feet	20 feet	5 feet	10 feet
Multi-unit structures	12 feet	20 feet	5 feet	10 feet
<p>[1] The side yard setback for attached single-unit dwellings /townhomes shall be a minimum of zero feet at common walls and five feet or one foot for each three feet of building height at the eave line, from the end of the unit series. Unless approved by the Director, the dwellings shall be arranged on lots in a manner that the non-zero setback portion for one lot shall be adjacent to the non-zero setback portion on the adjoining lot in order to provide greater continuous open space.</p>				

ACCESSORY DWELLING UNITS

§ 17.7.010 PROCEDURE.

An ~~Applicat~~ application ~~for~~ for an accessory dwelling unit shall be reviewed by the Director under the Type I procedure.

§ 17.7.015 STANDARDS.

One accessory dwelling unit may be allowed in conjunction with a single-family dwelling by conversion of an existing space, by means of an addition, or as an accessory structure - including a manufactured home - on the same lot with an existing dwelling, subject to the following standards and limitations:

- A. Manufactured home ADUs are not allowed in historic districts;

Exhibit “B”

- B. Any addition shall not increase the gross floor area of the original dwelling by more than ~~40%~~ **20%**;
- C. The ~~gross~~ **ground** floor area of the accessory dwelling unit shall not exceed 720 square feet. However, accessory dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the accessory dwelling would exceed 720 square feet;
- D. ADUs may not be constructed from portable metal structures that require no assembly, such as shipping containers;and
- E. The accessory dwelling unit shall comply with applicable fire and life safety codes.

§ 17.3.110 LIST OF RESIDENTIAL ZONES.

A. Suburban Residential SR. The SR zone is intended for development of housing at a target density of 1.0 dwelling unit per net acre . Detached single-family housing will be the predominant housing type in this zone. Accessory dwelling units are also permitted subject to the density limitations of the zone. A limited range of compatible non-residential uses such as parks and schools are permitted or allowed with conditional use permit approval.

B. Residential R-7. The R-7 zone is intended for development of a variety of housing types including single-unit detached, accessory dwelling units , duplexes , threeplexes, quadplexes , townhomes and cottage clusters, **with a target density of 6.22 dwelling units per net acre.** Detached single-family housing will likely be the predominant housing type in this zone. A limited range of compatible non-residential uses such as parks and schools are also permitted or allowed with conditional use permit approval.

C. Residential R-5. The R-5 zone is intended for development of a variety of housing types including single-unit detached, accessory dwelling units , duplexes , threeplexes, quadplexes , townhomes and cottage clusters, **with a target density of 6.22 dwelling units per net acre.** Detached single-family housing will likely be the predominant housing type in this zone. A limited range of compatible non-residential uses such as parks and schools are also permitted or allowed with conditional use permit approval.

D. Residential Medium RM. The RM zone is intended for development of single-unit detached, single unit attached and small multi-unit dwellings . homes on small lots, **with a target density of 12 dwelling units per net acre.** A limited range of compatible non-residential uses such as parks and schools are also permitted or allowed with conditional use permit approval. The RM zone functions as a transition zone between the lower density residential zones and the higher intensity residential and non-residential zones.

E. Residential High RH. The RH zone is intended for development of multi-unit residential buildings, **with a target density of 20.28 dwelling units per net acre.** This zone also allows small lot single-unit homes. RH zoning is generally applied near transit streets and adjacent to commercial districts. The RH zone also allows a limited range of non-residential uses to help provide services for residents and enhance the quality of the higher density neighborhood.

§ V FOCUS AREA HISTORIC DISTRICT DESIGN GUIDELINES OUTBUILDINGS AND GARAGES TRACK 1 STANDARDS

Related Code Standards

- New garages and accessory buildings shall be historically consistent with the primary building in style, size, materials, and roof.
- Replacement garages: Retain and repair over replacement for both structure and materials.
- Location and Orientation: Where an alley exists, locate the garage for alley access. Garages and outbuildings shall be located in the rear where possible. Garages may be located in the side yard or may be attached if recessed behind the primary building face by a minimum of six feet and if meeting the side yard setback and spacing requirements.

