



City of Independence

Planning Commission
Monday, September 14, 2026 @ 7:00 PM
Civic Center - Council Chambers

(see agenda footer for meeting attendance information)

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - 3.1. Regular Meeting 08/03/2026
4. **Visitors/Public Comment**
5. **Reports/Presentations**
6. **Unfinished Business**
7. **New Business**
 - 7.1. Discussion: Administrative Code Update
 - 7.2. Discussion: Building Height Limits in Residential Zones
8. **Other Discussion/Information Items**
9. **Adjournment**

Meeting Attendance Information:

The Planning Commission will hold this meeting in-person in City Hall Council Chambers, via video conference (Zoom) or by phone. Meetings are also live-streamed on the City's YouTube channel at: <https://www.youtube.com/c/CityofIndependenceOR>.

- To attend in person, the City Hall address is 555 S. Main St.
- For Zoom login
visit: <https://us06web.zoom.us/j/85643701936?pwd=nkVsdqgmxdfraRuYBeY1r5Hite7gtp.1>
- To participate in the meeting **by phone, dial US: +1-253-215-8782** and enter **Webinar ID: 856 4370 1936** and **Passcode: 351254**

Written comments are also welcome and may be delivered to City Hall or emailed to PlanningComments@ci.independence.or.us no later than 4:00 pm the day of the meeting.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 72 hours in advance of the meeting to Myra Russell, City Recorder, 503-838-1212/TTY: 800-735-2900.



City of Independence Minutes

Planning Commission Meeting
Monday, August 3, 2026

1. **Call to Order.** Chair Chappell called the meeting to order at 7:02 pm.
2. **Roll Call.**

Present: Commissioner Patrick Fugeman
Commissioner Jose Oliveros
Commissioner Rebecca Jay
Commissioner/Chair Corby Chappell
Commissioner Sally Coen
Commissioner Alex Paraskevas
Commissioner John Southgate

Absent:

City Staff Present: Fred Evander, City Planner
Myra Russell, City Recorder
3. **Minutes. Action:**
Commissioner Fugeman moved to approve both sets of minutes as submitted;
Commissioner Paraskevas seconded. Discussion: None
Roll call vote. Motion 7-0-0
Ayes: Patrick Fugeman, Jose Oliveros, Rebecca Jay, Corby Chappell,
Sally Coen, Alex Paraskevas, John Southgate
Nays: None
Abstentions: None
 - 3.1. **Regular Meeting 06/15/2026.**
 - 3.2. **Walking Tour 07/06/2026.**
4. **Visitors/Public Comment.** None.
5. **Reports/Presentations.** None.
6. **Unfinished Business.** None.
7. **New Business.**
 - 7.1. **Public Hearing: Park and Open Space Dedication Requirements.**
Chair Chappell read the hearing script regarding how the meeting would be conducted. State Law Required Statements read.

- Declaration of Conflicts of Interest, Ex-Parte Contact, Bias: None.
- Public Hearing opened at 7:04 pm by Chair Chappell.
- Staff Report as submitted in the agenda packet was reviewed by Planner Evander. This hearing is to discuss potential revisions to park and open space dedication requirements for new subdivisions of multi-unit developments. Evander explained that the proposed changes aimed to make requirements more clear and effective based on the Park System Master Plan, which identified confusion about appropriate land for parks and open space. The current system for subdivisions offers two options: dedicating 6.25% of land to parks and open space or paying a fee in lieu of 13% of market value, though the definition of suitable land remains unclear.
- Discussion: The Commission discussed establishing a tiered system for addressing lands with environmental limitations, where power line corridors would count at half their proportion and wetlands would also be counted at half their amount. They specified that stormwater ponds cannot be counted toward required park or recreation land unless designed to be accessible to the public. The team also outlined standards for park locations in subdivisions, noting restrictions along railroad tracks and minor arterials, and clarified that developers can seek flexibility from these standards through the Independence Planning Commission, which will consider factors such as whether proposed amenities reduce park acreage needs and whether the design achieves other city goals. The conversation highlighted different types of parks, with one participant noting that natural wetland areas serve as recreational amenities for bird watching and nature observation, though they acknowledged the current proposal doesn't fully provide accessible park space. The discussion focused on ensuring proper visibility and access to newly created public spaces in subdivisions, particularly highlighting issues with current developments like Brandy Meadows, where houses are oriented with backyards facing parks rather than front facades. Evander noted a standard requiring 50% of adjacent buildings to face parks directly, with no intervening structures, to better capture the benefits of these spaces and ensure public safety monitoring. The conversation included examples from Edwards where houses were designed with front doors facing parks, and Evander emphasized the need for additional forethought in future subdivisions to better utilize valuable natural areas like South Fork Ash Creek. Evander presented proposed changes to subdivisions and multi-unit development standards, including three main requirements: usable open space for apartment complexes over 20 units, a 15% landscape requirement for certain suburban developments (excluding downtown and mixed-use areas), and private open space requirements for half of the new apartments. The proposed standards were tested against existing developments like River Place and Osprey Point to ensure compatibility, with Evander noting that River Place would exceed the proposed requirements. The standards would be evaluated against the Oregon State Planning Goals, the Independence Comprehensive Plan, and the Independence Development Codes.
- Further questions from the Council.
- Objections or testimony received: Received questions from an affordable housing group about the extent of the changes. Evander responded but did not get an official comment from that group.
- Public Testimony: Chuck Good: questioned if this would change his development. Evander said he would double-check and get a response

regarding whether the proposed park and open space dedication changes affect his previously annexed property.

- Discussion: Staff Response to testimony-None
- Hearing closed at 7:37 PM.

Action:

Commissioner Southgate moved that the commission recommend approval of LA 2026-04 to the Independence City Council ; Commissioner Paraskevas seconded. Discussion: None.

Roll call vote. Motion 7-0-0

Ayes: Patrick Fugeman, Jose Oliveros, Rebecca Jay, Corby Chappell, Sally Coen, Alex Paraskevas, John Southgate

Nays: None

Abstentions: None

7.2. Discussion: Potential Changes to Building Height Requirements.

Evander presented information regarding building height requirements and proposed changing the current 35-foot average height standard to a 35-foot maximum height with specific definitions for half-stories under gable, hip, or gambrel roofs, though concerns were raised about the proposed height being too tall.

Recess at 7:47PM for Evander to grab more materials for the planning commission to review.

Resume at 7:51 Evander showed the commissioners plans of houses that were already built and most were 27 ft. So the 35 maximum height instead makes more sense than a 35 ft average height

Discussion of making the maximum 30 feet or 35 feet. The commission asked Evander to bring examples (including images and measurements) of building heights for the next meeting to inform the discussion on potential changes to building height requirements.

7.3. Discussion: Recent Legislation.

The commission was briefed on upcoming state legislative changes that could impact land use processes. The state is limiting the public process. There are changes to hearing rights and zone change procedures. Evander let the commission know that a consultant will be scheduled to present findings on updating the administrative code at the next meeting.

