



CITY OF TUALATIN

Staff Report

TO: Tualatin Planning Commission

THROUGH: Aquilla Hurd-Ravich, Community Development Director
Teresa Montalvo, Planning Manager

FROM: Madeleine Nelson, Associate Planner

DATE: January 21, 2026

SUBJECT:

Presentation to provide an update on the project to amend the Tualatin Development Code (TDC) for compliance with Oregon Revised Statutes (ORS 197A.400, Clear and Objective Housing Standards), one of a series of state laws intended to address barriers to housing in Oregon.

RECOMMENDATION:

No action is required by the Planning Commission at this stage. Staff recommend that the Planning Commission review the presentation and provide direction on the policy questions identified.

EXECUTIVE SUMMARY:

The purpose of this project is to audit the TDC for compliance with Oregon Revised Statutes (ORS) 197A.400 and to prepare a package of code amendments to address identified issues. The amendments will result in a hearings ready development code that meets state requirements for clear and objective standards for housing. ORS 197A.400 requires local governments to regulate housing using clear and objective standards, conditions, and procedures to ensure that discretionary or subjective criteria is not used to deny housing projects.

A draft TDC code audit has been completed and is available for review. The audit identifies code provisions that do not meet clear and objective requirements and highlights key policy discussion items for consideration by the Planning Commission and City Council. These include the City's use of a two-track system of clear and objective and discretionary review criteria for certain residential applications, standards for multifamily housing, and the treatment of multifamily and retirement housing in residential zones where discretionary approval is currently required. The draft audit includes detailed findings by code section and preliminary concepts for potential solutions, which will inform the development of code amendments.

The Planning Commission and City Council will have additional opportunities to provide input following review of the draft audit and during preparation of the proposed code amendments. Staff anticipates returning in June with draft code language for review and feedback.

OUTCOMES OF DECISION:

The state rulemaking provides requirements for clear and objective standards for housing. This project will assist in ensuring the Tualatin Development Code is compliant with state law.

ALTERNATIVES TO RECOMMENDATION:

The state rulemaking is mandatory for metropolitan areas in Oregon.

FINANCIAL IMPLICATIONS:

The City was awarded direct assistance for this work by DLCD under an Intergovernmental Agreement authorized by DLCD IGA #23152. No direct financial expenditures will be incurred.

ATTACHMENTS:

- A. Presentation
- B. Draft Code Audit