Exhibit “B”

- Garage Doors: Total width is limited to $\frac{2}{3}$ of the primary building face width if facing a street. Height is limited to eight feet. Construction, style and materials shall be consistent with the main building. A maximum of one double garage door or two single doors facing the street is allowed per 50 feet of lot width. No width constraint if facing the alley.
- Carports and Breezeways: Carports are allowed where consistent with the building style and age. Breezeways may be used for connection to garages, carports or out-buildings. Design of these structures must be consistent with the primary building in style, size, construction, materials, detail and color.
- Gazebos and Pergolas are not allowed on the front or in the front yard. See §17.7.020.
- Materials and Types Not Allowed: Flush, open grate-mesh, and mostly glass garage doors.

§ 17.8.1000 COVENANTS, CONDITIONS AND REQUIREMENTS.

Where proposed, Covenants, Conditions and Requirements (CC & Rs) shall:

A. Be reviewed and approved by the Community Development Director prior to approval of a final partition , final plat, final planned development review or, if none of the above, prior to the approval of the first planning permit required for the development. **The City does not enforce CC & R's.**

B. The CC & Rs shall not violate any city ordinance requirements unless modified by city approval of the project and shall include at a minimum:

1. Where applicable, summary of any hazard analysis performed as part of the project approval pursuant to §§17.8.300 et seq. and any recommendations or requirements from that analysis to obtain a building permit ;
2. Provisions to adequately maintain any common area including but not necessarily limited to identification of the party responsible for maintaining the area and sufficient annual funding to conduct necessary maintenance;
3. Any other provisions required by conditions of approval; and
4. A section that states those provisions in the CC & Rs required by the city can't be changed or deleted without approval by the Community Development Director.

Exhibit “C”

§ 17.3.320 USE REGULATIONS.

<i>Table 3-8 Commercial and Mixed-Use Zones Use Table</i>			
USE CATEGORY	NC	CC	NMU
COMMERCIAL			
Commercial Lodging	N	L [5][20]	L [15][20]
Eating and Drinking Establishments	L[6]	P	L[15]
Entertainment – Oriented:			
- Major Event Entertainment	N	C	N
- Outdoor Entertainment	N	C	N
- Indoor Entertainment	N	P	L[15]
General Retail:			
- Sales-Oriented	L[7]	L[7]	L[15]
- Personal Services	P	P	L[15]
- Repair-Oriented	P	P	L[15]
- Bulk Sales	N	P	N
- Outdoor Sales	L[8]	L[8]	L[15]
- Animal-Related	N	P	N
Medical Centers	N	L[12]	N
Motor Vehicle Related:			
- Motor Vehicles Sale/Rental	N	L[9]	N
- Motor Vehicle Servicing/Repair	N	P	L[16]
- Motor Vehicle Fuel Sales	P[10]	P	N
Non-Accessory Parking	N	P	N
Office	L[17]	L[17]	L[16][17]
Self-Service Storage	N	C	N

§ 17.12.210 MEANING OF SPECIFIC WORDS AND TERMS.

B8. **BUILDING.** That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. **A walled and roofed structure including a gas or liquid storage tank that is principally above ground.**

S10. **STRUCTURE.** A walled and roofed building including a gas or liquid storage tank that is principally above ground. **That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner**

Exhibit “D”

§ 17.8.425 BUFFERING AND SCREENING STANDARDS.

Table 8-2: Buffer Matrix Proposed Use						
Development Site -> Abutting Use	Single Units, Detached; Manufactured Units	Attached Single Units and Multifamily , 1-5 Units; Duplexes	Attached Single Units and Multifamily , 5+ Units	Commercial and Institutional Zones (NC, CC, INST) Uses	Town Center Zones (TCG, TCT)	Industrial Zones (LI, GI) Uses
Detached Single Units; Manufactured Units	-	A	C	D	G	E
Attached Single Units and Multi-family , 1-5 Units, Duplexes	A	-	B	D	G	E
Attached Single Units and Multi-family , 5+ Units	A	A	-	D	G	E
Commercial Zones (NC, CC) and Institutional Uses	C	C	C	-	-	D
Town Center Zones (TCG, TCT)	G	G	G	-	-	D
Industrial Zones (LI, GI) Uses	D	D	D	B	-	-