8. Other Discussion/Information Items.

- Video: Is this peak hot-weather urbanism? The commission watched about 4 minutes of this video about urban design in hot climates. Discussion of ways to keep cities cool.
- Discussion of September meeting which will land on Labor Day, so the meeting will be moved to next Monday, September 14 at 7:00 PM.

9. Adjournment. Action: Commissioner Paraskevas moved to ; Commissioner Jay seconded. Discussion: None Chair Chappell adjourned the meeting at 8: 21 pm.

Minutes submitted by:
Myra Russell, City Recorder

DRAFT



INDEPENDENCE

Oregon's Story Begins Here

ADMINISTRATIVE CODE UPDATE STAFF REPORT

FROM: Fred Evander, Community Planner

TO: Planning Commission

MEETING DATE: September 14, 2026

FILE NUMBER: No File Number Assigned

RE: **ADMINISTRATIVE CODE UPDATE**

ATTACHMENT: A. Code Audit Memo (19 pages)

At the Independence Planning Commission meeting of September 14, 2026, the Commission will begin a discussion of changes to Subchapter 11 (Administration) of the Independence Development Code.

WHAT IS THE PROBLEM?

Over the past several years, the Oregon legislature has passed a series of rules related to land use permitting that look to speed up the development of housing. These changes have made the administrative provisions of Subchapter 11 of the Independence Development Code out-of-date and in need of revision.

WHAT IS PROPOSED?

To help the city address the issue, the Oregon Department of Land Conservation and Development provided a grant to complete the work. The city selected Cascadia Partners, who helped draft the city's Housing Needs Analysis and Housing Production Strategy, as consultant for the effort. Their initial findings about the scope of changes needed are attached.

NEXT STEPS

Cascadia Partners will visit the meeting on September 14 to discuss their preliminary findings and the anticipated timeline to complete the update.

We look forward to a productive conversation about the issue.



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Portland, OR 97209

www.cascadia-partners.com

MEMORANDUM

TO: Planning Commission, City of Independence

FROM: Jamin Kimmell, Mary Phillips, Lydia Ness, Cascadia Partners

DATE: August 7, 2026

PROJECT: Independence Procedural Code Update

SUBJECT: **Code Audit Memo – Final Draft**

This audit reviews the City of Independence Development Code against five state requirements associated with the review procedures that apply to housing development. The audit also includes a recommended restructuring of Subchapter 11 (Administrative Provisions) to address conflicts with state law and improve the clarity of the procedural provisions in the code. The audit covers the following five statute and bill requirements:

- A. **ORS 197.195 (Limited Land Use Decisions):** Requirements for processing certain land use actions as limited land use decisions.
- B. **ORS 197A.146 (SB 974, Section 3, Residential Zone Change, PUD, and Variance Process):** New 2025 streamlined process for qualifying residential development applications.
- C. **ORS 197A.140 and 197A.142 (Expedited Land Divisions):** Expedited processing of qualifying residential land divisions; substantially amended and moved from former ORS 197.360–197.380 to ORS chapter 197A by HB 2138 (2025).
- D. **HB 2138, Sections 16–17 (Revised Application Timelines under ORS 215.427 and 227.178):** 2025 amendments to the city/county application processing framework, including the 63-day expedited land division track, 100-day affordable housing track, and revised definition of "application" to include expedited land divisions and concurrent plat / middle housing land division submittals.
- E. **ORS 197A.400(5) and (6) (HB 4037, Section 17, Clear and Objective Residential Application Process):** 2026 statute, operative July 1, 2026, that limits notice, prohibits initial-decision hearings, and restricts appeal rights to the applicant for residential development applications subject to clear and objective standards.

Other 2025 housing law provisions affecting cities are excluded from this audit and may be addressed in later work. The excluded items are: SB 974 §1 (final engineering plan review timeline); SB 974 §8 (residential design standards); HB 2138 §3 (ORS 197A.421, bonus density for accessible or

affordable middle housing); HB 2138 §6 (ORS 197A.430, single room occupancies); HB 2138 §13 (ORS 197A.400, clear-and-objective standards); HB 2138 §§7, 7a, and 9 (covenant and CC&R unenforceability for middle housing); and HB 2138 §22 (LCDC rulemaking).

The sections through “Recommended Approach” summarize the audit’s findings and the recommended approach for amendments. The “Detailed Findings” section that follows the page break below provides supporting statute-by-statute analysis and is included for reference.

Audit Findings

For each statute, the audit identifies whether the code complies, partially complies, or does not comply, and lists recommended code changes. The Recommended Approach section proposes restructuring Subchapter 11 (Application Review Procedures) to address all the findings through one coordinated set of code amendments.

Compliance Status Definitions

The audit uses five compliance statuses. Each indicates whether the development code meets the statutory requirement in full, in part, or not at all, or whether local codification is recommended or not applicable.

Status	Definition
■ Complies	The development code meets the requirements of the statute.
■ Partially Complies	The development code addresses some but not all requirements or contains provisions that may conflict with the statute.
■ Does Not Comply	The development code does not contain provisions required by the statute.
■ Codification Recommended	The statute is self-executing or does not strictly require local codification, but adopting local provisions is recommended for clarity and implementation.
■ Codification N/A	The statute is permissive or optional, or compliance cannot be assessed through the development code alone.

Key Compliance Issues

- Subdivisions are classified as Type II (quasi-judicial hearing) rather than as limited land use decisions processed without a hearing; the code does not define or reference "limited land use decision" per ORS 197.015(12). No replat procedure exists as a distinct application type.
- No procedure exists for the streamlined residential zone change, PUD, and variance process required by SB 974 §3. The current code requires zone changes, PUDs, and variances to

follow procedures with hearings. SB 974 §3 requires hearings to be optional with written notice to DLCD.

- Expedited land division procedures in Subchapter 90.105 reference repealed statutes (ORS 197.370, 197.375, 197.380) and include outdated procedural requirements, including public notice to surrounding property owners, a 14-day comment period, and a referee appeal process. These provisions conflict with HB 2138's simplified expedited process under amended ORS 197A.140.
- ORS 227.178, as amended by HB 2138 (2025), now requires a multi-track application timeline (150 / 120 / 100 / 63 days, shortest applicable period) and an expanded definition of "application" that includes expedited land divisions and concurrent plat / middle housing land division submittals. The code applies a single 120-day rule and does not differentiate the affordable housing 100-day track, the expedited land division 63-day track, or the expanded application definition.
- HB 4037 §17 (operative July 1, 2026) requires a streamlined process for residential development applications subject to clear and objective standards: 100-foot notice radius (or 500 feet for 20+ unit developments), no hearing, and only the applicant may appeal the application. Implementing this requirement will involve a new procedure type and changes to multiple review procedure types.

Recommended Approach: Restructure Subchapter 11 Application Review Procedures

Most of the compliance issues identified in this audit have the same source: Independence's procedure types do not separately recognize "administrative review with notice" (limited land use decisions) as its own category. The Type I framework currently handles both ministerial decisions and limited land use decisions with public notice, which creates the procedural mismatches identified throughout this audit. Restructuring Subchapter 11 to use the standard Oregon four-category framework (ministerial, administrative/limited land use, quasi-judicial, legislative), and splitting the administrative/limited land use category into a Type II-O procedure for residential clear-and-objective applications under SB 974 and HB 4037 and a Type II-D procedure for other limited land use decisions of any use type under ORS 197.195, resolves the audit findings as part of one coordinated code update.

Current vs. Proposed Procedure Framework

Independence currently uses four procedure type labels (I, II, III, IV) to manage three distinct procedural categories. Type I conflates ministerial decisions with limited land use decisions. Types II and III are two variants of the same quasi-judicial procedure that differ only in who decides: Planning Commission alone for Type II, or both Planning Commission and City Council for Type III. The proposed framework separates each procedural category into its own type, handles SB 974 §3

and HB 4037 residential clear-and-objective applications with a new Type II-O procedure, handles other ORS 197.195 limited land use decisions of any use type with a new Type II-D procedure, and treats decision-maker assignment as a separate dimension within Type III.

Current Framework (Section 11.002)	Proposed Framework
Type I: described as ministerial, but in practice includes both ministerial decisions (no notice) and limited-land-use decisions with 250-ft notice and 14-day comment period	Type I: Ministerial only. No notice, no comment period, clear and objective standards.
(no equivalent)	Type II-O: Administrative process for residential developments subject only to clear and objective standards. There are stricter parameters on notice requirements and appeals than Type II-D. Notice and appeal requirements will vary for residential zone changes, PUDs, and variances per ORS 197A.146
(no equivalent)	Type II-D: Administrative process applied to applications with standards that have limited discretion. Notice, 14-day comment period, no hearing unless appealed. Implements ORS 197.195.
Type III: quasi-judicial with public hearings before both Planning Commission and City Council	Type III: Quasi-judicial with public hearing. Decision-maker (Planning Commission or City Council) varies by application type. Procedural mechanics are the same regardless of who decides.
Type IV: legislative	Type IV: Legislative. Substantially unchanged.

Five Proposed Procedure Types

The proposed framework uses five procedure types. Each type is defined by procedural mechanics: notice, hearing requirements, and decision deadlines. Who decides is set in a separate decision-maker table, so the procedural mechanics stay the same whether the Planning Commission or the City Council makes the decision.

Type I: Ministerial. City Manager or designee decides based on clear and objective standards. No public notice, no comment period, no hearing. Decision deadline 60 days from a complete application. Appeal to Planning Commission within 12 days.

Type II-O (Clear and Objective): Administrative process for residential developments subject only to clear and objective standards. City Manager staff decides without a hearing. Notice and appeals for general residential and specific application types are required by ORS 197A.146:

- For residential developments that follow clear and objective standards and procedures, and that are not subject to ORS 197A.146.
 - Notice: property owners within 100 feet of the development site, or owners within 500 feet for developments of 20 or more units
 - Appeals: only the applicant can appeal the decision and appeals go to LUBA.
- ORS 197A.146 applies only to residential zone changes, planned unit developments, and variances on land that is inside the UGB and zoned primarily for residential, mixed residential, or planned for residential use.
 - Notice: written notice to the Department of Land Conservation and Development (DLCD) in lieu of a hearing under SB 974 §3(5)(b); notice to recognized neighborhood organizations whose boundaries include the site
 - Appeals: LUBA appeal framework consistent with the SB 974 amendments to ORS 197.830 and 197.835.

Type II-D (Discretionary): Administrative process for any use type, including residential, commercial, or industrial, subject to standards that have limited discretion; implements ORS 197.195 limited land use decisions. The City Manager or designee decides after written notice to property owners within 100 feet (Independence's 250-foot practice may continue), a 14-day public comment period, and consideration of comments received. No hearing is required unless the decision is appealed via de novo. Notice content must include applicable criteria, LUBA appeal disclosure, evidence availability, and contact information under ORS 197.195(3). The decision deadline is 120 days from a complete application (100 days for affordable housing applications under ORS 197A.470). Appeals go to the Planning Commission and then to LUBA.

Type III: Quasi-Judicial. The application is reviewed at a public hearing. Who decides, the Planning Commission or the City Council (with a Planning Commission recommendation), depends on the application type and is set in the decision-maker table below. The procedure itself (notice, hearing conduct, ex parte rules, record-keeping) is the same regardless of who decides. The decision deadline is 120 days from a complete application. Appeals from a Planning Commission decision go to the City Council and then to LUBA. Appeals from a City Council decision go directly to LUBA.

Type IV: Legislative. The City Council decides legislative matters (comprehensive plan amendments and zoning code text amendments) on a Planning Commission recommendation. DLCD notice must be provided at least 35 days before the first public hearing under ORS 197.610. Owner and agency notice is required under ORS 227.175. The procedure is substantially the same as current Type IV practice.

Under the current code, Type II and Type III differ only in who decides: Planning Commission alone for Type II, or Planning Commission with City Council for Type III. In the proposed framework, both become Type III, with a separate table identifying which body decides each application type. Zone changes and similar applications continue to require City Council action on a Planning Commission recommendation; other quasi-judicial applications are decided by the Planning Commission with appeal to City Council.

Procedure	Decision-Maker	Appeal Body
Type I (Ministerial)	Staff	PC or Circuit Court
Type II-O (Clear and Objective)	Staff	LUBA
Type II-D (Discretionary)	Staff	Planning Commission
Type III (Quasi-Judicial)	Planning Commission	City Council
Type IV (Legislative)	City Council	LUBA

Application Remapping

The table maps each application to its current and proposed procedure type, grouped by the type of change. The first group lists applications that are renamed but processed the same way. The second group lists applications that are reclassified because state law requires it. The third group lists new application types added to the code.

Application	Current Type	Proposed Type	Rationale
NO PROCEDURAL CHANGE - Renamed Only			
Home Occupation	Type I	Type I	-
Sign Permit	Referenced only	Type I	Codification
Floodplain Permit	Type I	Type I	-
Lot Line Adjustment	Type I	Type I	-
Property Line Adjustment	Type I	Type I	-
Conditional Use Permit	Type II	Type III	Quasi-judicial, already had hearing
Variance (over 20%, non-residential)	Type II	Type III	Quasi-judicial, already had hearing
Non-residential PUD (as Conditional Use)	Type II	Type III	Quasi-judicial, already had hearing