Note: See Table 8-3 for alternative combinations for meeting these screening requirements

Table 8-3 Buffer Combinations for Landscaping and Screening [1]					
	Options	Minimum Width (feet)	Trees (per linear feet of buffer)	Shrubs or Groundcover	Screening
A	--	10	--	Lawn/living groundcover	--
B	--	10	20' min/30' max spacing	Lawn/living groundcover	--
C	1	10	15' min/30' max spacing	Shrubs	4' hedges
	2	8		Shrubs	5' fence
	3	6		Shrubs	6' wall
D	1	20	10' min/20' max spacing	Shrubs	6' hedge
	2	15		Shrubs	6' fence
	3	10		Shrubs	6' wall
E	1	30	10' min/20' max spacing	Shrubs	6' hedge or fence
	2	25		Shrubs	5' earthen berm or wall

[1] Buffers are not required between abutting uses that are not of a different type when the uses are separated by a street .Adjustments from these requirements can be obtained; see Article 2.

[2] 17.8.425(b)3 applies in addition to the buffer combinations within Table 8-3.

Exhibit “D”

§ 17.8.620 SIDEWALKS.

A. Sidewalks required. Sidewalks shall be constructed, replaced or repaired to city design standards as set forth in the standard specifications manual and located as follows:

1. On both sides of arterial and collector streets to be built at the time of street construction, **unless determined by the City Engineer to be installed on a later date certain**;
2. On both sides of all other streets and in pedestrian easements and rights-of-way, except as provided further in this section, to be constructed along all portions of the property designated for pedestrian ways in conjunction with development of the property; and
3. On one side of any industrial street to be constructed at the time of street construction or after determination of curb cut locations.

§ 17.8.1100 GENERAL STANDARDS FOR ALL CANNABIS FACILITIES.

A. The application shall demonstrate compliance with the locational requirements of O.R.S. Chapter ~~475B~~ **475C** and must maintain State certification at all times.

B. Cannabis-related activities are prohibited on publicly-owned lands.

C. Entrances and off-street parking areas shall be well-lit and not visually obscured from public view/right-of-way. Landscaping shall be continuously maintained to provide clear lines of sight from public rights-of-way to all building entrances. Interior building lighting, exterior building lighting and parking area lighting shall be of sufficient foot-candles and color rendition so as to allow the ready identification of any individual at a distance of no less than 40 feet. Exterior lighting shall be provided in accordance with required security measures and shall be continuously maintained.

D. The facility must provide for secure disposal or render impotent cannabis remnants or byproducts, or items with cannabis residue of any kind.

E. All hazardous materials shall be stored and processed in a manner approved by the City Fire Marshal. Hazardous waste shall be disposed of properly through a properly licensed solid waste disposal or recycling facility.

F. A pre-application conference and conditional use approval (§§ 17.1.200 et seq.) is required for any cannabis producer , processor , wholesaler or testing laboratory. A neighborhood meeting may be required as part of the pre-application process pursuant to §§ 17.1.220 et seq.

G. The city shall not issue any other permit for development until final Conditional Use approval has been granted.

H. Any person or property in violation of §§ 17.8.1100 et seq. is subject to abatement and assessment by the city under the abatement procedures set forth in §§ 91.050 through 91.054.

Exhibit “E”

ADJUSTMENT § 17.2.110 PROCEDURE.

A. Excluding mandatory adjustments for housing development projects, Requests for changes of less than 10% of the setback, height or lot coverage standard shall follow the Type I process.

B. Excluding mandatory adjustments for housing development projects, Requests for changes from 10% to 20% of the setback, height or lot coverage standard shall follow the Type II process.