Application	Current Type	Proposed Type	Rationale
Site Design Review: commercial/industrial >40,000 sf	Type II	Type III	Quasi-judicial, already had hearing
Similar Use Determination	Type II	Type III	Quasi-judicial, already had hearing
Downtown Overlay Design Guidelines Review	Type II	Type III	Quasi-judicial, already had hearing
Zone Change (non-residential or non-SB 974-eligible)	Type III	Type III	Decision-maker: Council with PC rec.
Comp Plan Map Amendment (site-specific)	Type III	Type III	Decision-maker: Council with PC rec.
Annexation + Concurrent Zone Change	Type III	Type III	Decision-maker: Council
Comp Plan Text Amendments	Type IV	Type IV	-
Zoning Code Amendments	Type IV	Type IV	-
City Plan Document Adoption	Type IV	Type IV	-
Historic Preservation: Changing the Local Historic Register	Type IV	Type IV	-
Historic Preservation: New Construction	Type II	Type III	-
Historic Preservation: Alteration or Addition, Type I	Type I	Type II-D	-
Historic Preservation: Alteration or Addition, Type II	Type II	Type III	-
Historic Preservation: Demolition or Relocation	Type II	Type III	-

Application	Current Type	Proposed Type	Rationale
Historic Preservation: Removal of Historic Tree	Type II	Type III	-
RECLASSIFICATION - Required by State Law			
Tentative Subdivision Plan	Type II (hearing)	Type II-O or Type II-D	ORS 197.015(12)(A) / 197.195
Major Partition	Type II (hearing)	Removal	ORS 197.015(12)(A) / 197.195
Partition	Type I	Type II-O or Type II-D	ORS 197.015(12)(A) / 197.195
Site Design Review	Type I	Type II-O or Type II-D	ORS 197.015(12)(B) / 197.195
Administrative Variance ($\leq 20\%$)	Type I	Type II-O or Type II-D	ORS 197.015(12) / 197.195 (if discretionary)
Willamette Greenway Administrative Review	Type I	Type II-O or Type II-D	ORS 197.015(12)(B) / 197.195
Downtown Overlay Design Standards Review	Type I	Type II-O or Type II-D	ORS 197.015(12)(B) / 197.195
Residential Zone Change (SB 974-eligible)	Type III	Type II-O	SB 974 §3 / ORS 197A.146
Residential PUD (SB 974-eligible)	Type II (as CUP)	Type II-O	SB 974 §3 / ORS 197A.146
Expedited Land Division	Type I (90.105 outdated)	Separate ELD procedure (revised 90.105)	HB 2138 / ORS 197A.140–142
NEW APPLICATION TYPE - Added to Code			
Replat	Not in code	Type II-O or Type II-D	ORS 197.015(12)(C) limited land use decision
Nonconforming Use Extension/Alteration	Not in code	Type II-O or Type II-D	ORS 197.015(12)(E); substantive rules in 10.055

Additional Code Amendments Outside Subchapter 11

The Subchapter 11 restructuring requires two coordinated amendments elsewhere in the development code, covered in the Detailed Findings section below: (a) a substantial rewrite of Subchapter 90.105 (Expedited Land Divisions) to match the HB 2138 amendments to ORS 197A.140 and 197A.142; and (b) cross-reference edits to Sections 10.055 (Nonconforming Uses), 60.015 (PUD as a Conditional Use), and 70.010 (Variance Procedures) to route applications to the appropriate new procedure type. Subchapter 13 (Definitions) also needs definitions for “limited land use decision,” “Type II-O procedure,” and “Type II-D procedure,” and an update to the “expedited land division” definition.

The remainder of this memo provides the detailed, statute-by-statute analysis supporting the summary above. It is included for reference for the Planning Commission.

Detailed Findings

Citation	Requirement	Applicability	Status
ORS 197.195 / 197.015	Limited Land Use Decisions	All cities	■ Partially Complies
SB 974 §3	Residential Zone Change, PUD, and Variance Process	All cities (operative July 1, 2026)	■ Codification Recommended
ORS 197A.140 / 197A.142	Expedited Land Divisions	All cities	■ Partially Complies
ORS 215.427 / 227.178	Application Timelines and Definition of "Application"	All cities	■ Partially Complies
HB 4037 §17	Clear and Objective Residential Application Process	All cities (operative July 1, 2026)	■ Codification Recommended

Procedural Requirements

Limited Land Use Decisions

ORS 197.195 / 197.015 · All cities · Amended by SB 1537 (2024)

ORS 197.015(12), as amended by SB 1537, defines a "limited land use decision" as a final decision by a local government pertaining to a site within an urban growth boundary that concerns: (A) approval or denial of a tentative subdivision or partition plan; (B) approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright (including site review and design review); (C) approval or denial of a replat; (D) approval or denial of a property line adjustment; or (E) approval or denial of an application for an extension, alteration, or expansion of a nonconforming use. ORS 197.195 establishes specific procedural requirements for limited land use decisions, including written notice to property owners within 100 feet, a 14-day comment period, listing of applicable criteria in the notice, and appeal rights. Limited land use decisions are distinct from full quasi-judicial "land use decisions" and do not require a public hearing.

Findings

Section 11.002 of the Independence Development Code classifies land use actions into four types. The relevant classifications are:

Tentative subdivision plans: Classified as Type II (Section 11.002.B.4), which requires a quasi-judicial hearing before the Planning Commission. ORS 197.195(1) requires that tentative subdivisions be processed as limited land use decisions, which do not require a hearing. The Type II procedure exceeds the statutory procedural requirement.

Tentative partition plans: Minor partitions are classified as Type I (Section 11.002.A.4), which is a ministerial staff review and consistent with the limited land use decision requirement. Major partitions (involving street creation) are classified as Type II (Section 11.002.B.3), requiring a hearing before the Planning Commission. The Type II procedure exceeds the statutory procedural requirement.

Site design review: Classified as Type I (Section 11.002.A.3) for most applications, and as Type II (Section 11.002.B.8) for commercial/industrial developments exceeding 40,000 square feet of gross floor area. The Type I classification for standard residential site design review is consistent with ORS 197.195. (The Type II classification applies to commercial and industrial developments (excluding mixed-use developments) exceeding 40,000 square feet of gross floor area.)

Lot line adjustments: Classified as Type I (Section 11.002.A.1) and processed under Subchapter 90.110 as a ministerial action. This is consistent with the statute.

Replats: No distinct replat procedure exists in the code. The code does not list "replat" as an application type under Section 11.002 or elsewhere. ORS 197.015(12)(C) classifies replats as limited land use decisions. Section 11.015.E.4 provides that modifications to plats default to a new application review process; staff interpretation is that a replat would be reviewed as part of a subdivision process, which under Section 11.002.B.4 is a Type II quasi-judicial action requiring a Planning Commission hearing. This procedure exceeds the statutory limited land use decision standard.

Nonconforming use extension, alteration, or expansion: Section 10.055.A prohibits enlargement or extension of nonconforming lots, parcels, structures, uses, and activities. Section 10.055.B restricts reconstruction of damaged nonconforming uses or structures to those that would conform, except that destroyed residential structures at higher density or of an alternative housing type may be reconstructed under specified conditions. Section 10.055.C provides that any use following 12 months of abandonment must conform. ORS 197.015(12)(E) defines applications for extension, alteration, or expansion of a nonconforming use as limited land use decisions. The Independence code prohibits enlargement and extension outright but does not address alteration that neither enlarges nor extends, and Section 10.055.B contemplates reconstruction applications subject to specified criteria. Section 11.002 does not list nonconforming use applications in any of the four application types, so the code provides no procedure for the alteration or reconstruction applications that Section 10.055.B contemplates.

Section 11.015.E.6 sets a 250-foot notice radius for Type I decisions other than Home Occupations, Sign Permits, Lot Line Adjustments, and Floodplain Permits. ORS 197.195(3)(a) sets a 100-foot minimum, so the city's wider radius is permitted. What the current code does not include, and what ORS 197.195(3)(c) and (4) require, is notice content that lists the applicable approval criteria and explains LUBA appeal rights. The code also does not use the term "limited land use decision" or reference ORS 197.195.

Status	Recommendation
■ Partially Complies	• Reclassify subdivisions from Type II to a Type I procedure. • Add a replat procedure classified as a Type I procedure and criteria. • Add a procedure and criteria for extension, alteration, or expansion of nonconforming uses, classified as a Type I procedure. • Ensure notice requirements for all limited land use decisions include written notice to owners within 100 feet, a 14-day comment period, listing of applicable criteria, and explanation of appeal rights.

Residential Zone Change, PUD, and Variance Process

ORS 197A.146 · All cities · Amended by SB 974 (2025) · Effective July 1, 2026

ORS 197A.146 establishes a new streamlined process that applies to land use decisions for residential development based on: (a) a zone change to allow denser residential use; (b) a planned unit development; or (c) a variance from a residential approval standard. It applies only to land inside the UGB that is zoned primarily for residential, mixed residential, or planned for residential use.

Under ORS 197A.146, applications subject to this section have specific procedural requirements:

- Applications are not subject to the requirements of ORS 197.797 (public hearing notice).
- Applications are reviewed under the local government's land use regulations, except as modified by ORS 197A.146(5).
- Written notice must be provided to property owners within 100 feet and to recognized neighborhood organizations whose boundaries include the site (compiled from the most recent property tax assessment roll).
- A public hearing is not required if the Department of Land Conservation and Development (DLCD) receives a copy of the notice.
- A 14-day written comment period must be provided.
- Notice must include applicable criteria, property address, comment deadline, evidence availability, and a contact person.

- The notice must state that issues forming the basis of a LUBA appeal must be raised in writing during the comment period.

ORS 197.830 and 197.835 are amended to extend the same LUBA review framework to ORS 197A.146 decisions as applies to limited land use decisions under ORS 197.195, including the provision that new issues may only be raised on appeal if the local government failed to list applicable criteria or the final decision substantially differed from the noticed proposal.

Findings

The Independence Development Code currently classifies the three application types covered by ORS 197A.146 as follows:

Zone changes: Type III procedure (Section 11.002.C.1), requiring public hearings before both the Planning Commission and City Council, with the City Council making the final decision. Appeal is to LUBA. If DLCD receives a copy of the notice, this hearing-based process exceeds the statutory requirement for applicable zone change applications.

Planned unit developments: PUDs are processed as conditional uses under Subchapters 60 and 71 (Section 11.002.B.5). The procedure is a Type II action, which includes a Planning Commission hearing with appeal to City Council. Section 60.015 explicitly routes PUDs through the conditional use procedure. Section 60.020 lists findings the Planning Commission must make on consistency with the Comprehensive Plan, compatibility with neighboring uses, financing, and other criteria. If DLCD receives a copy of the notice as required by SB 974 §3, this hearing-based process exceeds the statutory requirement for residential PUDs subject to SB 974 §3.

Variances: Type II action for variances exceeding 20% of dimensional standards (Section 11.002.B.1). Administrative variances (up to 20% of dimensional standards) are Type I actions (Section 11.002.A.5, Subchapter 70.012) decided by the City Manager. For qualifying residential variances, the Type II variance process exceeds the statutory requirement for variances. Administrative variances as Type I actions are already consistent.

No provisions were found in the code addressing the ORS 197A.146(5) procedural requirements: the 100-foot notice to property owners with specific content requirements, the 14-day comment period, DLCD notification in lieu of a hearing, or the LUBA appeal requirement.

Status	Recommendation
■ Codification Recommended	This is assessed as Codification Recommended because the statute will be self-executing upon its operative date. A jurisdiction's failure to adopt a local procedure does not relieve it of the obligation to comply. However, without local codification, staff and applicants will lack clear procedural guidance. Before July 1, 2026, it is recommended to adopt a new procedure (or modify existing procedures) for residential zone changes, PUDs, and variances on residentially zoned or planned land within the UGB. At minimum:

Status	Recommendation
	• Create a new decision pathway (e.g., a "Type II-O" procedure) for qualifying applications that does not require a public hearing. • Implement the specific notice requirements: written notice to owners within 100 feet, recognized neighborhood organizations, and DLCD; 14-day written comment period; required notice content per SB 974 Section 3(5)(c). • Amend Section 11.002 to identify which zone change, PUD, and variance applications are subject to the new procedure versus the existing Type II/III process. • Ensure the code identifies the exclusions from SB 974 Section 3 (applications reducing density, final plats, building permits, final engineering plans, and ministerial/expedited approvals). • Add provisions addressing the LUBA appeal framework consistent with amended ORS 197.830 and 197.835.

Clear and Objective Residential Application Process

HB 4037, Section 17 · All cities · Operative July 1, 2026

HB 4037 Section 17 (Oregon Laws 2026), operative July 1, 2026, establishes a streamlined process for housing applications reviewed under clear and objective standards. For any residential development permit or application subject to clear and objective standards, the local government may notify only owners of property within 100 feet of the development site, or owners within 500 feet for developments of 20 or more units. The local government may not require a public hearing prior to making a decision on the application. Only the applicant has local appeal rights, and only the applicant may appeal to the Land Use Board of Appeals.

This applies in addition to existing requirements that local governments provide a clear and objective approval pathway for housing under ORS 197A.400. The new procedural restrictions in HB 4037 Section 17 narrow the scope of public participation and third-party appeal rights for this category of housing applications.

Findings

The Independence Development Code does not currently identify a separate review track for residential development applications subject to clear and objective standards. Most housing-related applications are processed as Type I (Site Design Review, Minor Partition, Administrative Variance, Lot Line Adjustment) or Type II (Subdivision, Major Partition, Conditional Use, Variance exceeding 20%) under Section 11.002, with notice provisions in Section 11.015.E.6 and 11.025.

Specific provisions in the current code that conflict with HB 4037 Section 17:

Notice radius: Section 11.015.E.6 establishes a 250-foot notice radius for most Type I decisions. HB 4037 Section 17 limits notice to 100 feet (500 feet for 20-or-more-unit developments) for clear and objective housing applications. The 250-foot radius for these specific applications would exceed the statute's standard. The 100-foot radius is a maximum for residential development, but a city retains discretion to use a wider radius for non-housing applications.

Public hearing: Type II procedures in Independence currently require a public hearing before the Planning Commission. For applications that are residential development subject to clear and objective standards, HB 4037 Section 17 prohibits requiring a public hearing prior to the initial decision.