C. Mandatory adjustments for a housing development project shall be approved if:

- 1. An adjustment is requested up to 10% of a rear or side setback;**
- 2. An adjustment is requested up to 25% of a minimum common area, minimum open space, and/or landscaping area requirement;**
- 3. An adjustment is requested to minimum parking requirements;**
- 4. An adjustment is requested for minimum lot sizes, not more than a 10 percent adjustment, and including not more than a 10 percent adjustment to lot widths or depths;**
- 5. An adjustment is requested for maximum lot sizes, not more than a 10 percent adjustment, including not more than a 10 percent adjustment to lot width or depths and only if the adjustment results in:**
 - (A) More dwelling units than would be allowed without the adjustment; and**
 - (B) No reduction in density below the minimum applicable density.**
- 6. An adjustment is requested for building lot coverage requirements for up to a 10 percent adjustment;**
- 7. An adjustment is requested for manufactured dwelling parks, middle housing as defined in ORS 197A.420, multifamily housing and mixed-use residential housing;**
 - (A) Requirements for bicycle parking that establish:**
 - (i) The minimum number of spaces for use by the residents of the project, provided the application includes at least one-half space per residential unit; or**
 - (ii) The location of the spaces, provided that lockable, covered bicycle parking spaces are within or adjacent to the residential development;**
 - (B) For uses other than cottage clusters, as defined in ORS 197A.420 (1)(c)(D), building height maximums that:**
 - (i) Are in addition to existing applicable height bonuses, if any; and**
 - (ii) Are not more than an increase of the greater of:**
 - (I) One story; or**
 - (II) (A 20 percent increase to base zone height with rounding consistent with methodology outlined in city code, if any;**
 - (C) Unit density maximums, not more than an amount necessary to account for other adjustments under this section; and**
 - (D) Prohibitions, for the ground floor of a mixed-use building, against:**
 - (i) Residential uses except for one face of the building that faces the street and is within 20 feet of the street; and**
 - (ii) Nonresidential active uses that support the residential uses of the building, including lobbies, day care, passenger loading, community rooms, exercise facilities, offices, activity spaces or live-work spaces, except for active uses in specifically and clearly defined mixed use areas or commercial corridors designated by local governments.**
- 8. An adjustment is requested for the following design standards:**
 - (A) Façade articulation, materials, color, or pattern**
 - (B) Roof forms and materials**
 - (C) Entry and Garage Door Materials**
 - (D) Garage Door Articulation, unless the building is adjacent to or across from a public park**
 - (E) Window materials, except for bird-safe glazing requirements**
 - (F) Total window area, for up to a 30 percent adjustment, provided the application includes at least 12 percent of the total facade as window area.**
 - (G) For manufactured dwelling parks, middle housing as defined in ORS 197A.420, multifamily housing and mixed-use residential:**
 - (i) Building orientation requirements, not including transit street orientation requirements.**
 - (ii) Building height transition requirements, not more than a 50 percent adjustment from the base zone.**

Exhibit “E”

(iii) Requirements for balconies and porches

(iv) Requirements for recesses and offsets

~~C.D. Requests for changes to standards other than **the provisions of this section** setback, height or lot coverage, or which are for more than 20% of the setback, height or lot coverage standard are processed as variances under § 17.2.700.~~

§ 17.2.120 REVIEW CRITERIA.

A. Type I Adjustment Process.

1. The requested adjustment is for less than 10% of the setback, height or lot coverage standard; and
2. Granting an adjustment shall be consistent with the purpose of the affected zoning.

B. Type II Adjustment Process.

1. The requested adjustment is from 10% to 20% of the setback, height or lot coverage standard;
2. Granting the adjustment will be consistent with the purpose of the affected zoning district or meet or exceed the purpose of the standard to be modified;
3. If in a residential zone, the adjustment will not significantly detract from the livability or appearance of the residential area. If in a commercial or industrial zone, the adjustment will be consistent with the desired character of the area;
4. If more than one adjustment is requested, the cumulative effect of the adjustments shall result in a project which is consistent with the overall purpose of the zone; and
5. Any impacts resulting from the adjustment are mitigated to the extent practical.

§ 17.12.210 MEANING OF SPECIFIC WORDS AND TERMS

H3. HOUSING DEVELOPMENT PROJECT. In relation to SB1537 Section 38 Mandatory Adjustments, a housing development project is a proposed residential project with a minimum net density of 6 units per acre.