Appeal rights: Section 11.040 and 11.045 allow appeals by the applicant or by persons with standing. HB 4037 Section 17 limits local appeal rights to the applicant only for residential applications under clear and objective standards. Section 11.045 currently permits Planning Commission decisions to be appealed by any party with standing.

Status	Recommendation
■ Codification Recommended	HB 4037 Section 17 is self-executing on its operative date of July 1, 2026. A jurisdiction's failure to adopt local procedures does not relieve it of the obligation to comply, but without local codification, staff and applicants will lack clear procedural guidance. Recommended local code amendments coordinate with the Subchapter 11 restructuring proposed in the Recommended Approach section: • Confirm the Type II-O procedure (created above for SB 974 applications) also covers residential applications reviewed under HB 4037's clear-and-objective standard, since both share the same administrative, no-hearing structure. • For these applications, set the notice radius at 100 feet (500 feet for developments of 20 or more units). • Eliminate any hearing requirement for the initial decision on these applications. • Limit local appeal rights and LUBA appeal rights to the applicant. • Coordinate the definition of "clear and objective standards" with ORS 197A.400 and identify which Independence development standards meet this definition for housing.

Application Timelines and Definition of "Application"

ORS 215.427 and 227.178 · All cities and counties · Amended by HB 2138 (2025)

ORS 227.178, as substantially amended by HB 2138 (2025), restructures the city application timeline framework. Local governments must take final action, including resolution of all appeals, within the

shortest applicable period of the following: (a) 150 days; (b) 120 days, for land within an urban growth boundary or for mineral aggregate extraction; (c) 100 days, for affordable housing applications as provided in ORS 197A.470; or (d) 63 days, for an expedited land division under ORS 197A.140. The amended statute also expands the definition of "application" to include not only permits, limited land use decisions, zone changes, and consolidated zone change and permit applications, but also expedited land divisions under ORS 197A.140 and plats consisting of a land division and middle housing land division as described in ORS 92.044(1)(c)(C). The 30-day completeness review window and 180-day applicant response window remain. The amended statute also revises the refund rules in subsection (8) and integrates with the mandamus path under ORS 227.179.

Findings

Sections 11.015.E.3 and 11.015.F.3 of the Independence Development Code reference ORS 227.178 for the 180-day applicant response window. Sections 11.015.E.11 and 11.015.F.11 establish a 120-day final action timeline (including appeals) and require staff to notify the City Council by the 95th day if final action will not occur within 120 days, with the City Council convening an emergency meeting to decide before the 120-day deadline.

The code does not provide the differentiated multi-track timeline framework that HB 2138 introduces. No 100-day track for affordable housing applications under ORS 197A.470 is referenced. Section 11.060 establishes a 240-day timeline for "supplemental applications" filed after denial, which is a distinct procedure that does not address the affordable housing 100-day requirement. No 63-day track for expedited land division applications is integrated into the general application timeline framework; Section 90.105.020.C.4.b references a 63-day expedited land division decision timeline within the (outdated) expedited land division procedure but does not connect it to ORS 227.178's revised timeline definitions.

The code does not address the expanded definition of "application" that now includes expedited land divisions under ORS 197A.140 and concurrent plat and middle housing land division submittals under ORS 92.044(1)(c)(C). The code's 30-day completeness review timeline (Sections 11.015.E.2 and 11.015.F.2) and 180-day applicant response window (Sections 11.015.E.3 and 11.015.F.3) remain consistent with the amended ORS 227.178.

Recommended implementation: through substantial rewrite of Subchapter 90.105, coordinated with the Subchapter 11 restructuring. Specific recommended edits:

Status	Recommendation
■ Partially Complies	Amend Subchapter 11 to align with ORS 227.178 as amended by HB 2138: Restructure the application timeline framework in Sections 11.015.E.11 and 11.015.F.11 to incorporate the multi-track

Status	Recommendation
	timeline (150 / 120 / 100 / 63 days, "shortest applicable period"). • Add reference to the 100-day timeline for affordable housing applications under ORS 197A.470. • Integrate the 63-day expedited land division timeline within the application processing framework. • Update Section 11.005 (or add a definitional section) to incorporate the expanded definition of "application" that includes expedited land divisions and concurrent plat / middle housing land division submittals under ORS 92.044(1)(c)(C). • Reconcile the existing 240-day supplemental application timeline in Section 11.060 with the new framework: either clarify that supplemental applications under ORS 227.181 are governed by a separate timeline (permitted), or update to reflect any HB 2138 implications.

Land Division Procedures

Expedited Land Divisions

ORS 197A.140-142 · All cities · Amended by HB 2138 (2025)

ORS 197A.142 establishes the criteria for qualifying an application as an expedited land division: the land must be zoned for residential use and within an urban growth boundary; the division must be solely for residential purposes; the land must not be designated for natural feature protection under statewide planning goals; the division must satisfy minimum street connectivity standards; and the resulting development must either create enough lots for at least 80% of maximum net density or be for households below 120% of area median income. ORS 197A.140, as substantially amended by HB 2138 (2025), now provides that for an application reviewed as an expedited land division at the applicant's request: the decision is not subject to ORS 197.797 notice requirements; the local government must approve or deny within 63 days of a completed application; the local government may not hold a hearing or allow third-party intervention; the local government must issue a written determination with a summary statement and explanation of LUBA appeal rights; the local government must provide notice of the decision only to the applicant; and only the applicant may appeal.

There are specific provisions addressed in HB 2138 that have been repealed, including: provisions for appeals and legal remedies (ORS 197.370, 197.375, 197.380), expedited land divisions are

divisions of land that create three or fewer parcels, expedited land divisions are not a land use decision, a limited land use decision, or permit for resource land.

Findings

Subchapter 90.105 of the Independence Development Code establishes an expedited land division procedure. Several provisions in the code conflict with the amended ORS 197A.142 as revised by HB 2138, though:

Criteria: Section 90.105.010 defines the qualifying criteria for an expedited land division, which are partly consistent with ORS 197A.142(1) criteria, including the requirements for residential zoning within the UGB, sole residential purpose, natural feature protections, street connectivity standards, and the 80% net density threshold. This section does not include eligibility for projects that are sold or rented to households with incomes below 120 percent of the median family income for the county in which the project is built .

Land use or limited land use decision: Section 90.105.010.B states that an expedited land division is not a land use decision or limited land use decision under ORS 197.015, which is inconsistent with ORS 197A.142.

Notice to surrounding property owners: Section 90.105.020.B requires written notice to state agencies, local governments, special districts, and "owners of property as per type of land division." The amended ORS 197A.142 now requires notice only to the applicant and prohibits requiring notice to any other person.

Public comment period: Section 90.105.020.D.1 requires "a 14-day period for submission of written comments prior to the decision." The amended ORS 197A.140 eliminates the public comment period for expedited land divisions.

Public notice content requirements: Section 90.105.020.C contains detailed notice content requirements (street address, comment deadline, evidence availability, contact person, summary of decision process). These requirements are now superseded by the simplified process under amended ORS 197A.140, which only requires notice of the decision to the applicant.

Referee appeal process: Section 90.105.040 establishes an appeal to a referee, and Section 90.105.040 provides for judicial review of the referee's decision. These provisions reference ORS 197.375, which has been repealed by HB 2138. Under the new framework, only the applicant may appeal, and appeal is directly to LUBA under ORS 197.830–197.855.

Completeness timeline: Section 90.105.020.A.1 provides 21 days for the city to notify the applicant of missing information, consistent with the prior ORS 197.365(1)(a) (now numbered 197A.140(1)(a)). HB 2138 replaces this with the standard completeness process under ORS 227.178 (30-day completeness review).

Outdated ORS references: The code references ORS 197.360, ORS 197.375, and the prior framework throughout Subchapter 90.105. These references are now outdated.

The 63-day decision timeline is referenced in Section 90.105.020.C.4.b (approval or denial within 63 days of a completed application), which remains consistent with the amended statute.

Recommended implementation: through new Subchapter 90.107, coordinated with the revised Subchapter 90.105 ELD procedure. Specific recommended edits:

Status	Recommendation
■ Partially Complies	Amend Subchapter 90.105 to be consistent with ORS 197A.140 and 197A.142 as amended by HB 2138: • Remove the requirement for notice to surrounding property owners and agencies; require notice of the decision only to the applicant (Section 90.105.020.B). • Remove the 14-day public comment period (Section 90.105.020.D.1). • Remove the detailed public notice content requirements (Section 90.105.020.C). • Remove the referee appeal process and the judicial review provisions in Section 90.105.040. • Add a provision stating that only the applicant may appeal, with appeal to LUBA under ORS 197.830–197.855. • Add a requirement for a written determination of compliance/noncompliance with a summary statement and explanation of appeal rights. • Update the completeness review timeline to 30 days consistent with ORS 227.178. • Update all ORS references: replace references to ORS 197.375 and 197.380 with references to ORS 197A.140 and ORS 197A.142 as amended; note the repeal of ORS 197.370, 197.375, and 197.380.



DRAFT CHANGES TO BUILDING HEIGHT LIMITS STAFF REPORT

FROM: Fred Evander, Community Planner

TO: Planning Commission

MEETING DATE: September 14, 2026

FILE NUMBER: No File Number Assigned

RE: **DRAFT CHANGES TO BUILDING HEIGHT LIMITS**

ATTACHMENT: A. Draft Changes to Building Height Limits (3 pages)
B. Zoning Map (1 page)
C. Example Building Heights (6 pages)

At the Independence Planning Commission meeting of September 14, 2026, the Commission will continue to discuss potential revisions to the height limits in the Independence Development Code.

WHAT IS THE PROBLEM?

Residential zones in the City of Independence allow buildings up to 35 feet tall to the *average height* of the highest roof pitch. As stated within Subchapter 13: Definitions:

HEIGHT OF BUILDING

"Height of Building" means the vertical distance from the grade to the highest point of the coping of a flat roof or the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

This height is significantly taller than most structures in residential zones in Independence. Typically, a standard two-story home is an average height of 22 to 24 feet tall.

WHAT IS PROPOSED?

The attached draft would reduce the height of the Low-Density Residential (RS) Zone and the Medium-Density Residential (RM) Zone to a *maximum* of 35 feet and 2.5 stories¹.

¹ As defined in the Independence Development Code, "Story" means that portion of a building included between the upper surface of any floor and the upper surface of the next floor above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor and level directly above a basement or unused underfloor space is more than six feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined herein

This change would shift the allowed height from an average to a maximum and create a new “story” standard that would require any habitable area greater than two stories to be hidden either in the basement or the roof of a structure.

WHAT ARE OPTIONS TO PROCEED?

During the meeting in August, the Commission discussed whether 35 feet was the proper maximum height for the zone or if 30 feet was more appropriate. Examples of homes built to various maximum heights are included as Attachment C. The Planning Commission will continue to discuss the proposal and the best height at their meeting on September 14, 2026.

at any point, such basement or unused underfloor space shall be considered a story.

DRAFT CHANGES

BUILDING HEIGHT LIMITS



SUBCHAPTER 13: DEFINITIONS

HEIGHT OF BUILDING

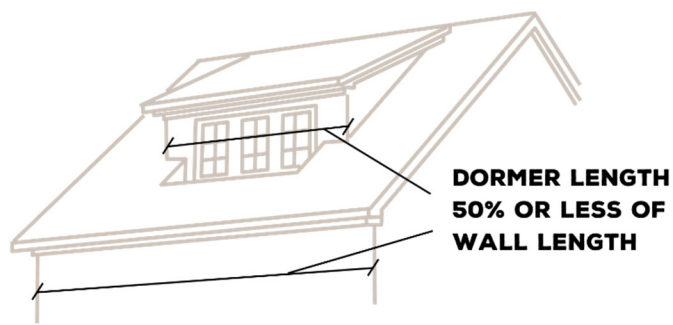
"Height of Building" in the RS and RM Zones:

(1) Building Height (Feet). Is measured as the vertical distance from the average finished grade adjacent to the building to the highest point of the building (typically the peak of the roof).

(2) Building Height (Stories). Is measured in stories as defined in this chapter. When a half story is used, a half story means that portion of a building that is:

- Considered a habitable attic area under a gable, hip or gambrel roof, where any combination of dormers on the roof, if dormers are used, do not exceed 50 percent of the length of the underlying wall, or
- In a visible basement that does meet the definition of a story.

A building incorporating both a habitable attic area and a visible basement shall count the two half stories as one full story.



For all other zones, "Height of Building" means the vertical distance from the grade to the highest point of the coping of a flat roof or the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

SUBCHAPTER 18: DENSITY, AREA, AND DIMENSION REQUIREMENTS IN RESIDENTIAL ZONES

DENSITY AND DIMENSION STANDARDS¹

ZONE

		RS	RM	RH	MX
Minimum Lot Area					
	Detached Single-Unit	4,800 sf	4,800 sf	4,800 sf	N/A ²
	Townhouses/Rowhouses	2,400 sf	2,400 sf	1,800 sf	1,800 sf ²
	Duplex, Triplex, Quadplex (average per unit)	2,400 sf	2,400 sf	1,800 sf	1,800 sf ²
	Cottage Cluster Development	NA			
	Multiple-Unit Dwellings	N/A	N/A	N/A	N/A ²
	All Other	4,800 sf	4,800 sf	4,800 sf	None
Minimum Lot Width					
	Townhouses/Rowhouses	20 ft	20 ft	20 ft	20 ft
	Multiple-Unit Dwellings	N/A	N/A	N/A	6 ft/unit min 30 ft/unit max
	All Other	N/A	N/A	N/A	35 ft min 100 ft max
Minimum Setbacks					
-Primary Structures					
	Front	10 ft	10 ft	5 ft	10 ft
	Side	5 ft (10 ft on Corner Lot)			
	Rear	10 ft	10 ft	10 ft	None
	Alley (Side or Rear)	5 ft	5 ft	5 ft	5 ft
-Attached Garages					
	Garage entrances facing a public street access (driveway length)	19 ft (and 4 feet behind façade) ³			
	Other	Same as primary structure			
-Detached Garages					
	Front	40 ft	40 ft	40 ft	N/A
	Side (Corner/Alley)	5 ft	5 ft	5 ft	N/A
	Side (Interior)	0	0	0	N/A
	Rear (Interior Lot)	0	0	0	N/A
	Rear (Abutting a Street or Alley)	1 ft	1 ft	1 ft	N/A
	Rear (Corner lot or Other)	Same as Primary Structure			
-Detached Accessory Structures Other than Garages and Fences					

		RS	RM	RH	MX
	Front	Same as Primary Structure			
	Side and Rear	5 ft	5 ft	5 ft	N/A
Maximum Lot Coverage					
	Single-Unit Dwellings	40%	40%	45%	40%
	Multiple-Unit Development	N/A	N/A	60%	70%
	All other Residential Development	45%	45%	50%	50%
	Non-residential development	40%	40%	45%	None
Maximum Height					
	Residential Uses	<u>2.5 stories</u> 35 ft <u>max.</u>	<u>2.5 stories</u> 35 ft <u>max.</u>	45 ft	35 ft
	Church/Public Service Buildings	45 ft	45 ft	45 ft	45 ft
	Other Primary Structure	35 ft	35 ft	45 ft	35 ft
	Accessory Building	15 ft (or, if primary building is multiple stories, the lesser of the height of the primary building or 25 feet)			

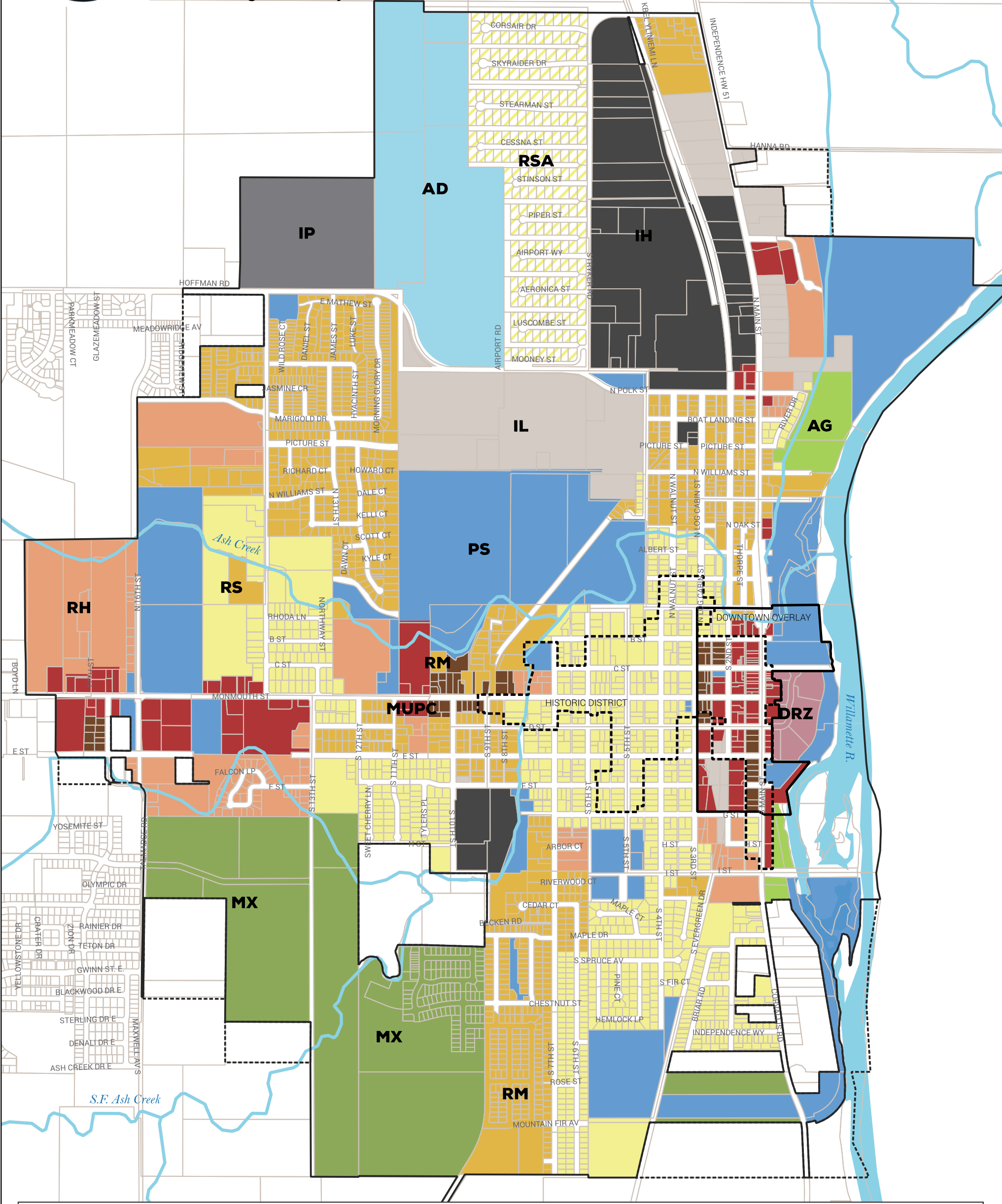
Notes:

1. Larger setbacks may be required as a result of the building code.
2. The average density of residential development in the MX zone must be at least 9 units per acre.
3. May be modified per the provisions for garages in front of buildings in IDC 74.005(B)(2).



CITY OF INDEPENDENCE

Zoning Map



LEGEND

ZONE

- Low-Density Residential (RS)
- Medium-Density Residential (RM)
- High-Density Residential (RH)
- Residential Single-Family Airpark Overlay (RSA)
- Mixed Residential (MX)
- Mixed-Use Pedestrian Friendly Commercial (MUPC)

- MUPC-Transitional (MUPC-T)
- Downtown Riverfront Zone (DRZ)
- Light Industrial (IL)
- Heavy Industrial (IH)
- Industrial Park (IP)
- Airport District (AD)
- Agricultural (AG)

- Public Service (PS)
- City Limits
- Urban Growth Boundary
- Downtown Overlay
- Historic District



Home height to top of hip ~ 33 feet



Home height to top of hip ~ 29 to 30 feet



Home height to gable ~ 33 feet



Home height to gable ~ 35 feet



Home height to gable ~ 30 feet



Home height to gable ~ 28 feet

Home height to gable ~ 28 feet



Home height to gable ~ 28-29 feet



Home height to gable ~ 30 feet



Home height to gable ~ 32-33 feet (631 NE Royal)



Home height to gable ~ 33 feet (4225 Laddington)



Home height to gable ~ 32-33 feet (4025 NE Couch)



Home height to gable ~ 30 feet (4044 NE Couch)